LAWS—NEW JERSEY
1953

New Jersey State Library

ADDITIONAL
ACTS

OF THE

One Hundred and Seventy-sixth Legislature

OF THE

STATE OF NEW JERSEY

AND

Fifth Under the New Constitution

(Chapters 359, 360 and 361 of 1952)

MacCrellish & Quigley Co
Printers
Trenton, New Jersey
1953

New Jersey State Library

ADDITIONAL LAWS OF 1952

(Chapters 359, 360 and 361)

The following additional laws, passed by the One Hundred and Seventy-sixth Legislature, are published in accordance with Title 1, chapter 3, section 1 et seq. of the Revised Statutes.

LLOYD B. MARSH,
Secretary of State.

ADDITIONAL ACTS

PASSED BY

The One Hundred and Seventy-sixth Legislature

CHAPTER 359

AN ACT to amend "An act concerning the several counties and municipalities, regulating the effect of the Federal census for the year one thousand nine hundred and fifty on offices and employments and the compensation of officers and employees in the several counties and municipalities," approved February eleventh, one thousand nine hundred and fifty-two (P. L. 1952, c. 1).

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

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

3. This act shall become inoperative on and after January first, one thousand nine hundred and fifty-four. C. 40:11-17.4. Act inoperative.

2. This act shall take effect immediately.

Approved December 29, 1952.

CHAPTER 360

AN ACT relating to State teachers' college buildings and making appropriation for the construction, reconstruction, development, extension, repair and improvement of several such buildings, and to provide equipment and facilities therefor and for educational purposes.

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

Appropriation for construction of teachers' college buildings.

1. There is hereby appropriated to the State Department of Education, from the State Teachers' College Building Construction Fund, the sum of fifteen million dollars ($15,000,000.00), or so much thereof as may be necessary, for the construction, reconstruction, development, extension, repair and improvement of the several State teachers' college buildings and to provide equipment and facilities therefor at the respective following institutions:

The New Jersey State Teachers' College at Glassboro:	
Construction of a food service building, a library building, dormitory facilities, a laboratory school, reconstruction and repairing of present facilities, and purchasing of equipment and facilities	$2,208,000 00
The New Jersey State Teachers' College at Jersey City:	
Reconstruction of present gymnasium to make classrooms, construction of a gymnasium, enlargement of the present library, reconstruction and repairing of present facilities, and purchasing of equipment and facilities	917,000 00

The New Jersey State Teachers' College at Montclair:	
Construction of additional classrooms, laboratories and shops, and reconstruction of present administration building into classrooms; construction of a food service building, a gymnasium, and an auditorium; reconstruction and enlarging of the library in the present administration building; construction and reconstruction of dormitory facilities; enlarging the heating plant; repairing present facilities; and purchasing of equipment and facilities	4,774,000 00
The New Jersey State Teachers' College at Newark:	
Construction of a Teachers' College to replace the present New Jersey State Teachers' College at Newark on a site to be selected by the State Board of Education, subject to the approval of the State House Commission; and for the purchase of land and the reconstruction of any buildings thereon; and purchasing of equipment and facilities	3,700,000 00
The New Jersey State Teachers' College at Paterson:	
Construction of gymnasium and classrooms, a library, the enlargement of present food service facilities, reconstruction and repairing of present facilities, and purchasing of equipment and facilities	1,300,000 00

The New Jersey State Teachers' College at Trenton:	
Construction of a food service building, a dormitory, enlargement of the heating plant, reconstruction and repairing of present facilities, and purchasing of equipment and facilities	2,041,000 00
Miscellaneous and incidental expenses in connection with preliminary planning, surveys, and central office overhead expense ..	60,000 00
	$15,000,000 00

Source of funds.

2. It is the declared purpose of this act that the funds from which said appropriations shall be made shall be those funds which shall be derived from the sale of the "State Teachers' College Construction Bonds," the issuance of which is provided for in chapter three hundred and forty of the laws of one thousand nine hundred and fifty-one, which said act was submitted to the people and approved by the people at the general election held on November sixth, one thousand nine hundred and fifty-one.

To create fund, requisitioning.

3. The State Treasurer is hereby authorized, empowered and directed and it shall be his duty to set up and maintain the aforementioned appropriation in the "State Teachers' College Building Construction Fund," established heretofore pursuant to the statutes of this State. The funds herein appropriated may be requisitioned by the State Board of Education for the uses and purposes specifically enumerated herein subject to the approval of the Director of the Division of Purchase and Property in the Department of the Treasury and subject to the same restrictions and control as are exercised over all other appropriated State funds, but not inconsistent with the provi-

sions of chapter three hundred and forty of the laws of one thousand nine hundred and fifty-one.

Federal aid.

4. The State Board of Education is hereby empowered, subject to the approval of the Governor, to enter into negotiations with the Federal Government for the purpose of securing any available financial grants and the State Treasurer is empowered to receive any such grants and thereafter cause them to be established and maintained in the aforementioned "State Teachers' College Building Construction Fund." Such funds may be requisitioned by the State Board of Education for the uses and purposes specifically enumerated herein, subject to the approval of the Director of the Division of Purchase and Property in the Department of the Treasury and subject to the same restrictions and control as are exercised over all other appropriated State funds, but not inconsistent with the provisions of chapter three hundred and forty of the laws of one thousand nine hundred and fifty-one.

Corrections made to comply with intentions

5. The State Treasurer is hereby authorized, empowered and directed, and it shall be his duty to make such correction of the title or text, or both, of any item in this act contained necessary to make such appropriation available for the purpose or purposes of its intention. Such correction shall be by written ruling reciting any appropriate details, the fact thereof and the reason therefor, attested by the signature of the State Treasurer and filed by him in his office as an official record, and any action thereunder, including disbursement, and the audit thereof, shall be legally binding and of full force and effect.

Transfers.

6. In order that some degree of flexibility in administering the provisions of this act may be had, the State Board of Education may apply to the Governor for leave to transfer a part of any item to any other item or to a new item. Upon the approval of such application by the Governor, he shall notify the Director of the Division of Budget

and Accounting thereof in writing, whereupon the Director of the Division of Budget and Accounting shall make such transfer as in this section directed.

Acquisition of lands.

7. The State Board of Education, subject to the approval of the Director of the Division of Purchase and Property in the Department of the Treasury, is hereby authorized and empowered to acquire, on behalf of the State, within the limits of available appropriations therefor, such lands that may be necessary to carry into effect the aims and purposes of this act either by purchase, gift, grant, devise or by the exercise of the power of eminent domain; and, through the said Division of Purchase and Property in the Department of the Treasury, is further authorized and empowered to do all things necessary to carry out the provisions of this act and to give full force and effect thereto.

Use of other funds authorized.

8. The State Board of Education, subject to the approval of the State House Commission, is further authorized and empowered to use for buildings and equipment at the State Teachers' Colleges any money or other property heretofore or hereafter acquired by gift or otherwise for such purposes, in addition to the amounts appropriated for such purposes by this or any other law.

Availability of funds.

9. This act shall take effect immediately but no funds shall be expended for the purposes appropriated herein except to the extent that moneys may be available therefor in the State Teachers' College Building Construction Fund referred to herein and in chapter three hundred and forty of the laws of one thousand nine hundred and fifty-one.

Approved December 29, 1952.

CHAPTER 361

AN ACT authorizing the sale of the lands and buildings in the city of Newark presently used for the New Jersey State Teachers' College at Newark, and making an appropriation of the proceeds of such sale.

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

Sale of land and buildings authorized.

1. The State Board of Education is hereby authorized to sell, subject to the approval of the State House Commission, the lands and buildings in the city of Newark presently used for the purposes of the New Jersey State Teachers' College at Newark. The State Board of Education shall invite, by public advertisement, sealed proposals or bids for said lands and buildings, which advertisement shall be published in at least three newspapers in this State for at least three weeks, once each week, in which advertisement shall be fixed a time and place for the reception of said bids. Upon the coming in of such bids, if a bid shall be received which shall be satisfactory to the State Board of Education and to the State House Commission, the Commissioner of Education shall, by deed in the name of the State of New Jersey, convey said lands and buildings to the purchaser upon receipt of the purchase price. Should the highest bid or bids received in accord with the foregoing provisions of this act be deemed unsatisfactory in amount by the State Board of Education the said board, subject to the approval of the State House Commission, may thereafter offer and sell the aforesaid lands and buildings at private sale; *provided, however,* that such private sale and transfer of the property shall not be made for an amount that is less than the amount of the highest bid or bids that may have been received by virtue of public advertisement, as hereinbefore pro-

Proviso.

vided for; and in the event of such private sale, the Commissioner of Education shall, by deed in the name of the State of New Jersey, convey said lands and buildings to the purchaser upon receipt of the purchase price.

Use of proceeds.

2. The proceeds from the sale of said lands and buildings shall be paid into the State Treasury and so much of said proceeds as may be necessary are hereby appropriated, in addition to the amount of three million seven hundred thousand dollars ($3,700,000.00) appropriated or to be appropriated for such purpose from the State Teachers' College Building Construction Fund referred to in chapter three hundred and forty of the laws of one thousand nine hundred and fifty-one, to the State Board of Education for the construction of a teachers' college to replace the present New Jersey State Teachers' College at Newark on a site to be selected by the State Board of Education, subject to the approval of the State House Commission; and for the purchase of land and the reconstruction of any buildings thereon; and for the purchasing of equipment and facilities therefor. Such funds shall be subject to the same limitations, restrictions and control as are applicable by law to funds appropriated or to be appropriated to the State Board of Education from the State Teachers' College Building Construction Fund aforesaid for the same purpose.

3. This act shall take effect immediately.

Approved December 29, 1952.

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(Chapters 359, 360 and 361)

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Sixth Under the New Constitution

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LLOYD B. MARSH,
Secretary of State.

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One Hundred and Seventy-seventh Legislature

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LAWS

ACTS

PASSED BY THE

One Hundred and Seventy-seventh Legislature

CHAPTER 1

AN ACT relating to State institutional buildings and making appropriation for construction, reconstruction, development, extension and improvement of several State mental, charitable, hospital, relief, training, correctional, reformatory and penal institutional buildings and to provide equipment and facilities therefor and for health and welfare purposes.

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

Appropriation for institutional construction, development, etc.

1. There is hereby appropriated to the Department of Institutions and Agencies, from the State 1952 Institution Construction Fund, the sum of twenty-five million dollars ($25,000,000.00), or so much thereof as may be necessary, for the construction, reconstruction, development, extension and improvement of the several State mental, charitable, hospital, relief, training, correctional, reformatory and penal institutional buildings and to provide equipment and facilities therefor at the respective following institutions:

State Hospital at Trenton:	
Construction of new housing units and completion of fireproofing of Annex Building and Main Hospital Buildings	$3,270,000.00
State Hospital at Greystone Park:	
Completion of fireproofing and reconstructon of Dormitory Building and new housing units to relieve overcrowding	2,020,000.00
State Hospital at Marlboro:	
New housing unit, Occupational Therapy Building, patients' farm dormitory, and kitchen for new Senile Building	1,524,000.00
State Hospital at Ancora:	
Completion of existing project to provide 3,000 beds, including housing units, Tuberculosis Building, Administration Building, and other smaller units ...	6,271,400.00
State Village for Epileptics at Skillman (to be known as "New Jersey Neuropsychiatric Institute"):	
Additions to hospital, new clinical facilities and completion of housing program	1,341,400.00
Training School at Totowa:	
Additional dormitory facilities and necessary utilities	660,000.00
State Colony at New Lisbon:	
Additional dormitory facilities, extension of patient dining room, and building for Occupational Therapy and Auditorium	1,290,000.00

State Colony at Woodbine:	
Additional Dormitory Buildings and expansion of sewerage and other facilities	990,000.00
Vineland State School:	
Additional Dormitory Buildings at Almond Road Colony and expansion of facilities therefor	1,333,200.00
Diagnostic Center at Menlo Park:	
Children's Building and tunnels	200,000.00
Arthur Brisbane Child Treatment Center:	
Additional facilities and dormitory space	100,000.00
State Prison:	
A new State Prison	4,800,000.00
State Prison Farm at Rahway:	
Additional security, extension of front wall and new Administration Building	200,000.00
Reformatory at Bordentown:	
Additional Cell Block Building	600,000.00
Reformatory at Annandale:	
Provisions for additional security	200,000.00
Miscellaneous items at various institutions	200,000.00
Total	$25,000,000.00

Source of funds.

2. It is the declared purpose of this act that the funds from which said appropriation shall be made shall be those funds which shall be derived from the sale of the "State Institution Construction Bonds," the issuance of which is provided for in chapter three of the laws of one thousand nine hundred and fifty-two, which said act was submitted to the people and approved by the people at the general election held on November fourth, one thousand nine hundred and fifty-two.

State 1952 Institution Construction Fund.

3. The State Treasurer is hereby authorized, empowered and directed and it shall be his duty to set up and maintain the aforementioned appropriation in the "State 1952 Institution Construction Fund," established heretofore pursuant to the statutes of this State. The funds herein appropriated may be requisitioned by the Department of Institutions and Agencies for the uses and purposes specifically enumerated herein, subject to the same restrictions and control as are exercised over all other appropriated State funds, but not inconsistent with the provisions of chapter three of the laws of one thousand nine hundred and fifty-two.

Federal aid.

4. The State Board of Control of Institutions and Agencies is hereby empowered, subject to the approval of the Governor, to enter into negotiations with the Federal Government for the purpose of securing any available financial grants and the State Treasurer is empowered to receive any such grants and thereafter cause them to be established and maintained in the aforementioned "State 1952 Institution Construction Fund." Such funds may be requisitioned by the Department of Institutions and Agencies for the uses and purposes specifically enumerated herein, subject to the same restrictions and control as are exercised over all other appropriated State funds, but not inconsistent with the provisions of chapter three of the laws of one thousand nine hundred and fifty-two.

Corrections made to make appropriations available.

5. The State Treasurer is hereby authorized, empowered and directed, and it shall be his duty to make such correction of the title or text, or both, of any item in this act contained necessary to make such appropriation available for the purpose or purposes of its intention. Such correction shall be by written ruling reciting any appropriate details, the fact thereof and the reason therefor, attested by the signature of the State Treasurer 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 effect.

Transfers.

In order that some degree of flexibility in administering the provisions of this act may be had, the State Board of Control of Institutions and Agencies may apply to the State Treasurer for leave to transfer a part of any item to any other item or to a new item. Upon the approval of such application by the State Treasurer, he shall notify the Director of the Division of Budget and Accounting thereof in writing, whereupon the Director of the Division of Budget and Accounting shall make such transfer as in this section directed.

Authorized to accept gifts.

6. The State Board of Control of Institutions and Agencies is authorized and empowered to accept by gift, or to purchase, subject to the approval of the State House Commission and within the limits of available appropriations therefor, on behalf of the State, any existing institution, whether public or private, which in its discretion is suited for the requirements of the department in caring for the inmates and patients committed to its several institutions. In the event of such purchase the State Treasurer shall make appropriate transfer of the necessary funds from within the items set forth herein to accomplish that purpose.

May acquire additional lands.

7. The State Board of Control of Institutions and Agencies, subject to the approval of the Director of the Division of Purchase and Property in the Department of the Treasury, is hereby authorized and empowered to acquire, on behalf of the State,

within the limits of available appropriations therefor, any additional lands that may be necessary to carry into effect the aims and purposes of this act either by purchase, gift, grant, devise or by the exercise of the power of eminent domain; and, through the said Division of Purchase and Property in the Department of the Treasury, is further authorized and empowered to do all things necessary to carry out the provisions of this act and to give full force and effect thereto.

Act effective.

8. This act shall take effect immediately but no funds shall be expended for the purposes appropriated herein until the required moneys are derived from the sale of the "State Institution Construction Bonds" as provided herein.

Approved February 17, 1953.

ALFRED E. DRISCOLL,
Governor.

CHAPTER 2

AN ACT to validate proceedings for the issuance of bonds or other obligations of school districts, and any bonds or other obligations issued or to be issued in pursuance of such proceedings.

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

Validates proceedings and bonds.

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election for the authorization or issuance of bonds or other obligations of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance of a proposal adopted by the legal voters at such meeting or election, are hereby ratified, validated and confirmed, notwithstanding that no supplemental debt statements or complete executed originals

thereof or school debt statements were prepared, made, sworn to and filed as required by the provisions of section 18:5–87 of the Revised Statutes; *provided, however,* that such supplemental debt statements and such school debt statements, prepared as of a date not more than thirty days prior to such meeting or election shall, prior to the issuance of such bonds or other obligations, have been made, sworn to and filed in the places required by said section 18:5–87; *and provided further,* that no action, suit or proceeding to contest the validity of such meeting or election or the issuance of such bonds or other obligations has heretofore been instituted in any court of this State. Proviso. Proviso.

2. This act shall take effect immediately.

Approved March 17, 1953.

CHAPTER 3

AN ACT to validate certain proceedings for the issuance of bonds or other obligations of school districts and any bonds or other obligations issued or to be issued in pursuance of such proceedings.

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

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election for the authorization or issuance of bonds or other obligations of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance of a proposal adopted by the legal voters at such meeting or election, are hereby ratified, validated and confirmed, notwithstanding that the notices of such meeting or election did not correctly set forth such Validates proceedings and bonds.

proposal or that such proposal did not disclose or correctly disclose the effect of such proposal on the borrowing margin of any municipality comprised within the school district in compliance with the provisions of section 18:5–85 of the Revised Statutes; *provided, however,* that supplemental debt statements and school debt statements shall have been made, sworn to and filed in the places required by section 18:5–87 of the Revised Statutes prior to such meeting or election and the percentage of net debt as stated in any such supplemental debt statement or revision thereof, prepared as of the date of such original supplemental debt statement and made, sworn to and filed in the places required by said section 18:5–87 prior to the issuance of any bonds pursuant to such proposal, does not exceed seven per centum (7%); *and provided further,* that no action, suit or proceeding to contest the validity of such meeting or election has been heretofore instituted in any court of this State.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved March 17, 1953.

CHAPTER 4

AN ACT concerning acts and statutes, and revising parts of the statutory law.

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

Section amended.

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

Words and phrases defined.

1:1–2. Unless it be otherwise expressly provided or there is something in the subject or context repugnant to such construction, the following words and phrases, when used in any statute and in the Revised Statutes, shall have the meaning herein given to them.

Affirmation; affirmed. See "Oath; sworn," infra, this section.

Assessor. The word "assessor," when used in relation to the assessment of taxes or water rents or other public assessments, includes all officers, boards or commissions charged with the duty of making such assessments, unless a particular officer, board or commission is specified.

Census. When used with reference to the population of this State, or of any subdivision thereof, the word "census" means the latest Federal census effective within this State.

Collector. The word "collector," when used in relation to the collection of taxes or water rents or other public assessments, includes all officers charged with the duty of collecting such taxes, water rents or assessments, unless a particular officer is specified.

Folio; sheet. A sheet or folio shall consist of one hundred words, and in all cases where an entry of any writing or copy is to be paid for, the sheet or folio shall consist of one hundred words.

Gender. See "Number; gender," infra, this section.

General election. The words "general election" shall be taken to mean the annual election to be held on the first Tuesday after the first Monday in November and in any statute in which it is provided that any public officer shall be elected, or any public question shall be voted upon, at an election at which members of the General Assembly are to be voted for or elected, or words to that effect, shall be taken to mean, and shall be construed to be the equivalent of a provision, that said public officers shall be elected, or that said public question shall be voted upon, "at a general election."

He. See "Number; gender," infra, this section.

Inhabitants. See "Population; inhabitants," infra, this section.

It. See "Number; gender," infra, this section.

Magistrate. The word "magistrate" includes any judge, municipal magistrate or officer or other

person having the powers of a committing magistrate.

Masculine. See "Number; gender," infra, this section.

Month; year. The word "month" means a calendar month, and the word "year" means a calendar year.

Municipality; municipal corporation. The words "municipality" and "municipal corporation" include cities, towns, townships, villages and boroughs, and any municipality governed by a board of commissioners or an improvement commission.

Neuter. See "Number; gender," infra, this section.

Number; gender. Whenever, in describing or referring to any person, party, matter or thing, any word importing the singular number or masculine gender is used, the same shall be understood to include and to apply to several persons or parties as well as to one person or party and to females as well as males, and to bodies corporate as well as individuals, and to several matters and things as well as one matter or thing.

Oath; sworn. The word "oath" includes "affirmation"; and the word "sworn" includes "affirmed."

Other property. See "Property; other property," infra, this section.

Person. The word "person" includes corporations, companies, associations, societies, firms, partnerships and joint stock companies as well as individuals, unless restricted by the context to an individual as distinguished from a corporate entity or specifically restricted to one or some of the above enumerated synonyms and, when used to designate the owner of property which may be the subject of an offense, includes this State, the United States, any other State of the United States as defined infra and any foreign country or government lawfully owning or possessing property within this State.

Personal property. "Personal property" includes goods and chattels, rights and credits, moneys and effects, evidences of debt, choses in action and all written instruments by which any right to, interest in, or lien or encumbrances upon, property or any debt or financial obligation is created, acknowledged, evidenced, transferred, discharged or defeated, in whole or in part, and everything except real property as herein defined which may be the subject of ownership.

Plural. See "Number; gender," supra, this section.

Population; inhabitants. The word "population," when used in any statute, shall be taken to mean the population as shown by the latest Federal census effective within this State, and shall be construed as synonymous with "inhabitants."

Property; other property. The words "property" and "other property," unless restricted or limited by the context to either real or personal property, includes both real and personal property.

Real estate; real property. The words "real estate" and "real property," include lands, tenements and hereditaments and all rights thereto and interests therein.

Revised Statutes. The words "Revised Statutes" mean the Revised Statutes of 1937, unless some other revision is expressly indicated or referred to.

She. See "Number; gender," supra, this section.

Sheet. See "Folio," supra, this section.

Ship. The word "ship" includes vessels, steamers, canal boats and every boat or structure adapted to navigation or movement from place to place, upon the ocean, lakes, rivers or artificial waterways, either by its own power or otherwise.

Singular. See "Number; gender," supra, this section.

State. The word "State" extends to and includes any State, territory or possession of the United States, the District of Columbia and the Canal Zone.

Sworn. See "Oath; sworn," supra, this section.

Taxing district. The words "taxing district," when used in a law relating to the assessment or collection of taxes, assessments or water rates or water rents, include every political division of the State, less than a county, whose inhabitants, governing body or officers have the power to levy taxes, assessments or rates.

Territory. The word "territory" extends to and includes any territory or possession of the United States, the District of Columbia and the Canal Zone.

United States. The words "United States" extend to and include every State, territory and possession of the United States, the District of Columbia and the Canal Zone.

Year. See "Month; year," supra, this section.

Section amended.

2. Section 1:3–8 of the Revised Statutes is amended to read as follows:

Distribution of unbound paper volumes of laws by county treasurers.

1:3–8. The treasurer of each county, upon receiving the number of paper volumes allotted to his county pursuant to the provisions of section 1:3–7 of this Title, shall, after retaining one copy for himself, forthwith distribute the remaining volumes at the expense of the county as follows:

a. To each municipal magistrate in the county, one copy;

b. To the clerk of the board of chosen freeholders, and to each chosen freeholder, one copy;

c. To each incorporated library company in the county which does not receive a bound copy of the laws under the provisions of said section 1:3–7, one copy; and

d. The remainder shall be transmitted in equal proportions to the clerks of the several municipalities in the county, each of which clerks shall, after retaining one copy for the use of his municipality, distribute the residue, within one week after receiving the same, to the following officers in his municipality, giving them preference in the order named: the assessor, collector and director of welfare, each one copy.

The receipts of the persons receiving copies of the laws from the county treasurer shall be sufficient vouchers to such treasurer in the settlement of his accounts, for the money expended by him for this purpose, and for a reasonable compensation for his trouble.

Section amended.

3. Section 1:3-9 of the Revised Statutes is amended to read as follows:

Distribution of Federal laws.

1:3-9. So many of the laws of the United States as may at any time be apportioned to this State by the Congress of the United States shall be delivered to the custodian of the State House, who shall, after retaining one set for his own use, distribute the remainder at the expense of the State as follows:

a. To the Governor, Attorney-General, Secretary of State and treasurer, each one set.

b. To each member of the Legislature, one set.

c. To the Secretary of the Senate, for the use of the Senate, two sets; and to the Clerk of the General Assembly for the use of the General Assembly, four sets.

d. To the Chief Justice, the justices of the Supreme Court and the judges of the Superior Court, each one set.

e. To the Clerk of the Supreme Court and the Clerk of the Superior Court, each one set.

f. To each county prosecutor, one set.

g. To the librarians of Princeton College and of the two literary societies in that college, to the librarians of Rutgers College and of the two literary societies at that college, and to the librarians of Burlington College and of the two literary societies of that college, one set.

h. To the librarian of the New Jersey Historical Society, one set.

i. The remainder to be distributed among the several counties in proportion to their quota of State taxes, the same to be transmitted to the treasurer of each county, to be by him distributed

in his county to the following persons in the order named:

1. To the clerk of the County Court, one set.
2. To the directors or managers of every library in the county, one set.
3. To the judges of the County Court, each one set.
4. The residue, if any, to be disposed of as shall be directed by the board of chosen freeholders of the county.

Section amended.

4. Section 1:7–1 of the Revised Statutes is amended to read as follows:

Procedure to annul laws or joint resolutions.

1:7–1. If, at any time within one year after any law or joint resolution has been filed with the Secretary of State pursuant to sections 1:2–5, 1:2–6 or 1:2–7 of this Title, the Governor has reason to believe that any such law or joint resolution was not duly passed by both houses of Legislature, or approved by the Governor or otherwise made effective as law in the manner required by the Constitution, he may direct the Attorney-General to apply to the Appellate Division of the Superior Court, to have the law or joint resolution adjudged void. Thereupon the Attorney-General shall prepare, sign and prosecute the application.

Section amended.

5. Section 1:7–2 of the Revised Statutes is amended to read as follows:

Summary hearing, witnesses, depositions, etc.

1:7–2. The court, on the application, shall inquire summarily into the circumstances and may, for that purpose, order witnesses to be subpœnaed and sworn and their depositions taken and such notice to be given of the taking of depositions and the hearing before the court, by publication or otherwise, as it deems just.

Section amended.

6. Section 1:7–3 of the Revised Statutes is amended to read as follows:

May adjudge laws or joint resolutions void.

1:7–3. After a full hearing the court may, if satisfied that the constitutional and statutory provisions relating to the enactment and approval of laws and joint resolutions have not been complied

with, adjudge the law or joint resolution or any part thereof to be void.

Section amended.

7. Section 1:7–4 of the Revised Statutes is amended to read as follows:

Petition by citizens, procedure.

1:7–4. Any two or more citizens of the State may, within the time prescribed by section 1:7–1 of this Title, present to the Appellate Division of the Superior Court an application, such as is authorized by said section 1:7–1 to be presented by the Attorney-General, and the court shall proceed thereon in the manner provided by sections 1:7–2 and 1:7–3 of this Title. The applicants may prosecute the application, and the Attorney-General may, if required so to do by the Governor, defend on behalf of the State.

Section amended.

8. Section 1:7–5 of the Revised Statutes is amended to read as follows:

Citizens' participation in proceedings.

1:7–5. Any citizen of the State may, when an application is presented under authority of either section 1:7–1 or section 1:7–4 of this Title, appear before the court, in defense and subpœna and examine and cross-examine witnesses.

Section amended.

9. Section 1:7–6 of the Revised Statutes is amended to read as follows:

Certified copy of judgment filed, proclamation, force and effect.

1:7–6. If in any application authorized in this chapter, the court shall adjudge any law or joint resolution, or any part thereof, to be void, the clerk of the court shall thereupon make a true copy of the judgment, certify the same under his hand and seal of the court and deliver the copy to the Governor or person administering the government, who shall issue his proclamation under the great seal of the State, setting forth such judgment. The proclamation shall be filed, published and printed with the laws as other proclamations are required to be filed, published and printed, and shall be judicially noticed and received in evidence in all courts of the State in the same manner and to the same extent that the law or joint resolution therein specified would have been if such judgment had not been made. No law or joint resolution, or part thereof, adjudged void shall, after the entry of such

judgment as provided in this chapter, be judicially noticed or received in evidence by any of the courts of the State.

Section amended.

10. Section 1:7–7 of the Revised Statutes is amended to read as follows:

Costs, expenses and fees.

1:7–7. When an application presented under authority of section 1:7–4 of this Title is dismissed the court shall allow and tax the costs and necessary expenses of the Attorney-General, including a fee to the Attorney-General of not to exceed five hundred dollars ($500.00) in any one case, and shall order the payment thereof by such citizens, and payment thereof may be enforced by execution.

11. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 5

AN ACT concerning agriculture and domestic animals, and revising parts of the statutory law.

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

Section amended.

1. Section 4:1–23 of the Revised Statutes is amended to read as follows:

Courts authorized to grant writs and orders.

4:1–23. The Superior Court and the county courts, county district courts and municipal courts, within their respective territorial jurisdictions, may grant such writs and orders as may be appropriate, including search warrants, according to the practice of such courts and in a summary manner, to enable the officers and employees of the department effectively to enforce the provisions of law which the department is charged with enforcing.

2. Section 4:3–10 of the Revised Statutes is amended to read as follows: Section amended.

4:3–10. Any person who shall violate any of the provisions of this article shall for the first offense be liable to a penalty not exceeding twenty-five dollars ($25.00) and for any subsequent offense to a penalty not exceeding fifty dollars ($50.00). Recovery of such a penalty shall be by a civil action which may be instituted and the penalty recovered either in the county district court of any county or before the municipal court of any municipality. Penalty, recovery, courts of jurisdiction.

Jurisdiction to hear and determine actions instituted under this article is hereby conferred upon the said courts.

3. Section seven of chapter eighty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows: Section amended.

7. Any person convicted of violating any of the provisions of this act shall for the first offense be liable to a penalty not exceeding twenty-five dollars ($25.00) and for any subsequent offense shall be liable to a penalty not exceeding fifty dollars ($50.00). A civil action for the recovery of a penalty for the violation of any of the provisions of this act may be instituted and the penalty recovered either in the county district court of any county or before the municipal court of any municipality. Jurisdiction to hear and determine actions under this act is hereby conferred upon the said courts. C. 4:3-18. Penalties, recovery, courts of jurisdiction.

4. Section 4:4–23 of the Revised Statutes is amended to read as follows: Section amended.

4:4–23. A person who shall violate any of the provisions of section 4:4–22 of this Title shall be liable to a penalty of not more than fifty dollars ($50.00) for a first offense and not more than one hundred dollars ($100.00) for each subsequent offense, to be sued for and recovered in a civil action by and in the name of the department. All penalties collected under this section shall be paid into the State treasury. Penalty for violation.

Section amended.

5. Section 4:5–112 of the Revised Statutes is amended to read as follows:

Penalty.

4:5–112. A person who shall violate any of the provisions of this article shall be liable to a penalty of one hundred dollars ($100.00) for each offense to be sued for and recovered in a civil action by and in the name of the department.

Section amended.

6. Section 4:6–17 of the Revised Statutes is amended to read as follows:

Suits for penalties.

4:6–17. All penalties fixed by the provisions of this chapter shall be sued for and recovered in a civil action by and in the name of the department.

Section amended.

7. Section 4:7–14 of the Revised Statutes is amended to read as follows:

Penalty for violation, recovery.

4:7–14. A person who shall violate any of the provisions of this article shall be subject to a penalty of fifty dollars ($50.00) for each sale, shipment or delivery in violation of this article or for each failure to obey the order or direction of the department made by authority of sections 4:7–8 and 4:7–9 of this Title.

Penalties shall be sued for and recovered by and in the name of the department in the manner provided in article one of chapter twenty-three of this Title (§ 4:23–1 et seq.), except that such proceeding may be had only in a county district court of any county or municipal court of any municipality.

Section amended.

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

Penalty for failure to obey order.

4:7–18. A person who shall fail to obey an order of the department made and served as prescribed in section 4:7–17 of this Title, within the time therein specified, shall be liable to a penalty of fifty dollars ($50.00) to be sued for and recovered by and in the name of the department in the manner provided in article one of chapter twenty-three of this Title (§ 4:23–1 et seq.) except that such proceeding may be had only in any county district court of any county or municipal court of any municipality.

9. Section 4:7–20 of the Revised Statutes is repealed. Section repealed.

10. Section 4:7–24 of the Revised Statutes is amended to read as follows: Section amended.

4:7–24. No nurseryman within the State shall sell or offer for sale any nursery stock or shall deliver the same within the State until it has been inspected by the department and until a certificate has been issued to him in accordance with the provisions of section 4:7–22 of this Title. Inspection as a prerequisite to sales, penalty.

For every sale or shipment to a point within this State in violation of this section, a nurseryman shall be liable to a penalty of fifty dollars ($50.00) to be sued for and recovered by and in the name of the department in the manner provided in article one of chapter twenty-three of this Title (§ 4:23–1 et seq.) except that such proceedings may be had only in a county district court of any county or municipal court of any municipality.

11. Section 4:7–26 of the Revised Statutes is amended to read as follows: Section amended.

4:7–26. Any nurseryman to whom a certificate has been issued, who shall: Misuse of certificate, penalty.

a. Use the same on stock not actually inspected; or

b. In any way fail to comply with the conditions upon which the certificate was issued or the requirements of sections 4:7–15 to 4:7–35 of this Title—

Shall be liable to a penalty of one hundred dollars ($100.00) for each offense, to be sued for and recovered by and in the name of the department in the manner provided in article one of chapter twenty-three of this Title (§ 4:23–1 et seq.) except that such proceedings may be had only in a county district court of any county, or municipal court of any municipality, and the certificate of such nurseryman may be canceled in the discretion of the department.

Section amended.

12. Section 4:7–33 of the Revised Statutes is amended to read as follows:

Carrier to refuse transportation, penalty.

4:7–33. Every carrier for hire maintaining offices or stations within this State for the receipt of nursery stock for transportation to points within or without the State, and the agents and servants of every such carrier, shall determine, before accepting stock for transportation to points within or without the State, that the stock offered for shipment at any such office or station is properly provided with a certificate as required by sections 4:7–15 to 4:7–35 of this Title, signed by authority of the department and valid by its terms at the date on which the shipment is offered.

Every such carrier for hire and the agents and servants of every such carrier shall refuse for transportation in and delivery to points within this State, all boxes, bales, or parcels of nursery stock which are not accompanied by a certificate of inspection as required by section 4:7–30 of this Title; but shipments of nursery stock from countries foreign to the United States, and bearing a certificate signed by a proper official of the country from which the stock was received, may be accepted at any port of entry within the State for transportation to points within or without the State.

For every violation of this section, and for every bale, box, parcel or package accepted or transported without such certificate, the carrier shall be liable to a penalty of fifty dollars ($50.00), to be sued for and recovered by and in the name of the department in the manner provided in article one of chapter twenty-three of this Title (§ 4:23–1 et seq.) except that such proceedings may be had only in a county district court of any county or a municipal court of any municipality.

Section amended.

13. Section 4:7–41 of the Revised Statutes is amended to read as follows:

Tenant to notify landlord, penalty.

4:7–41. Every tenant in possession of lands and premises on whom the aforesaid notice is served by the department shall forthwith give notice thereof to his landlord, or the agent of his landlord, and in

default of so doing he shall be liable to any person aggrieved thereby to a penalty of fifty dollars ($50.00) to be recovered by a civil action in any court of competent jurisdiction in this State.

Section amended.

14. Section 4:7–42 of the Revised Statutes is amended to read as follows:

Interference with officer, penalty.

4:7–42. A person who shall interfere with the officers or agents of the department while they are engaged in the performance of any of the duties imposed by sections 4:7–36 to 4:7–41 of this Title, shall be deemed a disorderly person, and shall be proceeded against under, and subject to the penalties provided in subtitle twelve of Title 2A of the New Jersey Statutes.

Section amended.

15. Section 4:7–44 of the Revised Statutes is amended to read as follows:

Penalty for violations, jail for non-compliance.

4:7–44. A person who shall violate any of the provisions of section 4:7–43 of this Title shall be liable to a penalty of fifty dollars ($50.00) for the first offense and one hundred dollars ($100.00) for the second and each subsequent offense, which penalty shall be sued for and recovered by and in the name of the department in the manner provided in article one of chapter twenty-three of this Title (§ 4:23–1 et seq.) and in such proceeding the defendant may be arrested upon the institution of the action.

If judgment is rendered for the plaintiff the court shall cause a defendant who shall fail to pay forthwith the amount of the judgment rendered against him, and all costs and charges incident thereto, to be committed to the county jail for a period of not less than five nor more than ninety days in the case of a first offense, and not less than ten nor more than two hundred days for a second and each subsequent offense.

Section amended.

16. Section 4:7–52 of the Revised Statutes is amended to read as follows:

Penalty for violating article.

4:7–52. A person who shall violate any of the provisions of this article shall be liable to a penalty of fifty dollars ($50.00) to be sued for and recovered in a civil action by and in the name of the de-

partment. All penalties collected shall be paid into the State treasury.

Section amended.

17. Section 4:7–54 of the Revised Statutes is amended to read as follows:

Permitting Canada thistle to ripen, penalty, recovery.

4:7–54. A person owning, possessing or having charge of lands in this State, whether improved or unimproved, inclosed or uninclosed, who shall knowingly permit any Canada thistle to stand thereon until its seeds ripen, shall be liable to a penalty of twenty-five cents ($0.25) for every stalk or branch thereof, to be sued for and recovered in a civil action, with costs, by any person, in his name, in any court of competent jurisdiction.

Section amended.

18. Section 4:8–19 of the Revised Statutes is amended to read as follows:

Penalty for failure to file contract or bond.

4:8–19. A seller of such trees under a contract guaranteeing them to be true to name, who shall fail to file a copy of the contract with the Secretary of Agriculture as required by section 4:8–18 of this Title, or to file therewith a bond or insurance policy, shall be liable to a penalty of five hundred dollars ($500.00) to be recovered by the purchaser by a civil action in any court of competent jurisdiction.

Section amended.

19. Section 4:9–28 of the Revised Statutes is amended to read as follows:

Penalty for violation or interference.

4:9–28. A person who shall:

a. Sell, offer or expose for sale any package of legume inoculant which does not comply with the provisions of this article; or

b. Interfere with any official employed in the enforcement of this article—

Shall be liable to a penalty of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) for each offense, to be sued for and recovered in a civil action by and in the name of the department. All penalties recovered under this article shall be paid into the State treasury.

20. Section 4:10–5 of the Revised Statutes is amended to read as follows: Section amended.

4:10–5. No person shall use the outline of this State on packages or devices containing farm products unless he is licensed by the department so to do. Use of outline of State on products, license, penalty.

Upon application for such a license and upon being satisfied that any farm products to be sold by the applicant conform to official standards promulgated by the department, the department may issue a license in the name of the State, permitting the person to use the outline on any such package or device.

The form of the application and the license shall be determined by the department.

The license may be revoked by the department at any time for good cause shown after notice and an opportunity to be heard and subject to the right of appeal to the State board.

A person who shall violate the provisions of this section shall be liable to a penalty of fifty dollars ($50.00) to be recovered in a civil action by and in the name of the department, which penalty when recovered shall be paid into the State treasury.

21. Section 4:10–14 of the Revised Statutes is amended to read as follows: Section amended.

4:10–14. A person who shall: Penalty for violations or interference.

a. Violate any provision of this chapter or the regulations made under this chapter for carrying out such provision;

b. Fail to comply with any requirement of this chapter;

c. With intent to deceive, answer or report falsely in response to any requirement of this chapter; or

d. Willfully interfere with the secretary, or the employees or agents of the department, in the performance of duties prescribed by this chapter—

Shall for the first offense be liable to a penalty of not more than fifty dollars ($50.00) and for any subsequent offense be liable to a penalty of not more than one hundred dollars ($100.00), to be

sued for and recovered in a civil action by and in the name of the department; except that the provisions of this section shall not apply to violations of section 4:10–5 of this Title. The penalty when recovered shall be paid into the State treasury.

Section amended.

22. Section 4:10–15 of the Revised Statutes is amended to read as follows:

Jurisdiction of action to recover penalty, application.

4:10–15. The action mentioned in section 4:10–14 of this Title to recover such penalty may be instituted and the penalty recovered either in a county district court of any county or before the municipal court of any municipality.

Jurisdiction to hear and determine actions instituted under this chapter is hereby conferred upon the said courts.

This section shall not apply to section 4:10–5 of this Title.

Section amended.

23. Section 4:11–10 of the Revised Statutes is amended to read as follows:

Review of refusal or revocation of license.

4:11–10. The action of the secretary in refusing to grant or in revoking a license shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ. Whenever any proceeding is taken to review the revocation of a license the license shall be deemed to be in force until the final determination of the proceeding, if the license fee has been paid, subject, however, to the order of the said court.

Section amended.

24. Section 4:11–14 of the Revised Statutes is amended to read as follows:

Penalty for violating article, jail for non-payment.

4:11–14. A person who shall:

a. Engage in or carry on the business of buying or receiving cattle, or receiving, selling, exchanging, soliciting or negotiating the sale, resale, exchange or shipment of cattle, as dealer, broker or agent, within the meaning of this article, without first having obtained a license as provided in this article; or

b. Violate any of the provisions of this article—

Shall be liable to a penalty of two hundred dollars ($200.00) for the first offense and five hundred dollars ($500.00) for the second and each subse-

quent offense, which penalty shall be sued for and recovered by and in the name of the department in the manner provided in article one of chapter twenty-three of this Title (§ 4:23–1 et seq.) and in such proceeding the defendant may be arrested upon the commencement of the action.

If judgment is rendered for the plaintiff the court shall cause a defendant who shall fail to pay forthwith the amount of the judgment rendered against him, and all costs and charges incident thereto, to be committed to the county jail for a period of not less than five nor more than ninety days in the case of a first offense and not less than ten nor more than two hundred days for a second and each subsequent offense.

Section amended.

25. Section 4:11–27 of the Revised Statutes is amended to read as follows:

Review of refusal or revocation of license.

4:11–27. The action of the department in refusing to grant or in revoking a license shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ. Whenever any proceeding is taken to review a revocation the license shall be deemed to be in full force and effect until the final determination of such proceeding, if the fee for the license has been paid, subject, however, to the order of the said court.

Section amended.

26. Section 4:11–34 of the Revised Statutes is amended to read as follows:

Penalty for violations, jail for nonpayment.

4:11–34. A person, who shall engage in the business of commission merchant, dealer or broker, as defined in section 4:11–15 of this Title, without first having obtained a license as provided in this article or who shall violate any provision of this article shall be subject to a penalty of one hundred dollars ($100.00) for the first offense and five hundred dollars ($500.00) for the second and each subsequent offense, to be sued for and recovered with costs in the name of the department in the manner provided in article one of chapter twenty-three of this Title (§ 4:23–1 et seq.) and in such proceeding the defendant may be arrested upon the commencement of the action.

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If judgment is rendered for the plaintiff the court shall cause a defendant who shall fail to pay forthwith the amount of the judgment rendered against him, and all costs and charges incident thereto, to be committed to the county jail for a period of not less than five nor more than ninety days for a first offense and not less than ten nor more than two hundred days for the second and each subsequent offense.

Section amended.

27. Section thirteen of chapter two hundred forty-eight of the laws of one thousand nine hundred and forty-two is amended to read as follows:

C. 4:11-47. Penalty for violations, jail for nonpayment.

13. Any person who violates any of the provisions of this act, upon being found guilty, shall pay a fine of not less than twenty-five dollars ($25.00) nor more than fifty dollars ($50.00) for the first offense, nor less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00) for the second offense, and not less than one hundred dollars ($100.00) nor more than two hundred dollars ($200.00) for the third or subsequent offense; if unable to forthwith pay any fine the violator shall be committed to the county jail for a period not exceeding ninety days. Any fine shall be recovered in the manner specified in article 4 of chapter 1 of Title 51 of the Revised Statutes. Jurisdiction of all cases arising out of violations of the provisions of this act is hereby conferred upon the municipal courts in the municipality in which such violations are committed. In any proceeding process shall be the same as that provided for in said article, and any weights and measures officer shall have the power to arrest any violator without warrant where there is a violation within his view and conduct him to a court having jurisdiction in the municipality where the arrest is made or the violation committed.

Section amended.

28. Section 4:12–18 of the Revised Statutes is amended to read as follows:

Review of refusal or revocation of license.

4:12–18. The action of the secretary in refusing to grant or in revoking a license shall be subject to review by the Superior Court in a proceeding in

lieu of prerogative writ. If a proceeding is begun to review the revocation of a license, the license shall be deemed to be in full force and effect until the final determination of such proceeding, subject, however, to the order of said court.

Section amended.

29. Section 4:12–19 of the Revised Statutes is amended to read as follows:

Penalty, conducting business without license.

4:12–19. A person who shall conduct the business of buying milk or cream for the purposes set forth in section 4:12–2 of this Title, without being licensed so to do, shall be liable to a penalty of twenty-five dollars ($25.00) for the first offense and fifty dollars ($50.00) for the second and each subsequent offense, each day's receipts of milk to constitute a separate violation, to be sued for and recovered in a civil action by and in the name of the department.

Section amended.

30. Section twenty of chapter one hundred of the laws of one thousand nine hundred and forty-three is amended to read as follows:

C. 4:12-41.20. Procedure for recovery of penalty.

20. The procedure for the recovery of any penalty incurred under the provision of this act shall be the same as the procedure specified in article one of chapter twenty-three of this Title and section 4:23–17 of the Revised Statutes. All actions shall be instituted in the name of the State of New Jersey by the director or any of his employees, agents or authorized representatives. Jurisdiction of all cases arising out of violations of the provisions of this act is hereby conferred upon the municipal courts in the municipality in which such violations are committed.

Section amended.

31. Section 4:12–44 of the Revised Statutes is amended to read as follows:

Penalty for violations of article.

4:12–44. Any milk dealer or milk company violating any provisions of this article shall be liable to a penalty of two hundred dollars ($200.00) for the first offense, and for the second, or any subsequent offense, a penalty of not less than three hundred dollars ($300.00), to be recovered in a civil action in the name of the milk producers' association so aggrieved as plaintiff. Such action shall be

brought in any court of competent jurisdiction and the penalties, when recovered, shall be paid to the State Treasurer.

Section amended.

32. Section ten of chapter two hundred seventy-four of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 4:12A-10. Powers of board members.

10. Each member of the board shall have power to administer oaths, examine witnesses, and shall have power to issue subpœnas to compel the attendance of witnesses and the production of all necessary reports, books, papers, documents, correspondence, and other evidence, at any designated place of hearing. Such subpœnas shall be signed by one of the members thereof or by the secretary and shall be authenticated by the seal of the board, and any party to any proceeding before said board may secure subpœnas, without charge, from said board. Misconduct on the part of any person attending a hearing, or the failure of any witness, when duly subpœnaed to attend, give testimony or produce any records, shall be punishable by the Superior Court in the same manner as such failure is punishable by such court in a case therein pending. Any person who, having been sworn or affirmed as a witness in any such proceeding, shall willfully give false testimony, shall be guilty of perjury. The fees for the attendance of witnesses shall be paid by the party arranging for the attendance of such witnesses.

Section amended.

33. Section twelve of chapter two hundred seventy-four of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 4:12A-12. Review of board's order.

12. Any person, applicant or licensee aggrieved by any order or determination of the board made pursuant to this act may obtain a review of the action complained of by the Superior Court in a proceeding in lieu of prerogative writ, which court shall have jurisdiction to suspend, reverse or vacate the order or determination so made by the board, and the court may, in its discretion, require a bond not exceeding in amount the costs or money involved, payable to the State of New Jersey, as

the court may prescribe, with sureties satisfactory to said court, conditioned for the prompt payment of all costs and damages arising from or caused by the delay in the effectiveness or enforcement of the order or determination complained of or in the prompt prosecution of the proceeding.

Section amended.

34. Section sixteen of chapter two hundred seventy-four of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 4:12A-16. Procedure upon refusal to obey subpœna.

16. In case any person so summoned by subpœna issued by said director, shall refuse to obey such subpœna or any directions therein, or to give testimony, or to answer questions as required, or to produce any books, papers, documents or records as required, the director may apply to the Superior Court for process against such person, as for a contempt of the Superior Court, and the court shall proceed to a hearing of the case and make such orders and render judgment as in cases of contempt of said court.

Section amended.

35. Section eighteen of chapter two hundred seventy-four of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 4:12A-18. Service of process.

18. The process of subpœna authorized in this act shall be served in the same manner and be of the same force and effect as like process in civil actions in the Superior Court; and any person attending in pursuance of such subpœna shall be entitled to the same fees and mileage as witnesses in civil actions in said Superior Court.

Section amended.

36. Section forty-one of chapter two hundred seventy-four of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 4:12A-41. Courts of jurisdiction.

41. The County Courts and the county district courts shall have jurisdiction of actions for penalties under this act and such penalties shall be collected and enforced in a summary manner pursuant to the "penalty enforcement law" (§ 2A:58–1 et seq.). If judgment be rendered for the plaintiff and the defendant fail forthwith to pay the amount of the judgment and the costs and charges incident thereto, said defendant may be committed to the

county jail for any period not exceeding one hundred days.

C. 4:12A-42. Section repealed.

37. Section forty-two of chapter two hundred seventy-four of the laws of one thousand nine hundred and forty-one is repealed.

Section amended.

38. Section forty-four of chapter two hundred seventy-four of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 4:12A-44. Injunction against habitual violation.

44. Any habitual violation of the act or of any of the orders or rules or regulations made pursuant to the act may be restrained by the Superior Court in an action brought for such purpose by the Attorney-General on behalf of the director.

Section amended.

39. Section forty-nine of chapter two hundred seventy-four of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 4:12A-49. Imported milk subject State regulation.

49. It is the intent of the Legislature that the instant, whenever that may be, that the handling within the State, by a milk dealer, of milk produced outside of the State, becomes a subject of regulation by the State, in the exercise of its police powers, the restrictions set forth in this act respecting such milk so produced shall apply and the powers conferred by this act on the director shall attach. After any such milk so produced shall have come to rest within the State, any sale, within the State, by a licensed milk dealer, processor, subdealer or store or a milk dealer required by this act to be licensed, of any such milk purchased from the producer at a price lower than that required to be paid for milk produced within the State, purchased under similar conditions, shall be unlawful and deemed a violation of this act, and for continued violations the director, by the Attorney-General, may maintain an action in the Superior Court to restrain such further unlawful acts.

Section amended.

40. Section 4:15–4 of the Revised Statutes is amended to read as follows:

Appointment and qualification of special police officers.

4:15–4. The directors of an association, or a majority of them, may appoint from time to time, as many fit persons as they may deem proper, as special police officers. Each such officer, before

entering upon his duties, shall take and subscribe an oath that he will well and truly serve the State, and will perform all his duties to the best of his knowledge and ability. The oath shall be filed forthwith in the office of the county clerk who shall indorse thereon the date of filing and shall be paid the sum of twenty cents ($0.20) for each oath so filed.

Section amended.

41. Section 4:17–2 of the Revised Statutes is amended to read as follows:

Trespassing after being forbidden, fine.

4:17–2. A person who shall trespass upon the cultivated lands of another within this State after being forbidden so to do by the owner, occupant, lessee or licensee thereof, or after public notice given as provided in this section on the part of the owner, occupant, lessee or licensee of the lands forbidding such trespass, shall be subject to a fine of not more than twenty dollars ($20.00) and costs, and the county district courts and the municipal courts shall have jurisdiction to try such offenders and pronounce sentence as provided in this article.

The notice shall bear the name of the owner, occupant, lessee or licensee of the lands, and be posted conspicuously on the corners of the property or along the roads or highways abutting the property, on all boundary lines bordering on adjoining lands and at each point where a stream enters upon or leaves the property.

Section amended.

42. Section 4:17–3 of the Revised Statutes is amended to read as follows:

Arrest without warrant.

4:17–3. A person who shall violate any of the provisions of this article may be arrested without warrant by the owner, occupant, lessee or licensee, or an officer of the law and taken for trial before a court mentioned in section 4:17–2 of this Title.

Section amended.

43. Section 4:17–5 of the Revised Statutes is amended to read as follows:

Jail for nonpayment of fine.

4:17–5. Upon the failure of a person convicted of violating the provisions of this article to pay a fine imposed as provided in this article, the court before whom the conviction is had may commit such person to the county jail until the fine is paid.

Section amended.

44. Section 4:17–6 of the Revised Statutes is amended to read as follows:

Forbids gathering of cranberries, penalty.

4:17–6. A person who shall, at any time after June first and before October fifth, gather cranberries from the vines on the common or unlocated lands within this State, or any lands not his own property, or for which he pays no taxes, shall be liable to a penalty of six dollars ($6.00) for every such offense and the further sum of four dollars ($4.00) for every bushel so taken or gathered.

The penalty shall be sued for and recovered, with costs, in a civil action, and shall be applied one-half to the use of the person who shall sue for it, and the other half to the use of the county where the offense was committed if on the common or unlocated lands or to the owner or possessor if on any of the located lands.

Section amended.

45. Section 4:17–10 of the Revised Statutes is amended to read as follows:

Injuring, destroying or removing trees, penalty.

4:17–10. A person who shall cut, fell, work up, carry away, box, bore or destroy any tree, sapling or pole, standing or lying on any land within this State to which he has no right and title, without leave first obtained of the owner of the land for that purpose, shall forfeit and pay the sum of eight dollars ($8.00) for each tree, sapling or pole so cut, felled, worked up, carried away, boxed, bored or destroyed. One-half of such sum shall go to the owner or owners of the land and the other half to the person or persons suing for and prosecuting the same to effect, at any time within eighteen months from the commission of the acts complained of.

Section amended.

46. Section 4:19–3 of the Revised Statutes is amended to read as follows:

Refusal to report number and age of dogs, penalty.

4:19–3. An inhabitant who shall refuse or willfully neglect to deliver to the assessor, when required by him, a true account of the number and age of the dogs made taxable under this article which are owned or harbored by him shall, for every such failure, be liable to a penalty of five dollars ($5.00), to be recovered with costs by the

collector of the taxing district in a civil action, the amount of the penalty recovered to be for the use of the taxing district.

Section amended.

47. Section 4:19–7 of the Revised Statutes is amended to read as follows:

Effect of article on owner's liability.

4:19–7. This article shall not exempt the owner, possessor or harborer of a dog from liability for damage done by it but he is hereby declared to be responsible for such injury. A civil action may be brought by a person for the full amount of the damages sustained by him and in such action it shall not be necessary to prove that the dog was accustomed to commit the injury complained of or a similar injury.

The presentation of a claim for damages to the governing body of a municipality shall constitute a waiver of all claims against the owner.

Section amended.

48. Section 4:19–8 of the Revised Statutes is amended to read as follows:

Failure to kill dog found worrying livestock, penalty.

4:19–8. An owner or person harboring a dog which is found killing, worrying or wounding any sheep, lamb, domestic animal or poultry, who shall, after being informed thereof, fail to kill the dog within twenty-four hours after receiving such information, shall be liable, to any person who shall sue for the same, to a penalty of ten dollars ($10.00), to be recovered with costs by a civil action before the district court of the county, and shall also pay triple damages for any injury done.

Section amended.

49. Section twenty-one of chapter one hundred fifty-one of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 4:19-15.21. Courts of jurisdiction, summary hearing, process.

21. The county district courts and the municipal courts shall have jurisdiction to hear and determine in a summary manner proceedings for violations of any of the provisions of this act. Penalties for such violations shall be enforced and recovered pursuant to "the penalty enforcement law" (2A:58–1 et seq.) at the suit of the Director of Health of the State of New Jersey or of the local board of health or the municipality. Process shall be either in the nature of a summons or warrant.

C. 4:19-15.22. Section repealed.

50. Section twenty-two of chapter one hundred fifty-one of the laws of one thousand nine hundred and forty-one is repealed.

C. 4:19-15.24. Section repealed.

51. Section twenty-four of chapter one hundred fifty-one of the laws of one thousand nine hundred and forty-one is repealed.

C. 4:19-15.25. Section repealed.

52. Section twenty-five of chapter one hundred fifty-one of the laws of one thousand nine hundred and forty-one is repealed.

Section amended.

53. Section 4:20–8 of the Revised Statutes is amended to read as follows:

Failure to make and maintain portion of partition fence.

4:20–8. When a person after due notice shall fail to make or amend and maintain his part or proportion of a partition fence as required by section 4:20–7 of this Title, the other person may make or amend and maintain the same wholly, in which event he shall be entitled to receive from the person so failing one-half of the expenses thereof, as appraised and certified in writing by two disinterested members of the township committee where the lands lie, together with the legal fees of such committee for their services as ascertained in writing. Upon nonpayment by the delinquent person of the sum so found and the fees certified to be due, the other person may recover such sums, with costs of suit, in a civil action in any court of competent jurisdiction.

Section amended.

54. Section 4:20–21 of the Revised Statutes is amended to read as follows:

Failure of clerk to register agreement, penalty.

4:20–21. A township clerk who shall fail to enter or register an agreement or certificate such as is referred to in section 4:20–19 of this Title, within two weeks after it is made and delivered to him with a tender of the fees, shall forfeit five dollars ($5.00) to be recovered, with costs of action, by a civil action by any person who shall sue for it.

Section amended.

55. Section 4:20–25 of the Revised Statutes is amended to read as follows:

Molestation of gate in partition fence, penalty, damages.

4:20–25. A person who shall stake, shore or leave open or insecure, or cut, break, pull down or destroy or in any way leave a gate, erected as a part of a partition fence as authorized in section 4:20–24

of this Title, so that the horses or cattle of the owner of the adjoining lands may pass through it, shall, for every such offense, be liable to a penalty of five dollars ($5.00), to be recovered with costs by a civil action by any person who shall sue for it.

The offender shall also pay to the owner or tenant of the lands trespassed upon all damages which he or they may have sustained thereby, to be appraised as provided in section 4:20–22 of this Title, which damages shall be recovered by a civil action.

The owner of the trespassing horses, cattle or sheep shall be entitled to protection from injury to such animals as provided in section 4:20–28 of this Title, and shall not be liable to have his animals impounded, or be liable to an action for damages accruing thereby.

Section amended.

56. Section 4:20–32 of the Revised Statutes is amended to read as follows:

Violations, penalty, damages.

4:20–32. Any person who shall offend against the provisions of sections 4:20–30 and 4:20–31 of this Title, or shall willfully injure, dig up, or otherwise deface or destroy any hedge sets, hedges or fence erected for their protection, shall for each offense be liable to a penalty of thirty dollars ($30.00), to be recovered, with costs, in a court of competent jurisdiction, by a civil action by and in the name of the person injured, and in addition thereto shall be liable for all damages to the person injured.

Section amended.

57. Section 4:21–3 of the Revised Statutes is amended to read as follows:

Interference with impounding of animals, penalty.

4:21–3. A person, having charge of horses, cattle, sheep or swine found running at large in the streets or highways or trespassing upon the improved lands of another, who shall attempt to hinder or take away such animals from a person taking or driving or attempting to take or drive them to the pound; or a person who shall unlawfully drive from a public pound in the township horses, cattle, sheep or swine which are therein impounded, shall be liable to a penalty of fifteen dollars ($15.00) to

be recovered in a civil action in a court of competent jurisdiction by and for the use of any person prosecuting the suit.

Section amended.

58. Section 4:21–9 of the Revised Statutes is amended to read as follows:

Detention of swine, notice, damages.

4:21–9. A person as provided in section 4:21–8 of this Title who shall find swine trespassing upon his land, whether inclosed or not, for which he pays taxes, and who shall not choose to kill such swine as authorized by said section 4:21–8, may take and put such swine into his yard or other inclosure. He shall give notice to the owner, if easily to be found, who shall pay double damages to the person injured, to be appraised and certified in writing by two reputable freeholders to be chosen by the parties. If the owner of the swine shall fail, for twenty-four hours after notice, to choose one of the appraisers, or if he cannot easily be found, the person injured may choose them both.

If the appraisers cannot agree they may choose a third person to join them, in which event an appraisement made by agreement of any two of them and certified as provided in this section, shall be binding and conclusive, and double the sum so appraised may be recovered by a civil action in any court of competent jurisdiction.

Section amended.

59. Section 4:21–11 of the Revised Statutes is amended to read as follows:

Permitting stallion to run at large, penalty.

4:21–11. A person who shall willfully or negligently suffer a stallion of the age of eighteen months or over, of which he is the owner or keeper, to run at large out of the inclosed ground of the owner or keeper, after having been notified thereof and been admonished to confine such stallion, shall forfeit and pay the sum of ten dollars ($10.00), to be recovered, with costs, by any person who shall sue for it, in a civil action, in any court of competent jurisdiction.

60. Section 4:21–12 of the Revised Statutes is amended to read as follows: Section amended.

4:21–12. No person shall suffer any bull whereof he is the owner, bailee or keeper, to run at large off of his premises, or to get out of control while being transported or driven along the highway. When a bull shall run at large off the premises of its owner, bailee or keeper or get out of control while being transported or driven along the highway, the owner, bailee or keeper thereof shall be liable to a penalty of one hundred dollars ($100.00) to be recovered, with costs, in a civil action by any person who shall sue for it, and shall also be liable for all damages caused by the bull to be recovered, with costs, in a civil action by the person who has suffered the damage. Permitting bull to run at large, penalty.

61. Section 4:22–25 of the Revised Statutes is amended to read as follows: Section amended.

4:22–25. A person who shall use a dog for the purpose of drawing or helping to draw a vehicle for business or other purposes shall be liable to a fine of one dollar ($1.00) and costs for the first offense and ten dollars ($10.00) and costs for each subsequent offense. Use of dog for drawing vehicle, fine.

The offender together with the dog and the vehicle shall be taken before the county district court or the municipal court and said court shall have jurisdiction to impose the fine and render judgment accordingly.

62. Section two of chapter three hundred fifteen of the laws of one thousand nine hundred and thirty-nine is amended to read as follows: Section amended.

2. Any person who shall violate any of the provisions of this act shall be fined not less than five dollars ($5.00) and not more than twenty-five dollars ($25.00) for the first offense and not less than twenty-five dollars ($25.00) and not more than fifty dollars ($50.00) and ten days in jail for the second offense. C. 4:22-25.2. Penalty for violations.

Section amended.

63. Section 4:22–26 of the Revised Statutes is amended to read as follows:

Penalty for acts of cruelty.

4:22–26. A person who shall:

a. Overdrive, overload, drive when overloaded, overwork, torture, torment, deprive of necessary sustenance, or cruelly beat or otherwise abuse or needlessly mutilate or kill a living animal or creature;

b. Cause or procure to be done by his agent, servant, employee or otherwise an act enumerated in paragraph "a" of this section;

c. Inflict unnecessary cruelty upon a living animal or creature of which he has charge or custody either as owner or otherwise, or unnecessarily fail to provide it with proper food, drink, shelter or protection from the weather;

d. Receive or offer for sale a horse which by reason of disability, disease or lameness, or any other cause, could not be worked without violating the provisions of this article;

e. Keep, use, be connected with or interested in the management of, or receive money or other consideration for the admission of a person to, a place kept or used for the purpose of fighting or baiting a living animal or creature;

f. Be present and witness, encourage, aid or assist in any activity enumerated in paragraph "e" of this section;

g. Permit or suffer a place owned or controlled by him to be used as provided in paragraph "e" of this section;

h. Carry, or cause to be carried, a living animal or creature in or upon a vehicle or otherwise, in a cruel or inhuman manner;

i. Use a dog or dogs for the purpose of drawing or helping to draw a vehicle for business purposes;

j. Impound or confine or cause to be impounded or confined in a pound or other place a living animal or creature, and shall fail to supply it during such confinement with a sufficient quantity of good and wholesome food and water;

k. Abandon a maimed, sick, infirm or disabled animal or creature to die in a public place;

l. Willfully sell, or offer to sell, use, expose, or cause or permit to be sold or offered for sale, used or exposed, a horse or other animal having the disease known as glanders or farcy, or other contagious or infectious disease dangerous to the health or life of human beings or animals, or who shall, when any such disease is beyond recovery, refuse, upon demand, to deprive the animal of life;

m. Own, operate, manage or conduct a stand or roadside market for the sale of merchandise along a highway and shall keep a living animal or creature inhumanly confined on such premises as an exhibit;

n. Keep or exhibit any wild animal, other than birds or fowls, at any road stand, gasoline station or market located on any of the public streets or highways of this State;

o. Sell, offer for sale, barter or give away or display live baby chicks, ducklings or other fowl or rabbits, turtles or chameleons which have been dyed or artificially colored or otherwise treated so as to impart to them an artificial color;

p. Use any animal, reptile, or fowl for the purpose of soliciting any alms, collections, contributions, subscriptions, donations, or payment of money;

q. Sell or offer for sale, barter, or give away living rabbits, baby chicks, ducklings or other fowl, unless such person provides proper brooder facilities for the care of such rabbits, baby chicks, ducklings, or other fowl during the time they are in possession of such person;

r. Sell, offer for sale, barter or give away living baby chicks, ducklings or other fowl, or rabbits, turtles or chameleons under two months of age in any quantity of less than six;

s. Artificially mark sheep or cattle, or cause them to be marked, by cropping or cutting off both ears, cropping or cutting either ear more than one inch from the tip end thereof, or half cropping or cutting

both ears or either ear more than one inch from the tip end thereof, or who shall have or keep in his possession sheep or cattle, which he claims to own, marked contrary to this paragraph unless they were bought in market or of a stranger—

Shall forfeit and pay a sum not to exceed one hundred dollars ($100.00), to be sued for and recovered, with costs, in a civil action by any person in the name of the New Jersey Society for the Prevention of Cruelty to Animals.

Section amended.

64. Section 4:22–27 of the Revised Statutes is amended to read as follows:

Penalty for cropping ears of dog or showing dog with cropped ears.

4:22–27. A person who shall:

a. Crop or cut off or cause or procure to be cropped or cut off the whole or a part of the ear of a dog, other than as certified to be reasonably necessary by a duly certified veterinarian; or

b. Show or exhibit or procure to be shown or exhibited at a dog show or exhibition a dog with an ear cropped or cut off—

Shall be subject to a forfeiture not to exceed two hundred fifty dollars ($250.00) for each such offense, to be sued for and recovered, with costs, in a civil action by any person in the name of the New Jersey Society for the Prevention of Cruelty to Animals. The possession of a dog confined upon the premises of a person or in his charge or custody, which has an ear cropped or cut off and an unhealed wound resulting therefrom shall be prima facie evidence of the violation of paragraph "a" of this section by the person in control of the premises or having such charge or custody. The provisions of paragraph "b" of this section shall not apply to the showing or exhibiting of dogs the ear or ears of which were cropped or cut off prior to March twenty-third, one thousand nine hundred and thirty-one, or whose ear or ears have been cropped or cut off in any other State, and whose owners are nonresidents of this State.

65. Section 4:22–28 of the Revised Statutes is amended to read as follows: Section amended.

4:22–28. The indictment of a person under the provisions of this article, or the holding of a person to bail to await the action of a grand jury or County Court, shall not in any way relieve him from his liability to be sued for the penalty prescribed in paragraphs "e," "f" and "g" of section 4:22–26 of this Title. Effect of indictment.

66. Section 4:22–29 of the Revised Statutes is amended to read as follows: Section amended.

4:22–29. The action for the penalty prescribed in section 4:22–26 or 4:22–27 of this Title, shall be brought: Jurisdiction for action for penalty.

a. In a County Court, county district court, or a criminal judicial district court, of the county where the defendant resides or in which the offense was committed; or

b. In a municipal court of the municipality wherein the defendant resides or where the offense was committed.

67. Section 4:22–30 of the Revised Statutes is repealed. Section repealed.

68. Section 4:22–31 of the Revised Statutes is repealed. Section repealed.

69. Section 4:22–32 of the Revised Statutes is amended to read as follows: Section amended.

4:22–32. Penalties for violations of sections 4:22–26 and 4:22–27 of this Title shall be enforced and collected in a summary manner under "the penalty enforcement law" (2A:58–1 et seq.). A warrant may issue when the defendant is temporarily within the jurisdiction of the court, but not residing therein; or when the defendant is likely to evade judgment by removal therefrom; or when his name or residence is unknown. Enforcement procedure.

70. Section 4:22–33 of the Revised Statutes is amended to read as follows: Section amended.

4:22–33. Where a defendant is a nonresident of the county in which the alleged offense was committed, or where a defendant desires an adjournment or continuance of the hearing, the court be- Security for appearance of nonresidents.

fore whom the complaint has been made may, in its discretion, require the defendant to furnish security in an amount not exceeding two hundred fifty dollars ($250.00) for his appearance at the hearing.

Sundry sections repealed.

71. Section 4:22–34 of the Revised Statutes is repealed.

72. Section 4:22–35 of the Revised Statutes is repealed.

73. Section 4:22–36 of the Revised Statutes is repealed.

74. Section 4:22–37 of the Revised Statutes is repealed.

75. Section 4:22–38 of the Revised Statutes is repealed.

76. Section 4:22–39 of the Revised Statutes is repealed.

77. Section 4:22–40 of the Revised Statutes is repealed.

78. Section 4:22–41 of the Revised Statutes is repealed.

79. Section 4:22–42 of the Revised Statutes is repealed.

Section amended.

80. Section 4:22–44 of the Revised Statutes is amended to read as follows:

Arrests with or without warrants.

4:22–44. Any member, officer or agent of the New Jersey Society for the Prevention of Cruelty to Animals, or any sheriff, undersheriff, constable or police officer may:

a. Make arrests for violations of this article;

b. Arrest without warrant any person found violating the provisions of this article in the presence of such member, officer, agent, sheriff, undersheriff, constable or police officer, and take such person before the nearest judge or magistrate as provided in this article.

Section amended.

81. Section 4:22–46 of the Revised Statutes is amended to read as follows:

Search warrants, issuance.

4:22–46. Any court having jurisdiction of violations of the law in relation to cruelty to animals may issue search warrants to enter and search buildings or places wherein it is reasonably believed that such law is being violated.

Section amended.

82. Section 4:22–48 of the Revised Statutes is amended to read as follows:

Forfeiture of creatures and articles seized.

4:22–48. The person seizing animals, creatures, implements or appliances as authorized in section 4:22–47 of this Title, shall, within twenty-four hours thereafter, apply to a court of competent jurisdiction to have the same forfeited and sold.

If, upon the hearing of the application, it is found and adjudged that at the time of the seizure the animals, creatures, implements or appliances were engaged or used in violation of section 4:22–47 or paragraphs "e," "f" and "g" of section 4:22–26 of this Title, or were owned, possessed or kept with the intent that they should be so engaged or used, they shall be adjudged forfeited, and the court shall order the same sold in such manner as it shall deem proper, and after deducting the costs and expenses, shall dispose of the proceeds as provided in section 4:22–55 of this Title.

A bird or animal found or adjudged to be of no use or value may be liberated or disposed of as directed by the court.

A creature or property which is adjudged not forfeited shall be returned to the owner, and the person making the seizure shall pay all costs and expenses thereof.

Section repealed.

83. Section 4:22–49 of the Revised Statutes is repealed.

Section amended.

84. Section 4:22–53 of the Revised Statutes is amended to read as follows:

Sale of animals abandoned in disabled condition.

4:22–53. An animal or creature abandoned in a maimed, sick, infirm or disabled condition, if fit for further use, may be advertised and sold in the manner directed by a court of competent jurisdiction or agent of the New Jersey Society for the Prevention of Cruelty to Animals.

The proceeds, after deducting expenses, shall be paid to the district (county) society for the prevention of cruelty to animals, if one is in existence in the county; if not, then to the New Jersey society.

Section amended.

85. Section 4:22–54 of the Revised Statutes is amended to read as follows:

Destruction of animals found in disabled condition.

4:22–54. When an animal or creature is found on the highway or elsewhere, whether abandoned or not, in a maimed, sick, infirm or disabled condition, a court of competent jurisdiction or sheriff of the county, or agent of the New Jersey Society for the Prevention of Cruelty to Animals, may appoint a suitable person to examine and destroy such animal or creature if unfit for further use.

Section amended.

86. Section 4:22–55 of the Revised Statutes is amended to read as follows:

Disposition of fines and penalties.

4:22–55. All fines, penalties and moneys imposed and collected under the provisions of this article, shall be paid by the court or by the clerk or court officer receiving the same, within thirty days and without demand, to the district (county) society for the prevention of cruelty to animals of the county where the same were imposed and collected, if one is in existence in that county, and if not, then to the New Jersey Society for the Prevention of Cruelty to Animals, to be used by the society in aid of the benevolent objects for which it was incorporated.

Section amended.

87. Section 4:23–2 of the Revised Statutes is amended to read as follows:

Jurisdiction.

4:23–2. Jurisdiction of proceedings to collect penalties collectible under the provisions of this article is vested in the County Courts, the county district courts and the municipal courts, and in all other courts or officers specifically authorized by the law under which the proceeding is had, all of which courts and officers are hereinafter in this article designated as the "court."

Sundry sections repealed.

88. Section 4:23–3 of the Revised Statutes is repealed.

89. Section 4:23–4 of the Revised Statutes is repealed.

90. Section 4:23–5 of the Revised Statutes is repealed.

91. Section 4:23–6 of the Revised Statutes is amended to read as follows: Section amended.

4:23–6. In proceedings to enforce and collect penalties under this article, the court may proceed in a summary manner pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Summary proceedings.

92. Section 4:23–7 of the Revised Statutes is repealed. Sundry sections repealed.

93. Section 4:23–8 of the Revised Statutes is repealed.

94. Section 4:23–9 of the Revised Statutes is repealed.

95. Section 4:23–12 of the Revised Statutes is amended to read as follows: Section. amended.

4:23–12. Jurisdiction of proceedings to collect penalties collectible under the provisions of this article is vested in the County Courts, the county district courts and the municipal courts in any county or municipality where the defendant may be apprehended or where he may reside, and all other courts or officers specifically authorized by the law under which the proceeding is had, all of which courts and officers are hereinafter in this article designated as the "court." Process shall be either a summons or warrant and proceedings shall be brought in a summary manner pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Jurisdiction.

96. Section 4:23–13 of the Revised Statutes is repealed. Section repealed.

97. Section 4:23–15 of the Revised Statutes is amended to read as follows: Section amended.

4:23–15. For a violation of any provision for which a penalty is prescribed which is collectible under this article, done within the view of any constable, police officer or member of the State police, the officer may arrest the offender without a warrant and take him before the court in the county wherein such arrest is made. Arrest without warrant.

Sundry sections repealed.

98. Section 4:23–16 of the Revised Statutes is repealed.

99. Section 4:23–17 of the Revised Statutes is repealed.

Section amended.

100. Section 4:24–27 of the Revised Statutes is amended to read as follows:

Authority of supervisors.

4:24–27. The supervisors shall have authority to go upon any lands within the district to determine whether land-use regulations adopted under the provisions of article seven of this chapter (§ 4:24–23 et seq.) are being observed. Any landowner who shall sustain damages from any violation of such regulations by any other landowner may sue to recover damages in a civil action from such other landowner for such violation.

Section amended.

101. Section 4:24–28 of the Revised Statutes is amended to read as follows:

Non-observance of regulations, action in Superior Court.

4:24–28. Where the supervisors of any district shall find that any of the provisions of land-use regulations adopted in accordance with the provisions of article seven of this chapter (§ 4:24–23 et seq.) are not being observed on particular lands, and that such nonobservance tends to increase erosion on such lands and is interfering with the prevention or control of erosion on other lands within the district, the supervisors may bring an action in the Superior Court and the said court therein may grant appropriate relief.

Section repealed.

102. Section 4:24–29 of the Revised Statutes is repealed.

Section amended.

103. Section 4:24–33 of the Revised Statutes is amended to read as follows:

Review of order in Superior Court.

4:24–33. Any petitioner aggrieved by an order of the board granting or denying, in whole or in part, the relief sought of the supervisors of the district, or any intervening party, shall be entitled to a review of such order in the Superior Court by a proceeding in lieu of prerogative writ.

104. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 6

AN ACT concerning amusements, public exhibitions and meetings, and revising parts of the statutory law.

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

1. Section 5:2–19 of the Revised Statutes is amended to read as follows: Section amended.

5:2–19. Every penalty imposed by this chapter shall be recovered in a civil action in the name of the commissioner, which action shall be prosecuted by the Attorney-General. The amount recovered shall be payable into the State treasury. Recovery of penalty.

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

5:3–5. Any person who shall willfully violate any of the provisions of this article or any regulation, order or special direction duly made thereunder, shall, for each offense, forfeit to the municipality in which the offense was committed, a penalty of not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00) in the discretion of the court having cognizance thereof. The penalty shall be recovered in the same courts and shall be collected in the same manner as other penalties for the violation of municipal ordinances. Penalty for violation, recovery.

3. Section 5:3–6 of the Revised Statutes is amended to read as follows: Section amended.

5:3–6. The officers of the police force of every municipality shall aid in the enforcement of the provisions of this article and shall have power without warrant to arrest any person who shall violate any provision of this article, or any regulation, order or special direction duly made thereunder. Enforcement, arrest without warrant.

Section amended.

4. Section 5:3–21 of the Revised Statutes is amended to read as follows:

Penalty for violation.

5:3–21. Any person who shall violate any provision of this article shall be subject to a penalty of fifty dollars ($50.00). Such penalty shall be imposed for each day such violation thereafter continues. The penalties may be imposed against the owner or lessee of the premises wherein such violation occurs, or both. The county district courts and the municipal courts shall have jurisdiction of said violations and the penalties hereunder shall be enforced and collected in a summary manner under the "penalty enforcement law" (2A:58–1 et seq.).

Section amended.

5. Section 5:3–29 of the Revised Statutes is amended to read as follows:

Penalties, recovery, disposition.

5:3–29. The Department of Labor and Industry may bring a civil action for the recovery of any such penalty in the County Court or county district court of the county wherein the violation occurred. All penalties so recovered shall be paid to said department and by it paid into the State treasury.

Section amended.

6. Section 5:4–5 of the Revised Statutes is amended to read as follows:

Penalty for violation.

5:4–5. Any person violating any of the provisions of this chapter shall, upon conviction thereof in a summary proceeding before any county district court or municipal court of this State, be sentenced to pay a fine not exceeding one hundred dollars ($100.00) for each such offense, for the use of the State.

Section amended.

7. Section eleven of chapter seventeen of the laws of one thousand nine hundred and forty is amended to read as follows:

C. 5:5-31. Removal of commissioner, hearing, subpœna, fees, review.

11. The Governor may remove any commissioner for inefficiency, neglect of duty or misconduct in office, giving to him a copy of the charges against him and an opportunity of being publicly heard in person or by counsel in his own defense, upon not less than fourteen days' notice either by personal service or registered mail.

The Governor shall have power to administer oaths and examine witnesses, and shall have the

power to issue subpœnas to compel the attendance of witnesses and the production of all necessary reports, books, papers, documents, correspondence and other evidence at any designated place of hearing. The subpœnas shall be authenticated by the seal of the Governor, and any party to a proceeding before the Governor may secure from him subpœnas without charge. Misconduct on the part of a person attending a hearing or the failure of a witness when duly subpœnaed to attend, give testimony or produce any records, shall be punishable by the County Court of the county wherein the offense is committed in the same manner as such failure is punishable by that court in a case therein pending. The Governor shall certify such misconduct, failure to attend or produce records to such County Court.

The fees for the attendance of witnesses shall be the same as for the attendance of witnesses in other civil cases.

A person who, having been sworn or affirmed as a witness in any such proceeding, shall willfully give false testimony, shall be guilty of perjury.

The Governor, or any applicant, may in connection with any hearing before the Governor cause the deposition of witnesses within or without the State to be taken in the same manner as in civil actions in the Superior Court.

At the conclusion of such hearing, the Governor shall, within thirty days, make his findings.

If such commissioner shall be removed, the Governor shall file in the office of the Secretary of State a complete statement of all charges made against such commissioner and his findings thereof, together with a complete record of the proceedings, and shall give notice of his findings to such commissioner forthwith.

The action of the Governor and the propriety thereof shall be subject to review by a proceeding in lieu of prerogative writ in the Superior Court.

Section amended.

8. Section thirty-four of chapter seventeen of the laws of one thousand nine hundred and forty is amended to read as follows:

C. 5:5-54. Powers of commissioners.

34. Each member of the commission shall have power to administer oaths and examine witnesses, and shall have the power to issue subpœnas to compel the attendance of witnesses and the production of all necessary reports, books, papers, documents, correspondence and other evidence at any designated place of hearing. The subpœnas shall be authenticated by the seal of the commission, and any party to a proceeding before the commission may secure from it subpœnas without charge. Misconduct on the part of a person attending a hearing or the failure of a witness when duly subpœnaed to attend, give testimony or produce any records, shall be punishable by the County Court of the county wherein the offense is committed in the same manner as such failure is punishable by that court in a case therein pending.

Section amended.

9. Section forty of chapter seventeen of the laws of one thousand nine hundred and forty is amended to read as follows:

C. 5:5-60. Review of proceedings.

40. The action of the commission and the propriety thereof shall be subject to review by a proceeding in lieu of prerogative writ in the Superior Court.

Section amended.

10. Section fifty-six of chapter seventeen of the laws of one thousand nine hundred and forty is amended to read as follows:

C. 5:5-76. Enforcement.

56. It shall be the duty of the Attorney-General and of the several county prosecutors in this State to enforce the provisions of this act, and the Governor may upon request of the commission order the law enforcing officers of the State of New Jersey or of the various counties and municipalities to assign a sufficient number of deputies to prevent horse racing at any track within the respective jurisdiction of such counties and municipalities, a permit for which has been refused, suspended or revoked by the commission.

11. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 7

AN ACT concerning aviation, and revising parts of the statutory law.

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

1. Section thirty-two of chapter forty-eight of the laws of one thousand nine hundred and thirty-eight is amended to read as follows: Section amended.

32. The Department of Conservation and Economic Development shall have the power to conduct investigations, inquiries and hearings concerning matters covered by the provisions of this act and accidents or injuries incident to the operation of aircraft occurring within this State, and for this purpose the department or its authorized representatives may take possession of any wreckage or aircraft damaged in such accidents and hold same until it releases such possession or unless any properly authorized paramount Federal agency requests possession. In all investigations, inquiries and hearings the commissioner or his authorized representative in charge thereof, shall have the power to administer oaths and affirmations, certify to official acts, issue subpœnas, compel the attendance and testimony of witnesses and the production of papers, books, and documents. If any person shall fail to comply with any subpœna or order issued under authority of this chapter, the commissioner or said authorized representative may ex parte invoke the aid of any County Court of this State. The court may thereupon order any such person to comply with the requirements of the subpœna or order, or to give evidence upon the matter in question. C. 6:1-51. Investigation of aircraft accidents, hearings.

Section amended.

2. Section thirty-four of chapter forty-eight of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 6-1-53. Review of order.

34. Any order made by the department may be reviewed by a proceeding in lieu of prerogative writ in the Superior Court.

C. 6:1-54. Sundry sections repealed.

3. Section thirty-five of chapter forty-eight of the laws of one thousand nine hundred and thirty-eight is repealed.

C. 6:1-55.

4. Section thirty-six of chapter forty-eight of the laws of one thousand nine hundred and thirty-eight is repealed.

C. 6:1-56.

5. Section thirty-seven of chapter forty-eight of the laws of one thousand nine hundred and thirty-eight is repealed.

C. 6:1-57.

6. Section thirty-eight of chapter forty-eight of the laws of one thousand nine hundred and thirty-eight is repealed.

C. 6:1-58.

7. Section thirty-nine of chapter forty-eight of the laws of one thousand nine hundred and thirty-eight is repealed.

8. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 8

AN ACT concerning cemeteries, and revising parts of the statutory law.

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

Section amended.

1. Section one of chapter one hundred sixty-four of the laws of one thousand nine hundred and forty-two is amended to read as follows:

C. 8:1-20.1. Managers or trustees selected, compensation.

1. Whenever any receiver or trustee of any cemetery, cemetery company or cemetery association heretofore appointed by the Court of Chancery of

this State or heretofore or hereafter appointed by the Superior Court of this State shall have adjusted, compromised or settled, or may hereafter adjust, compromise or settle any debt or claim due or owing, or to become due or owing by such cemetery, cemetery company or cemetery association, and in connection therewith gives under the authority of such court in his name as such receiver or trustee, or in the name of such cemetery, cemetery company or cemetery association, any bonds, notes, or other evidences of indebtedness in payment of or as a means of payment of such debt or claim, the board of managers or trustees of such cemetery, cemetery company or cemetery association and who are to have the care and management of such cemetery, cemetery company or cemetery association, shall until such notes, bonds, or other evidences of indebtedness are paid and fully discharged, be selected or chosen by the court. Such managers or trustees shall be selected or chosen in the manner and for the terms within the limitation hereof and may be paid such compensation as may be determined upon by the court.

Section amended.

2. Section two of chapter one hundred sixty-four of the laws of one thousand nine hundred and forty-two is amended to read as follows:

C. 8:1-20.2. Covenants.

2. It shall and may be lawful to include in any bonds, notes, or other evidences of indebtedness given by such receivers or trustees a covenant or condition that the right to choose and select the managers or trustees who are to have the care and management of such cemetery, cemetery company, or cemetery association, until such notes, bonds, or evidence of indebtedness shall be paid and fully discharged, is to be retained in and exercised by the court.

Section amended.

3. Section 8:2–29 of the Revised Statutes is amended to read as follows:

Sequestration of revenues.

8:2–29. The rents, issues, profits, income and revenues derived from any and all lands lying within the bounds of any cemetery or burial ground belonging to, used by or held in trust for any in-

corporated cemetery association, may be taken and sequestered under and by virtue of the orders and judgments of the Superior Court, according to the practice of such court, and applied by such court to the payment of any judgment recovered in any of the courts of this State against the cemetery association owning or using such lands; and the said court may appoint a receiver of such rents, issues, profits, income and revenues, and make such order regarding the same as may be just and equitable.

This section shall not be construed to make such lands liable to seizure, taking or sale by virtue of any judgment, decree, order, execution or other process made, rendered by or issued out of any court in this State.

Section amended.

4. Section 8:2–30 of the Revised Statutes is amended to read as follows:

Trust funds, use of income.

8:2–30. Any person, by his last will and testament or otherwise, may create a trust fund to be held in perpetuity or for a lesser time where the income of which is to be used for the care or embellishment of any cemetery or grave, plot or lot, the graves therein, the tombstones or monuments thereon, or of any mausoleum; *provided, however,* that where any last will and testament purports to create a trust fund for any of the above enumerated purposes, the Superior Court of New Jersey may, upon or prior to the settlement of such an account, hear and determine the question whether, in view of the size of the estate and other pertinent circumstances, the testamentary provision aforesaid is reasonable, and should the court find that the amount of the trust fund so provided is excessive, it may fix in lieu thereof a reasonable sum, which said reasonable sum shall not exceed the maximum amount of such trust fund; *and provided further,* that the person or corporation designated to hold such a trust fund shall consent to the hearing and determination as herein provided.

Proviso.

Proviso.

5. Section 8:2–40 of the Revised Statutes is amended to read as follows: Section amended.

8:2–40. If it appears to the Commissioner of Banking and Insurance, from any report filed or examination made as required by sections 8:2–38 and 8:2–39 of this Title, that the principal of a trust or special fund is not being properly invested, he shall have authority to apply to the Superior Court for an order upon the board of managers or trustees of the cemetery association to immediately dispose of all unauthorized securities and to properly invest the proceeds therefrom. Improper investment of funds, liability for loss.

Any loss sustained by reason of improper investment shall be borne jointly and severally by the managers or trustees responsible therefor, or for the continuation thereof, and the loss shall be forthwith paid by the managers or trustees to the association. If not so paid the loss shall be recovered by a civil action instituted by the Commissioner of Banking and Insurance in the name of the association, and the defaulting managers or trustees shall, upon the entry of judgment against them, cease to be managers or trustees of the association and shall be ineligible for re-election.

6. Section 8:3–6 of the Revised Statutes is amended to read as follows: Section amended.

8:3–6. Any person who unlawfully and willfully destroys, mutilates, defaces, injures or removes any tomb, monument, gravestone, marker, building or other structure in or upon any cemetery of an incorporated cemetery association or graveyard or burial plot or lot owned by an individual or unincorporated association, or any fence, railing, hedge or other work or structure for the protection or ornamentation of such cemetery, graveyard or burial plot or lot or any tomb, monument, gravestone, marker, building or structure, therein or thereon, or who willfully destroys, cuts, breaks or injures any tree, shrub or plant within the limits of such cemetery, graveyard or burial plot or lot, shall be liable for all damages caused by such acts, recoverable in a civil action to be brought by the Destruction of or injuries to cemetery property, liability.

cemetery association or owner of the graveyard or burial plot or lot.

The amount recovered in such an action, when recovered by an incorporated or unincorporated association, shall be applied by the association to the reparation or restoration of the property destroyed or injured.

Section amended

7. Section 8:3–7 of the Revised Statutes is amended to read as follows:

Taking dog or goat into graveyard, penalty.

8:3–7. Any person taking a dog or goat within the limits of any graveyard or burial plot or lot owned by an individual or unincorporated association shall for every such offense, upon judgment in a civil action brought before the county district court or municipal court of the county or municipality wherein the offense is committed, forfeit and pay two dollars ($2.00) for the use of the poor of the municipality.

Such person shall also be liable as a trespasser for all damages committed by the dog or goat, recoverable in a civil action in a court of competent jurisdiction by the owner of the graveyard or burial plot or lot.

Section amended.

8. Section 8:3–9 of the Revised Statutes is amended to read as follows:

Reinterment of bodies, forfeiture for violation.

8:3–9. The trustees of a religious society shall, prior to the removal of bodies from its grounds under authority of section 8:3–8 of this Title, procure a proper and suitable place in any cemetery for the reinterment of the bodies so removed, and shall cause the same to be conveyed to the cemetery and buried therein in a careful manner. If tombstones have been erected on or over the graves of bodies so removed, the trustees shall cause the same to be re-erected over or on the graves in the cemetery to which the bodies shall be removed.

Any trustee violating the provisions of this section shall forfeit the sum of one hundred dollars ($100.00), to be collected by the municipality, in a civil action, for the use of the poor.

9. Section 8:3–11 of the Revised Statutes is amended to read as follows: Section amended.

8:3–11. If the consents required by section 8:3–10 of this Title cannot be obtained because the persons from whom they are required to be obtained cannot, upon diligent inquiry, be found, the corporation or society may apply to the County Court of the county wherein the lands sought to be sold are located for an order for the sale thereof. The application shall show the name of the applying corporation or society, the location of the land sought to be sold, the names of all known persons owning plots or lots and permits for burials in such lands, and a description and map of the lands sought to be sold. Petition to court when consents not obtainable.

10. Section 8:3–12 of the Revised Statutes is amended to read as follows: Section amended.

8:3–12. Upon proof of the facts set forth in the application required by section 8:3–11 of this Title the County Court may make an order setting forth the nature of the application and the names of all owners of plots or lots and permits for burials in the lands sought to be sold who have not consented in writing to the sale, requiring them to show cause, at a time to be fixed by the court, why such lands should not be sold. A notice of such order shall be published in a newspaper designated by such court, for four successive weeks, or as the court shall direct. Order and notice to show cause against sale.

11. Section 8:3–13 of the Revised Statutes is amended to read as follows: Section amended.

8:3–13. At the time fixed in the order and notice made and given pursuant to section 8:3–12 of this Title, or upon such adjourned day as the County Court may fix, no objections in writing being made thereto or filed with such court previous thereto by the lineal descendants or widow or widower of the persons buried in such lands, such court may make an order authorizing the sale of the lands and the removal of any bodies buried therein. Court order for removal of bodies and sale of land.

Section amended.

12. Section 8:3–14 of the Revised Statutes is amended to read as follows:

Removal of bodies to another part of burial ground, court order.

8:3–14. When burials have been made in lands owned by a religious corporation or society the County Court of the county in which such lands are located may make an order authorizing the corporation or society to remove the bodies buried therein to another part of the lands owned by it. The court shall prescribe the notice to be given and the conditions, if any, of the granting of the order.

Section amended.

13. Section 8:3–16 of the Revised Statutes is amended to read as follows:

Protection of owners' burial rights.

8:3–16. If any religious corporation or society sells any land in which any person has acquired a right of burial, the corporation or society shall, at the discretion of the County Court of the county in which its lands are situate, either refund to the party having such right, their heirs, executors or assigns, the amount paid therefor, with interest from the date of payment, or shall convey to such party, their heirs, executors or assigns, an eligible plot of ground of equal size in burial grounds adjacent thereto, and shall pay all cost and expense incurred in the removal of any bodies interred in the lands sought to be vacated and sold and the cost of properly reinterring the same.

14. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 9

AN ACT concerning children, supplementing chapter twelve of Title 9 of the Revised Statutes, and revising parts of the statutory law.

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

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

9:1–1. The father and mother of a minor child are equally entitled to its services and earnings. If one of the parents be dead, has abandoned the child, or has been deprived of its custody by direction of court, the other is entitled to such services and earnings. Parents' rights to services and earnings of minor child.

The parents jointly may maintain an action for the loss of the wages or services of their minor child when such loss is occasioned by an injury, wrongfully or negligently inflicted upon such child. If one of the parents be dead, has abandoned the child, has been deprived of its custody by direction of court or refuses to sue, the other may sue alone.

Nothing contained in this section shall be deemed to supersede, limit, modify or affect the provisions of chapter fifteen of Title 34 (§ 34:15–1 et seq.).

2. Section 9:2–1 of the Revised Statutes is amended to read as follows: Section amended.

9:2–1. After a divorce adjudged in any other State or country, if minor children of the marriage are inhabitants of this State, the Superior Court, in an action brought by either parent or by a guardian ad litem in behalf of the children, such notice being given to parents as the court shall direct, may make such judgment concerning their care, custody, education and maintenance as if the divorce had been obtained in this State. If the minor child or minor children have not, at the commencement of the action, reached the age of sixteen years, Custody of children of divorced parents, etc.

and if it is represented to the court by affidavit or under oath that evidence will be adduced involving the moral turpitude of either parent, or of such minor child or children, or that evidence will be adduced which may reflect upon the good reputation or social standing of the child or children, then the court shall admit to the hearing of such case only such persons as are directly interested in the matter being then heard. The records of such proceedings, including all papers filed with the court, shall be withheld from indiscriminate public inspection, but shall be open to inspection by the parents, or their attorneys, and to no other person or persons except by order of the court made for that purpose.

Section amended.

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

Custody of children of parents living separately, etc.

9:2–3. When the parents of minor children live separately, or are about to do so, the Superior Court, in an action brought by either parent, shall have the same power to make judgments or orders concerning their care, custody, education and maintenance as concerning children whose parents are divorced. The minor child when in the actual care and custody of the mother in such cases, shall not be taken by the father of such child forcibly or against the will of the mother from her custody, and the court having jurisdiction in the premises shall have authority to make such orders and judgments as will protect the mother in the maintenance of such control and custody until otherwise ordered by the court having jurisdiction. If the minor child or minor children have not, at the time of the commencement of the action, reached the age of sixteen years, and if it is represented to the court by affidavit or under oath that evidence will be adduced involving the moral turpitude of either parent, or of such minor child or children, or that evidence will be adduced which may reflect upon the good reputation or social standing of the child or children, then the court shall admit to the hearing of such case only such persons as are directly inter-

ested in the matter then being heard. The records of such proceedings, including all papers filed with the court, shall be withheld from indiscriminate public inspection, but shall be open to inspection by the parents, or their attorneys, and to no other person or persons except by order of the court made for that purpose.

Section amended.

4. Section 9:2–5 of the Revised Statutes is amended to read as follows:

Death of parent having custody, reversion to surviving parent, guardian, appointment.

9:2–5. In case of the death of the parent to whom the care and custody of the minor children shall have been awarded by the Superior Court, or in the case of the death of the parent in whose custody the children actually are, when the parents have been living separate and no award as to the custody of such children has been made, the care and custody of such minor children shall not revert to the surviving parent without an order or judgment of the Superior Court to that effect. The Superior Court shall have the right, in an action brought by a guardian ad litem on behalf of the children, to appoint such friend or other suitable person, guardian of such minor children, and shall have the right to remove such guardian, and to appoint a new guardian or guardians, and to make such judgments and orders, from time to time, as the circumstances of the case and the benefit of the children shall require.

Section amended.

5. Section 9:2–7 of the Revised Statutes is amended to read as follows:

Habeas corpus to determine custody of child.

9:2–7. When any husband and wife shall live in a state of separation without being divorced, and shall have any minor child of the marriage, the Superior Court, upon such child being brought before it upon habeas corpus, shall award the custody of such child and make such order or judgment relating thereto for the access of either parent to such child, at such times and under such circumstances, as it may deem proper.

Section amended.

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

Unfit parents and custodians, court action to grant relief.

9:2–9. When the parents of any minor child or the parent or other person having the actual care and custody of any minor child are grossly immoral or unfit to be intrusted with the care and education of such child, or shall neglect to provide the child with proper protection, maintenance and education, or are of such vicious, careless or dissolute habits as to endanger the welfare of the child or make the child a public charge, or likely to become a public charge; or when the parents of any minor child are dead or cannot be found, and there is no other person, legal guardian or agency exercising custody over such child; it shall be lawful for any person interested in the welfare of such child to institute an action in the Superior Court or the Juvenile and Domestic Relations Court in the county where such minor child is residing, for the purpose of having the child brought before the court, and for the further relief provided by this chapter. The court may proceed in the action in a summary manner or otherwise.

Section amended.

7. Section 9:2–10 of the Revised Statutes is amended to read as follows:

Order for proper care of child.

9:2–10. In an action brought pursuant to section 9:2–9 of this Title, the Superior Court, or the Juvenile and Domestic Relations Court, as the case may be, after an investigation shall have been made by the chief probation officer of the county in which the child may reside, concerning the reputation, character and ability of the plaintiff, or such other person as the court may direct, to properly care for such child, shall make an order or judgment committing the child to the care and custody of such person, who will accept the same, as the court shall for that purpose designate and appoint, until such child shall attain the age of eighteen years, or the further direction of the court; *provided, however,* that in proper cases such care and custody may be exercised by supervision of the child in his own home, unless the court shall other-

Proviso.

wise order. Such order or judgment may require the giving of a bond by the person to whose care or custody the said child may be committed, with such security and on such conditions as the court shall deem proper.

Section amended.

8. Section 9:2–11 of the Revised Statutes is amended to read as follows:

Commitment of child to care of society, costs.

9:2–11. The court before which such proceedings shall be conducted, may, in the same manner but in lieu of committing such child, as in section 9:2–10 of this Title specified, commit such child to the care and custody of any society duly incorporated under the laws of this State for the care of children. In such case the court may, in its discretion, cause the person in whose custody such child was, or the county in which such child may reside, to pay all costs and expenses of such proceedings, and such person or society or institution to whom or to which such child is committed may, upon special authority granted in the order or judgment of commitment, give his or its consent, and such consent will be sufficient, to the legal adoption of such child; *provided, however,* that the granting of the right to consent to adoption shall in no wise be construed as authority to place a child for adoption except in accordance with the provisions of chapter three of this Title (§ 9:3–1 et seq.).

Proviso.

Supplementary order for support.

Whenever the court shall have made an order or judgment with respect to the care and custody of a child as contemplated by this Title, and it shall appear that the person in whose custody such child was is a relative financially able and legally liable to provide support for such child, the court may make a supplementary order requiring such relative to make such payment or payments for the support of such child as the court may deem reasonable under the circumstances.

C. 9:2-12. Sundry sections repealed.

9. Section one of chapter three hundred twenty-nine of the laws of one thousand nine hundred and forty-two is hereby repealed.

10. Section 9:4–7 of the Revised Statutes is hereby repealed.

11. Section 9:4–8 of the Revised Statutes is hereby repealed.

12. Section 9:4–9 of the Revised Statutes is hereby repealed.

13. Section 9:4–11 of the Revised Statutes is hereby repealed.

Section amended.

14. Section 9:5–5 of the Revised Statutes is amended to read as follows:

Assistance to societies by courts and police officers.

9:5–5. All courts, constables, sheriffs and police officers shall, as occasion may require, aid any corporation of this State organized under chapter one of Title 15, Corporations and Associations Not for Profit (§ 15:1–1 et seq.), for the purpose of the prevention of cruelty to children or for the care and custody of children, its officers, members and agents, in the enforcement of all laws now or hereafter enacted relating to or affecting children, and, for the purpose of bringing offenders against such laws to justice, the like powers shall be and are hereby given to the members, officers and agents of such corporation as are or may be given by law to the members, officers and agents of the society for the prevention of cruelty to animals.

Section amended.

15. Section 9:6–4 of the Revised Statutes is amended to read as follows:

Jurisdiction of complaints.

9:6–4. Complaints for violation of the provisions of this chapter may be made to any municipal court, County Court or criminal judicial district court in any county, or juvenile and domestic relations court in every county of this State. Whenever any person, who shall be charged with any such offense upon oath before any court or by indictment, shall, in writing signed by him and addressed to the county prosecutor of the county wherein the offense was committed, waive indictment and trial by jury, or trial by jury, as the case may be, and request to be tried immediately before the County Court or the juvenile and domestic relations court of such county, without a jury, the county prosecutor shall report such fact to either such court of such county, which, unless it shall deem the public interest will be benefited by deny-

ing such request, shall with all due and reasonable speed, proceed to try the person so charged and determine and adjudge his guilt or innocence.

16. Section 9:6–7 of the Revised Statutes is amended to read as follows: Section amended.

9:6–7. Any duly organized or incorporated humane society, having for one of its objects the protection of children from cruelty, may offer any agents or officers employed by such society to the mayor or other executive officer having authority to commission police officers of any municipality having a regularly organized police department, for the purpose of being commissioned to act as police officers through the limits of such municipality for the purpose of arresting all the offenders against this chapter or any of the provisions thereof, whereupon the mayor in such city shall, if such persons are proper and discreet persons, commission them to act as such police officers, with all the rights and powers appertaining thereto; but no such municipality shall be liable in any way for the salary or wages of such officers, or for any expense whatever in relation thereto, except for the detention of prisoners. Agents of societies commissioned as police officers and constables.

In any municipality not having a regularly organized police department, such humane society may offer similarly qualified persons to the County Court of the county, whereupon such court shall, if they be fit persons, commission such persons to act as constables, with power to arrest all offenders against this chapter or any provisions thereof; but no municipality or county shall be in anywise liable for the salary or wages of any such officer, or for any expense in relation thereto, except for the detention of prisoners.

All persons thus qualified under this section shall be deemed to be constables and police officers, and the keepers of jails or lockups or station houses in any of such counties are required to receive all persons arrested by such policemen or constables.

Section amended.

17. Section 9:6–8 of the Revised Statutes is amended to read as follows:

Warrants to enter place of supposed violation, arrest.

9:6–8. Whenever any person shall, before a county district court or municipal court, make oath that the affiant believes that this chapter has been or is being violated in any place or house, such court shall forthwith issue a warrant to a constable or other authorized officer to enter such place or house and investigate the same, and such person may arrest or cause to be arrested all offenders and bring them before any court for a hearing of the case; and all constables and policemen shall aid in bringing all such offenders before such authorities for a hearing.

Section amended.

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

May file record with court for relief.

9:6–9. Whenever the parents, guardian or any person having the custody or control of any minor child shall be convicted of abandoning, abusing, neglecting or cruelly treating said child or children as provided in article one of this chapter, any board of education or police department, of any municipality, township, towns and boroughs, its designated officers, members or agents, or any society or corporation organized under the laws of this State, having as one of its objects the prevention of cruelty to children, the probation officer of the county or any guardian ad litem for such child may file a copy of the record of the case, when such conviction was before another court, with the juvenile and domestic relations court of the county where the child has a settlement and apply to the court for relief.

Section amended.

19. Section 9:6–11 of the Revised Statutes is amended to read as follows:

Hearing, order for commitment.

9:6–11. The juvenile and domestic relations court, upon notice to the parents and such relatives as are legally liable for the support of such child and to the applicant and other persons interested in the welfare of such child of the hearing, and upon being satisfied that the child should be placed under proper guardianship, may commit such child to the

care and custody of any duly authorized or incorporated humane society within this State, having for one of its objects the protection of children from cruelty, and such society shall thereupon have all the rights of a guardian of the person of such child, or make such other or further order as, in the opinion of the court, will be for the best interest of such child. The court may, at any time, modify, revoke or add to its order.

Section amended.

20. Section 9:6–12 of the Revised Statutes is amended to read as follows:

Guardianship when custodian convicted, procedure.

9:6–12. Whenever any person having the custody or control of any minor shall be convicted of a violation of any of the provisions of this chapter, any person may apply to the County Court of the county wherein the offense has been committed for the appointment of a proper guardian for the person of such minor, and such court may, in its discretion, make any such appointment, having due regard in the selection of a guardian to the religious persuasion of the parent or former guardian, or it may place such child in an asylum or home for children, with the powers of a guardian of the person, as may be most expedient; and such court may order the parent to pay such a reasonable sum towards the maintenance of such child, and at such times and in such amounts as such court may see fit; and such court may at any subsequent time, upon being satisfied that the parent has become a fit person to resume the custody of such minor, and upon reasonable security, to be fixed by the court, being given for the faithful observance of the provisions of this chapter, remand such minor to the custody of such parent.

Section amended.

21. Section 9:10–1 of the Revised Statutes is amended to read as follows:

Detention schools, establishment and management.

9:10–1. The board of chosen freeholders of a county having a juvenile and domestic relations court may establish and equip a school of detention for dependent and delinquent children under sixteen years of age whom it may be necessary to detain by order or direction of the County Court and

for that purpose may purchase suitable land and buildings or erect buildings on land owned by the county, but the consent of the County Court shall be had before any lands shall be purchased or buildings erected for such purpose.

The school of detention with the land belonging thereto shall constitute a special school district in such county and the county superintendent of schools shall apportion and pay to the county treasurer, who shall be the custodian of the school's moneys, such apportionment of State school moneys and interest and surplus revenues as are paid to other school districts.

The general management of the detention school when completed shall be vested in a board of directors consisting of the judge of the juvenile and domestic relations court, the county superintendent of schools, two members of the board of chosen freeholders selected by the director of such board and such director and the superintendent of schools of the most populous city in the county.

Section amended.

22. Section 9:10–5 of the Revised Statutes is amended to read as follows:

Records and reports.

9:10–5. The superintendent of a county school of detention shall keep a complete record of children committed thereto, containing the name, address and age of each child, cause of detention, time of detention, offense alleged to have been committed if any, and any other useful data or information the juvenile and domestic relations court may direct to be kept. He shall also keep a record of all expenditures made by the county for the care and maintenance of the school.

He shall make a report to the board of chosen freeholders between the first and thirty-first of December in each year containing an itemized statement of all such expense necessary to maintain the school and the number of inmates during each month.

The juvenile and domestic relations court at any time may require the superintendent to furnish information concerning the conduct, maintenance or inmates of the school.

23. Section 9:11–6 of the Revised Statutes is amended to read as follows:

Section amended.

9:11–6. The court committing a delinquent to the county parental school shall make inquiry into his family conditions and circumstances and, if of opinion that the parents of such delinquent are able to maintain him, may include in the commitment order an order that the parents pay to the county such sum for support, maintenance and clothing of the delinquent as in the opinion of the court is proper.

Payments for maintenance.

24. Section 9:12–1 of the Revised Statutes is amended to read as follows:

Section amended.

9:12–1. In any county wherein the board of chosen freeholders maintains for children an almshouse, welfare house or home, under the charge of a board of managers thereof appointed and regulated by such board of chosen freeholders, a court authorized to commit a child to the care and custody of a society, association or corporation for the prevention of cruelty to children, may commit such child to the care and custody of such board of managers, in which case such board of managers shall have the same power respecting such child as such society, association or corporation may have in the like case.

Commitment authorized, power of board.

25. The board of chosen freeholders of any county may establish, equip and maintain a home for the temporary detention of children, separated entirely from any place of confinement of adults, to be known as "The Children's Shelter of ..... County," which shall be conducted as an agency for the purposes of caring for the children of the county whose cases are pending before the juvenile and domestic relations court of the county or who are homeless or abandoned, abused, neglected or cruelly treated, or who, being under sixteen years of age, are witnesses before such court or some other court.

C. 9:12A-1. Children's shelter, establishment, equipment, maintenance, management.

The board may appropriate sufficient funds for the purchase of property and the building or buildings and the furnishing and supplies and equip-

ment therefor from the annual appropriations, or if they consider the amount too great to add to the annual appropriation, they may issue bonds for such purpose.

The building may be built on property owned by the county or the board may acquire the same by gift, purchase or condemnation.

The board may appoint a committee of seven citizens of the county, at least two of whom shall be women, who together with the judge of the juvenile and domestic relations court of the county and the director of the board of chosen freeholders as ex-officio members shall constitute the board of trustees of the children's shelter. The board of trustees shall make the rules and regulations for the management of the children's shelter and the groupings of the children therein.

The shelter shall be in charge of a superintendent and matron who shall reside therein and the board of managers shall have authority to appoint the superintendent, matron and other employees in like manner as other court employees are appointed; the board of chosen freeholders shall provide the funds for carrying on the shelter and for the betterments, improvements and replacements that may be required, in the annual appropriations, but money for new buildings and the equipment thereof and other permanent improvements may be raised by bond issue.

Section amended.

26. Section 9:16–1 of the Revised Statutes is amended to read as follows:

Custody of illegitimate child.

9:16–1. The mother of an illegitimate child, whether married or single, shall have the exclusive right to its custody and control and the putative father of such child shall have no right of custody, control or access to such child without the mother's consent. If, however, it is proved that the mother is unfit to have the custody and control of such child, the Superior Court or any other court which may have jurisdiction in the premises may make any order touching the custody or control of such child which might heretofore have been made.

This section is intended to be declaratory of the existing law upon this subject and it shall, under no circumstances, be construed as an implication that the rights of such a mother have hitherto been less than as herein above defined. Construing.

27. Section 9:16–3 of the Revised Statutes is amended to read as follows: Section amended.

9:16–3. Proceedings to enforce the obligations imposed by section 9:16–2 of this Title may be maintained by one parent against the other, or by the person having physical custody of the child, or, if the child is or is likely to become a public charge, the proceedings may be instituted by the director of welfare of the municipality or municipalities where the father and mother, or either of them, reside. In such proceedings consideration shall be given to the age of the child and the ability and financial condition of the parent or parents. Proceedings to enforce support, jurisdiction.

Jurisdiction of proceedings hereunder shall be had by the courts exercising jurisdiction in bastardy proceedings pursuant to chapter seventeen of this Title (§ 9:17–1 et seq.).

28. Section 9:17–1 of the Revised Statutes is amended to read as follows: Section amended.

9:17–1. As used in this chapter: Terms defined.

"Municipality" means city, town, township, village, borough and any municipality governed by a board of commissioners or improvement commission;

"Court" means and includes county district courts, juvenile and domestic relations courts, criminal judicial district courts and municipal courts, and all proceedings directed or authorized by this chapter shall be had in such courts.

"State Board of Child Welfare" means the State agency for the care, custody, guardianship, maintenance and protection of children, otherwise designated by the laws of this State as the State Board of Child Welfare or the State Board of Children's Guardians.

29. Section 9:17–1.1 of the Revised Statutes is hereby repealed. Section repealed.

Section amended.

30. Section 9:17–2 of the Revised Statutes is amended to read as follows:

Bastardy proceedings instituted.

9:17–2. If a woman is delivered of an illegitimate child or declares herself to be pregnant of a child likely to be born illegitimate, which is or is likely to become a public charge, a duly authorized representative of the State Board of Child Welfare or a director of welfare of the municipality where the woman is, or of the municipality wherein she has a legal settlement, may institute a bastardy proceeding before a court in the same county wherein the woman is; *provided, however,* that the initiation of proceedings under this chapter shall in no wise be deemed a condition precedent nor a deterrent to the granting of assistance or relief under any law of this State to persons otherwise eligible therefor.

Proviso.

Section amended.

31. Section 9:17–4 of the Revised Statutes is amended to read as follows:

Warrants directed to constables or peace officers.

9:17–4. Warrants in such proceedings shall be directed to a constable or police officer of the county.

Section amended.

32. Section 9:17–5 of the Revised Statutes is amended to read as follows:

Reputed father out of county, serving warrant.

9:17–5. If the person charged as such reputed father shall be or reside in a county of this State other than that in which the warrant is issued, the person serving the warrant shall present it to a court of the county wherein the reputed father resides or can be found, and upon being authorized by that court, may apprehend the reputed father in that county.

Section amended.

33. Section 9:17–6 of the Revised Statutes is amended to read as follows:

Bond taken, proceedings when bond not taken.

9:17–6. When the reputed father is apprehended pursuant to section 9:17–5 of this Title, he shall be taken before any court of the county wherein he resides or is found, and that court may take from him a bond to the State of New Jersey, with good and sufficient surety or sureties, or with cash security, in the sum directed upon the warrant, for his appearance, at a time therein stated, before the court issuing the warrant, and thereafter from time to time as such court may direct.

Thereupon, the court taking the bond shall discharge the reputed father from arrest, and such officer shall deliver the warrant and bond to the court issuing the warrant.

If no bond is given as herein provided the officer having the warrant shall take the reputed father before the court originally issuing the warrant.

Section amended.

34. Section 9:17–7 of the Revised Statutes is amended to read as follows:

Trial costs.

9:17–7. The proceeding shall be tried with a jury if the reputed father demands such a trial and pays the costs thereof.

Sundry sections repealed.

35. Section 9:17–8 of the Revised Statutes is hereby repealed.

36. Section 9:17–9 of the Revised Statutes is hereby repealed.

37. Section 9:17–10 of the Revised Statutes is hereby repealed.

Section amended.

38. Section 9:17–11 of the Revised Statutes is amended to read as follows:

Compelled to disclose father's name, contempt.

9:17–11. Upon the examination or trial or upon an appeal to the County Court as hereinafter provided, the mother of the illegitimate child may be compelled to disclose the name of its father, and if she refuses the court or County Court, as the case may be, may, after she is sufficiently recovered from her confinement, commit her for contempt of court.

Section amended.

39. Section 9:17–12 of the Revised Statutes is amended to read as follows:

Discharge of reputed father, order of filiation.

9:17–12. At the trial, the court, or the jury, in case a jury has been demanded, shall decide whether the reputed father is the father of the illegitimate child. If the decision is that he is not the father of the child, he shall be forthwith discharged. If the decision is that he is such father, the court shall make an order of filiation in which it shall specify the sum to be paid weekly by the father, or otherwise, for the support of the child, the sum to be paid for the sustenance of the mother during confinement, if she is in indigent circumstances, and the manner of payment.

Section amended.

40. Section 9:17–13 of the Revised Statutes is amended to read as follows:

Father to give bond.

9:17–13. The person adjudged to be the father shall enter into bond to the State of New Jersey in such sum as the court shall direct, with good and sufficient surety or sureties, or with cash security, conditioned that he will obey and comply with the order of filiation and indemnify the State and every county and municipality of this State which may have incurred or may thereafter incur any costs or expense for the support of the illegitimate child or its mother during her confinement, or from proceedings arising therefrom.

Section amended.

41. Section 9:17–14 of the Revised Statutes is amended to read as follows:

Discharge from arrest.

9:17–14. When a bond is executed to the satisfaction of the court, it shall discharge the father from arrest. If the father fails or refuses to execute such bond, or to pay the costs and charges of apprehending him and of the proceedings, he shall be committed by the court to the county penitentiary or jail, there to remain until he shall pay such costs and charges and execute such bond, or until discharged according to law.

Section amended.

42. Section 9:17–17 of the Revised Statutes is amended to read as follows:

Bond recorded, effect.

9:17–17. Bonds given for the appearance of the putative father before the court on a bastardy proceeding, or on appeal therefrom, or for the performance of an order of filiation, shall be recorded in the office of the clerk of the county wherein the proceedings are pending, and it shall be the duty of the court to cause the same to be done and, before accepting the bond, to require the person offering the bond to pay the recording fees therefor. Upon being so recorded the bond shall have the force and effect of a recognizance.

Section amended

43. Section 9:17–18 of the Revised Statutes is amended to read as follows:

Discharge of bond.

9:17–18. Upon satisfactory proof, before the court wherein the proceedings, pursuant to which a bond has been taken, are pending, that the condi-

tions of the bond have been complied with, the court shall order the bond to be discharged of record. Thereupon the county clerk shall note the discharge upon the record of the bond.

Section amended

44. Section 9:17–19 of the Revised Statutes is amended to read as follows:

Proceedings on Sunday valid.

9:17–19. It shall be lawful for any court on the first day of the week, commonly called Sunday, on proper application and examination, to issue its warrant, or to indorse the warrant of any other court, for the apprehension of any reputed father of an illegitimate child or a child likely to be born illegitimate; and it shall be lawful for any constable or police officer having a warrant issued for the apprehension of any person so charged to arrest such person on Sunday or on any other day. When any such person shall be so arrested it shall be lawful for the constable or police officer to carry such person on the same day before the court issuing or indorsing the warrant, as the case may be, whereupon the usual proceedings may be had. Any and all proceedings had and taken on the return of such warrant shall be as legal and valid as if had and taken on any other day of the week; and if a bond be given it shall be of the same force and effect as if given on any other day.

Section amended.

45. Section 9:17–20 of the Revised Statutes is amended to read as follows:

Appeals.

9:17–20. Any person charged as the reputed father of an illegitimate child or of a child likely to be born illegitimate or the State Board of Child Welfare or any municipality aggrieved by the finding of the court or jury or by the order of the court may appeal to the court having jurisdiction over appeals in civil causes tried in the court before which the bastardy proceeding is brought. Upon request of either party the appeal shall be tried before a jury.

Sections repealed.

46. Section 9:17–21 of the Revised Statutes is hereby repealed.

47. Section 9:17–22 of the Revised Statutes is hereby repealed.

Section amended.

48. Section 9:17–23 of the Revised Statutes is amended to read as follows:

Bond for appearance appeal.

9:17–23. No new bond for the appearance of the reputed father before the court to which the appeal is taken shall be required, but the sureties on the bond given before the court below shall remain liable for his appearance before the appellate court.

Section amended.

49. Section 9:17–24 of the Revised Statutes is amended to read as follows:

Testimony of mother on trial below.

9:17–24. If the mother of an illegitimate child dies, becomes insane or leaves the State after the examination or trial before the court from which the appeal was taken, her testimony on such examination or trial shall be received in the court to which the appeal is taken as though she were present and testifying.

Section amended.

50. Section 9:17–25 of the Revised Statutes is amended to read as follows:

Decision.

9:17–25. On the appeal, if it is decided that the person charged is not the father of the child, he shall be forthwith discharged from his imprisonment, or if he has given a bond, it shall be canceled. If it is decided that the person charged is the father of the child, the appellate court may reduce or increase the sum directed to be paid by the order of filiation.

Section amended.

51. Section 9:17–27 of the Revised Statutes is amended to read as follows:

Forfeiture of bond.

9:17–27. If the reputed father shall depart without paying the costs and expenses of appeal and executing a bond as required by section 9:17–26 of this Title, or without being discharged by the appellate court, the bond with condition to appear before the trial court issuing the warrant shall be deemed to be forfeited and may be prosecuted as provided in section 9:17–30 of this Title.

Section amended.

52. Section 9:17–28 of the Revised Statutes is amended to read as follows:

Seizure of property, procedure.

9:17–28. If the reputed father or the mother of an illegitimate child absconds leaving the child a charge upon the State, county or the municipality where he was born or legally settled, although such

father or mother has estate sufficient to support the child and discharge the State, county or municipality, the State Board of Child Welfare or the director of welfare of such municipality may apply to any court in the county where the estate of the reputed father or mother, real or personal, or any part thereof, is situate, for a warrant, which court is hereby authorized and required to issue the same, to seize and take the goods and chattels and let out and receive the annual rentals and profits of the real estate of such father or mother so absconding for and towards the sustenance, rearing, and education of such child.

Section amended.

53. Section 9:17–29 of the Revised Statutes is amended to read as follows:

Sale of property, disposition of proceeds.

9:17–29. The State Board of Child Welfare or the director of welfare of such municipality may, from time to time, and as often as the case may require, sell and dispose of so much of the goods and chattels at public sale to the highest bidder, and receive the rents and profits of the real estate, or so much thereof as shall be ordered by the court. The money thereby arising shall be applied towards the sustenance, rearing and education of the child and the State Board of Child Welfare or the director of welfare shall be accountable therefor to the County Court.

Section amended.

54. Section 9:17–30 of the Revised Statutes is amended to read as follows:

Parties to prosecution of bond.

9:17–30. When a bond has been or shall be taken for the performance of an order of filiation, and a breach has or shall happen in the condition thereof, the same may be prosecuted by the county prosecutor of the county wherein proceedings were originally taken pursuant to this chapter or by the attorney of a municipality at whose instance the proceedings were originally taken. The action shall be in the name of the State of New Jersey.

Section amended.

55. Section 9:17–31 of the Revised Statutes is amended to read as follows:

Proof and damages, assessment, distribution of moneys.

9:17–31. In prosecuting a bond pursuant to section 9:17–30 of this Title, the actual expenditure of money by the State, county or any municipality or overseer of the poor need not be proved, but the failure to pay a sum ordered to be paid by any competent authority shall be deemed a breach of the conditions of the bond, and the damages to be assessed shall be the sum which was ordered paid and which was withheld until commencement of the action, with interest thereon.

For any breach which shall happen after a recovery of damages or the commencement of an action, damages may be assessed from time to time as above provided, in the same action or in separate actions.

Money collected on the bond shall be paid to the State or such counties or municipalities as may have incurred expenses in supporting the illegitimate child or his mother during her confinement, or from costs therefrom arising.

Section amended.

56. Section 9:17–32 of the Revised Statutes is amended to read as follows:

Inquiry into qualification of sureties.

9:17–32. After a bond has been entered for the performance of an order of filiation, the State Board of Child Welfare or the director of welfare of a municipality upon which an illegitimate child is or may become chargeable may apply to the County Court of the county wherein such bond is recorded to inquire into the qualifications of the surety or sureties upon the bond.

New bond.

If the surety or sureties have died, or are not then satisfactory to the court, it may, upon such notice as it may deem proper, order a new bond to be given with good and sufficient surety or sureties and conditions similar to the bond replaced.

When a new bond is so given, the bond replaced shall no longer secure future payments but shall remain valid as to any arrears in payments up to the time the new bond is executed.

57. Section 9:17–35 of the Revised Statutes is amended to read as follows:

Section amended.

9:17–35. When a person has, because of inability to secure a bond or comply with the order of filiation, been discharged from imprisonment and has become able to secure the bond or comply with the order, the court may on application of the State Board of Child Welfare or the director of welfare of a municipality interested in the order, and at least three days' written notice to such person, served personally or left at his place of abode, inquire into the circumstances and ability of the father.

Notice and inquiry, discharge.

If it appears that the father has become able to secure the bond, or to comply with the order of filiation, the court may commit the father to the common jail or penitentiary of the county, there to remain until he secures the bond and complies with the order and pays all costs, or is discharged in the manner provided in section 9:17–34 of this Title.

58. Section 9:17–37 of the Revised Statutes is hereby repealed.

Section repealed.

59. Section one of chapter one hundred eighty of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 9:21-1. Section amended.

1. If on the determination of a criminal case before a court of general criminal jurisdiction or the juvenile and domestic relations court, it shall appear that the guilt of the defendant or delinquency of the child is attributable in whole or in part to the existence of deleterious, degrading or deteriorating conditions, practices or influences within the municipality wherein the convicted defendant or delinquent child resides, the court shall send a report as to such conditions, practices, or influences to the governing body of the municipality in which the convicted defendant or delinquent child resides.

Report on environment.

Section amended.

60. Section two of chapter one hundred eighty of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 9:21-2. Reports of youth guidance commission.

2. If in any municipality there shall exist a municipal youth guidance commission or other organization specifically devoted to the prevention of crime and juvenile delinquency, such commission or organization may give, to the courts having jurisdiction of offenses and juvenile delinquency occurring in such municipality, notice of the existence of the commission or other organization and it shall be the duty of such courts to send copies of all such reports to such commission or other organization.

Section amended.

61. Section nine of chapter one hundred seventy-nine of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 9:22-9. Petition.

9. Any municipal youth guidance council having an adjustment committee may petition the juvenile and domestic relations court, in its discretion, to either:

A. Establish a schedule for a holding of juvenile hearings in a suitable location chosen by the adjustment committee within the limits of the petitioning municipalty; or

B. Appoint a referee to hear and recommend disposition of any cases specifically referred to the referee by the juvenile and domestic relations court of the county and any cases coming within the provisions of subdivisions d, e, f, i, j, k, and l of section 2A:4–14 of the New Jersey Statutes arising within the limits of the petitioning municipality. It shall be the duty of the petitioning municipality to see that adequate diagnostic services shall be made available to such children.

Any case requiring the detention of a child shall be referred to the juvenile and domestic relations court for hearing.

Upon receipt of a petition to appoint a referee the juvenile and domestic relations court shall proceed to appoint a member of the adjustment committee, or some other suitable person, as referee,

in accordance with section 2A:4–12 of the New Jersey Statutes. Nothing in this provision shall limit the present discretionary power of the juvenile and domestic relations courts to appoint referees on their own initiative or to prevent such a court from hearing cases scheduled to be heard in the petitioning municipality in place of the referee so appointed by it.

62. Section ten of chapter one hundred seventy-nine of the laws of one thousand nine hundred and forty-seven is hereby repealed. C. 9:22-10. Section repealed.

63. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 10

AN ACT concerning civil rights, and amending sections 10:1–6 and 10:1–7 of the Revised Statutes.

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

1. Section 10:1–6 of the Revised Statutes is amended to read as follows: Section amended.

10:1–6. Any person who shall violate any of the provisions of sections 10:1–2 to 10:1–5 of this Title by denying to any citizen, except for reasons applicable alike to all citizens of every race, creed, color, national origin or ancestry and regardless of race, creed, color, national origin, or ancestry, the full enjoyment of any of the accommodations, advantages, facilities or privileges in said sections enumerated, or by aiding or inciting such denial, or who shall aid or incite the violation of any of the said provisions shall, for each and every violation thereof, forfeit and pay the sum of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00), to the State, to be Penalty.

recovered in a civil action, with costs, and shall also, for every such violation, be deemed guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine of not more than five hundred dollars ($500.00), or imprisonment of not more than ninety days, or both.

Section amended.

2. Section 10:1–7 of the Revised Statutes is amended to read as follows:

Jurisdiction, costs and attorney's fees.

10:1–7. The aggrieved party or parties in any action authorized by section 10:1–6 of this Title may institute said action in the name of the State of New Jersey in any county district court or County Court. If judgment is awarded in favor of the plaintiff in such action, the aggrieved party shall be paid out of the judgment so recovered, the costs incurred in prosecuting such action, according to a bill of costs to be taxed as hereinafter provided, and also an attorney's fee of not less than twenty dollars ($20.00) nor more than one hundred dollars ($100.00) to be determined and fixed as hereinafter provided.

The bill of costs shall be taxed by the clerk of the court as in other civil actions within the jurisdiction of the court. The amount of the attorney's fee shall be determined and fixed by an order of the court.

3. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 11

AN ACT concerning Civil Service and revising parts of the statutory law.

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

1. Section 11:1–11 of the Revised Statutes is amended to read as follows: Section amended.

11:1–11. When an order is made by the commission, under the provisions of this Title and in accordance with the rules thereunder, the person or public body to whom the same is directed shall forthwith proceed to comply with the terms and provisions thereof. Such person or public body failing to satisfy properly or meet the requirements of such order shall be subject to the remedies and penalties provided by law for failure of public bodies or public officers and employees to do an act required by law. The commission may bring such a civil action as may be necessary or appropriate in requiring compliance with its orders. Compliance with orders, penalty upon failure to comply.

2. Section 11:1–13 of the Revised Statutes is amended to read as follows: Section amended.

11:1–13. A disobedience to or neglect of a subpœna issued by the commission pursuant to section 11:1–12 of this Title or a refusal to testify or to produce books or papers relevant to an investigation, inquiry or hearing shall be certified in writing by the president of the commission to the County Court of the county in which the disobedience or neglect occurred, which shall thereupon, by a warrant issued to the sheriff, direct the production of the body of the person so disobeying or refusing. Upon the production of the body of such person the court shall, in a summary way, inquire into the cause of the disobedience, and if no sufficient cause is shown therefor, shall, by a commitment issued under its hand, directed to the keeper of the com- Failure to comply with subpœna, commitment.

mon jail of such county, order the detention in such common jail of the person for such period of time, not exceeding thirty days, as it shall designate in such commitment, or until the person shall purge himself of the disobedience.

Section amended.

3. Section 11:1–14 of the Revised Statutes is amended to read as follows:

Fees for witnesses.

11:1–14. The fees for the witnesses, mentioned in section 11:1–12 of this Title, for attendance and travel shall be the same as allowed witnesses before the County Court and shall be paid from the appropriations made to the commission.

Section amended.

4. Section 11:18–1 of the Revised Statutes is amended to read as follows:

Violation a misdemeanor.

11:18–1. A person who shall willfully or through culpable negligence violate or conspire to violate any of the provisions of this subtitle shall be guilty of a misdemeanor and prosecutions therefor may be instituted in the name of the commission either by the Attorney-General or county prosecutor in and for the county in which the offense is alleged to have been committed when so directed by the Attorney-General.

Section amended.

5. Section 11:20–3 of the Revised Statutes is amended to read as follows:

Clerk failing to take proper action, procedure.

11:20–3. If the clerk refuses or neglects to comply with the provisions of section 11:20–1 of this Title within the prescribed time, a citizen taxpayer of the county or municipality or the commission, or member thereof, may apply to a judge of the County Court of the county in which the county or municipality is located, for an order directing and compelling the submission of the question involved in the petition, as required by law. The judge shall hear the matter summarily and may examine witnesses under oath and have the authority essential to determine whether the petition so filed with the governing body as provided by said section 11:20–1 is in accordance with law.

6. Section 11:21–2 of the Revised Statutes is amended to read as follows: Section amended.

11:21–2. Any person employed or appointed contrary to the provisions of this subtitle, or of the rules and regulations established thereunder, shall be paid by the officer or officers so employing or appointing, or attempting to employ or appoint, the compensation agreed upon for any services performed under such appointment or employment, or attempted appointment or employment, or in case no compensation is agreed upon, the actual value of such services and expenses incurred in connection therewith. Such person shall have a civil action against such officer or officers, or any of them, for such sum and for the costs of action. No public officer shall be reimbursed by a county, municipality or school district for a sum so paid or recovered in the action. Improper appointment, liability.

7. Section 11:22–21 of the Revised Statutes is amended to read as follows: Section amended.

11:22–21. Any officer, clerk, employee or person entitled to be certified by the commission to the comptroller or other fiscal officer or disbursing officer, pursuant to section 11:22–20 of this Title, as having been appointed or employed in pursuance of law and of the rules made in accordance with this subtitle, who shall be refused such certificate, may maintain a proceeding in lieu of prerogative writ to compel the commission to issue the same. Refusal of certification, proceedings to compel.

8. Section 11:22–22 of the Revised Statutes is amended to read as follows: Section amended.

11:22–22. Any sums paid contrary to sections 11:22–20 and 11:22–21 of this Title may be recovered from the officer making the appointment contrary to the provisions of law or of the rules made in pursuance thereof, or from an officer signing or countersigning or authorizing the signing or countersigning of a warrant for the payment of the same or from the sureties on his official bond, in a civil action in the County Court of any county, by a citizen resident thereof who is assessed for and liable to pay or, within one year before the com- Liability of disbursing officer.

mencement of the action, has paid a municipal, county or school district tax.

Moneys recovered in such action shall, when collected, be paid into the treasury of the proper county, municipality or school district thereof, except that the plaintiff therein shall be entitled to receive, for his own use, the taxable costs of the action, and five per centum (5%) of the amount recovered as attorney's fees.

Section amended.

9. Section 11:25–4 of the Revised Statutes is amended to read as follows:

Review of proceedings.

11:25–4. When a board or body or public officer, official or employee of a county, municipality or school district, operating under this subtitle, violates any of the provisions of this subtitle in selecting persons for employment, or in the designation of any employee for appointment, or in the suspension or removal of employees from office, a citizen of this State may have a summary review of such illegal or unlawful action, by a proceeding in lieu of prerogative writ.

Sections repealed.

10. Section 11:25–5 of the Revised Statutes is repealed.

11. Section 11:25–6 of the Revised Statutes is repealed.

12. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 12

AN ACT concerning commerce and navigation, and revising parts of the statutory law.

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

1. Section 12:3–4 of the Revised Statutes is amended to read as follows: Section amended.

12:3–4. The repeal of the act entitled "An act to authorize the owners of lands under tidewaters to build wharves in front of the same," approved March eighteenth, one thousand eight hundred and fifty-one (L. 1851, p. 335), as to the tidewaters of this State below the line of mean high tide, by section three of the act entitled "Supplement to an act entitled 'An act to ascertain the rights of the State and of riparian owners in the lands lying under the waters of the bay of New York and elsewhere in this State,' approved April eleventh, eighteen hundred and sixty-four," approved March thirty-first, one thousand eight hundred and sixty-nine (L. 1869, c. 383, p. 1017), as amended by the act approved March twentieth, one thousand eight hundred and ninety-one (L. 1891, c. 124, p. 216), shall not be construed to restore any supposed rights, usage or local common law, founded upon the tacit consent of the State or otherwise to fill in any land under water below mean high tide. 1851 wharf act repeal, reclaiming lands under tidewater.

Without the grant or permission of the Department of Conservation and Economic Development no person or corporation shall fill in, build upon or make any erection on or reclaim any of the lands under the tidewaters of this State; and in case any person or corporation so offending shall be guilty of purpresture, which shall be abated at the cost and expense of such person or corporation, on application of the Attorney-General, under judg-

ment of the Superior Court or by indictment in the county in which the same may be, or opposite to or adjoining which said purpresture may be; *provided, however,* that neither this section nor any provision contained in sections 12:3–2 to 12:3–9 of this Title, shall in anywise repeal or impair any grant of land under water, or right to reclaim made directly by legislative act, or grant or license, power or authority, so made or given, to purchase, fill up, occupy, possess and enjoy lands covered with water fronting and adjoining lands owned or authorized to be owned by the corporation, or grantee or licensee in the legislative act mentioned, its, his or their representatives, grantees or assigns, or to repeal or impair any grant or license, power or authority to erect or build docks, wharves and piers opposite and adjoining lands owned, or authorized to be owned by the corporation, or grantee or licensee in the legislative act mentioned, its, his or their representatives, grantees or assigns made prior to July first, one thousand eight hundred and ninety-one, or given directly by legislative acts, whether said acts are or are not repealable, and as to any revocable license given by the board of chosen freeholders of a county prior to July first, one thousand eight hundred and ninety-one, to build docks, wharves or piers, or to fill in or reclaim any lands under water in this State, the same shall be irrevocable so far as the land under water has been or shall be lawfully reclaimed, or built upon under any such license issued prior to July first, one thousand eight hundred and ninety-one, provided such reclamation or building under such license shall be completed prior to January first, one thousand eight hundred and ninety-two; but as to the future such revocable license, if the said lands covered by the license have not been wholly or in part lawfully reclaimed or built upon, is hereby revoked, and no occupation or reclamation of land under water without such legislative act or revocable license shall divest the title of the State, or confer any rights upon the party who has reclaimed or who is in possession of the same.

Proviso.

2. Section 12:3–8 of the Revised Statutes is amended to read as follows:

Section amended.

12:3–8. The department may commence a civil action in the name of the State of New Jersey against persons and corporations trespassing upon or occupying the lands of the State under water, or which were heretofore under water, and the Attorney-General of the State is hereby required to commence and prosecute such actions as may be instituted or directed by the department; and his expenses and disbursements, and the expenses and disbursements of such assistants as may be appointed by the Governor, and their reasonable charges and counsel fees shall be taxed by the court and paid by the State Treasurer, upon presentation of the bill so taxed.

Trespassing, proceedings by Attorney-General, expenses.

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

Section amended.

12:3–9. In any case where a grant of the lands of the State under water is made by the department to any person other than the riparian owner the State's grantee shall not fill up or improve said lands under water until the rights and interest of the riparian owner in said lands under water (if any he has) shall be extinguished, as follows: The department shall fix the amount to be paid to said riparian owner for his rights and interest therein (if any he has), and said riparian owner shall have the right, within twenty days after he has been notified of said amount, to accept said sum in full extinguishment of all his rights, or if he is dissatisfied with said award he may apply to the Superior Court for a struck jury to try the question in such place as may be designated by said court, and said jury may increase or diminish the amount to be paid the said riparian owner, and their verdict shall be final as to said amount, and on the payment or tender by the State's grantee to the riparian owner of the amount fixed by said jury all the rights and interests of said riparian owner in the lands of the State under water in front of his land shall be extinguished; the costs of the trial shall be

Grant to other than riparian owner, procedure.

paid as follows: If the verdict of the jury is greater than the award of the board then the State shall pay the costs of the trial, if the verdict is the same as the award or less than the award of the department then the riparian owner shall pay the costs.

Section amended.

4. Section 12:3–21 of the Revised Statutes is amended to read as follows:

Removal of sand or other material without license, penalty.

12:3–21. No person or corporation shall dig, dredge or remove any deposits of sand or other material from the lands of the State lying under tidal waters without a license so to do first obtained as provided in section 12:3–22 of this Title, and any person or corporation who shall so unlawfully dig, dredge or remove any deposit of sand or other material as aforesaid shall forfeit and pay for each and every such offense the sum of one hundred dollars ($100.00), to be prosecuted for and recovered by a civil action by any person or persons in any court of competent jurisdiction with costs of suit, the one-half the amount so recovered to be for the use of the State, and the other half to the use of the person or persons who shall sue for and prosecute the same to effect; *provided, however,* that nothing in this section contained shall prevent the owner of any grant or lease from the State, or the assignee or lessee thereof, from digging, dredging, removing, and taking sand and other material within the lines of, or in front of, such grant or lease, for the purpose of improving lands granted or leased to them, or their grantors or lessors, by the State, nor prevent such owner, assignee or lessee from digging or dredging a channel or channels to the main channels, and removing and taking the material therefrom.

Proviso.

Section amended.

5. Section 12:3–25 of the Revised Statutes is amended to read as follows:

Renewal of leases, determining rental.

12:3–25. The department, together with the Governor, may, in any lease of lands of the State below mean high-water mark, provide for a renewal or renewals of the lease for a subsequent term or terms to be expressed in the lease, and therein provide that the annual rentals to be paid for each

renewal shall, in case the amount cannot be agreed upon, be fixed and determined before the commencement of the renewal term by three arbitrators, one to be appointed by the State, one by the then lessee, and the third by their joint agreement, or should they fail to agree, then by the Superior Court.

Section amended.

6. Section 12:3–61 of the Revised Statutes is amended to read as follows:

Enforcement of lien, notice, disposition of proceeds.

12:3–61. Upon the removal by the department of a boat, barge or raft in accordance with section 12:3–60 of this Title, it shall enforce the lien thereby given for the cost of the removal by sale of the boat, barge or raft.

Written notice of the lien and of the amount thereof, and of the sale, shall be given by posting a copy thereof, signed by the commissioner or chief engineer of the department, upon the boat, barge or raft and in three public places, at least fifteen days before the date of the sale.

If the amount of the lien and accrued costs is not satisfied before the day fixed for sale, the boat, barge or raft shall be sold to the highest bidder. Out of the proceeds shall be deducted the cost of the sale, which shall consist of the amount of the cost of the removal of the boat, barge or raft, together with a fee of ten dollars ($10.00) for the preparation and posting of notices and ten dollars ($10.00) for selling and execution of the certificate of sale. The balance, if any, shall be paid to the Clerk of the Superior Court to be held by him for the benefit of the owner of the boat, barge or raft. Such balance shall be paid out only upon the order of the Superior Court.

Section amended.

7. Section 12:3–64 of the Revised Statutes is amended to read as follows:

Acquisition of riparian lands, jurisdiction, use of lands.

12:3–64. The Department of Conservation and Economic Development may acquire title, in fee simple, in the name of the State, by gift, devise or purchase or by condemnation in the manner provided in chapter one of the Title Eminent Domain (20:1–1 et seq.) to any lands in the State, including

riparian lands, of such area and extent which, in the discretion of the department, may be deemed necessary and advisable. All lands so acquired shall be subject to the jurisdiction and control of the department.

The department may enter upon and take property in advance of making compensation therefor where for any reason it cannot acquire the property by agreement with the owner.

Upon the department exercising the right of condemnation and entering upon and taking land in advance of making compensation therefor it shall proceed to have the compensation fixed and paid to the owner, as provided in said chapter one of the Title Eminent Domain.

Lands thus acquired shall be used for the improvement or development of any waterway, stream, river or creek or any waterfront or ocean-front property or to give access to any lands of the State.

Section amended.

8. Section 12:4–17 of the Revised Statutes is amended to read as follows:

Recovery of penalties.

12:4–17. Every County Court, county district court and municipal court shall have jurisdiction to hear and determine actions for the recovery of penalties under section 12:4–16 of this Title. All such penalties shall be enforced and collected under "the penalty enforcement law" (2A:58–1 et seq.), and the process shall be a warrant. A commitment for failure to pay a penalty shall be to the county jail for a period of not more than twenty days. All penalties recovered under this section shall be paid to the county treasurer for the use of the county.

Section amended.

9. Section 12:6–14 of the Revised Statutes is amended to read as follows:

Violations, penalty.

12:6–14. The holder of a permit violating any of the provisions of this article or any of the conditions of the permit, shall be liable to a penalty of five hundred dollars ($500.00) to be recovered in a civil action in the name of the department. Such penalty, when recovered, shall be for the use of the State and payable into the State treasury.

10. Section 12:7–6 of the Revised Statutes is amended to read as follows: Section amended.

12:7–6. The Commissioner of Conservation and Economic Development, the Chief of the Bureau of Navigation, the Chief of the Bureau of Planning and Commerce and such of their assistants as shall be designated for the purpose by the commissioner, shall each be vested with all the powers of a magistrate conferred in this chapter. Certain personnel vested with magistrate's powers.

11. Section three of chapter three hundred ninety-six of the laws of one thousand nine hundred and forty-one is amended to read as follows: Section amended.

3. Any person violating the provisions of this act shall be liable to a penalty of one hundred dollars ($100.00) to be recovered in a civil action in any court of competent jurisdiction, to be sued for and recovered by the Department of Conservation and Economic Development, which penalty shall be for the use of the State. C. 12:7-16.3. Penalties.

12. Section 12:7–25 of the Revised Statutes is amended to read as follows: Section amended.

12:7–25. The County Courts, county district courts and municipal courts shall have jurisdiction to hear and determine violations of the provisions of this chapter, and the judges of said courts shall be deemed to be magistrates under this chapter. Penalties for violations of the provisions of this chapter shall be enforced and collected under "the penalty enforcement law" (2A:58–1 et seq.), and the process shall be in the nature of a summons or warrant. Courts of jurisdiction.

13. Section 12:7–26 of the Revised Statutes is repealed. Section repealed.

14. Section 12:7–27 of the Revised Statutes is amended to read as follows: Section amended.

12:7–27. In lieu of a bond or cash deposit upon any adjournment, any person alleged to have violated a provision of this chapter may leave with the magistrate the vessel owned or operated by said person at the time of the alleged commission of the offense. Property left in lieu of bond.

15. Section 12:7–28 of the Revised Statutes is repealed. Sections repealed.

16. Section 12:7–29 of the Revised Statutes is repealed.

Section amended.

17. Section 12:7–32 of the Revised Statutes is amended to read as follows:

Arrest without warrant, proceedings.

12:7–32. Any constable, police officer, or inspector, appointed under the provisions of this chapter, may arrest, without warrant, any person violating, in the presence of such constable, police officer, or inspector, any of the provisions of this chapter and bring the defendant before any magistrate of the county where such offense is committed. The person so offending shall be detained in the office of the magistrate until the officer making the arrest shall forthwith make complaint. Any such constable, police officer, or inspector, upon satisfying himself that such offender is a resident of this State, may, instead of arresting the offender as herein provided, serve upon him a summons in the name of any magistrate or court of competent jurisdiction within the provisions of this chapter, directing the offender to appear and answer the charge, or charges, as may then and there be preferred against him. For this purpose the magistrate or the clerks of such courts, respectively, shall provide the officer or officers with a form of summons which, when filled out, executed and issued by the officer or officers in such cases as herein provided, shall be good and effectual, according to the purpose and intent thereof. The said form of summons shall conform to the rules governing the local criminal courts. All proceedings under this chapter shall be had in a summary manner.

Section amended.

18. Section 12:10–15 of the Revised Statutes is amended to read as follows:

12:10–15. The Superior Court in an action brought for such purpose may restrain any person from performing the duties of port warden or acting as such, or in any way interfering with the duties of the port warden or in any other way violating the provisions of this chapter.

19. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 13

AN ACT concerning conservation and development and revising parts of the statutory law.

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

1. Section 13:8–20 of the Revised Statutes is amended to read as follows: Section amended.

13:8–20. The Department of Conservation and Economic Development shall have power to make rules and regulations for the government and use of all forest park reservations, which rules and regulations shall be plainly printed and posted within all such reservations. Any person violating any such rule or regulation so printed and posted shall be liable to a penalty of ten dollars ($10.00), to be recovered in a civil action by the department before a county district court. All penalties so recovered shall be paid to the commissioner, and by him paid to the State Treasurer. Rules and regulations, violations, penalty, recovery.

2. Section 13:9–30 of the Revised Statutes is amended to read as follows: Section amended.

13:9–30. The County Courts, county district courts and municipal courts shall have jurisdiction to hear and determine in a summary manner, violations of the provisions of this act. Penalties for such violations shall be enforced and collected under "the penalty enforcement law" (2A:58–1 et seq.), and the process shall be in the nature of a summons or warrant. Jurisdiction.

3. Section 13:9–31 of the Revised Statutes is repealed. Sundry sections repealed.

4. Section 13:9–32 of the Revised Statutes is repealed.

5. Section 13:9–33 of the Revised Statutes is repealed.

6. Section 13:9–34 of the Revised Statutes is repealed.

7. Section 13:9–35 of the Revised Statutes is repealed.

Section amended.

8. Section 13:9–36 of the Revised Statutes is amended to read as follows:

Execution of judgment.

13:9–36. Where judgment is rendered against an individual defendant under this chapter and not paid, a body execution may issue and the defendant may be confined in the county jail until the penalty and costs be entirely paid or until the defendant be discharged by the court, and if the court shall be satisfied that further confinement will not result in the payment of the judgment and costs, the said defendant may be discharged from such further confinement, but such discharge shall not relieve the defendant from liability for the payment of the judgment and costs. In no case, however, shall the defendant's confinement in the county jail exceed a period of ninety days.

Sundry sections repealed.

9. Section 13:9–37 of the Revised Statutes is repealed.

10. Section 13:9–38 of the Revised Statutes is repealed.

11. Section 13:9–39 of the Revised Statutes is repealed.

12. Section 13:9–40 of the Revised Statutes is repealed.

13. Section 13:9–41 of the Revised Statutes is repealed.

14. Section 13:9–42 of the Revised Statutes is repealed.

Section amended.

15. Section 13:9–43 of the Revised Statutes is amended to read as follows:

Limitations on prosecutions.

13:9–43. Actions for violations of any of the provisions of this chapter shall be brought within two years next after the date of the commission of the violation, and not afterward.

Section repealed.

16. Section 13:9–44 of the Revised Statutes is repealed.

17. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 14

AN ACT concerning certain corporations, and revising parts of the statutory law.

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

1. Section 14:5–2 of the Revised Statutes is amended to read as follows: Section amended.

14:5–2. The Superior Court may, upon proper cause shown, summarily order any or all of the books of any corporation of this State to be forthwith brought within this State, and kept therein at such place and for such time as may be designated in such order. Court order to bring books into State, effect of noncompliance.

The charter of any corporation failing to comply with such order may be declared forfeited by the court making such order, and it shall thereupon cease to be a corporation, and all its directors and officers shall be liable to be punished for contempt of court for disobedience of such order.

2. Section 14:6–2 of the Revised Statutes is amended to read as follows: Section amended.

14:6–2. Every domestic and every foreign corporation doing business in this State shall file in the office of the Secretary of State, within thirty days after the first election of directors and officers, and annually thereafter, within thirty days after the time appointed for holding the annual election of directors, a report authenticated by the signatures of the president and one other officer, or by any two directors, stating: Annual report to Secretary of State, contents, penalty.

a. The name of the corporation;

b. The name of the municipality, street and number, if number there be, of its registered office in this State, and the name of the agent upon whom process against the corporation may be served;

c. The character of its business;

d. The amount of its authorized capital stock, if any, and the amount actually issued and outstanding;

e. The names and addresses of the directors and officers of the company and when the term of office of each expires;

f. The date appointed for the next annual meeting of the stockholders for the election of directors; and

g. Whether the name of the corporation has been at all times displayed at the entrance of its registered office, and whether such corporation has kept at this office, open at all times to the examination of the stockholders as required by law, a transfer book in which the transfers of stock are made, and a stock book containing the names and addresses of the stockholders and the number of shares held by each. This paragraph shall not apply to foreign corporations or to railroad or canal corporations, and no part of this section shall apply to corporations under the supervision of the department of banking and insurance.

If the report is not so made and filed the corporation shall forfeit to the State two hundred dollars ($200.00), to be recovered with costs in a civil action, to be prosecuted by the Attorney-General, who shall prosecute such actions whenever it shall appear that this section has been violated. All of the directors of any such domestic corporation who shall willfully refuse to comply with the provisions hereof, and who shall be in office during the default, shall, at the time appointed for the next election and for a period of one year thereafter, be ineligible for election or appointment to any office in the corporation as directors or otherwise. No director shall be so disqualified for failure to make and file the report if he shall file with the Secretary of State, before the time appointed for holding the next election of directors after such default, a verified certificate stating that he has endeavored to have such report made and filed, but that the officers have neglected to make and file the

same, and reporting the items required to be stated in the annual report so far as they are within his knowledge, information and belief.

The Secretary of State shall furnish blanks in proper form upon application, shall keep in his office all such reports and shall prepare an alphabetical index thereof, which reports and index shall be open to public inspection at proper hours.

Section amended.

3. Section 14:6–4 of the Revised Statutes is amended to read as follows:

Liability for expense of investigation.

14:6–4. On the neglect or refusal of a domestic corporation, or of a foreign corporation doing business in this State, to furnish the information prescribed by law to any State official required to publish a report on the standing and condition of the corporation, the expenses of the investigation authorized to be made because of such neglect or refusal shall be borne by said delinquent corporation and may be recovered therefrom in a civil action in any court of competent jurisdiction in this State by the person authorized to make such investigation.

Section amended.

4. Section 14:7–8 of the Revised Statutes is amended to read as follows:

Right of action for debts.

14:7–8. When the officers, directors or stockholders of any corporation shall be liable to pay its debts, or any part thereof, any person to whom they are liable may have an action against any one or more of them, and the complaint shall state the claim against the corporation and the ground on which the plaintiff expects to charge the defendant personally, or the person to whom they are liable may have his remedy by action in the Superior Court.

Section amended.

5. Section 14:8–43 of the Revised Statutes is amended to read as follows:

Replacement of lost or destroyed certificate.

14:8–43. Where a certificate has been lost or destroyed the Superior Court may order the issue of a new certificate therefor on service of process upon the corporation and on reasonable notice by publication, and in any other way which the court may direct, to all persons interested, and upon

satisfactory proof of such loss or destruction and upon giving of a bond with sufficient surety to be approved by the court to protect the corporation or any person injured by the issue of the new certificate from any liability or expense, which it or they may incur by reason of the original certificate remaining outstanding. The court may also in its discretion order the payment of the corporation's reasonable costs and counsel fees. The board of directors of a corporation may, however, in its discretion, issue a new certificate in the place of a certificate alleged to have been lost or destroyed without any such court proceeding and either with or without the giving of a bond as aforesaid.

The issue of a new certificate, as provided in this section, shall not relieve the corporation from liability in damages to a person to whom the original certificate has been or shall be transferred for value without notice of the proceedings or of the issuance of the new certificate.

Section amended.

6. Section 14:10–2 of the Revised Statutes is amended to read as follows:

Effect of failure to hold election for directors.

14:10–2. If the election for directors of any corporation shall not be held on the day designated therefor by the charter, certificate of incorporation or by-laws, the directors shall cause the election to be held as soon thereafter as may be convenient. No failure to elect such directors at the designated time shall work any forfeiture or dissolution of the corporation, but the Superior Court may summarily order the election to be held upon the application of any stockholder and may punish the directors for contempt of court for failure to obey the order.

Section amended.

7. Section 14:10–5 of the Revised Statutes is amended to read as follows:

List of stockholders, inspection, penalty.

14:10–5. The directors of every corporation shall cause the secretary, or other officer designated by them, who has charge of the transfer books and the stock books, to make, at least ten days before every election after the first election, a full, true and complete list, in alphabetical order, of all the

stockholders entitled to vote at the ensuing election, and the post-office address and the number of shares held by each. Such list shall at all times during the usual hours for business be kept at the principal office, open to the examination of any stockholder.

If any officer having charge of such books or list shall, upon demand by any stockholder, refuse or neglect to exhibit such books or list or submit them to examination as aforesaid, he shall for every such effense forfeit the sum of two hundred dollars ($200.00), one-half thereof to the use of the State and the other half to him who shall sue for the same, to be recovered by a civil action in any court of competent jurisdiction, together with costs of suit.

Such books shall be the only evidence as to who are the stockholders entitled to examine such books or list, and to vote at the election.

The board of directors shall produce such books and list at the time and place of election, to remain there during the election, and their neglect or refusal to produce the same shall render them ineligible to any office at such election.

Section amended.

8. Section 14:10–7 of the Revised Statutes is amended to read as follows:

Voting powers of fiduciaries.

14:10–7. Every person holding stock in any representative or fiduciary capacity may represent the same at all meetings of the corporation, and may vote thereon as a stockholder, and every person who shall pledge his stock as collateral security may, nevertheless, represent the same at all such meetings, and may vote thereon as a stockholder, unless in the transfer to the pledgee on the books of the corporation he shall have expressly empowered the pledgee to vote thereon, in which case only the pledgee or his proxy may represent the stock and vote thereon.

Where shares are held jointly by any number of fiduciaries, unless the instrument or order appointing such fiduciaries otherwise directs, such shares shall be voted by, or according to the proxy of, the

majority of such fiduciaries or if the fiduciaries are equally divided thereon, the Superior Court or County Court having jurisdiction may, in an action brought by any of such fiduciaries or by any beneficiary under the trust, appoint an additional person to act with such fiduciaries in such matter and the stock shall be voted by, or according to the proxy of the majority of, such fiduciaries and such additional person. The court may proceed in the action in a summary manner or otherwise.

Section amended.

9. Section 14:10–16 of the Revised Statutes is amended to read as follows:

Review by Superior Court.

14:10–16. The Superior Court in an action, in which the court may proceed in a summary manner or otherwise, brought by any person who may complain of any election, or any proceeding, act or matter in or touching the same, may establish the election so complained of, or order a new election, or make such order, and give such relief in the premises as justice may require.

Section amended.

10. Section 14:12–6 of the Revised Statutes is amended to read as follows:

Dissenting stockholder on merger or consolidation of corporation having franchise for public use.

14:12–6. If any of the corporations authorized by this Title to merge or consolidate shall have the right to exercise any franchise, for public use, and any stockholder thereof not voting in favor of such agreement shall dissent therefrom and shall refuse or neglect to convert his stock into the stock of such consolidated corporation, or to dispose thereof in the manner and on the terms specified in the agreement for merger or consolidation, and at any time prior to the vote on such merger or consolidation, shall give to the corporation in which he is a stockholder written notice of his dissent, such dissenting stockholder or such consolidated corporation may, at any time within thirty days after the adoption and filing of the agreement of consolidation, by an action in the Superior Court, against such consolidated corporation, or such dissenting stockholder, as the case may be, apply for the appointment of three disinterested appraisers to appraise the full market value of his stock, with-

out regard to any depreciation or appreciation thereof in consequence of the merger or consolidation. The court may proceed in the action in a summary manner or otherwise.

The award of the appraisers, or that of a majority of them, when confirmed by the court, shall be final and conclusive on all parties, and such consolidated corporation shall pay to such stockholder the value of his stock as aforesaid.

On receiving such payment, or on a tender thereof, or in case of any legal disability or absence from the State, on the payment of such award into the court, such stockholder shall transfer his stock to the consolidated corporation to be disposed of by the directors thereof, or to be retained for the benefit of the remaining stockholders.

If the award is not so paid within thirty days from the filing of such award and confirmation by such court, the amount of the award shall be a judgment against such corporation, and may be collected as other judgments in such court are by law collectible.

At the time of appointing the appraisers or at any time thereafter the court may direct the dissenting stockholder to submit his certificate of stock to the clerk of the court for notation thereon of the pendency of the appraisal proceedings, and if the stockholder fails to comply with such direction the court may dismiss the action.

Section amended.

11. Section 14:12–7 of the Revised Statutes is amended to read as follows:

Dissenting stockholder of corporation not having right to exercise franchise for public use.

14:12–7. Upon the merger or consolidation of any two or more corporations, which do not have the right to exercise any franchise for public use, into a single corporation, as provided by this Title, if any stockholder in any of such merging or consolidating corporations not voting in favor of such agreement of merger or consolidation, shall dissent therefrom and shall refuse or neglect to convert his stock into the stock of such consolidated corporation, or to dispose thereof in the manner and on the terms specified in the agreement for merger

or consolidation, and at any time prior to the vote on such merger or consolidation, shall give to the corporation in which he is a stockholder written notice of his dissent, such dissenting stockholder, or such consolidated corporation may, at any time within thirty days after the adoption and filing of the agreement of consolidation, by an action in the Superior Court, against such consolidated corporation, or such dissenting stockholder, as the case may be, apply for the appointment of three disinterested appraisers to appraise the full market value of his stock without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation. The action may proceed in a summary manner or otherwise. Thereafter the proceedings and the rights and remedies of the respective parties shall be the same as is provided in section 14:12–6 of this Title in the case of the appointment of appraisers to appraise the market value of stock of dissenting stockholders of corporations enjoying the right to exercise any franchise for public use; and the judgment upon the award as provided for therein shall be a judgment against such consolidated corporation, and shall be a lien on all property and assets acquired by the consolidated corporation from the corporation so merged, subject only to such liens as existed against such property and assets at the time of such merger or consolidation.

At the time of appointing the appraisers or at any time thereafter the court may direct the dissenting stockholder to submit his certificate of stock to the clerk of the court for notation thereon of the pendency of the appraisal proceedings, and if the stockholder fails to comply with such direction the court may dismiss the action.

Section amended.

12. Section 14:13–7 of the Revised Statutes is amended to read as follows:

Court may continue directors as trustees or appoint receiver.

14:13–7. When any corporation shall be dissolved in any manner, the Superior Court in an action in which the court may proceed in a summary manner or otherwise and on application of any creditor or

stockholder at any time, may either continue the directors trustees as aforesaid, or appoint one or more receivers for the corporation, to take charge of the estate and effects thereof, and to collect the debts and property due and belonging to the corporation, with power to prosecute and defend, in the name of the corporation or otherwise, all suits necessary or proper for such purposes, and to appoint agents under them, and to do all other acts which might be done by such corporation, if in being, that may be necessary for the final settlement of its unfinished business.

The powers of such trustees or receivers may be continued as long as the court shall think necessary for such purposes.

The Superior Court shall have jurisdiction of such action and application and of all questions arising in the proceedings thereon, and may make such orders and judgments therein as justice and equity shall require.

Section amended.

13. Section 14:13–9 of the Revised Statutes is amended to read as follows:

Suits not to abate on dissolution.

14:13–9. Any action against any corporation which may become dissolved before final judgment shall not abate by reason thereof, but no judgment shall be entered therein except as may be allowed by the court having jurisdiction of such dissolution.

Section amended.

14. Section 14:13–10 of the Revised Statutes is amended to read as follows:

Judgment of dissolution, filing, publication.

14:13–10. A copy of every judgment dissolving a corporation or forfeiting its charter shall be forthwith filed by the clerk of the court in the office of the Secretary of State, and a note thereof shall be made by the Secretary of State on the charter or certificate of incorporation, and in the index thereof, and be published by him in the annual volume of laws.

Section amended.

15. Section 14:13–11 of the Revised Statutes is amended to read as follows:

Limitation of time for creditors to present claims.

14:13–11. When a corporation of this State has been dissolved and is in process of being wound up either by trustees in dissolution or a receiver under

the provisions of this chapter, the Superior Court may, upon the application of the trustees or the receiver, make an order fixing a time within which all creditors or others having claims or demands against the corporation shall bring in the same. The order shall prescribe the notice to be given of such requirement, which may be by publication of the order, or of notice thereof, in one or more newspapers printed and circulating in this State, or in another State or States, or by mailing a copy of the order or notice to such creditors or others having demands or claims against the corporation as are known to the trustees or receiver, or by any one or more of such methods. Proof of the giving of the notice shall be made by an affidavit filed in the office of the clerk of the court.

Upon the filing of such proof and upon the expiration of the time limited by the order, all creditors or others having demands or claims against the corporation who have not brought in their claims or demands within the time so limited shall be forever barred from any action therefor or on account thereof against the trustees in dissolution, or the receiver and against the corporation.

Section amended.

16. Section 14:13–14 of the Revised Statutes is amended to read as follows:

Continuation of corporation after dissolution for purpose of defending action.

14:13–14. In any action or other legal proceeding commenced in any court of this State against a domestic or foreign corporation, or to which such corporation shall be a party defendant, where the charter of the corporation has heretofore expired or shall hereafter expire by its own limitation, or has heretofore been or shall hereafter be forfeited, dissolved or annulled by the Legislature or in any other manner, the corporation shall continue a body corporate for the purpose of defending the cause. Service of a summons or other process for appearance issued out of any court and other papers in the cause may be made upon the corporation by serving the same on such person as was, at the time of such expiration, forfeiture, dissolution or annulment, the president or secretary of the corporation,

or the agent in charge of its principal office, or its designated registered agent for this State, personally, or by leaving the same at the dwelling house or usual place of abode of such president, secretary, agent in charge of said principal office or designated registered agent of the corporation. If service thereof cannot be made as hereinabove provided, then it may be made upon the corporation by serving the Secretary of State. Within two days after service upon the Secretary of State, it shall be his duty to notify the corporation thereof, by letter directed to it at its registered office, in which letter shall be enclosed a copy of the process and other papers served. It shall be the duty of the plaintiff to pay to the Secretary of State, for the use of the State, the sum of three dollars ($3.00), which sum shall be taxed as a part of the taxable costs if the plaintiff prevails. The Secretary of State shall keep a book to be called the "process book," in which shall be recorded alphabetically, by the name of the plaintiff and defendants therein, the title of all causes in which process has been served upon him, a description of the papers served, and the date and hour when such service was made. Such service made in any manner aforesaid shall be good, legal and effective for all intents and purposes.

Section amended.

17. Section one of chapter three hundred three of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 14:13-15. Dissolution of corporation by judgment of Superior Court.

1. Every corporation organized under Title 14 of the Revised Statutes may be dissolved by the judgment of the Superior Court when it is made to appear that the corporation has an even number of directors who are equally divided respecting the management of its affairs, and that the voting shares of such corporation are equally divided into two independent ownerships or interests and one-half thereof is owned or controlled by persons favoring the course or views of part of the directors, and one-half is owned or controlled by persons favoring the course or views of the other directors,

or that the persons owning or controlling the voting shares are unable to agree on, or vote for, the election of a board of directors consisting of an uneven number, and, in either such event, the holders of shares entitling them to exercise one-half or more of the voting power shall have voted for such dissolution, or shall have agreed in writing thereto, or shall join in applying for dissolution. The application for dissolution may be made in an action brought by one-half of the directors when there is an even number of directors who are unable to agree as to management, if the holders of one-half or more of the shares have voted for or agreed in writing to such dissolution, or it may be made in an action brought by the persons holding one-half of the voting shares when such persons are unable to agree with the persons holding the other half of such shares as hereinabove provided. Unless the applicant is unable to do so, the application shall set forth the name of each shareholder, his address if it is known, or, if it is not known, stating that fact, and the number of shares belonging to him. Whenever shares, the holders of which are entitled to apply for dissolution, shall be deposited subject to the control of a committee which is authorized by the deposit agreement to represent depositing shareholders with respect to dissolution proceedings, the application may be made and the action brought by such committee or the majority of the members thereof.

The provisions of chapter thirteen of Title 14 of the Revised Statutes shall be applicable hereto, except so far as they be inconsistent with the provisions hereof.

Section amended.

18. Section 14:14–3 of the Revised Statutes is amended to read as follows:

Injunction and receiver.

14:14–3. When any corporation shall become insolvent or shall suspend its ordinary business for want of funds to carry on the same, or if its business has been and is being conducted at a great loss and greatly prejudicial to the interest of its creditors or stockholders, any creditor, or any

stockholder who owns at least ten per centum (10%) of the capital stock of the corporation, may, in an action, apply to the Superior Court for injunctive relief and the appointment of a receiver or receivers or trustees.

The court upon such notice as it may direct, may proceed in a summary manner or otherwise.

If it shall appear to the court that the corporation has become insolvent and is not about to resume its business in a short time thereafter, or that its business has been and is being conducted at a great loss and greatly prejudicial to the interest of its creditors or stockholders, so that its business cannot be conducted with safety to the public and advantage to the stockholders, it may enjoin the corporation and its officers and agents from exercising any of its privileges or franchises and from collecting or receiving any debts, or paying out, selling, assigning or transferring any of its real or personal property whatsoever, except to a receiver appointed by the court, until the court shall otherwise order.

Section amended.

19. Section 14:14–4 of the Revised Statutes is amended to read as follows:

Receiver, appointment, removal, vacancies.

14:14–4. The court, at the time of granting injunctive relief, or at any time thereafter, may appoint a receiver or receivers or trustees for the creditors and stockholders of the corporation. The court may remove any receiver or trustee and appoint another or others in his place, or fill any vacancy which may occur.

Section amended.

20. Section 14:14–6 of the Revised Statutes is amended to read as follows:

Receiver's bond, oath, filing.

14:14–6. Every receiver shall, before acting, enter into such bond and comply with such terms as the court may prescribe, and take and subscribe the following oath: "I, ..., do swear that I will faithfully, honestly and impartially execute the powers and trust reposed in me as receiver, for the creditors and stockholders of the ....., and that without favor or affection," which oath shall be filed in the office of

the Clerk of the Superior Court within ten days after the taking thereof.

Section amended.

21. Section 14:14–7 of the Revised Statutes is amended to read as follows:

Receiver's powers.

14:14–7. The receiver shall have full power and authority to demand, sue for, collect, receive and take into his possession all the real and personal property of every description, rights, credits, books and papers of the corporation, and to institute actions for the recovery of any property, damages or demands existing in favor of the corporation, and to sell, convey and assign all such estate, rights and interest, and shall hold and dispose of the proceeds thereof under the directions of the Superior Court.

He may, in his discretion, compound and settle with any debtor or creditor of the corporation, or with persons having possession of its property or in any way responsible to the corporation at the time of its insolvency or suspension of business or afterwards, upon such terms and in such manner as he shall deem just and beneficial to the corporation, and in case of mutual dealings between the corporation and any person, allow just set-offs in favor of such person in all cases in which the same ought to be allowed according to law and equity.

A debtor who shall have in good faith paid his debt to the corporation without notice of its insolvency or suspension of business, shall not be liable therefor.

Section amended.

22. Section 14:14–9 of the Revised Statutes is amended to read as follows:

Property, franchises, etc., vested in receiver, insolvent foreign corporations.

14:14–9. a. All the real and personal property of a corporation for which a receiver shall be appointed under the provisions of this chapter, wheresoever situated, and all its franchises, rights, privileges, credits and effects shall, upon the appointment of a receiver or trustee, or receivers or trustees, forthwith vest in him or them, and the corporation shall be divested of the title thereto.

b. All the real and personal property of an insolvent foreign corporation, and all its franchises,

rights, privileges, credits and effects, within the State shall, upon the appointment of a receiver or receivers, or trustee or trustees by the Superior Court of New Jersey, or other court of competent jurisdiction of this State, forthwith vest in him or them, and the corporation shall be divested of the title thereto.

c. All trustees or receivers appointed prior to March twenty-sixth, one thousand nine hundred and thirty-five, by the Court of Chancery of New Jersey for an insolvent foreign corporation, unless otherwise expressly provided in the order of appointment, be and they are hereby vested with title to all the real and personal property, and all the franchises, rights, privileges, credits and effects of said insolvent foreign corporation, situated within the State, and are empowered, subject to the control of the Superior Court, to pledge, sell, assign, transfer, convey and otherwise deal with said real and personal property, franchises, rights, privileges, credits and effects.

d. All deeds of conveyance, bills of sale and other documents or instruments of transfer of title to real or personal property, rights or effects, made and delivered prior to March twenty-sixth, one thousand nine hundred and thirty-five, by all the trustees or receivers appointed prior to said date by the Court of Chancery of New Jersey for an insolvent foreign corporation, or which may be delivered after said date by said trustees or receivers, subject to the control of said court, and all proceedings taken prior to said date, and then pending, by said trustees or receivers, are hereby validated and confirmed to the same extent as if the title to said real and personal property, rights and effects were vested in the said trustees or receivers at the time of their appointment.

e. Each subsection of this section is remedial, and shall be considered as separate and independent, and if any subsection or provision of this section shall be declared unconstitutional, the remaining subsections or portions of this section shall not be affected thereby.

New Jersey State Library

Section amended.

23. Section 14:14–10 of the Revised Statutes is amended to read as follows:

Reconveyance of property on payment of debt, dissolution.

14:14–10. When a receiver has been appointed as aforesaid and it shall afterwards appear that the debts of the corporation have been paid or provided for, and that there remains or can be obtained by further contribution sufficient capital to enable it to resume its business, the Superior Court may, in its discretion, a proper case being shown, direct the receiver to reconvey to the corporation all its property, franchises, rights and effects, and thereafter the corporation may resume control of and enjoy the same as fully as if the receiver had never been appointed.

In every case in which the court shall not direct such reconveyance, it may, in its discretion, make a judgment dissolving the corporation and declaring its charter forfeited and void.

Section amended.

24. Section 14:14–11 of the Revised Statutes is amended to read as follows:

Examination of witnesses.

14:14–11. The receiver may send for persons and papers and examine, on oath, which oath he may administer, any persons, including the creditors and claimants, and the president, directors and other officers and agents of the corporation, respecting its affairs and transactions, its real and personal property of every kind, its debts, credits, obligations, contracts and liabilities, and the claims against it.

If any person shall refuse to be sworn, or to answer the questions put to him, or refuse to declare the whole truth touching the subject matter of the examination, the Superior Court may, on report by the receiver, commit such person to prison, to remain until he shall submit himself to be examined, and pay all the costs of the proceedings against him.

Section amended.

25. Section 14:14–13 of the Revised Statutes is amended to read as follows:

Inventory and reports.

14:14–13. The receiver, as soon as convenient, shall lay before the Superior Court a full and complete inventory of all the estate, property and

effects of the corporation, its nature and probable value, and an account of all debts due from and to it, as nearly as the same can be ascertained, and make a report to the court of his proceedings every six months thereafter during the continuance of the trust, except as may be otherwise ordered by the court.

Section amended.

26. Section 14:14–14 of the Revised Statutes is amended to read as follows:

Limitation of time to present claims.

14:14–14. The Superior Court may limit the time within which creditors shall present and make proof to the receiver of their respective claims against the corporation, and may bar all creditors and claimants failing so to do, within the time limited, from participating in the distribution of the assets of the corporation. The court may also prescribe what notice, by publication or otherwise, shall be given to creditors of such limitation of time.

Section amended.

27. Section 14:14–16 of the Revised Statutes is amended to read as follows:

Trial of claim by jury.

14:14–16. Any creditor or claimant who shall present his claim to a receiver appointed under this chapter, whose claim is disputed, shall be entitled to trial by jury on any issue triable of right by a jury; provided he shall make demand therefor in writing.

Section amended.

28. Section 14:14–17 of the Revised Statutes is amended to read as follows:

Review by Superior Court.

14:14–17. Any person aggrieved by the proceedings or determination of the receiver in the discharge of his duty, shall be entitled to a review of the receiver's action in a summary manner by the Superior Court.

Section amended.

29. Section 14:14–18 of the Revised Statutes is amended to read as follows:

Substitution of receiver as party to suits.

14:14–18. The receiver shall, upon application by him, be substituted as party plaintiff in place of the corporation in any action pending at the time of his appointment.

Section repealed.

30. Section 14:14–19 of the Revised Statutes is repealed.

Section amended.

31. Section 14:14–20 of the Revised Statutes is amended to read as follows:

Sale of corporate property.

14:14–20. Where property of an insolvent corporation is at the time of the appointment of a receiver encumbered with mortgages or any other lien, the legality of which is questioned, and the property is of a character materially to deteriorate in value pending the litigation, the Superior Court may order the receiver to sell the same, clear of encumbrances, at public or private sale, for the best price that can be obtained, and pay the money into court, there to remain subject to the same liens and equities of all parties in interest as was the property before the sale, to be disposed of as the court shall direct.

Section amended.

32. Section 14:14–22 of the Revised Statutes is amended to read as follows:

Compensation and expenses of receiver.

14:14–22. Before distribution of the assets of an insolvent corporation among the creditors or stockholders, the Superior Court shall allow a reasonable compensation to the receiver for his services and the costs and expenses of the administration of his trust, and the costs of the proceedings in the court, to be first paid out of the assets.

Section amended.

33. Section 14:14–24 of the Revised Statutes is amended to read as follows:

Applicable in injunctions.

14:14–24. In all cases in which the Superior Court may grant injunctive relief under section 14:14–3 of this Title, sections 14:14–4 to 14:14–23 of this Title shall apply, notwithstanding any language in any such sections appearing to limit their application to cases in which the appointment of a receiver is made on the ground of insolvency.

Section amended.

34. Section 14:14–25 of the Revised Statutes is amended to read as follows:

Effect of appointment of receiver on levies and other liens.

14:14–25. All levies, judgments, attachments or other liens obtained through legal proceedings against a corporation at any time when the corporation shall be insolvent, and within four months prior to the making of the application against it for the appointment of a receiver under this chapter shall be deemed null and void in case a receiver

shall be appointed by the court and the assets of such corporation distributed in such proceedings.

The property affected by the levy, judgment, attachment or other lien shall be deemed wholly discharged and released from the same, and shall pass to the receiver as a part of the estate of the corporation, unless the court shall order that the right under such levy, judgment, attachment or other lien shall be preserved for the benefit of the estate, whereupon the same may pass to and shall be preserved by the receiver for the benefit of such estate.

The court may order such conveyance as shall be necessary to carry the purpose of this section into effect, but nothing herein contained shall destroy or impair the title obtained by such levy, judgment, attachment or other lien of a bona fide purchaser for value who shall acquire the same without notice or reasonable cause for inquiry.

Section amended.

35. Section 14:14–26 of the Revised Statutes is amended to read as follows:

Effect of appointment of receiver on subsequent levies or liens.

14:14–26. After the making of an application for the appointment of a receiver under the provisions of this chapter, if, as a result of such proceedings, a receiver is appointed and the assets of the corporation distributed in the proceedings, no lien or priority shall be obtained by levy, judgment, attachment or otherwise, and all attempted levies, judgments, attachments or other liens, by virtue of legal proceedings, shall be null and void as against the receiver.

Section amended.

36. Section 14:14–27 of the Revised Statutes is amended to read as follows:

Title of receiver relates back.

14:14–27. The title and right of a receiver appointed under the provisions of this chapter shall be held to relate back to the time of the making of the application, for the purpose of avoiding liens and preferences.

Section amended.

37. Section 14:14–30 of the Revised Statutes is amended to read as follows:

Investigation by master.

14:14–30. At any time after the institution of proceedings in the Superior Court designed for

the purpose of securing the distribution of assets of a corporation among creditors or others entitled thereto, the court may, in addition to any remedies hereinbefore provided, upon application of any officer, stockholder, creditor, receiver, trustee or other interested party, appoint a master with full power to investigate the affairs and transactions of the corporation, its debts, obligations, contracts and liabilities and claims against it, and also the acts and conduct of any of its officers, agents, creditors or stockholders and the obligations and liabilities of any officer, agent, creditor, alleged debtor or stockholder.

Section amended.

38. Section 14:14–31 of the Revised Statutes is amended to read as follows:

Powers of master.

14:14–31. The master may send for persons and papers, and examine any persons, including the officers and agents of the corporation, creditors, claimants, debtors and stockholders on oath, which he may administer, and if any person shall refuse to be sworn, or shall refuse to answer such questions as shall be put to him, or shall refuse to declare the whole truth of the subject matter of the examination, the Superior Court may, on report by the master, commit such person to prison, there to remain until he shall submit himself to be examined and pay all costs of the proceedings against him.

The master may take testimony either within or without the State, and if without the State he shall have the same right to apply to courts of other jurisdictions for compulsory process to obtain the attendance of witnesses as any party has under any law of this or any other State, and he may also apply to the court for letters rogatory.

Sundry sections repealed.

39. Section 14:14–32 of the Revised Statutes is repealed.

40. Section 14:14–33 of the Revised Statutes is repealed.

41. Section 14:14–34 of the Revised Statutes is repealed.

42. Section 14:14–35 of the Revised Statutes is repealed.

43. Section 14:14–36 of the Revised Statutes is amended to read as follows: Section amended.

14:14–36. When a majority in interest of the stockholders of a corporation, for which a receiver or trustee has been appointed, shall have agreed on a plan for the reorganization of the corporation and a resumption by it of the management and control of its property and business, the corporation may, with the approval of the Superior Court, upon the reconveyance to it of its property and franchises, mortgage the same for such amount as may be necessary for the purposes of the reorganization, and may issue bonds or other evidences of indebtedness or additional stock, or both, and use the same for the full or partial payment of the creditors who will accept the same, or otherwise dispose of the same for the purposes of the reorganization. Reorganization by stockholders.

44. Section 14:14–37 of the Revised Statutes is amended to read as follows: Section amended.

14:14–37. When the property and franchises of a corporation of this State, except steam railroad, canal, turnpike or plank road companies, shall be sold and conveyed under or by virtue of a decree of the Court of Chancery of this State, or judgment of the Superior Court of this State, or of the District Court of the United States in and for the District of New Jersey, and an execution issued thereon, to satisfy any mortgage debt, judgment, or other encumbrance thereon, such sale and conveyance, duly made and executed, shall vest in the purchaser thereof all the right, title, interest, property, possession, claim and demand in law and equity of the parties to the suit or action in which the decree or judgment was made, of, in and to the property so sold and its appurtenances and also of, in and to the corporate rights, liberties, privileges and franchises of such corporation, but subject to all the conditions, limitations, restrictions and penalties of such corporation concerning the same. Reorganization by purchasers of corporate property.

Section amended.

45. Section 14:14–39 of the Revised Statutes is amended to read as follows:

Meeting for organization of new corporation.

14:14–39. The persons for or on whose account any such property and franchises may have been purchased, shall meet at the county seat of the county wherein the sale may have been made, within thirty days after the conveyance made by virtue of such process, decree or judgment shall have been delivered, written notice of the time and place of such meeting having been given to each of such persons at least ten days before the meeting, and shall organize the new corporation by electing a president and board of directors, to hold office until the first Monday of May succeeding the meeting, when, and annually thereafter on that day a like election shall be held for a president and directors to serve for one year.

Section amended.

46. Section 14:14–43 of the Revised Statutes is amended to read as follows:

Prior liens, impairment.

14:14–43. Nothing contained in this article shall divest or in any manner impair the lien of any prior mortgage or other encumbrance upon the property or franchises conveyed under the sale of such property or franchises, when by the terms of the process, decree or judgment under which the sale has been made, or by operation of law, the sale is made subject to the lien of any such prior mortgage or other encumbrance, and no such sale and conveyance or organization of such new corporation shall in any way affect or impair any rights of any person, not a party to the action in which the decree or judgment was made, nor of any party, except so far as determined by the decree or judgment.

When any trustee shall be made a party to such action, and the cestui que trust, for any reason satisfactory to the court in which the action may be, shall not be made a party thereto, the rights and interests of the cestui que trust shall be concluded by such judgment.

47. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 15

AN ACT concerning corporations and associations not for profit, and revising parts of the statutory law.

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

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

15:2–2. Where the certificate of incorporation of a corporation organized under the provisions of chapter one of this Title (§ 15:1–1 et seq.) contains a provision for the relief of disabled or destitute members or their families, such corporation may so provide and may maintain a fund for that purpose. The corporation may contract with its members to pay death benefits according to the rules or by-laws adopted by the corporation and agree to pay the same to the families, heirs, blood relatives, affianced husband or affianced wife, the legal representatives of such member or to persons dependent upon such member, after his death. The beneficiary therein named shall have full legal power to enforce such contract by a civil action. Relief of members, death benefits.

2. Section 15:2–8 added to the Revised Statutes by chapter two hundred forty of the laws of one thousand nine hundred and thirty-nine is amended to read as follows: Section amended.

15:2–8. Upon the merger of any corporation into another as herein provided: Effect of merger.

a. Its corporate existence shall be merged into that of the other corporation, and all its rights, privileges and franchises, and its right, title and interest in and to all its real and personal property, and things in action, and every right, privilege, interest or asset of conceivable value or benefit then existing which would inure to it under an unmergered existence, shall be deemed fully and

finally, and without any right of reversion, transferred to and vested in the corporation into which it has been merged, without further act or deed, and the last mentioned corporation shall have and hold them in its own right as fully as the same were possessed and held by the merged corporation from which it was, by operation of the provisions hereof, transferred;

b. Its rights, obligations and relations to any person, creditor, inmate of any home conducted by it, trustee or beneficiary of any trust, shall remain unimpaired, and the corporation into which it has been merged shall, by the merger, succeed to all the relations, obligations, trusts and liabilities, and shall execute and perform all the trusts in the same manner as though it had itself assumed the relation or trust, or incurred the obligation or liability. Its liabilities and obligations to creditors existing for any cause shall not be impaired by the merger, nor shall any obligation or liability of any member in any corporation which is a party to the merger be affected by the merger, but such obligations and liabilities shall continue as fully and to the same extent as they existed before the merger;

c. Any pending action or other judicial proceeding to which a corporation that shall be so merged is a party shall not be deemed to have abated or to have been discontinued by reason of the merger, but may be prosecuted to final judgment in the same manner as if the merger had not been made, or the corporation into which the other corporation has been merged may be substituted as a party to the action or proceeding, and any judgment may be rendered for or against it that might have been rendered for or against the other corporation if the merger had not occurred.

Section amended.

3. Section 15:4–4 of the Revised Statutes is amended to read as follows:

Arrest without warrant.

15:4–4. Every member of a thief-detecting society incorporated under the laws of this State may apprehend and arrest, upon view and without warrant, all persons committing breaches of the peace

and all disorderly persons in any municipality in which the society is organized, and bring them before any court of competent jurisdiction, to be dealt with according to law.

Section amended.

4. Section 15:5–6 of the Revised Statutes is amended to read as follows:

Proceedings if land to be overflowed or filled in abut on lands of other meadow company.

15:5–6. If the lands of a meadow company taking advantage of sections 15:5–3 to 15:5–7 abut on the lands of another meadow company, and it shall be necessary to erect a cross bank to protect the adjoining meadow company from the overflow or the fill, the managers of the meadow company so taking advantage of said sections 15:5–3 to 15:5–7, or a majority of them, may apply to the County Court of the county in which the lands are located for the appointment of three judicious and disinterested men, well acquainted with banked meadows, as commissioners. The commissioners shall be appointed by the court after the giving of such notice of the application as the court prescribes, and when appointed, after giving such notice of the time and place of meeting as the court directs, shall view the premises, hear the parties in interest, may adjourn from time to time, and shall lay out the correct bank required to protect the adjoining meadows and cause the same to be constructed, the cost thereof to be paid by each meadow company in accordance with the assessments made by the commissioners. If the adjoining meadow company refuses to pay its proportion of the assessment, the company taking advantage of said sections 15:5–3 to 15:5–7 shall, in the first instance, pay the cost thereof, and the amount assessed against the adjoining company by the commissioners shall be returned in the report of the commissioners to the County Court. The collection of the same by the managers of the company so taking advantage of said sections 15:5–3 to 15:5–7 may be enforced by a civil action in any competent court or by a proceeding in lieu of prerogative writ. The commissioners shall receive such compensation as said court may order, to be paid by the plaintiffs.

Section amended.

5. Section 15:8–4 of the Revised Statutes is amended to read as follows:

Appointment of members to do police duty at fires.

15:8–4. Any duly organized volunteer fire company may provide for the appointment of certain of its members to perform certain police duties at fires and fire drills, for a term of office not exceeding five years from the date of the appointment. Such members shall, before entering upon their duties, qualify by taking and subscribing an oath that they will justly, impartially and faithfully discharge their duties according to the best of their ability and understanding. Said oath shall be administered by the municipal clerk and subscribed to in duplicate. The original copy of said oath shall be filed with the municipal clerk and the copy thereof filed with the secretary of the fire company making such appointment.

After appointment a member shall be eligible as a fire police and shall have full power and authority to act as such anywhere in the county in which he is appointed or in any other county in which he is called upon to act.

It shall be the duty of a member of the fire police to perform his duties under the supervision of the fire officer in charge of the fire or fire drill.

The duties of said fire police subject to the supervision aforesaid shall be to:

(1) Protect property and contents.

(2) Establish and maintain fire lines.

(3) Perform such traffic duties as necessary until the arrival of a duly authorized police officer.

(4) In the absence of investigating authorities, fire police shall investigate all causes of fires and preserve all evidence pertaining to questionable fire and turn evidence over to proper investigating authorities.

(5) Wear the authorized fire police badge on the left breast of the outermost garment while on duty.

Proviso.

Provided, however, nothing herein contained shall give the fire police or any of them the right to supersede a duly authorized police officer.

If any person shall unreasonably refuse to obey the orders of the fire police such fire police may arrest him and keep him under arrest until the fire is extinguished or the drill completed. If the offender is found guilty by a municipal court or county district court, he shall be sentenced to pay a fine not exceeding ten dollars ($10.00) and costs.

Section amended.

6. Section 15:10–7 of the Revised Statutes is amended to read as follows:

Effect of merger or consolidation.

15:10–7. When the merger or consolidation becomes effective, the constituent corporations shall be one corporation by the name provided in the agreement, and all of the rights, charter rights, privileges, exemptions, immunities, powers, prerogatives and franchises of each of the constituent corporations, real and personal property, wherever situated, funds, endowments, investments, legacies, remainders, estates in possession or expectancy, gifts, interests, and things in action, of or belonging to any of the constituent corporations, whether vested, contingent, accrued or to accrue, shall be vested in and be deemed to be transferred to the merged or consolidated corporation without further act or deed, and shall be thereafter as effectually the property of and vested in the merged or consolidated corporation as they were of the respective constituent corporations, and the title to any real estate, whether by deed, gift, will, devise, or otherwise, personal property, funds, endowments, investments, legacies, remainders, estates in possession or expectancy, interest, gifts, and things in action, under the laws of this or any other State, territory, or nation, vested in, or accruing or to accrue, or inuring to the benefit of, any of the constituent corporations, shall not revert or be in any way impaired, annulled or affected, by reason of the merger or consolidation, but shall be vested in the merged or consolidated corporation.

All rights, obligations and relations to any person, and all debts, liabilities, trusts and duties of any of the constituent corporations, shall remain unimpaired, and the merged or consolidated cor-

poration shall, by the merger or consolidation, succeed to all the rights, obligations, relations, debts, liabilities, trusts and duties, and shall execute and perform all of them, to the same uses and purposes, as nearly as may be, as those upon which they were to be executed and performed by the respective constituent corporations, and they may be enforced against it to the same extent and in the same manner as though it had itself assumed the obligations, relations or trusts, or incurred the debts, liabilities or duties.

All rights of creditors, and all liens upon the property of the constituent corporations, shall be preserved unimpaired, and the constituent corporations shall be deemed to continue in existence in order to preserve the same.

No pending action or other judicial proceeding, to which any of the constituent corporations shall be a party, shall abate or be discontinued by reason of the merger or consolidation, but the same may be prosecuted to final judgment against the merged or consolidated corporation.

Section amended.

7. Section 15:11–11 of the Revised Statutes is amended to read as follows:

Corporate powers.

15:11–11. Upon filing the certificate as aforesaid the persons who shall have signed and acknowledged such certificate, and their associates and successors, shall thereupon, by virtue of this article, be a body politic and corporate by the name stated in such certificate, and as such shall have power to:

a. Have perpetual succession by its corporate name;

b. Sue and be sued;

c. Make and use a common seal and alter the same;

d. Appoint such officers, managers, and agents as the business of the corporation may require;

e. Make by-laws, not inconsistent with the laws of the State or of the United States for the management of its property and the regulation of its affairs;

f. Contract and be contracted with;

g. Take and hold by lease, gift, purchase, grant, devise or bequest any property, real or personal as may be necessary or desirable for attaining the objects and carrying into effect the purposes of the corporation, and to transfer and convey all or any such real or personal property; borrow money for the purposes of the corporation and issue bonds therefor, and to secure the same by mortgage;

h. Exercise any corporate powers necessary or convenient to the exercise of the powers above enumerated and given.

Section amended.

8. Section 15:14–1 of the Revised Statutes is amended to read as follows:

Dissolution of religious, etc., corporation by court.

15:14–1. Whenever, in the judgment of the board of trustees of a religious, charitable or educational corporation existing under any law of this State, it shall be deemed advisable that the same be dissolved, the board of trustees may, in the name of the corporation, bring a civil action in the Superior Court applying for a dissolution of the corporation and for the appointment of a receiver or trustee of its estate and effects. The court may proceed in the action in a summary manner or otherwise.

If it shall appear to the court, upon inquiry into the matter, that such a dissolution and appointment is without prejudice to the public welfare, and that it is advisable and best for the corporation that it be dissolved, its affairs settled and its estate and effects divided and distributed among the creditors and others who may be entitled to the same, the court may enter a judgment to that effect, and may appoint a receiver or trustee.

Section amended.

9. Section 15:14–2 of the Revised Statutes is amended to read as follows:

Powers and duties of receiver or trustee.

15:14–2. Such receiver or trustee may demand, sue for, collect, receive and take into possession all the property of every description belonging to the corporation at the time of the entry of said judgment, and may sell, convey, or assign all such property. He shall also have all the powers of receivers or trustees appointed under the law authorizing the appointment of a receiver or trustee

in case of insolvent corporations. Said receiver or trustee shall pay into the Superior Court all the moneys and securities for money arising from such sales, or which may be collected by him from time to time under the order of the court, first deducting the costs of the proceedings in said court, and making payment to said receiver or trustee and to his attorney such reasonable compensation as the court may deem proper.

Section amended.

10. Section 15:14–3 of the Revised Statutes is amended to read as follows:

Disposition of effects.

15:14–3. The Superior Court may make all necessary and proper orders and judgments to settle and wind up the affairs of the corporation, and may distribute its estate, property and effects, or the proceeds thereof, among those entitled thereto. If, at the time of the final judgment, the owners of any part of said property remain unknown, such part, share or shares shall be retained in the court until the same shall be claimed by the rightful owners.

Section amended.

11. Section 15:14–5 of the Revised Statutes is amended to read as follows:

Disposition of residue.

15:14–5. After a sale of the property and assets of such dissolved corporation, and the payment of its debts and all expenses connected with such winding up and settlement, the residue of moneys in hand, if any, shall be distributed and paid in the manner provided by section 15:4–2 of this Title.

Section amended.

12. Section 15:14–7 of the Revised Statutes is amended to read as follows:

Court action for sale of property held in trust.

15:14–7. Whenever any lands and tenements have heretofore been or may hereafter be granted, conveyed or devised by deed, will or otherwise, to any religious, educational or charitable corporation or association, or to any officers or trustees thereof, upon a trust or trusts or condition that the same shall be held and used for specific uses and purposes, or appropriating the rents, issues and profits of any such lands and tenements to specific uses and purposes, but without power to sell, convey or otherwise dispose of the same, such corporation,

association, officers or trustees may institute a civil action in the Superior Court for the sale or diversion of such lands and tenements. The court may proceed in the action in a summary manner or otherwise.

If it shall be made to appear to the satisfaction of the court that a sale of the whole or any part of such lands and tenements will promote and benefit the trust upon which the same is held, or promote and benefit the corporation or association, or the proceeds of the sale will when invested increase and enhance the income of the trust, the court may direct such lands and tenements, or any part thereof, to be sold by such corporation, association, officer or trustee, free from the limitations of said trust. The proceeds of said sale shall be held upon the same or like conditions, limitations or trusts as were declared in the original trust, or shall be devoted to some use not inconsistent therewith or inconsistent with the objects and nature of the said corporation or association, as the court shall direct.

If it shall be made to appear to the satisfaction of the court that such trust, corporation or association will be benefited by devoting the said lands and tenements, or any part thereof, to some use or purpose other than the specific use or trust upon which the same was granted, conveyed or devised, the court may authorize such corporation, association, officers or trustees thereof to use or devote any such lands and tenements, or any part thereof, to some use or purpose other than and not inconsistent with the uses and purposes of the trust upon which the same were granted, conveyed or devised to them.

Section amended.

13. Section 15:14–8 of the Revised Statutes is amended to read as follows:

Investment of proceeds of sale.

15:14–8. The court may direct such corporation, association, officers or trustees thereof to invest the proceeds of any sale made pursuant to the provisions of section 15:14–7 of this Title in such securities as trustees are authorized to invest trust funds; or may, upon due cause shown, direct the

whole or any part of the proceeds of any sale of such lands and tenements had or to be had by virtue of said section 15:14–7 to be reinvested in other more desirable lands and tenements, the same to be held by such corporation, association, officers or trustees in the same manner and subject to the same conditions, limitations and trusts as were the lands and tenements originally granted, conveyed or devised to them.

Sundry sections repealed.

14. Section 15:14–9 of the Revised Statutes is hereby repealed.

15. Section 15:14–10 of the Revised Statutes is hereby repealed.

16. Section 15:14–11 of the Revised Statutes is hereby repealed.

Section amended.

17. Section 15:16–5 of the Revised Statutes is amended to read as follows:

Assets of subordinate branch whose charter is revoked.

15:16–5. If a subordinate branch whose charter is revoked has assets of any kind, the same may be taken into the possession of and be conserved by the State organization and be distributed by it to the persons entitled thereto; or the State organization or other interested persons may institute a civil action in the Superior Court applying for the appointment of a receiver for such subordinate branch and for directions and orders as to the disposition or distribution of the assets of such subordinate branch. The court in the action may proceed in a summary manner or otherwise.

Section amended.

18. Section one of chapter two hundred twenty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 15:17-1. Veterans' organizations to file annual report, contents, blanks furnished.

1. Every veterans' organization incorporated and unincorporated operating in this State, having State-wide supervision of subordinate posts or other units, shall file in the office of the Secretary of State on or before the thirty-first day of January in each year a report authenticated by the signatures of two of its officers, stating:

a. The name of the organization;

b. The number of posts or other units under whatever designation operating in this State;

c. The total membership in this State as of December thirty-first of the previous year;

d. The title, names and addresses of the officers of the organization and when the term of office of each expires;

If the report is not so made and filed the organization shall forfeit to the State two hundred dollars ($200.00), to be recovered with costs in a civil action, to be brought by the Attorney-General in the name of the State, who shall bring such actions when it shall appear that this section has been violated. All of the officers of any such organization who shall willfully refuse to comply with the provisions hereof, and who shall be in office during the default, shall, at the time appointed for the next election and for a period of one year thereafter, be ineligible for election or appointment to any office in the organization as officers or otherwise.

The Secretary of State shall furnish blanks in proper form upon application, shall keep in his office all such reports and shall prepare an alphabetical index thereof, which reports and index shall be open to public inspection at proper hours.

19. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 16

AN ACT concerning corporations and associations, religious, and revising parts of the statutory law.

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

Section amended.

1. Section 16:1–15 of the Revised Statutes is amended to read as follows:

Secretary, duties.

16:1–15. The secretary shall keep the minutes and enter the orders, acts and proceedings in a book kept for that purpose. He shall have custody of the common seal, and of the papers, deeds, writings, documents and books of or relating to the corporation. Upon the death, resignation, removal or expiration of the office of secretary, or election of a new one, the common seal and all minutes, papers, deeds, writings, documents and books of or belonging to such corporation shall be delivered to his successor in office, on the oath of the preceding secretary, or in case of his death, on the oath of his executors or administrators, so far as the executors or administrators have or may reasonably acquire knowledge thereof, under such pecuniary penalty as said corporation shall have previously fixed, to be recovered by civil action in the name and for the use of the corporation. Upon application to the secretary, any member of the religious society or congregation shall have free access to all such papers, deeds, writings, minutes, documents and books.

Section amended.

2. Section 16:1–26 of the Revised Statutes is amended to read as follows:

Disposition of funds for school purposes.

16:1–26. When funds have been given to any person or corporation for the purpose of maintaining a school, or for the support of poor scholars in a school formerly maintained, on the property of a religious society, and such school has ceased to exist, the Superior Court, in a civil action by any

such person or corporation may, if it be found impossible to carry out and comply with the trust fully, direct payment of the income from such funds to the maintenance of the property of such religious society, or for any other purpose nearest akin to the trust. The court may proceed in the action in a summary manner or otherwise.

Section amended.

3. Section 16:1–30 of the Revised Statutes is amended to read as follows:

Corporate entity of church, religious society or denomination.

16:1–30. Any church, religious society, or denomination of Christians, being the whole body of religious believers having a common faith and polity, now or hereafter to be established in the United States of America, and the supreme governing body thereof, whether sole or aggregate, shall be severally recognized in the courts of justice and elsewhere as an entity bearing the name by which it is commonly called and known, regardless of any civil incorporation. Such supreme governing body may bring any action or proceeding in any court, to enforce the civil rights or claims of the whole church, religious society or denomination.

Section amended.

4. Section six of chapter one hundred forty-three of the laws of one thousand nine hundred and forty-four is amended to read as follows:

C. 16:1-43.6. Effect of consolidation.

6. When the consolidation becomes effective, the constituent corporations shall be one corporation by the name provided in the agreement, and all of the rights, charter rights, privileges, exemptions, immunities, powers, prerogatives and franchises of each of the constituent corporations, real and personal property, wherever situated, funds, endowments, investments, legacies, remainders, estates in possession or expectancy, gifts, interests, and things in action, of or belonging to the constituent corporations, whether vested, contingent, accrued or to accrue, shall be vested in and be deemed to be transferred to the consolidated corporation without further act or deed, and shall be thereafter as effectually the property of and vested in the consolidated corporation as they were of the respective constituent corporations, and the title to

any real estate, whether by deed, gift, will, devise, or otherwise, personal property, funds, endowments, investments, legacies, remainders, estates in possession or expectancy, gifts, interests, and things in action, under the laws of this or any other State, territory, or nation, vested in, or accruing or to accrue, or inuring to the benefit of, either of the constituent corporations, shall not revert or be in any way impaired, annulled or affected, by reason of the consolidation, but shall be fully vested in and inure to the benefit of the consolidated corporation.

All rights, all obligations and relations to any person, and all debts, liabilities, trusts and duties, of each of the constituent corporations, shall remain unimpaired, and the consolidated corporation shall, by the consolidation, succeed to all such rights, obligations, relations, debts, liabilities, trusts and duties, and shall execute and perform all of them, to the same uses and purposes, as nearly as may be, as those upon which they were to be executed and performed by the respective constituent corporations, and they may be enforced against it to the same extent and in the same manner as though it had itself assumed the obligations, relations or trusts, or incurred the debts, liabilities or duties.

All rights of creditors, and all liens upon the property, of the constituent corporations, shall be preserved unimpaired, and the constituent corporations shall be deemed to continue in existence in order to preserve the same.

No pending action or other judicial proceeding, to which either of the constituent corporations shall be a party, shall abate or be discontinued by reason of the consolidation, but the same may be prosecuted to final judgment against the consolidated corporation.

Section amended.

5. Section 16:2–20 of the Revised Statutes is amended to read as follows:

Dissolution of extinct church or society.

16:2–20. The Superior Court, in a civil action, may dissolve any Baptist church or religious so-

ciety or any Seventh-Day Baptist church or religious society in this State, which has ceased, or failed to maintain religious worship, or services, or to use its property for religious worship or services according to the tenets, usages and customs of Baptist churches in this State, or of Seventh-Day Baptist churches which are members of the Seventh-Day Baptist General Conference, as the case may be, for the space of two consecutive years immediately prior to the commencement of the action; or whose membership has so diminished in numbers, or in financial strength, as to render it impossible or impracticable to maintain religious worship or services or to protect its property from exposure to waste and dilapidation, or to fulfill the purpose for which it was incorporated, shall be deemed and taken to be extinct. The court may proceed in the action in a summary manner or otherwise.

Section amended.

6. Section 16:2–21 of the Revised Statutes is amended to read as follows:

Disposition of property.

16:2–21. Such an action may be brought by any member, trustee or officer of the New Jersey Baptist Missionary Convention or of the Seventh-Day Baptist Missionary Society, as the case may be, or any member of such church or society, when duly authorized by the board of managers of said New Jersey Baptist Missionary Convention, or the board of trustees of the Seventh-Day Baptist Missionary Society, as the case may be. If necessary or proper so to do, for any of the causes mentioned in section 16:2–20 of this Title, the court shall declare such church or society extinct, dissolving the same, and transferring to and vesting in the New Jersey Baptist Missionary Convention, or the Seventh-Day Baptist Missionary Society, as the case may be, any property, and the title and possession thereof, which may belong to such church or society, or which may be held in trust for it.

Section amended.

7. Section 16:3–4 of the Revised Statutes is amended to read as follows:

Powers, boards of trustees.

16:3–4. Every such incorporated board of trustees elected in accordance with the provisions of this chapter shall have power to:

Have perpetual succession by its corporate name;

Sue and be sued;

Adopt and use a common seal and alter the same;

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

Every church of Christ, Scientist, incorporated according to the provisions of this chapter shall have power to make such by-laws as are not inconsistent with the constitution or laws of the United States or of this State, or with the provisions of the manual of said the mother church.

Section amended.

8. Section three of chapter eighty-four of the laws of one thousand nine hundred and fifty is amended to read as follows:

C. 16:5-6. Certificate filed, fee.

3. The trustees so elected, or the presiding officer and secretary, or acting secretary, of such convention, conference or meeting, on behalf of said trustees, shall make a certificate, as hereinafter provided, under their hands and seals, and file it in the office of the Secretary of State. The fee for the filing of any such certificate shall be as provided in section 22A:4–1 of the New Jersey Statutes.

Section amended.

9. Section 16:12–18 of the Revised Statutes is amended to read as follows:

Incorporation.

16:12–18. When any diocese now or hereafter created in this State under and by virtue of the authority of the general convention of the Protes-

tant Episcopal Church in the United States of America shall desire to incorporate, the convention of the diocese may, at any regular meeting thereof, in which a majority of the parishes belonging thereto are represented by both clerical and lay deputies, declare their desire and intention to become such corporation by resolution. A copy of such resolution, together with a certificate stating the name of such diocese and the name of its president, secretary and standing committee, which shall consist of not less than four clerical and four lay members, duly signed by such president and secretary in the presence of one of the judges of the Superior Court or one of the justices of the Supreme Court, shall be filed in the office of the Secretary of State. Thereupon such convention shall be a corporation by the name or title stated in such certificate.

Section amended.

10. Section 16:12–24 of the Revised Statutes is amended to read as follows:

Change of corporate name, filing.

16:12–24. The incorporated convention of any diocese of the Protestant Episcopal Church may, by resolution at any regular meeting thereof, change the corporate name of the diocese or the corporate name of any or all boards of trustees selected by them, that have been or shall become incorporated. Such change shall take effect upon filing in the office of the Secretary of State a copy of the resolution, certified by the president and secretary of the convention, under their hands and seals, and acknowledged by them.

Section amended.

11. Section 16:13–15 of the Revised Statutes is amended to read as follows:

Dissolution of extinct church or society, transfer of property.

16:13–15. Any Reformed church in America or Reformed religious society in America, in this State, which has ceased or failed to maintain religious worship or services, or to use its property for religious worship or services, according to the tenets, usages and customs of Reformed churches in America in this State, for two consecutive years, or whose membership has so diminished in numbers, or in financial strength as to render it im-

possible or impracticable for such church or society to maintain religious worship or services, or to protect its property from exposure, waste and dilapidation, or to fulfill the purpose for which it was incorporated, shall be deemed and taken to be extinct, and may be so declared and thereupon dissolved by a civil action brought in the Superior Court. The court may proceed in the action in a summary manner or otherwise. The property of such church or society, or property which may be held in trust for such church or society may be transferred to and the title and possession thereof vested in the particular classis having ecclesiastical jurisdiction over the same.

Section amended.

12. Section 16:13–16 of the Revised Statutes is amended to read as follows:

Disposition of property.

16:13–16. Such an action may be brought by any member or officer of such classis having ecclesiastical jurisdiction over the same, when duly authorized by the classis. If necessary or proper so to do, for any of the causes mentioned in section 16:13–15 of this Title, the court shall declare such church or society extinct, dissolving the same and transferring to and vesting in the classis having such ecclesiastical jurisdiction, any property and the title and possession thereof, which may belong to the church or society, or which may be held in trust for it, in as full and ample a manner as the same shall theretofore have been vested in the consistory or persons or body holding the same in trust for such church, society and congregation.

Section amended.

13. Section 16:15–11 of the Revised Statutes is amended to read as follows:

Powers of trustees.

16:15–11. Such first trustees and their successors shall, by such name of incorporation, be able and capable unlimitedly to:

Acquire, purchase, receive, erect, have, hold and use leases, legacies, devises, donations, moneys, goods and chattels of all kinds, church edifices, schoolhouses, college buildings, seminaries, parsonages, sisters' houses, hospitals, orphan asylums, reformatories and all other kinds of religious, ec-

clesiastical, educational and charitable institutions, and the lands whereon the same are, or may be erected, and cemeteries or burying places and any lands, tenements and hereditaments suitable for any or all of said purposes, in any place or places in any such diocese; and the same or any part thereof, to lease, sell, grant, assign, demise, alien and dispose of;

Sue and be sued;

Adopt and use a common seal, and alter the same;

Have perpetual succession;

Make by-laws and rules not inconsistent with the laws of this State, or of the United States, for the regulation and management of their affairs, properties and institutions;

Appoint such officers, agents and employees as they may require for the properties, institutions and business of the corporation;

Borrow money from time to time for the purposes of the corporation, and to give bonds and mortgages therefor on any part or parts of its properties;

Aid and assist such of the parishes in said diocese, or any of the institutions in such parishes, as said corporation may deem fit;

Aid and assist students pursuing their studies for the priesthood, and to aid and assist in the maintenance of the priesthood of such diocese, in accordance with the statutes of the diocese and the canons of the Roman Catholic Church;

Have the general management, direction and control of all the civil and temporal affairs of such diocese;

Exercise any corporate powers necessary and proper to the carrying out of the above-enumerated powers, and to the carrying out of the purposes of such corporation and its institutions.

14. Section 16:16–2 of the Revised Statutes is amended to read as follows:

Section amended.

16:16–2. Any religious organization incorporated under and by virtue of any law of this State may organize under the provisions of this article. Its

Reincorporation of religious organization.

trustees shall pass a resolution (a) declaring it advisable that the corporation reincorporate under the provisions of this article, and (b) calling a meeting of the congregation to take action thereon. Such resolution shall be submitted to the congregation at a meeting to be held at the usual place of meeting for public worship, upon such notice as the by-laws of said organization shall provide, and if there is no such provision, after at least ten days' notice of the time and purpose of the meeting, set up in open view at or near the place of meeting. The resolution shall be read publicly at each regular service of the church on the Sunday next preceding the meeting. If a majority of the congregation shall, at such meeting, approve incorporation under this article, the trustees or a majority of them shall file a certificate in accordance with section 16:16–1 of this Title. Upon filing such certificate, all the right, title and interest of such organization in any real or personal property and all franchises and charter rights, shall be vested in the corporation organized under the provisions of this article, and the original incorporation of such organization shall then be null and void.

Section amended.

15. Section 16:16–10 of the Revised Statutes is amended to read as follows:

Powers of first trustees.

16:16–10. The first trustees of such corporation and their successors shall, by such name of incorporation, be able and capable unlimitedly to:

Acquire, purchase, receive, erect, have, hold and use leases, legacies, devises, donations, moneys, goods and chattels of all kinds, church edifices, schools, college buildings, seminaries, parsonages, sisters' houses, hospitals, orphan asylums, reformatories and all other kinds of religious, ecclesiastical, educational and charitable institutions, and the lands whereon the same are or may be erected, and cemeteries or burying places and any lands, tenements and hereditaments suitable for any or all of said purposes in any place or places in any such diocese; and the same or any part thereof, to lease, sell, grant, assign, demise, alien and dispose of;

Sue and be sued;

Adopt and use a common seal, and alter the same;

Have perpetual succession;

Make by-laws and rules not inconsistent with the laws of this State, or of the United States, for the regulation and management of their affairs, properties and institutions;

Appoint such officers, agents and employees as they may require for the properties, institutions and business of the corporation;

Borrow money from time to time for the purposes of the corporation, and to give notes, bonds and mortgages therefor on any part or parts of its properties;

Aid and assist such of the parishes in said diocese, or any of the institutions in such parishes, as said corporation may deem fit;

Aid and assist students pursuing their studies for the priesthood, and to aid and assist in the maintenance of the priesthood of such diocese, in accordance with the statutes of the diocese and the canons of the Ruthenian Greek Catholic Church;

Have the general management, direction and control of all the civil and temporal affairs of such diocese;

Exercise any corporate power necessary and proper to the carrying out of the above enumerated powers, and to the carrying out of the purposes of such corporation and its institutions.

Section amended.

16. Section 16:17–6 of the Revised Statutes is amended to read as follows:

Powers of trustees.

16:17–6. For such incorporated church the trustees elected in accordance with the provisions of this chapter shall have power to:

Have perpetual succession by its corporate name;

Sue and be sued;

Adopt and use a common seal and alter the same;

Purchase, acquire, receive, have and hold any lands, tenements, hereditaments, legacies, donations, moneys, goods and chattels in trust for the use of the enrolled members of such church, and to sell, grant, convey, mortgage, lease, assign or

otherwise dispose of the same or any part thereof; *provided*, that no such sale, conveyance, mortgage or lease of any real property held in trust as aforesaid shall be made unless previously authorized by two-thirds of the votes cast at a regular or special meeting of its enrolled members in good and regular standing and of full age, duly called for that purpose.

Every church incorporated according to the provisions of this chapter shall have power to adopt a constitution and make such by-laws as are not inconsistent with the constitution or laws of the United States of America or of this State, or with the provisions of the constitution, by-laws and rules of the said New Jersey State Association of Spiritualists.

17. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 17

AN ACT concerning corporations and institutions for finance and insurance, and revising parts of the statutory law.

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

Section amended.

1. Section 17:2–2 of the Revised Statutes is amended to read as follows:

Bonds issued by any commission appointed by Supreme Court.

17:2–2. Any insurance company, surety, trust and safe deposit company, incorporated under any law of this State, may invest moneys belonging to or deposited with it, in any bonds authorized by the laws of this State to be issued pursuant to any law of this State by any commission appointed by the Supreme Court as the court was constituted prior to September fifteenth, one thousand nine hundred and forty-eight.

2. Section 17:3–1 of the Revised Statutes is amended to read as follows: Section amended.

17:3–1. When there comes into the custody and control of a receiver appointed by a court of competent jurisdiction, or under authority of a statute of this State, or into the custody and control of an official of this State acting under authority of the order, decree or judgment of a court or by virtue of an existing statute, mortgages or mortgage securities constitutiong a part of the assets or liabilities of a corporation organized under the laws of this State and subject to the supervision and control of the department, or any superseding department or departments of the State Government; and the receiver or official is charged with the duty of collecting the mortgages or mortgage securities; and it is deemed by the receiver or official to be for the best interest of the creditors and stockholders of the corporation to extend the time for the payment of the mortgage or mortgage security, the receiver or official may extend the time for the payment of the mortgage or mortgage security upon such terms and for such period of time as will be a reasonable exercise of his discretion, or for such period of time as may be approved by a court of competent jurisdiction by a general order or by the commissioner where the corporation is not under control of a court. Extension of time for payment.

This section shall be deemed to be remedial in its purpose and to have been enacted to enable a liquidating officer to use such discretion as will enable him to dispose of mortgages and mortgage securities to better advantage than they can be disposed of under existing conditions.

The words "receiver" and "official" as used in this section includes any person or group of persons, who under appointment, order, decree or judgment of a court of competent jurisdiction, or by virtue of a statute of this State, is or shall be authorized and empowered to take custody and control of the assets of a corporation organized as defined in this section, and to dispose of the same

by sale or otherwise for the benefit of the creditors and stockholders of the corporation. The term "corporation" as used in this section shall not include a bank or savings bank as defined in section one of the Banking Act of 1948 (P. L. 1948, c. 67, as amended by P. L. 1949, c. 44, § 1).

Section amended.

3. Section 17:3–2 of the Revised Statutes is amended to read as follows:

Home Owners' Loan Corporation bonds, acceptance by receiver.

17:3–2. When there shall come into the custody and control of a receiver or liquidator appointed by a court of competent jurisdiction or under authority of any statute of this State, or into the custody and control of any official of this State acting under authority of the order, decree or judgment of a court or by virtue of any existing statute, mortgages or mortgage securities constituting a part of the assets of any corporation organized under the laws of this State and subject to the supervision and control of the Department of Banking and Insurance or any superseding department or departments of this State, and such receiver, liquidator or official is charged with the duty of collecting such mortgages or mortgage securities, and if it shall be deemed by such receiver, liquidator or official to be to the best interest of the creditors and stockholders of any such corporation to accept bonds issued by the Home Owners' Loan Corporation authorized pursuant to an Act of Congress, approved June thirteenth, one thousand nine hundred and thirty-three, entitled "An act to provide emergency relief with respect to home mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the federal home loan bank act, to increase the market for obligations of the United States and for other purposes," in payment of such mortgages or mortgage securities, the receiver, liquidator or official may accept the bonds issued by the Home Owners' Loan Corporation in payment of the mortgage, mortgages or mortgage securities.

4. Section 17:3–3 of the Revised Statutes is amended to read as follows: Section amended.

17:3–3. The words "receiver," "liquidator" and "official," as used in this section and section 17:3–2 of this Title, include any person or group of persons, who under appointment, order, decree or judgment of a court of competent jurisdiction, or by virtue of any statute of this State, shall be authorized and empowered to take custody and control of the assets of any corporation organized under the laws of this State and subject to the supervision and control of the department of banking and insurance, and to dispose of the same by sale or otherwise for the benefit of creditors and stockholders of any such corporation. The term "corporation" as used in this section and section 17:3–2 of this Title shall not include a bank or savings bank as defined in section one of the Banking Act of 1948 (P. L. 1948, c. 67, as amended by P. L. 1949, c. 44, § 1). Definitions and construction.

Section 17:3–2 of this Title shall be deemed to be remedial in its purpose and to be enacted to enable a liquidating officer to use such discretion as will enable him to dispose of mortgages and mortgage securities to better advantage than they can be disposed of under existing conditions.

5. Section one of chapter two hundred sixty-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows: Section amended.

C. 17:3A-1. Terms defined.

1. As used in this act:

(a) "Corporation" shall mean a corporation organized pursuant to any law of this State, over which the Commissioner of Banking and Insurance or the Department of Banking and Insurance is required or authorized by law to exercise supervisory or regulatory powers;

(b) "Liquidator" means (1) the trustee or trustees in voluntary dissolution of a corporation; (2) the Commissioner of Banking and Insurance in the exercise of his statutory power to take possession of and to liquidate a corporation; (3) the receiver or receivers, or the trustee or trustees

appointed by a court of competent jurisdiction to liquidate a corporation; and (4) every person or persons engaged in the liquidation of a corporation in dissolution pursuant to any statute of this State, or by virtue of any lawful order, decree, judgment or proclamation of any administrative, executive or judicial officer of this State.

Section amended.

6. Section five of chapter one hundred ninety-nine of the laws of one thousand nine hundred and forty-five is amended to read as follows:

C. 17:9-22. Report of unclaimed bank deposits.

5. Not later than the thirty-first day of January in each year after the year in which this act takes effect and as of December thirty-first of the preceding year, every bank shall make in duplicate a written report to the State Treasurer containing a true and accurate statement of all unclaimed bank deposits held by the bank as of such date.

Such report shall set forth the name and address of the bank and where the name of the bank has been changed by merger, reorganization, consolidation or otherwise, also the original name and address of the bank in which the deposit originated, and shall list in alphabetical order the name of each person to whose credit an unclaimed bank deposit stands, the last address of the depositor appearing on the records of the bank, the identification number, if any, of each account and the amount to the credit of each account.

The person signing such report shall certify that such report is a true and accurate statement of all unclaimed bank deposits held by the bank as of the report date to the best of his knowledge, information and belief after diligent inquiry.

If the bank shall have no unclaimed bank deposits a written report so stating shall be made to the State Treasurer.

The person signing such report may, in making the report, rely upon information with respect to unclaimed bank deposits furnished by the officers and employees and records of the bank.

Such report shall, where the bank is a corporation, be signed by its president or a vice-president

or treasurer or assistant treasurer or cashier or assistant cashier. If such bank is in voluntary dissolution, the report shall be signed by one or more of its trustees designated by its board of trustees for that purpose. If such bank is in possession of the Commissioner of Banking and Insurance, the report shall be signed by the commissioner or by a deputy commissioner or by a special deputy commissioner appointed by him and in actual charge of the business and affairs of the bank. If a receiver has been appointed for a corporate bank or private banker, the report shall be signed by such receiver. In the case of a private banker, the report shall be signed by such banker.

Any bank which fails to file such reports with the State Treasurer shall forfeit to the State the sum of twenty-five dollars ($25.00) for each day such reports shall not be filed, and if not paid, such penalty shall be sued for and be recovered by the State Treasurer in a civil action in the name of the State. The State Treasurer shall have power to waive the penalty and to extend the time within which the reports may be filed.

Immediately upon receipt of such reports the State Treasurer shall deliver one duplicate of each report to the Attorney-General and the State Treasurer shall cause the other duplicate reports to be permanently bound with an alphabetical index of the depositors with appropriate references to the bound reports. Such bound reports and indices shall be open for public inspection during usual business hours and under such reasonable regulations as the State Treasurer shall prescribe.

7. Section two of chapter seventy-eight of the laws of one thousand nine hundred and forty-six is hereby repealed. C. 17:9-22.1. Sundry sections repealed.

8. Section three of chapter seventy-eight of the laws of one thousand nine hundred and forty-six is hereby repealed. C. 17:9-22.2.

9. Section five of chapter ninety-one of the laws of one thousand nine hundred and forty-seven is hereby repealed. C. 17:9-22.5.

Section amended.

10. Section seven of chapter ninety-one of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 17:9-22.7. Penalty.

7. Any bank which fails to pay over to the State Treasurer any unclaimed bank deposit as provided in section six of this amendatory and supplementary act, shall be liable to a penalty of twenty-five dollars ($25.00) for each day such payment shall not be made, and such penalty, if not paid, shall be sued for and be recovered by the State Treasurer in a civil action in the name of the State.

Section amended.

11. Section six of chapter one hundred ninety-nine of the laws of one thousand nine hundred and forty-five is amended to read as follows:

C. 17:9-23. Attorney-General to institute actions for escheat.

6. It shall be the duty of the Attorney-General within a reasonable time after receipt by him of the duplicate reports to institute actions for escheat to the State of the unclaimed bank deposits disclosed by such report which are in an amount of fifty dollars ($50.00) or more and which have not been paid over to the State. The Superior Court shall have jurisdiction of such actions. In any such action absent defendants may be proceeded against by newspaper publication, upon order of the court.

Section amended.

12. Section eight of chapter one hundred ninety-nine of the laws of one thousand nine hundred and forty-five is amended to read as follows:

C. 17:9-25. Records, disposition of escheated funds and income.

8. (a) The State Treasurer shall establish and maintain records of all escheated unclaimed bank deposits received by him, which in the case of deposits with a net balance of fifty dollars ($50.00) or more, shall show in alphabetical order the names of the depositors, the amounts received, the name and address of the bank from which the funds were received, the identification numbers of the accounts if any, and shall establish and maintain an index thereto, which records and index shall at all times during the usual business hours be open to public examination.

(b) The State Treasurer shall credit seventy-five per centum (75%) of the amount of each es-

escheated unclaimed bank deposit received by him to the general funds of the State to be held, used and expended by the State Treasurer in the same manner as other general funds of the State and shall establish and maintain an account to be designated as the "unclaimed bank deposits escheat reserve fund" which is hereinafter referred to as the "reserve fund" and shall credit to the reserve fund, the other twenty-five per centum (25%) of the amount of each escheated unclaimed bank deposit received by the State Treasurer.

(c) The State Treasurer shall invest and reinvest all moneys credited to the reserve fund in bonds or interest-bearing notes or obligations of the United States or in bonds or interest-bearing notes or obligations guaranteed as to principal and interest by the United States or in bonds or interest-bearing notes or obligations for the payment of the principal and interest of which the faith and credit of the United States are distinctly pledged or in bonds or interest-bearing notes or other obligations of this State or in bonds or interest-bearing notes or other obligations of any county, city, town, township, borough, village or other municipal or political subdivision of this State, issued under authority of any law of this State.

(d) The income received from the investments and reinvestments of the reserve fund shall be commingled with and added to the reserve fund and held and retained as part thereof subject to like investment and reinvestment, as part of the reserve fund.

(e) The reserve fund shall be used and expended by the State Treasurer for the payment of expenses and costs incurred by the State Treasurer and the Attorney-General pursuant to the provisions of section nine of this act.

(f) At any time after receipt by the State Treasurer of any escheated unclaimed bank deposit anyone claiming to be entitled thereto or to any part thereof may file claim therefor with the State Treasurer who is authorized to pass upon and de-

termine the claimant's claim; if the State Treasurer shall determine the claimant's proofs of title thereto to be sufficient he shall pay the escheated unclaimed bank deposit or such part thereof to which he may determine the claimant is entitled, without interest, out of the reserve fund, to the claimant, and if the cash balance in the reserve fund is insufficient to make such payment the State Treasurer shall sell such of the investments of the reserve fund as may be necessary to make such payment.

(g) If the State Treasurer determines that the claimant's proofs of title are not sufficient to entitle the claimant to such payment, the claimant may, within sixty days after the date of such determination by the State Treasurer, institute an action in the Superior Court against the State Treasurer, and it shall be the duty of the State Treasurer, and of the Attorney-General on his behalf, to take such action with respect thereto as they may deem necessary to protect the interests of the State. The court may proceed in the action in a summary manner or otherwise. Upon proof satisfactory to the court of plaintiff's claim of title to the escheated unclaimed bank deposit or any part thereof, judgment shall be entered establishing his claim and ordering the State Treasurer to pay to the plaintiff the amount specified in such judgment together with such costs as the court may allow the plaintiff. Upon service upon the State Treasurer of a copy of such judgment certified to be a true copy by the Clerk of the Superior Court, the State Treasurer shall pay to the plaintiff out of the reserve fund the amount or amounts specified.

(h) If the court shall determine that plaintiff's proofs of title are not sufficient to establish his claim to the escheated unclaimed bank deposit or any part thereof, a judgment to that effect shall be entered. If on any appeal from the judgment, it is reversed and plaintiff's claim of title to the escheated unclaimed bank deposit or any part

thereof is sustained, the State Treasurer shall pay to the plaintiff, out of the reserve fund, the amount or amounts to which the plaintiff shall be entitled, together with such costs as may be allowed to the plaintiff.

Section amended.

13. Section nine of chapter one hundred ninety-nine of the laws of one thousand nine hundred and forty-five is amended to read as follows:

C. 17:9-26. No fees or costs to be allowed.

9. All services required to be performed by the Clerk of the Superior Court, the Clerk of the Supreme Court, the sheriff of any county and any other salaried public official shall be without fees, costs, counsel fees or any other charge, but the State Treasurer shall pay out of the reserve fund all expenses and costs incurred by the State Treasurer for the administration of said fund and for the establishment and maintenance of his records relative to escheated unclaimed bank deposits, and also all expenses and costs incurred by the Attorney-General, including costs and expenses for legal and clerical services. The State Treasurer and the Attorney-General may each employ such persons as may be necessary to assist him in carrying out the provisions of this act and fix their compensation, and such persons so employed shall not be subject to the provisions of the Civil Service law.

Section amended.

14. Section fifteen of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-15. Certificate of authority, grounds for refusal.

15. The commissioner shall, within thirty days after the filing of the affidavit specified in section fourteen, issue the said certificate of authority, or notify the bank or savings bank in writing of his reasons for refusing it. The issuance of the certificate of authority shall not be withheld by the commissioner, except when (1) the affidavit specified in section fourteen is not in proper form, in which event an opportunity shall be afforded the bank or savings bank to file a proper affidavit, or (2) the commissioner determines that the facts set forth in the affidavit are not true. The commissioner's

failure to issue the certificate of authority, and to notify the bank or savings bank in writing of the reason therefor within the specified thirty-day period, shall be subject to review, hearing and relief in the Superior Court, in a proceeding in lieu of prerogative writ.

Section amended.

15. Section twenty-one of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-21. Branch offices, discontinuance.

21. A. The failure of a bank or savings bank to open and operate a branch office within six months after the commissioner approves the application therefor shall automatically terminate the right of the bank or savings bank to open the branch office, and it shall make no further application to establish a branch office at such location, or in the area which would be served by a bank or savings bank doing business at such location, until after the expiration of one year from the date of such approval; except that, for good cause shown, the commissioner may, in his discretion, on application of the bank or savings bank made before the expiration of such six months period, extend for additional periods, not in excess of six months each, the time within which such branch office may be opened.

B. A bank or savings bank may discontinue a branch office upon resolution of its board of directors or board of managers. Upon the adoption of such a resolution, the bank or savings bank shall file a certificate in the department specifying the location of the branch office to be discontinued, and the date upon which the discontinuance shall be effective.

C. Whenever the commissioner shall find that a branch office is not open for the transaction of business during such hours or days as he shall determine are reasonably necessary for the banking needs of the area served by such branch office, the commissioner may, by order, direct the bank or savings bank to keep such branch office open during such hours or days, and, upon the failure of the

bank or savings bank to comply with such order, the commissioner may, after giving the bank or savings bank reasonable opportunity to be heard, make an order forfeiting the right of the bank or savings bank to maintain the branch office, and, upon the service of the order upon the bank or savings bank, it shall cease to maintain such branch office. An order of the commissioner made pursuant to this subsection shall be subject to review, hearing and relief in the Superior Court, in a proceeding in lieu of prerogative writ.

Section amended.

16. Section thirty-one of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-31. Security fund.

31. A. A qualified bank may create a fund to be held as security for the performance of its obligations in fiduciary capacities for which security shall be required, except those for which other security is given or for which a will or other fiduciary instrument specifies that other security be given. Such fund shall consist of investments in which a fiduciary, whose duty it may be to loan or invest money held in a fiduciary capacity, may, by law, without special order of any court, invest such money, or any part thereof. Such fund shall have a value at least equal to twenty per centum (20%) of the aggregate value on the books of the qualified bank of all the assets administered by such bank in all such fiduciary capacities, except that, when the value of such assets is in excess of one million dollars ($1,000,000.00) but not in excess of five million dollars ($5,000,000.00), the value of the fund need not exceed two hundred thousand dollars ($200,000.00) plus seven and one-half per centum (7½%) of the excess over one million dollars ($1,000,000.00); and, when the value of such assets exceeds five million dollars ($5,000,000.00), the value of the fund need not exceed five hundred thousand dollars ($500,000.00). For the purposes of this section, the investments included in the fund shall be valued at market value or at the value at which they are carried on the books of the qualified

bank, whichever is lower. If an investment included in the fund shall have ceased to be an investment of the kind specified in this subsection, it shall be withdrawn from the fund by the qualified bank within sixty days from the date it ceased to be such an investment, unless the time for such withdrawal is extended by order of the Superior Court.

B. The investments comprising the fund created pursuant to this section shall be deposited by the qualified bank on order of the Superior Court with the Federal Reserve bank of the district in which the qualified bank is located, or with another qualified bank which the commissioner shall have approved as a depositary for the purposes of this section, and shall be held by the depositary thereof subject to the order of the Superior Court. Except as otherwise provided by subsection C of this section, withdrawals of and substitutions for the investments included in such fund may be made in accordance with an order of the Superior Court; *provided,* that the provisions of this section shall at all times be complied with. The fund may, on order of the Superior Court, be withdrawn in its entirety upon proof that all obligations secured thereby have been satisfied. Application for the withdrawal or substitution of investments may be made to the Superior Court without notice to the depositary of the fund, and the order or judgment of the Superior Court, certified by the Clerk of the Superior Court to be a true copy, shall be sufficient warrant to the depositary to permit such withdrawal or substitution.

C. The depositing bank may, from time to time, without application to or order of the Superior Court, substitute for United States Treasury bonds included in such fund, other United States Treasury bonds in like principal amount, and the depositary shall permit such substitution at the request of the depositing bank. Within five days after such substitution, the depositary bank shall file a verified report thereof in the office of the Clerk of

the Superior Court, which shall list the United States Treasury bonds, and the amount thereof, withdrawn from such fund, and the United States Treasury bonds, and the amount thereof, substituted therefor.

D. Investments deposited as provided in this section, if not transferable by delivery, shall be assigned to "The Clerk of the Superior Court, State of New Jersey" by separate instruments of assignment which shall be deposited with the investments. Until recourse is had to the fund as specified in section thirty-two, the depositing bank shall be entitled to all income from the fund, and the Clerk of the Superior Court shall execute such instruments as shall be necessary for that purpose.

E. The commissioner shall report to the Superior Court any violations of this section which come to his notice as a result of the examination of a qualified bank or otherwise, and the Superior Court shall thereupon make such order as it shall deem necessary for the protection of those for whose benefit the fund has been deposited.

Section amended.

17. Section thirty-two of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-32. Recourse to security fund.

32. Recourse may be had to the fund created pursuant to section thirty-one upon application to the Superior Court, upon such notice as it shall direct, which shall include notice to the depositing bank, following the entry of a judgment against the bank for a breach of any fiduciary obligation or obligations to one or more persons for whose benefit the fund was deposited. The Superior Court shall make such order on such application as it shall deem proper and necessary to preserve the rights of all those for whose benefit the fund was deposited.

Section amended.

18. Section thirty-seven of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-37. May create and maintain common trust fund.

37. A. Subject to the limitations of this article, a bank may create and maintain one or more com-

mon trust funds, and may, without order or judgment of any court or officer, invest in cash all or any part of the funds of any one or more trust estates in any one or more such common trust funds.

B. Where there is a cofiduciary, the bank shall acquire no participation in a common trust fund without the prior written consent of the cofiduciary, who is hereby authorized to give such consent. Such participation shall be withdrawn within three months after the written request of a cofiduciary for such withdrawal.

C. Investment of funds of a trust estate in a common trust fund or funds may be made as provided in this article, notwithstanding that the trust instrument became operative before the effective date of this act, and notwithstanding that the trust instrument, regardless of the date of its effectiveness, does not specifically authorize such an investment; but no investment shall be made in a common trust fund contrary to the express provisions of the trust instrument.

D. No bank shall invest any of its own funds in a common trust fund.

E. Each common trust fund shall be established and maintained in accordance with a written plan, so as to qualify as a common trust fund under Federal revenue laws, and, to that end, each bank in establishing and maintaining a common trust fund shall conform with and be subject to the rules and regulations, prevailing from time to time, of the Board of Governors of the Federal Reserve System pertaining to the collective investment of trust funds by national banks.

F. No investment of the funds of a common trust fund shall be made except pursuant to the prior authorization of the trust investment committee noted on the bank's records.

19. Section eighty-four of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows: Section amended.

84. A. The officer of each bank having charge of its transfer and stock books shall make, at least ten days before each meeting of the stockholders after the first meeting, a complete list in alphabetical order of all the stockholders of the bank entitled to vote at the ensuing meeting, with their addresses of record as they appear on the books of the bank. C. 17:9A-84. List of stockholders.

B. Such list shall be kept on file at the principal office of the bank and shall be available for examination by any stockholder during usual business hours until such meeting.

C. The stock and transfer books of the bank and such list of stockholders shall be produced by the directors at the time and place of the meeting to remain there during such meeting available for inspection by any stockholder. Such books shall be the only evidence as to the stockholders entitled to examine such books and such list and to vote at such meeting. In case of a discrepancy between such books, the transfer books shall control.

D. If any such officer having charge of such books shall fail to prepare such list, or if he shall refuse upon demand by any stockholder to exhibit such books or list or submit them to examination as provided in subsections B and C of this section, he shall for every such offense forfeit the sum of two hundred dollars to be recovered with costs by the State in any court of competent jurisdiction in a civil action prosecuted by the Attorney-General.

E. The neglect or refusal of any director to produce such books and list at the time and place of the meeting, or to cause such books and list to remain there during the meeting, or to permit examination thereof by any stockholder shall render such director ineligible for election to any office at such meeting.

Section amended.

20. Section eighty-nine of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-89. Voting stock held by fiduciaries.

89. A. Shares of the capital stock of a bank held in a fiduciary capacity may be voted in person or by proxy by the fiduciary holding such shares. If a bank holds shares of its own capital stock in a fiduciary capacity, such shares may be voted and shall be counted in determining the total number of outstanding shares at any given time.

B. If shares of the capital stock of a bank are held in a fiduciary capacity by two or more fiduciaries, such shares may be represented and voted at any meeting of the stockholders by any one of such fiduciaries, unless either (1) such fiduciary shall be acting under an instrument or judgment of court which otherwise directs, or (2) two or more fiduciaries seek to represent or vote such shares in person or by proxy in a conflicting manner. If the instrument or judgment of court under which the fiduciaries are acting does not provide the manner in which such shares shall be represented or voted, and the cofiduciaries are in disagreement as to such representation or voting, such shares shall be represented and voted in the manner determined by a majority of the cofiduciaries and, if they be equally divided, such shares shall not be represented or voted except pursuant to an order or judgment of a court of competent jurisdiction.

Section amended.

21. Section ninety-five of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-95. Review of election.

95. Upon application of any stockholder who questions an election of directors of a bank, the Superior Court, if such application be made in an action brought within twenty days after the election and if reasonable notice of the intended application shall have been given to the bank and to those whose election is questioned, shall have jurisdiction to confirm the questioned election, or order a new election, or make such other order and give such relief as justice may require. The court may pro-

ceed in the action in a summary manner or otherwise.

22. Section ninety-seven of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows: Section amended.

97. A. Every bank shall keep at its principal office the transfer books in which the transfer of stock shall be registered, and the stock books, which shall contain the names and addresses of the stockholders and the number of shares held by each. Any stockholder may at any time during business hours apply to the bank for permission to inspect such books or to make a transcript of such information therefrom as the stockholder may desire. C. 17:9A-97. Inspection of stock and transfer books.

B. A stockholder whose application has been refused by the bank may apply to the commissioner for an order directing the bank to permit such an inspection or the making of such a transcript. The application to the commissioner shall be in duplicate, shall be verified, and shall state the stockholder's name and address; the number of shares held by him; the name and address of counsel representing him, if any; the name and address of the principal office of the bank; and the reason for the request for such inspection or for the making of such transcript. If, upon reading the application, the commissioner shall be satisfied that the purpose for which it is made is germane to the applicant's status as a stockholder, and is made in good faith, he shall, within five days after the receipt of the application, mail a copy thereof to the bank, together with an order directing the bank to show cause why the application should not be allowed. The commissioner shall, within the same period, mail a copy of the order to show cause to the applying stockholder.

C. The order to show cause shall be returnable before the commissioner not less than five and not more than ten days after its date, and, upon the return day, the commissioner shall hear such evidence and consider such arguments of the parties or their counsel as he shall deem necessary to a

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fair and equitable determination. The commissioner shall, within five days from the return day of the order to show cause, make an order allowing or denying the application, as the case may be, and he shall, within the same period, mail a copy of his order to the stockholder and to the bank. If, from an inspection of the application, the commissioner shall be satisfied that it is not made for a purpose germane to the applicant's status as a stockholder, or is not made in good faith, he shall forthwith make and mail to the stockholder an order denying the application, stating his reasons for such denial.

D. The commissioner may, in his discretion, in lieu of ordering the bank to permit such inspection or the making of such transcript, require the bank to prepare envelopes addressed to the stockholders, to be mailed by the bank after the insertion therein of such matters as the stockholder shall furnish the bank after first having obtained approval by the commissioner of the sending of such matter. The cost of the preparation of such matter and the expense of mailing shall be borne by the stockholder unless the commissioner shall, in his discretion, and upon good cause shown, direct that the expense be borne by the bank.

E. Any order of the commissioner other than an order to show cause, made pursuant to this section, shall be subject to review, hearing and relief in the Superior Court in a proceeding in lieu of prerogative writ. The commissioner's failure to act within the periods limited by this section shall be deemed to be a final order denying the application.

Section amended.

23. Section one hundred thirty-six of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-136. Approval of merger agreement, review.

136. A. The merger agreement, executed by all the parties thereto, shall be submitted to the commissioner who shall, within sixty days from the date of such submission, endorse thereon his approval or disapproval. If the commissioner shall disapprove the agreement, he shall forthwith file a memorandum in the department stating the rea-

sons for his disapproval, and shall mail a copy of the memorandum to each of the banks which is a party to the merger agreement. The commissioner shall not withhold his approval unless he shall find that the merger agreement contains provisions which do not conform to this act, or that the merger will not be in the public interest.

B. The commissioner's disapproval of a merger agreement, as provided in subsection A of this section, shall be subject to review, hearing and relief in the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

24. Section one hundred forty-one of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-141. Appointment of appraisers.

141. If a stockholder fails to accept the sum offered for his shares pursuant to section one hundred forty, he may, within three weeks after the receipt by him of the bank's offer of payment, or, if no offer is made by the bank, within three weeks after the date upon which his demand was served upon the bank as specified in section one hundred forty, institute an action in the Superior Court for the appointment of a board of three appraisers to determine the value of his shares of stock as of the day of the filing of the merger agreement pursuant to section one hundred thirty-seven. The court may proceed in the action in a summary manner or otherwise. Any other stockholder who has the right to institute a similar action may intervene. The court shall, in respect to any one bank, appoint a single board of three appraisers to determine the value of the shares of all stockholders of such bank who are parties to such action.

Section amended.

25. Section one hundred forty-two of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-142. Duties of appraisers.

142. A. The appraisers shall be sworn to the faithful discharge of their duties. They shall meet at such place or places, and shall give such notice of their meetings as the court may prescribe. The bank and each stockholder who is a party to the

action instituted pursuant to section one hundred forty-one, may be represented by attorneys in the proceedings before such appraisers, and may present such evidence to them as shall be material to the issue. The determination of any two of the appraisers shall control. Upon the conclusion of their deliberations, the appraisers shall file in the Superior Court a report and appraisal of the value of the shares of stock, and shall mail a copy thereof to the bank and to each stockholder who is a party to said action.

B. The bank and each stockholder who is a party to said action shall have ten days after the filing of the report and appraisal within which to object thereto in the Superior Court. In the absence of any objections, the report and appraisal shall be binding upon the bank and upon such stockholders, and the bank shall pay each such stockholder the value of his shares, as reported by the appraisers, with interest from the date of the filing of the merger agreement pursuant to section one hundred thirty-seven, at such rate, not in excess of the legal rate, as shall be fixed by the appraisers. If objections are made, the court shall make such order or judgment thereon as shall be just.

C. The Superior Court shall fix the compensation of the appraisers, which shall be paid by the bank, and shall be vested with full jurisdiction over all matters arising out of an action instituted pursuant to section one hundred forty-one. In the case of a vacancy in the board of appraisers, the Superior Court shall, on its own motion, or upon motion of a stockholder, or of the receiving bank, fill such vacancy.

Section amended.

26. Section one hundred forty-six of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-146. Injunction.

146. A. A stockholder may, not later than five days prior to the date of the meeting called pursuant to section one hundred thirty-seven institute an action in the Superior Court to enjoin the merger on the ground that the agreement is unfair

or inequitable, or contrary to law. The court may proceed in the action in a summary manner or otherwise.

B. A stockholder who fails to institute an action as specified in subsection A of this section shall thereafter be forever barred from bringing any action to enjoin, set aside, or otherwise affect such merger.

Section amended.

27. Section one hundred fifty-two of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-152. Effect of conversion.

152. Upon compliance with the requirements of this article,

(1) the bank shall be authorized to transact business pursuant to this act;

(2) the property and rights of the national banking association shall vest in the bank without further act or deed;

(3) the rights and obligations of the national banking association shall become the rights and obligations of the bank;

(4) if the bank is a qualified bank, it shall, without further act or deed and without order or judgment of any court, succeed the national banking association in every fiduciary and agency capacity of the association, unless prohibited by the instrument under which the association acted in such fiduciary or agency capacity; and

(5) any pending action by or against the national banking association shall survive its conversion into a bank, and the bank shall be substituted for the association.

Section amended.

28. Section one hundred fifty-nine of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-159. Institution of action for approval of plan.

159. A. The commissioner, or the bank, if either is the proponent of a plan of reorganization, or other proponents of a plan which has been approved by the commissioner pursuant to section one hundred fifty-eight, may, if no other action has been instituted pursuant to this section, institute an action in the Superior Court for approval of

the plan. Process against and notice to the stockholders, depositors and other creditors may be served by mail addressed to each at his address as it appears on the bank's records.

Section amended.

29. Section one hundred sixty of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-160. Jurisdiction of Superior Court.

160. The Superior Court shall have jurisdiction of actions pursuant to this article and to make such orders and judgments as may be necessary to

(1) determine the rights, equities and priorities of all parties;

(2) fix the division of creditors and stockholders into classes according to the nature of their respective claims or stock; and, to that end, summarily determine the value of security so as to classify as unsecured the amount in excess of such value;

(3) approve a plan in compliance with the provisions of this article; and

(4) consummate such plan as may be approved by the court.

Section amended

30. Section one hundred sixty-two of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-162. Court's approval of plan

162. The proposed plan may be modified under the direction of the court. If, after a hearing, the court shall find that the plan, as proposed or modified,

(1) complies with the provisions of this article,

(2) is fair, equitable and feasible, and,

if the plan is proposed by the bank,

(3) that the persons who will be the directors and officers of the bank upon reorganization, possess capacity and fitness for the duties and responsibilities with which they will be charged; and

(4) that the interest of the public will be served to advantage by the adoption of the plan,

it shall approve the plan and fix a time within which the creditors and stockholders adversely affected thereby may accept or reject the plan.

31. Section one hundred sixty-six of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight, is amended to read as follows: Section amended.

166. If the court, upon such notice and hearing as it shall prescribe shall be satisfied that depositors, other creditors and stockholders holding two-thirds in amount of the claims or shares of each class are bound by the plan, as provided in section one hundred sixty-four, exclusive of creditors and stockholders whose acceptances are not required pursuant to subsections B and F of section one hundred sixty-four, and exclusive of each class of creditors or stockholders for which provision is made pursuant to section one hundred sixty-five, it may enter a judgment confirming the plan. C. 17:9A-166. Confirmation of plan.

32. Section one hundred seventy-two of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is hereby repealed. C. 17:9A-172. Section repealed.

33. Section one hundred sixty-eight of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows: Section amended.

168. A. If no appeal from the judgment confirming the plan is pending at the expiration of the time limited for taking appeals, a copy of the plan, certified by two officers of the bank named in the plan, shall be filed in the department, together with such proof as the commissioner shall require that no such appeal is pending. C. 17:9A-168. Consummation of plan.

B. If an appeal shall be taken from the judgment confirming the plan, no action shall be taken to consummate the plan pending final disposition of the appeal. If the appeal results in an affirmance of the judgment confirming the plan, or if the plan is modified and confirmed in conformance with the decision of the appellate court, a copy of the plan as finally confirmed, certified by two officers of the bank named in the plan, shall be filed in the department with such proof of the final disposition of the appeal as the commissioner shall require.

C. Following the filing of a certified copy of the plan in the department pursuant to subsection A or subsection B of this section, and following the

consummation of the plan pursuant to its provisions and pursuant to such orders of the court as may be necessary therefor, the commissioner shall issue a certificate of authority to the bank. Upon the issuance of the certificate of authority the bank shall be authorized to transact business pursuant to this act.

D. Any certificate, agreement or other instrument required to be executed, or executed and acknowledged, for the purpose of the consummation of the plan may be executed, or executed and acknowledged, by such persons as shall be named therefor by the court or in the plan of reorganization, if there shall be no persons otherwise authorized by law to execute, or execute and acknowledge, such certificates, agreements or other instruments.

Section amended.

34. Section two hundred sixteen of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-216. Deposits by one person in trust for another.

216. A. A banking institution may accept demand or time deposits in the name of an individual depositor as trustee or in trust for a named beneficiary. The depositor, by making such deposits, shall conclusively be presumed to intend to declare and create a trust of such deposits and of any credits of interest, for the beneficiary, with the depositor as trustee, upon the following terms:

(1) the trust shall be revocable by the trustee at will, during the life of the beneficiary, but only by and to the extent of withdrawals by the trustee of funds of the trust during the trustee's life, as to which withdrawals no notice to or consent of the beneficiary shall be required;

(2) if the trustee survives the beneficiary the beneficiary's death shall terminate the trust and the funds then to the credit of the trust and any credits of interest shall be subject to withdrawal by the trustee, without notice to or consent of the executor, administrator or next of kin of the deceased beneficiary;

(3) if the beneficiary survives the trustee, the trustee's death shall terminate the trust and any

funds then to the credit of the trust and any interest credits shall vest indefeasibly in the beneficiary, notwithstanding any one or more of the following, viz.: declarations by the trustee as to his intention in declaring, creating and maintaining the trust or as to the terms of the trust or other evidence contrary to the trustee's conclusively presumed intention, retention of control by the trustee over the evidence of and the funds of the trust, personal use by the trustee of funds of the trust, lack of notice by the trustee to the beneficiary as to the creation and maintenance of the trust, any attempted testamentary disposition by the trustee of funds of the trust, or any other attempted disposition by the trustee of funds of the trust by gift, assignment, pledge or otherwise;

(4) if the beneficiary survives the trustee and is eighteen years of age or over but is not of legal age under the laws of this State at the death of the trustee, payment by the banking institution to the beneficiary or upon his order, of the funds to the credit of the trust at the death of the trustee and any credits of interest, shall be valid notwithstanding the beneficiary's lack of legal age;

(5) if the beneficiary survives the trustee and is under eighteen years of age at the trustee's death the banking institution may pay the funds to the credit of the trust and any credits of interest

(a) to the beneficiary or upon his order when or after he becomes eighteen years of age, or

(b) to the legal guardian of the beneficiary, wherever appointed, or

(c) if a certificate of appointment of a legal guardian is not filed with the banking institution, to a person authorized to receive such moneys pursuant to sections 3A:6–31 and 3A:6–32 of the New Jersey Statutes.

(6) if the trustee survives the beneficiary and if any funds remain to the credit of the trustee at

the death of the trustee, such funds and any credits of interest shall be paid by the banking institution to the trustee's executor or administrator or to any other person authorized by statute to receive such funds without administration as spouse or next of kin of the trustee, without notice to or consent of the executor, administrator or next of kin of the deceased beneficiary.

B. A banking institution which makes any payment pursuant to subsection A shall, to the extent of such payment, be released from all claims of the trustee, the beneficiary, their legal representatives, and all persons claiming under or through them.

C. Nothing in subsection A shall validate any trust created by a trustee in fraud of his creditors; but the banking institution shall have no liability to any creditor of the trustee for any withdrawal, pursuant to subsection A, of funds to the credit of the trust, prior to receipt by the banking institution of an order of a court of competent jurisdiction restraining the banking institution from permitting withdrawal of funds to the credit of the trust.

D. Subsection A of this section shall not apply to funds deposited by a trustee acting under a will, other fiduciary instrument, court order or decree.

E. Funds heretofore or hereafter deposited to the credit of an account opened prior to the effective date of this act in the name of an individual depositor as trustee or in trust for a named beneficiary shall be subject to the law in effect on the date when such account was opened.

Section amended.

35. Section two hundred seventeen of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-217. Deposits by one person payable at death to another.

217. A banking institution may accept deposits in the name of an individual depositor payable at the death of the depositor to a named individual. The banking institution shall honor withdrawals from and charges against such an account by the depositor or his legal guardian, wherever appointed, during the depositor's lifetime. If the

named individual survives the depositor, the banking institution shall pay any moneys to the credit of the account at the death of the depositor to the named individual or upon his order, unless such individual is under eighteen years of age at the death of the depositor, in which event, the banking institution shall pay such moneys

(1) to the named individual or upon his order after he becomes eighteen years of age, or

(2) to the legal guardian of the named individual, wherever appointed, or

(3) if a certificate of appointment of a legal guardian is not filed with the banking institution, to a person authorized to receive such moneys pursuant to sections 3A:6–31 and 3A:6–32 of the New Jersey Statutes.

If the depositor survives the named individual, any moneys to the credit of the account at the death of the depositor shall be paid by the banking institution to the depositor's executor or administrator or to any other person authorized by statute to receive such moneys without administration as spouse or next of kin of the depositor. Nothing in this section shall impair the rights, if any, of creditors of the depositor.

Section amended.

36. Section two hundred forty-eight of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-248. Fiduciary and agency records.

248. Any qualified bank, acting in any fiduciary or agency capacity, may cause to have copied or reproduced by any photostatic, photographic, or miniature photographic process which correctly and accurately copies or reproduces, or forms a medium of copying or reproducing, all or any part of its documents, books, records, correspondence and all other instruments, papers and writings relating to the conduct of its affairs in any fiduciary or agency capacity. At the expiration of six years following the date of termination of such fiduciary or agency relationship by the allowance of a final account, release, judgment of a court or by any other means of termination, the copy or repro-

duction, in the form of a positive print thereof, shall be deemed for all purposes to be an original counterpart thereof and shall have the same force and effect as the original thereof, and the qualified bank may destroy or otherwise dispose of the original.

Section amended.

37. Section two hundred fifty of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-250. Action against officials, indemnification.

250. A. Any person made a party to any action or proceeding by reason of the fact that he is or was, or that a decedent for whose estate such person is acting as fiduciary was, a director, manager, officer or employee of a bank or savings bank, or of any corporation which he serves or served or which such decedent served as a director, manager, officer or employee at the request of the bank or savings bank, because of its interest in such corporation, shall be indemnified by the bank or savings bank against reasonable costs, expenses and counsel fees paid or incurred in connection with such action or proceeding, or in connection with any appeal therein, and against all sums paid, other than to the bank or savings bank, in settlement or compromise of such action or proceeding, provided that

(1) the action or proceeding, insofar as it affects such person, is abandoned, settled or compromised or is prosecuted to a final determination wherein it shall not be finally adjudged that such person or such decedent, was derelict in the performance of his duties, and

(2) a majority of all the members of the board of directors or board of managers shall (a) determine that such person or such decedent was not derelict in any substantial way as charged in the action or proceeding, and (b) fix the amount, if any, for which such person shall be indemnified.

B. No director of a bank or manager of a savings bank shall vote for indemnification of any person, as provided in this section, if such director or manager is or shall have been a party to the

action or proceeding. If, in the case of a bank, a majority of the board of directors shall be so disqualified, the stockholders of the bank shall determine whether such person or such decedent has been derelict in any substantial way as charged in the action or proceeding, and shall fix the amount of the indemnity, if any, to be paid to such person. If, in the case of a savings bank, a majority of the board of managers shall be so disqualified, a majority in number of the depositors of the savings bank present in person or by proxy at a meeting called upon ten days' notice addressed to each depositor at his address as it appears upon the records of the savings bank, shall determine whether such person or such decedent has been so derelict, and shall fix the amount of the indemnity, if any, to be paid to such person. Notwithstanding that a majority of such board of directors or board of managers shall not be so disqualified, such board may delegate to the stockholders of the bank or to the depositors of the savings bank, at a meeting of such depositors called as hereinbefore in this subsection provided, the power (1) to determine whether such person or such decedent was so derelict and (2) to fix the amount of indemnity, if any, to be paid to such person.

C. The provisions of this section shall enlarge but in no way limit the powers of a bank or savings bank to indemnify any such person.

Section amended.

38. Section two hundred fifty-six of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-256. Reports to commissioner.

256. A. Every bank shall make and file in the department, not less than two reports during each year, in the form prescribed by the commissioner.

B. Every report filed pursuant to subsection A of this section shall state in detail and under appropriate heads the assets and liabilities of the bank at the close of business on any day specified by the commissioner, and shall be filed in the department within ten days after the receipt by the bank of a request therefor. The report shall be attested by

the signatures of at least three directors who are not officers of the bank, and shall be verified by the oaths of at least two officers of the bank. The commissioner may extend for not more than ten days the time within which such report shall be filed.

C. The commissioner shall have power to call for special reports from a bank when, in his judgment, such special reports are necessary in order to obtain a full and complete knowledge of its condition.

D. A bank which fails to make and transmit a report required by this section shall be subject to a penalty of one hundred dollars for each day during which such failure continues, to be recovered with costs by the State in any court of competent jurisdiction in a civil action prosecuted by the Attorney-General.

Section amended.

39. Section two hundred fifty-seven of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-257. Report of ten-year dormant accounts.

257. A. In addition to the reports made and filed pursuant to section two hundred fifty-six, every savings bank shall, at least once in each calendar year, make and file in the department, a sworn statement containing the name, the amount standing to his credit, the last-known place of residence or post-office address, and the fact of death, if known, of each depositor in whose account there is a balance of one hundred dollars ($100.00) or more, and who has not made a deposit or a withdrawal or presented his pass book for the entry of interest or dividend credits, for a period of ten or more years next preceding the first day of the calendar year in which such statement is made and filed. The statement shall be filed on such date as the commissioner may by regulation prescribe.

B. Each savings bank shall, within thirty days after the filing of such statement, cause a summary thereof, containing the name and last-known place of residence or post-office address of each such depositor, to be published in a newspaper selected

as designated in section two hundred fifty-eight, but no such publication shall be required in respect to depositors whose names have been advertised, in the manner prescribed by this section, for two successive years.

C. Not less than two months prior to the filing of any statement pursuant to this section, the savings bank shall make inquiry for the purpose of locating each such depositor, by mailing a registered letter or notice addressed to him at his last-known place of residence or post-office address.

D. Proof of the publication and mailing of notice required by this section shall be made by affidavit of two officers of the savings bank, and shall be filed in the department.

E. For each willful violation of this section, the savings bank shall be subject to a penalty of one hundred dollars ($100.00), to be recovered with costs by the State in any court of competent jurisdiction in a civil action prosecuted by the Attorney-General.

Section amended.

40. Section two hundred sixty-three of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-263. Immunity of person testifying.

263. Any person who has violated any provision of this act shall be a competent witness and compellable to testify in an examination as provided in sections two hundred sixty and two hundred sixty-one, but, when so compelled to testify, such person shall not be liable to criminal prosecution under this act, or otherwise, for any matters in respect to which he shall be examined or to which his testimony shall relate except as provided in section two hundred sixty-two.

Section amended.

41. Section two hundred sixty-seven of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-267. Commissioner's powers on ultra vires, unlawful and unsafe practices, appeals.

267. A. If the commissioner finds that a bank is violating the provisions of its certificate of incorporation, or is conducting its business in violation of any law of this State, or in an unsafe manner, he shall order the bank to cease its ultra vires, unlawful or unsafe practices, as the case may be.

B. An order of the commissioner made pursuant to subsection A of this section shall be subject to review, hearing and relief in the Superior Court by a proceeding in lieu of prerogative writ.

Section amended.

42. Section two hundred sixty-eight of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-268. Penalty for failure to comply with order.

268. A bank which continues to violate the provisions of its certificate of incorporation or which continues to conduct its business in violation of any law of this State, or in an unsafe manner, after having been ordered by the commissioner to cease such practices, shall be liable to a penalty of one thousand dollars ($1,000.00) to be recovered with costs by the State in any court of competent jurisdiction in a civil action prosecuted by the Attorney-General, and it shall be liable to a like penalty for each day's additional default from and after the time specified in the order. The penalty provided by this section shall be in addition to and not in lieu of any other provision of law applicable upon a bank's failure to comply with an order of the commissioner.

Section amended.

43. Section two hundred seventy of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-270. Appeal to Superior Court.

270. A bank aggrieved by the commissioner's taking possession of its property and business pursuant to this article, may, at any time within ten days after possession is taken, institute an action in the Superior Court for the return of the bank's property and business to the control and management of its officers and directors. The court may proceed in the action in a summary manner or otherwise.

Section amended.

44. Section two hundred seventy-one of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-271. Effect of possession by commissioner on liens.

271. A. All levies, judgments, attachments and other liens, upon property obtained through legal proceedings against a bank when it is insolvent and within four months prior to the commissioner's

taking possession of its property and business, and any title resulting from enforcement of any such lien, shall be void, except title obtained by a bona fide purchaser for value.

B. While the commissioner is in possession of the property and business of a bank, no person shall acquire a lien or charge on any assets of the bank for any liability of the bank existing at the time of the taking of possession.

C. So long as the commissioner retains possession of the property and business of a bank, and unless otherwise ordered by the Superior Court, upon notice to the commissioner,

(1) no person shall institute a proceeding in any court against the bank, except as authorized by this article, and the running of any statute of limitations shall be suspended so long as the disability imposed by this paragraph remains in effect;

(2) all proceedings pending in any court when the commissioner takes possession shall be stayed; and

(3) no judgment, levy, execution or distraint shall be enforced against the property of the bank.

D. The Superior Court shall have jurisdiction to make such orders as may be necessary to effect the purposes of this section.

45. Section two hundred seventy-two of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows: Section amended.

272. A. While in possession of the business and property of a bank, the commissioner may, in the name of the bank C. 17:9A-272. Commissioner's powers.

(1) continue the business of the bank in all its aspects, including, in the case of a qualified bank, the exercise of its fiduciary and agency powers; except that the commissioner may not

(a) make loans other than loans for which there are outstanding commitments and loans wholly or partly renewing obligations to the bank outstanding when possession is taken;

(b) invest the funds of the bank or of any fiduciary account other than in obligations of the United States or of this State, or in obligations unconditionally guaranteed both as to principal and interest by the United States or this State;

(c) permit withdrawals from or charges against the account of a depositor, except to the extent that deposits are made after the commissioner takes possession; or

(d) pay claims of creditors, other than depositors, arising prior to the taking of possession, except as provided in sections two hundred eighty-four and two hundred eighty-six;

(2) demand, sue for, collect, receive, and take into his possession all the bank's real and personal property, including the power to sue for and recover any property transferred in fraud of the bank's creditors;

(3) compound and settle with any of the bank's debtors or creditors, or with persons having possession of its property, or in any way responsible to the bank, and extend the time for payment of any obligation owing to the bank, upon such terms and conditions as he shall deem just and beneficial to the bank;

(4) make or allow proper set-offs;

(5) sell, assign, transfer, or convey all or any part of the real and personal property of the bank;

(6) prosecute or defend any action or proceeding to which the bank is a party;

(7) execute, acknowledge, and deliver any deed, assignment, release, agreement, warrant to cancel a mortgage or other lien, or other instrument necessary or appropriate to effect any sale of real or personal property, or to compromise or compound any claim, or to restore to any person any property deposited or transferred as security for the payment of a debt or the performance of an obligation, upon the payment of the debt or the

performance of the obligation, or which is necessary or appropriate to effect any other power which the commissioner is authorized to exercise in respect to the business and property of such bank. Any deed or other instrument so executed and delivered shall be valid and effectual for all purposes as though executed and delivered by the officers of the bank by authority of its board of directors;

(8) do all acts necessary or appropriate to conserve the property and business of the bank.

B. The commissioner shall have the power, while in possession of the property and business of a bank, to subpœna any person to testify concerning the property and business of the bank, as in the manner provided in sections two hundred sixty and two hundred sixty-one. Any person so subpœnaed shall be subject to the provisions of sections two hundred sixty-two and two hundred sixty-three.

Section amended.

46. Section two hundred seventy-three of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-273. Jurisdiction of Superior Court.

273. The Superior Court shall have jurisdiction, on application by the commissioner for instructions in respect to the administration of the bank's affairs, to make such orders and enter such judgments as may be proper and appropriate, but no application by the commissioner pursuant to this article shall subject the business and property of the bank to the general jurisdiction of the Superior Court, nor shall such application be construed as a surrender or abandonment by the commissioner of the powers and duties conferred and imposed upon him by this article.

Section amended.

47. Section two hundred seventy-seven of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-277. Accounting by commissioner, notice to claimants.

277. On making the first application to the Superior Court for approval of expenses of administration, pursuant to this article, the commissioner shall file in the court an accounting of the admin-

istration of the bank's affairs from the date on which possession was taken, including an accounting of the administration of the bank's affairs by the commissioner's predecessor or predecessors in office, when such possession was initially taken by a predecessor. On making each further application to the court for approval of expenses of administration, the commissioner shall file in the court a further accounting for the period elapsed since the last prior accounting, and shall include a summary of the administration of the bank's affairs for the periods covered by prior accountings. In any such proceeding with respect to such expenses and account, notice to the stockholders, depositors and other creditors may be given by notices mailed to each at his address as it appears on the bank's records.

C. 17:9A-278. Section repealed.

48. Section two hundred seventy-eight of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is hereby repealed.

Section amended.

49. Section two hundred seventy-nine of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-279. Jurisdiction of court.

279. In any proceeding the court shall have jurisdiction to hear and determine in a summary manner or otherwise all matters arising therein, and shall enter such judgment or order as may be proper and appropriate.

Section amended.

50. Section two hundred eighty-three of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-283. Objections to allowances.

283. The Superior Court shall have jurisdiction, on notice to the commissioner, to hear and to determine, in a summary manner or otherwise, objections to a claim or claims allowed against the bank by the commissioner, when such objection is made by depositor, other creditor or stockholder of the bank. Any issue triable of right by a jury shall be so tried unless a jury is waived.

51. Section two hundred eighty-four of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows: Section amended.

284. A. The proceeds of the liquidation of the assets of a bank, the property and business of which the commissioner has taken possession, shall be distributed according to the priorities and preferences provided by chapter fourteen of Title 14 of the Revised Statutes; except that, in the case of a savings bank, the surplus remaining after the payment or provision for the payment of all of its liabilities, claims and deposits, with interest or dividends to the date when possession was taken by the commissioner, and payment of or provision for all expenses upon final distribution, shall be divided pro rata among its depositors according to the amounts of their deposits at the time such possession was taken by the commissioner. C. 17:9A-284. Distribution of proceeds.

B. After the expiration of the times limited for the filing of claims and for the institution of actions upon rejected claims as provided by sections two hundred eighty, two hundred eighty-one, two hundred eighty-two, the commissioner may, from time to time, file an accounting in the Superior Court and apply for an order authorizing the payment of a liquidating dividend out of the funds in his hands. No distribution shall be made by the commissioner until he has accounted as provided in sections two hundred seventy-seven and two hundred seventy-nine, and judgment is entered allowing the account and directing such distribution.

C. Upon making final distribution, the commissioner shall file in the Superior Court a statement of such distribution, and he shall file in the department a certificate that such statement has been filed, specifying the date of such filing.

Section amended.

52. Section three hundred three of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-303. Failure of commissioner to take possession, jurisdiction of Superior Court, receiver.

303. A. When a bank in insolvent or has suspended its business for lack of funds to carry it on, a creditor or stockholder may serve a written demand upon the commissioner that he take possession of the property and business of the bank. If, after the lapse of twenty days from the day upon which the demand is served upon him, the commissioner shall have failed to take possession as in this article provided, the Attorney-General, or any creditor or stockholder of the bank may apply to the Superior Court in an action for injunctive relief and the appointment of a receiver or receivers in the manner provided by chapter fourteen of Title 14 of the Revised Statutes, and thereafter, so long as such action is pending in the Superior Court, the powers of the court and of any receivers appointed by it, and the rights and remedies of creditors and stockholders shall be as prescribed in chapter fourteen of Title 14 of the Revised Statutes. The court may proceed in the action in a summary manner or otherwise.

B. No receiver shall be appointed by the Superior Court to exercise the powers prescribed in chapter fourteen of Title 14 of the Revised Statutes unless

(1) the bank is insolvent or has suspended its business for lack of funds to carry it on;

(2) demand has been served upon the commissioner, as provided by subsection A of this section;

(3) the commissioner has failed to take possession within the time limited by subsection A of this section; and

(4) the commissioner has been made a party to the action in the Superior Court and has been served with a copy of the complaint and notice of the time and place of application for the appointment of a receiver not less than ten days prior to the application for the appointment of a receiver.

53. Section three hundred twenty-one of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows: Section amended.

321. Recourse to the deposited securities may be had only upon application to the Superior Court upon such notice as it shall direct, which shall include notice to the commissioner and the foreign bank, following the entry of a judgment against the bank for a breach of any fiduciary obligation to any person for whose benefit the securities were deposited. The Superior Court shall make such order on such application as it shall deem proper and necessary to preserve the rights of all those for whose benefit the securities were deposited. C. 17:9A-321. Recourse to deposited securities.

54. Section three hundred twenty-six of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows: Section amended.

326. The commissioner shall revoke the certificate of authority or renewal thereof of a foreign bank if C. 17:9A-326. Revoking certificate of authority, grounds.

(1) the foreign bank has ceased to be authorized by the laws under which it is incorporated to act as executor of or as trustee or guardian under wills admitted to probate in this State;

(2) the foreign bank, after July fourth, one thousand nine hundred and thirty-nine, originally probated in a foreign jurisdiction the will of any person known to it to have died domiciled in this State, or applied in a foreign jurisdiction for original letters of administration of the estate of any such person;

(3) the foreign bank does not have an unimpaired paid-in-capital stock of at least one hundred thousand dollars ($100,000.00);

(4) he finds that its financial condition makes it inadvisable to permit the foreign bank to act in the fiduciary capacities specified in section three hundred sixteen;

(5) the foreign bank, its directors, officers or employees refuse to permit an examination of its securities, books, records and accounts pursuant to section three hundred twenty-five, or if any of

its directors, officers or employees refuse to be examined under oath as provided in said section;

(6) the foreign bank does not, within such time as the commissioner may fix, deliver to the commissioner any information required by the commissioner under section three hundred twenty-five;

(7) the foreign bank does not pay the costs of an examination made pursuant to section three hundred twenty-five;

(8) the foreign bank does not maintain on deposit with the commissioner securities of the kind and in the amount required by this article;

(9) the foreign bank does not, within such time as may be fixed by the commissioner, obey an order of the commissioner to substitute other securities for securities deposited by the foreign bank; or

(10) the foreign bank does not, after the time for appeal has expired and no appeal is pending, satisfy a judgment against it for a breach of any fiduciary obligation with respect to any estate or trust administered by it under the laws of this State.

Section amended.

55. Section three hundred thirty of chapter sixty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:9A-330. Violations, disabilities, penalties.

330. A. A foreign bank shall not be entitled to maintain any action in any court of this State on any cause arising out of its transaction of business in this State in violation of the provisions of this article.

B. A foreign bank which violates any of the provisions of this article and its directors, officers, agents and employees who participate in any such violation shall be guilty of a misdemeanor.

Section amended.

56. Section 17:11–9 of the Revised Statutes is amended to read as follows:

Examination, dissolution, receiver.

17:11–9. The commissioner may, at any time, and as often as he deems it necessary, make or cause to be made an examination of the condition, business and affairs of any such association. If it appears to him from the examination or report that the association is insolvent or has violated any

law of this State, or is conducting its business in an oppressive or unauthorized manner, he may direct the association to discontinue or correct its objectionable methods and practices. If the association fails to comply therewith, within a reasonable time, the Attorney-General, upon request of the commissioner, may institute an action in the Superior Court for the dissolution of the association, and the court may dissolve the same and appoint a receiver of its assets. The court may proceed in the action in a summary manner or otherwise.

57. Section seventy-four of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows: Section amended.

74. No person shall institute or prosecute any action against an association to recover the value of any account or any part thereof, until an application for the withdrawal thereof has been filed, and not then, so long as such association pays withdrawals as provided in this act. At least thirty days' written notice of the intention to institute such action shall be served upon the association and upon the commissioner. Recovery in any such action shall be limited to the amount which the claimant would have received up to the date of the entry of judgment, if payment had been made to him in accordance with the provisions of this act. C. 17:12A-74. Withdrawals, procedure.

58. Section seventy-six of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows: Section amended.

76. If the address of a member or of his legal representative is not known and is not ascertained within one year from the time of the retirement of his account, the association may apply to the County Court (Probate Division) of the county where it is located for an order, and the court may make an order designating a bank, trust company or savings bank, in the county, in which such moneys may be deposited to the credit of the member or his legal representative. A compliance with the terms of the order shall be a full discharge of C. 17:12A-76. Order designating depository.

all liability on the part of the association to the member for the amount so deposited. The moneys so deposited shall be paid by the bank, trust company or savings bank to the member or his legal representative in the same manner and under the same conditions as if the deposit had been made personally by the member. There shall be deducted from the amount due the member, such reasonable sum for the cost of application, as the court may direct.

Section amended.

59. Section eighty-seven of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-87. Books and records exhibited, oath, subpœna.

87. The officers, directors and employees of the association shall exhibit its books, papers and securities to the commissioner or the person appointed by him to conduct the examination, and otherwise facilitate the same so far as it may be in their power so to do. The commissioner and every examiner may administer an oath to any person whose testimony is required on any examination, and compel the appearance of any person for the purpose of examination, and the production of books, papers and documents, by subpœna. The subpœna may be served by any police officer or constable of the municipality in which such person resides.

If any person shall fail to obey the subpœna, give testimony, answer questions or produce any books, papers or documents as required, the Superior Court may, upon ex parte application, make an order compelling him to do so.

C. 17:12A-88. Section repealed.

60. Section eighty-eight of chapter fifty-six of the laws of one thousand nine hundred and forty-six is hereby repealed.

Section amended.

61. Section ninety of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-90. Immunity of violator testifying.

90. Any person violating this act shall be a competent witness and compellable to testify in any proceeding under sections eighty-six and eighty-seven of this act against any other person charged

with so offending, but the testimony of the former person given in any such case shall not be used in any prosecution, civil or criminal, against the person so testifying except for perjury committed by him while so testifying.

Section amended.

62. Section ninety-three of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-93. Order to discontinue unauthorized practices.

93. If it shall appear to the commissioner that an association has violated any law of this State, or any of its by-laws, or is conducting its business in an unsafe or unauthorized manner, he may order it in writing to discontinue its illegal or unsafe practices. Such order shall be sent to the association's president, who shall present it to the board at its next regular meeting, or at a special meeting, if he deems it advisable, or if the commissioner so directs. The board's action thereon shall be promptly communicated by the president to the commissioner.

An association which fails or refuses to comply with an order of the commissioner issued pursuant to this section within the time limited in such order, shall be liable to a penalty of five hundred dollars ($500.00) to be recovered with costs by the State in any court of competent jurisdiction in a civil action prosecuted by the Attorney-General.

Section amended.

63. Section ninety-six of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-96. Injunction.

96. The commissioner may institute an action in the Superior Court to restrain the association from transacting further business, or from transferring or disposing of any of its property in any manner, or from paying excessive expenses of management, or for the removal of any attorney, conveyancer, officer, director, employee or agent of the association, or for such other relief as the case may require. The court may proceed in the action in a summary manner or otherwise and may make such orders or enter such judgments as shall be equitable and just. Without limiting the generality of

its powers, the court may, upon application by the commissioner, appoint a receiver, with power to take possession, manage and dispose of all of the association's real and personal property, books and records and to hold and dispose of the proceeds thereof, as the court shall direct.

Section amended.

64. Section ninety-seven of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-97. Commissioner's authority.

97. (1) Commissioner's authority. The commissioner may forthwith take charge of the association and possession of all its real and personal property, books and records, and continue the operation of its business until such possession and management shall be returned to its board, or until such association shall merge, reorganize or dissolve and commence liquidation.

(2) Purpose of possession and operation by commissioner. The purpose of the commissioner's management of an association and operation of its business and possession of its assets, shall be to enable him to determine, within one year from the date when he undertakes such management, whether it is for the best interests of its creditors, members and the public that the association should be continued as a going concern, or should be merged, reorganized or dissolved and liquidated.

(3) Return of management and possession. The commissioner may return the management of an association to its board and the possession of its property to the association at any time after he has taken charge and possession thereof, upon such terms and conditions, if any, as he may prescribe.

(4) Powers of commissioner in possession. The commissioner shall have full and complete powers necessary to enable him to determine promptly and efficiently whether it is for the best interests of the association's creditors, members and the public that it be continued as a going concern or that it be merged, reorganized or dissolved and liquidated. Without limiting the generality of his powers, he shall have power to:

(a) Continue the operation of the association's business.

(b) Conserve its assets and business.

(c) Pay its debts and operating expenses.

(d) Collect moneys due to it.

(e) Compromise and settle claims by and against it.

(f) Exercise any power conferred by this chapter on the association or its board.

(g) Call meetings of its members.

(h) Submit for the approval of its members any terms which he sees fit to recommend with respect to merger, reorganization or dissolution and liquidation.

(5) Appointment and compensation of counsel and assistants. The commissioner may, from time to time, appoint one or more special assistant deputy commissioners of banking and insurance, who may or may not be employees in the department as the commissioner shall determine, as agent or agents, to assist him in administering the business and affairs of any association of which he has taken possession, and he may, from time to time, hire such employees and assistants as he shall deem necessary to the proper administration of the business and affairs of such association, including officers and employees of the association. He may further, notwithstanding any other provision of law, appoint an attorney or a counsellor-at-law of this State, who need not be a member or an employee of the department of law of this State, to represent and advise him and to act as counsel in the administration of the business and property of the association. He may further, at the expense of the association, obtain such security for the faithful performance of the duties of such assistant deputy commissioners, counsel, and other employees as he shall deem necessary. Appointments of special assistant deputy commissioners and counsel made pursuant to this subsection shall be evidenced by

a writing signed by the commissioner and filed in the department.

The compensation of the special assistant deputy commissioners, counsel, and of all other persons engaged in the administration of the business and affairs of such association, shall be fixed by the commissioner, subject to the approval of the Superior Court as hereinafter provided, and shall, upon the certificate of the commissioner, be paid out of the funds of the association.

(6) Segregation and application of money paid after commissioner takes possession.

(a) All moneys, which shall be paid on any unpledged account or shares of an association after the commissioner has taken charge of such association and possession of its assets, shall be segregated from all other receipts, and held in trust, until the property and business of the association shall be returned to the management of its board, or until it shall merge, reorganize, or dissolve. Upon the happening of any of such events, such money shall, without any impairment whatever and at the option of each person who shall have paid the same either be repaid to him or credited to his account.

(b) All moneys, which shall be paid on any indebtedness due to the association, or on any account which shall be pledged for the payment of any such indebtedness, after the commissioner has taken charge of such association and possession of its assets, shall be applied without impairment directly to the payment of such indebtedness.

(7) Effect of commissioner's possession on rights of third persons. Upon taking charge of an association and possession of its property, the commissioner shall give notice thereof forthwith to all persons holding or having possession of any assets of the association. No person having knowl-

edge or notice that the commissioner has taken charge of an association shall thereafter acquire any lien upon any of the association's assets for any payment advanced, or clearance thereafter made. Upon taking charge of an association by the commissioner, all judgments, levies and executions against such association's property shall be stayed, unless otherwise ordered by the Superior Court.

(8) Financial statements by commissioner. At least annually, and upon the termination of his possession of the assets of an association, the commissioner shall submit a financial statement and report of the affairs of each association in his possession, or in liquidation by him to each of the members thereof. Such statement and report shall include a statement of assets and liabilities, a statement of operations, including an itemized statement of all fees and salaries paid to each special assistant deputy commissioner, agent and counsel of such association, and a statement showing the extent of the liquidation of its assets and the application of the proceeds thereof. The first such report shall be submitted to the members not later than one year from the date when the commissioner takes possession, or in the case of an association in possession of the commissioner, when this act takes effect, not later than one year from such effective date.

(9) Dissolution. Liquidation. Action by members. If the commissioner determines that it is for the best interests of the members and the public that the association be dissolved and liquidated, he shall after paying all claims which have been proved and allowed against the association, call a meeting of the members on ten days' notice, stating the object thereof, at which the members shall determine whether the affairs of the association shall be managed and directed, during the liquidating period, by the commissioner or by three trustees, who shall be members and who shall be elected at such members' meeting. All questions submitted

to the members at such meeting shall be decided by a majority of the votes cast, in person or by proxy.

Upon the adoption of such resolution by the members, the association shall be deemed to be dissolved and it shall be liquidated in accordance with the provisions of Article XIX. The commissioner or the trustees, as the case may be, shall have all the powers and duties conferred and imposed upon trustees by the provisions of Article XIX, and subject to such restrictions as may therein be contained.

(10) Relief in court from commissioner's action. If an association, of whose property and business the commissioner has taken possession as aforesaid, or any member thereof, deems itself or himself aggrieved by any act of the commissioner, or any failure of the commissioner to act, while he is in charge of the affairs of the association and in possession of its assets, the association or such member, may in an action in the Superior Court apply for appropriate relief. The court, upon notice to the commissioner, may proceed in the action in a summary manner or otherwise and enjoin or compel further proceedings or action by the commissioner, and make such other order or enter such judgment as shall be equitable and just.

(11) Disposition of unclaimed funds due to members and creditors. If any liquidating dividend due to any member or any amount due to any creditor, remains in the hands of the commissioner for a period of six months after the date of the order for final distribution, such moneys shall be paid by the commissioner into the Superior Court with a statement reciting the name, the last-known address and the amount due to each member or creditor who has failed to take payment of the distributive share due him, and to be there held for the benefit of those entitled thereto, or otherwise disposed of by order of that court.

(12) Liquidation and accounting by commissioner. On making application to the court for

approval of expenses of administration as provided by subsection five, the commissioner shall file in the said court an accounting of the administration of the association's affairs from the date upon which possession thereof was taken, including an accounting of the administration of the association's affairs by the commissioner's predecessor or predecessors in office, where such possession was initially taken by such predecessor. Accountings subsequent to the first accounting filed pursuant hereto, shall be only for the period elapsed since the last prior accounting filed in the said court, but shall include a summary of the administration of the association's affairs for the period covered by prior accountings. In any such proceeding with respect to such expenses and accounting, notice to members and claimants may be given by notices mailed to each at his address as it appears on the association's records. The court shall have jurisdiction to hear and determine in a summary manner or otherwise all matters arising therein, and shall enter such judgment therein as shall be equitable and just. Upon making complete distribution of the proceeds of the liquidation of any association, directed in a judgment of the court, made pursuant to the provisions of this subsection, the commissioner shall file in the court a statement of such distribution, and shall file in the department a certificate that such statement has been filed, specifying the date of such filing. Upon the date of the filing of said certificate in the department, the rights, privileges and franchises of said association shall be terminated. A copy of the certificate, certified by the commissioner, shall be evidence in all courts and places.

Section amended.

65. Section ninety-eight of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-98. Procedure upon commissioner's failure to act.

98. If the capital of an association becomes impaired, or if it suspends its ordinary business for want of funds to carry it on, and the commissioner refuses for a period of twenty days after demand

is made upon him by a creditor or member, to take charge of its operations and possession of its property, as hereinbefore provided, the Attorney-General, or any creditor or member of such association, may institute an action in the Superior Court for appropriate relief. The commissioner shall be made a party defendant to said action. The court may proceed in the action in a summary manner or otherwise and upon being satisfied that the capital of the association is impaired and that it cannot continue or resume the operation of its business in a short time thereafter with safety to its creditors and the public and advantage to its members, may enjoin the association, its officers and agents from exercising any of its privileges or any of its franchises and from collecting or receiving any money due to it and from paying out any of its money and from selling, assigning, transferring, or otherwise disposing of any of its assets, except to a receiver appointed by the court, and make such other orders and judgments as may be equitable and just. If the court appoints a receiver, he shall have the same powers and duties of a receiver appointed under the provisions of chapter fourteen of Title 14 of the Revised Statutes.

Section amended.

66. Section ninety-nine of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-99. Proceedings before commissioner.

99. (1) Review of commissioner's determination. Except as herein otherwise provided, any association or member aggrieved by any determination, decision or order of the commissioner or by any failure of the commissioner to make any such determination, decision or order, may, within thirty days thereafter, institute an action in the Superior Court for a review thereof. The court may proceed in the action in a summary manner or otherwise. It shall determine de novo all questions, both of fact and of law, touching upon the legality and the reasonableness of such determination, decision or order, and render such judgment and make such orders as shall be equitable and just.

(2) Appearances before commissioner. Any person, who is required or permitted to appear before the commissioner as a party in any proceeding, shall appear in person, or by an attorney-at-law of this State.

(3) Evidence in proceedings before commissioner.

(a) Subpœnas. The commissioner shall have power to issue subpœnas to compel the attendance of witnesses and the production of documents, papers, books, records and other evidence, before him, or any deputy appointed to act for him, in any matter over which he has jurisdiction, control, or supervision. The commissioner, or any such deputy, shall have the power to administer oaths to any person whose testimony is required.

If any person shall fail to obey the subpœna, give testimony, or produce evidence as required thereby, the Superior Court may upon ex parte application make an order compelling him to do so. The court shall have power to enforce obedience by a fine, not exceeding one hundred dollars ($100.00) or by imprisonment in the county jail, or by both fine and imprisonment, and to compel such witness to pay the taxed costs of such proceeding.

(b) Perjury. Any person who, upon oath, shall willfully testify falsely in any proceeding before the commissioner, or any such deputy, shall be guilty of perjury.

(c) Witness fees and mileage. Witnesses subpœnaed to appear before the commissioner, or any such deputy, shall receive the same fees and mileage as witnesses in civil actions.

(4) Applications for commissioner's approval. In all cases where the commissioner's approval is required and no procedure for obtaining the same is specified, application therefor shall be made in writing and the commissioner shall, within thirty

days after receipt of such application, give written notice to the association either approving such application, when the same may be properly disposed of ex parte, or designating a time and place when and where the commissioner will afford, to the association and to any party in interest who requests it, an opportunity to be heard. The commissioner may grant reasonable adjournments of such hearing. Within thirty days after such hearing, or after the date designated therefor, if no one appears to be heard, the commissioner shall give written notice to the association of his determination, which notice shall state the reasons therefor, if the application is denied.

If the commissioner fails to give any such notice within the time prescribed therefor, such failure shall be construed as his approval of such application.

Section amended.

67. Section one hundred of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-100. Form of request for information.

100. (1) Application to association. Any member desiring information from his association may file with the association, an application therefor in writing, which shall state:

(a) His full name and address.

(b) The amount of the participation value of his account in the association.

(c) The particular information which he seeks.

(d) The purpose for which he seeks it.

(2) Appeal to commissioner. If the association shall fail to supply the information applied for within ten days after receipt by it of said written application, such member may, within an additional ten-day period, apply to the commissioner for an order requiring the association to do so.

The application to the commissioner shall be in writing. It shall contain, or have attached thereto, a true copy of the application which was filed with

the association, and shall state the date of such filing. Within five days after presenting said application to the commissioner, such member shall serve a true copy thereof upon the association.

The commissioner shall designate a time and place for a hearing upon such application, and give at least ten days' written notice thereof, which may be sent by registered mail, to the association and the applicant. The date designated for the hearing shall be within thirty days from the date of presenting such application to the commissioner. The commissioner may grant reasonable adjournments of such hearing.

Within ten days after the conclusion of such hearing, the commissioner shall determine whether the information is or is not sought in good faith, and whether or not it will be for the best interests, not only of the applicant but of the association and its other members, that the application be granted. Upon such determination, the commissioner may grant or deny said application or grant or deny the same in whole or in part and may impose such terms and conditions as he shall deem necessary or proper to protect the interests of the association and its other members.

True copies of the commissioner's determination, and the reasons therefor, and of the order based thereon, shall be sent by registered mail to the applicant and the association within five days after it is filed in the commissioner's office.

(3) Procedure is exclusive. The procedure herein provided for obtaining information from an association, shall be exclusive; but the action of the commissioner shall be subject to review in the Superior Court, in a proceeding in lieu of prerogative writ.

Section amended.

68. Section one hundred three of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-103. Effect of merger.

103. Upon the merger of any association into another:

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

(b) Its rights, liabilities, obligations and relations to any person shall remain unimpaired, and the association into which it has been merged shall, by the merger, succeed to all the relations, obligations and liabilities, as though it had itself assumed or incurred the same. No obligation or liability of a member in an association a party to the merger shall be affected by the merger, but the obligations and liabilities shall continue as they existed before the merger;

(c) A pending action or other judicial proceeding to which a merged association is a party shall not abate or be discontinued by reason of the merger, but may be prosecuted to final judgment or order as if the merger had not been effected, or the association into which the other association has been merged may be substituted as a party to the action or proceeding, and any judgment or order may be rendered for or against it that might have been rendered for or against the other association if the merger had not occurred.

69. Section one hundred eight of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows: Section amended.

108. If any such foreign association itself, or by its agents, attorneys, solicitors, surveyors, canvassers, collectors or other representatives of whatever designation or if any agent, attorney, solicitor, surveyor, canvasser, collector or other representative or any individual or firm, whether on behalf of the association or not, solicits, negotiates or in anywise transacts any business in this State except in the enforcement of contracts by legal process, without having complied with this act, the association and such persons shall respectively be liable to a penalty of two hundred fifty dollars ($250.00) and costs, to be enforced and collected in a summary proceeding in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.) in the name and for the benefit of the State, by the commissioner. A warrant may issue in lieu of a summons. Upon the failure of the defendant to pay forthwith the amount of any money judgment rendered against him, the defendant shall be committed to a county jail as provided in said Penalty Enforcement Law until the penalty and costs are paid. C. 17:12A-108. Penalty for transacting business without authority.

70. Section one hundred ten of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows: Section amended.

110. Every such foreign association doing business in this State shall annually in the month of January file in the department a report of its condition at the close of business on December thirty-first last preceding and of its transactions for the year ending on that day, in such form and verified by such officers and other persons as the commissioner designates. The commissioner shall furnish blank forms for all reports required, and may call for additional reports at such other times as he deems expedient. If the association fails to file the annual report prior to February first, or to furnish the additional reports called for by the C. 17:12A-110. Annual report, penalty.

commissioner within such reasonable time as he shall fix, it shall be liable in a civil action to a penalty of two hundred fifty dollars ($250.00) and costs, to be sued for and collected by the commissioner in the name and for the benefit of the State.

Section amended.

71. Section one hundred sixteen of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-116. Corporate existence continued upon conversion.

116. Upon the conversion of any association into a Federal association, the corporate existence of such association shall not terminate, but such Federal association shall be deemed to be a continuation of the entity of the association so converted and all the property of the converted association, including all its right, title and interest in and to all property of whatsoever kind, whether real, personal or mixed, and things in action, and every right, privilege, interest and asset of any conceivable value or benefit then existing, belonging or pertaining to it or which would inure to it, shall immediately, by operation of law and without any conveyance or transfer and without any further act or deed, remain and be vested in and continue and be the property of the Federal association into which the State association has converted itself, and such Federal association shall have, hold and enjoy the same in its own right as fully and to the same extent as the same was possessed, held and enjoyed by the converting association; and such Federal association, as of the time of taking effect of such conversion, shall continue to have and succeed to all the rights, obligations and relations of the converting association. Pending actions, and other judicial proceedings to which the converting State association is a party shall not be deemed to have abated or to have been discontinued by reason of such conversion, but may be prosecuted to final judgment in the same manner as if such conversion into such Federal association had not been made, and such Federal association resulting from such conversion may continue such action or other judicial proceeding in its corporate name as

a Federal association, and any judgment or order may be made for or against it, which might have been made for or against the converting State association theretofore involved in such judicial proceedings.

Section amended.

72. Section one hundred eighteen of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-118. Approval of commissioner, filing certificate, corporate existence continued.

118. Upon the filing with the commissioner of the certificate as provided in paragraph (d) of section one hundred seventeen of this act and before approving the conversion of any Federal association into an association of this State, the commissioner shall determine, as a result of an examination or otherwise, that the assets of such association have a sound value at least equal to the capital of the association, plus all creditor obligations; that such association will function normally after conversion and that it will earn and be able to pay regularly a reasonable dividend; and upon such determination, and upon compliance by the association with such requirements or conditions as the commissioner may prescribe, and not later than three months from the date of the members' meeting held as provided in paragraphs (b) and (c) of section one hundred seventeen of this act, the commissioner shall endorse his consent to the conversion of such Federal association into an association upon the certificates filed in accordance with paragraph (d) of section one hundred seventeen of this act, one of which certificates shall remain on file in the office of the commissioner and the other shall be recorded by the clerk of the county where the association is located. Within ten days thereafter, a copy of said certificate certified by the commissioner, shall be mailed to the Federal Home Loan Bank Board. Upon the filing of such certificate in the office of the commissioner the association shall cease to be a Federal association and shall no longer be subject to the supervision and control of the Federal Home Loan Bank Board.

Upon the conversion of any Federal association into an association of this State, the corporate existence of such association shall not terminate, but such association of this State shall be deemed to be a continuation of the entity of the association so converted, and all property of the converted association, including its right, title and interest in and to all property of whatsoever kind, whether real, personal or mixed, and things in action, and every right, privilege, interest and asset of any conceivable value or benefit then existing belonging or pertaining to it or which would inure to it, shall immediately by operation of law and without any conveyance or transfer and without any further act or deed, remain and be vested in and continue and be the property of such association of this State into which the Federal association has converted itself, and such association of this State shall have, hold and enjoy the same in its own right as fully and to the same extent as the same was possessed, held and enjoyed by the converting association, and such association of this State as of the time of the taking effect of such conversion, shall continue to have and succeed to all of the rights, obligations and relations of the converting association. Pending actions and other judicial proceedings to which the converting Federal association is a party shall not be deemed to have abated or to have been discontinued by reason of such conversion, but may be prosecuted to final judgment, in the same manner as if such conversion into such association of this State had not been made and such association of this State resulting from such conversion may continue such action in its corporate name as an association of this State and any judgment or order may be made for or against it, which might have been made for or against the converting Federal association theretofore involved in such judicial proceedings.

73. Section one hundred twenty-five of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows: Section amended.

125. Any member desiring to dissent from such plan may institute an action against the association in the Superior Court at least five days prior to the day appointed for the meeting of the members to consider and vote upon such plan. The court may proceed in the action in a summary manner or otherwise. C. 17:12A-125. Objections to plan of re-organization.

If the court shall find that the plan is equitable and fair, it shall enter judgment approving said plan, and thereupon the proposed plan shall be binding upon the dissenting member as fully to all intents and purposes as if he had filed no dissent thereto. If the court shall find that said plan is inequitable or unfair, it shall enter judgment disapproving said plan and thereafter such association shall not proceed with the proposed reorganization unless and until such judgment is modified or vacated. No judgment disapproving any such plan shall prevent an association from proceeding to reorganize in pursuance of the terms of a new or modified plan, either by further proceeding in the action then pending, or by proceeding in accordance with the provisions of this article, in the same manner as if no previous reorganization proceeding had occurred. All members shall be conclusively presumed to have assented to such plan unless they dissent therefrom as herein provided.

74. Section one hundred twenty-six of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows: Section amended.

126. Any person aggrieved by a judgment of the Superior Court made pursuant to the provisions of this article may appeal therefrom as in other civil actions in said court. For the purposes of this section "persons aggrieved" shall include the association, the commissioner, and any dissenting member who shall have instituted an action under section one hundred twenty-five of this act, or participated as a dissenter in such an action. C. 17:12A-126. Appeals.

Section amended.

75. Section one hundred twenty-seven of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-127. Reorganization plan, provisions.

127. Without limiting the generality of the methods by which an association may reorganize, any plan of reorganization may provide:

(a) For reorganization under the existing name of the association, or under a different name.

(b) For the date upon which the reorganization shall become effective. If the plan fails to designate an effective date, the effective date shall be the date upon which the certificate of the adoption of the proposed plan by the members of the association is filed with the commissioner; *provided, however,* that if an action has been instituted in the Superior Court in accordance with section one hundred twenty-five of this act, the effective date of reorganization shall be fixed by an order of said court.

Proviso.

(c) For the crediting of the participation value of accounts pledged to secure loans against the amount due on such loans.

(d) For the cancellation of applications for withdrawal on file with the association on the effective date of reorganization.

(e) For the transfer of the title to such assets of the association as may be determined by the board with the approval of the commissioner to a corporation, to be organized pursuant to the provisions of this article, for the sole purpose of liquidating such assets in an orderly manner, and distributing the proceeds thereof.

(f) For the transfer of title to such assets of the association as may be determined by the board, with the approval of the commissioner, to a participating reserve account, to be set up on the books of the association, for the purpose of liquidating such assets in an orderly manner and distributing the proceeds thereof.

(g) For the transfer of title to such assets as may be determined by its board and approved by the commissioner to another association, which may

or may not be a new association organized in accordance with the provisions of section one hundred twenty-nine of this act or to a Federal savings and loan association which has its principal office in this State. Upon the completion of such transfer of title, and the recording and filing of the certificate required by section one hundred thirty-five of this act, the association shall be constituted a liquidating corporation within the meaning of this article.

(h) For the exchange of accounts, membership certificates and share certificates in the association for accounts, membership certificates or share certificates in any association to which the title to any of the association's assets may be transferred.

(i) For the reduction of the liability of the association to its members to the extent required to meet actual or anticipated losses, and to create a reserve for such purposes.

(j) For the manner in which the expenses of reorganization shall be paid.

(k) For the borrowing of money necessary or convenient to effect the reorganization without limit as to amount or source, and for the terms and security for the repayment thereof.

(l) For the suspension of the payment of withdrawals and maturities, and for the segregation of moneys received by the association from members, except moneys paid in reduction of debts due to the association, for the period beginning with the adoption by the board of the resolution to reorganize, and ending with the date when the reorganization plan is rejected or takes effect. If the reorganization plan becomes effective, the moneys received during said period from savings members shall be credited to the accounts of such members without decrease or impairment for any cause. If for any reason said reorganization plan does not become effective, the amount so paid by savings members shall, at the option of the members who have paid them, be returned to them in cash or credited to their accounts without decrease or im-

pairment. Moneys paid during said period by members indebted to the association, shall be credited without decrease or impairment in reduction of such indebtedness.

(m) That, if the association shall transfer title to any of its assets as authorized by subdivisions (e), (f) and (g) of this section, it may either charge off against the value of the assets so transferred, or transfer together with such assets, to the association or to the participating reserve account which receives the same, such part of its reserve accounts as the plan of reorganization shall provide.

Section amended.

76. Section one hundred twenty-eight of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-128. Liquidating corporation, creation.

128. (1) Creation. Each liquidating corporation created pursuant to the provisions of section one hundred twenty-seven (e) of this act shall be created by executing, recording and filing a certificate of incorporation which shall set forth:

(a) The name of the liquidating corporation, which may or may not be the same as that of the reorganizing association with the addition of the words "liquidating corporation";

(b) The location of its principal office and the name and address of its agent in charge thereof upon whom process may be served; and

(c) That the purpose for which the corporation is formed is to liquidate the assets which are transferred to it pursuant to the provisions of this article.

Said certificate shall be signed by a majority of the board of the reorganizing association as incorporators. It shall be proved or acknowledged in the same manner as deeds for real property, and shall be recorded in the office of the clerk of the county where the principal office of the corporation is to be located, and after being so recorded shall

be filed with the commissioner; *provided, however,* no such certificate of incorporation shall be recorded or filed until the commissioner has approved the same as to form and endorsed his approval thereon. For the filing of such certificate, the commissioner shall receive thirty-five dollars ($35.00).

(2) Purposes and powers. Upon the recording and filing of such certificate, the incorporators and their successors and assigns shall be a corporation for the sole purpose of liquidating, promptly and in an orderly manner, all assets which shall be transferred to it and of distributing the proceeds thereof.

Each such corporation shall have all powers necessary to accomplish such liquidation and distribution including, but not by way of limitation, those specified in section one hundred forty-two in this act. The provisions of sections one hundred forty-one, one hundred forty-four, one hundred forty-five, one hundred forty-six and one hundred forty-seven of this act shall apply to such corporation.

(3) By-laws. The incorporators shall adopt appropriate by-laws with the approval of the commissioner.

(4) Membership. The original members of each such corporation shall be those who were members of the association which transferred assets to such association pursuant to section one hundred twenty-seven (e) of this act at the time of such transfer. The incidents of membership in such corporation shall be the same as the incidents of membership in an association.

(5) Directors. Each such corporation shall have a board of directors consisting of not less than six persons, of such number as its by-laws shall prescribe, all of whom shall be members. They shall elect a president, vice-president, secretary and treasurer and such other officers as they shall deem necessary, all of whom shall be members of the corporation. The election of officers and directors and their terms of office shall be subject to the provi-

sions of this act relating to officers and directors of an association. The board may exercise all of the powers of the corporation not expressly reserved to its members by the provisions of this act and its by-laws. The terms and conditions of the sale of any property of any such corporation shall be determined by a majority of its board.

(6) Creditors. Claims barred. The corporation shall give public notice that all persons having claims against any association whose assets have been transferred to it pursuant to section one hundred twenty-seven (e) of this act shall present such claims under oath at the corporation's office within three months of the date of such notice or be barred, forever after, from any action therefor. Such notice shall be advertised at least once each week for twelve successive weeks in at least two newspapers published in the county in which each such association has its principal office and shall bear the date of the day of the first publication. Within ten days after date of such notice, a copy thereof shall be mailed to each creditor or other person who is known to have any claim against such association, addressed to his last-known post-office address. Proof of such publication and mailing shall be filed with the commissioner. If the corporation disputes all or any part of any claim which is duly presented to it, and gives written notice of such dispute to the claimant, his attorney, or agent, such claimant shall institute an action thereon within thirty days from the receipt of such notice or thereafter be barred.

The provisions of this subdivision shall not be applicable to or in any way affect any indebtedness on account of any loan made to an association to enable it to effect a reorganization or sale of its assets, and any such indebtedness shall become and be an indebtedness of such corporation; and any obligation evidencing such indebtedness, any mortgage, assignment of mortgage or other document securing such obligation and any agreement with respect to any such indebtedness shall become and be binding upon such corporation and upon its

assets with like force and effect as if originally incurred by such corporation.

(7) Jurisdiction of Superior Court. Each such corporation or its board may institute an action in the Superior Court for instructions with respect to any matter pertaining to the liquidation of its assets, the distribution of the proceeds thereof, and the settlement of its affairs. The court may proceed in a summary manner or otherwise to hear and determine the matters presented to it and make such order or enter such judgment as shall be equitable and just. No such action for instructions shall confer upon the court general jurisdiction over the affairs of such corporation.

(8) Termination of corporate existence. Within ninety days after the affairs of each such corporation shall have been fully settled and its assets liquidated and the proceeds thereof distributed, or within such further time as the commissioner may allow, it shall file with the commissioner a certificate, verified by at least two of its officers, that the affairs of said corporation have been finally settled and its assets liquidated and distributed, and if the commissioner as a result of an examination or otherwise, is satisfied that the contents of the certificate are true, he shall so endorse the said certificate, and thereupon the said corporation shall be dissolved and its corporate existence terminated.

77. Section one hundred thirty-three of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows: Section amended.

133. No action by an association relative to its reorganization under the provisions of this article, nor any order or judgment of the Superior Court in a proceeding incidental thereto, or any act or failure to act by the commissioner pursuant hereto, shall be construed as a demand upon and as a failure or refusal by the commissioner to take possession of such association within the meaning of section ninety-eight of this act. C. 17:12A-133. Refusal to take possession not implied.

Section amended.

78. Section one hundred forty of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-140. Trustee's bond, removal, successors.

140. Each trustee before entering upon his duties, shall file with the commissioner a bond to the association in such sum as the commissioner shall fix, conditioned for the faithful performance of his duties.

The Superior Court may remove any trustee for cause, upon the application of the commissioner, and may appoint a trustee to serve in the place of any trustee who fails to qualify or whose office as trustee becomes vacant. No person, other than a member of the association, shall be appointed as a trustee for such association unless it appears to the court that no member, qualified to act, will do so. In the event that a trustee is removed, dies or fails to qualify after election as such, the acts of the remaining trustees shall be valid and effectual until the vacancy is filled.

The trustees shall act by a majority vote and the signatures of a majority of them to any deed or other document shall suffice.

The trustees shall apply to the Superior Court for approval of any account filed by them and for their compensation and discharge. They shall have the powers of receivers as provided in sections 14:14–11 and 14:14–12 of the Revised Statutes. The provisions of section 14:14–11 of the Revised Statutes shall apply to persons refusing to be sworn, to answer questions, or to declare the whole truth.

Section amended.

79. Section one hundred forty-one of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-141. Liquidation period.

141. All liquidation proceedings hereafter commenced shall be completed within five years from the date of dissolution or within such further time as may be allowed by the Superior Court or by the members at any meeting which shall be called for that purpose upon at least ten days' notice to every member.

Section amended.

80. Section one hundred forty-two of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-142. Powers of dissolved corporation.

142. Every dissolved association shall have all powers necessary to accomplish its liquidation promptly, efficiently and completely, including, but not by way of limitation, the following:

(a) To employ, retain, and reasonably compensate agents, employees and attorneys.

(b) To sue and be sued.

(c) To acquire title in any manner to any real or personal property in which it has any interest, or in settlement, satisfaction or payment in whole or in part, of any claim.

(d) To enforce all lawful claims, demands, rights, remedies, and liens against persons and property.

(e) To collect all money due to it.

(f) To compromise and settle all claims by or against it.

(g) To sell or otherwise dispose of any asset upon any reasonable terms and conditions.

(h) To rent, manage, conserve and protect any asset.

(i) To accept any member's account in such association, at such value as the trustees may place thereon, in payment of not more than twenty-five per centum (25%) of the purchase price of any real estate. A higher percentage of the purchase price may be paid in such manner with the approval of the Superior Court.

(j) To execute all contracts, deeds, leases, mortgages, assignments, or other documents or writings necessary or incidental to the exercise of any of its powers.

(k) To borrow money and pledge any asset as security for the repayment thereof. No service charge or bonus for procuring any such loan shall be paid, but this prohibition shall not apply to ordinary and reasonable legal and search fees.

(l) To apply to the Superior Court for instructions with respect to any of its powers and duties, but, without obligation to do so.

Section amended.

81. Section one hundred forty-eight of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-148. Accounting by trustees.

148. At least annually, unless the commissioner, for good cause, extends the time therefor, and at such other times as the commissioner may require, the trustees of an association in liquidation shall file in the Superior Court a true report and account of their administration of the assets and affairs of the association and simultaneously therewith, shall file a copy thereof with the commissioner. The commissioner shall, personally, or by one or more examiners designated by him, audit each such report and account and make such examination of the affairs of the association, including a verification of members' accounts, as shall be required in such audit. If, as a result of such audit and examination the commissioner shall find that such report and account is correct, he shall report accordingly to the court and the court may thereupon, without further inquiry or verification, approve and allow such report and account. If the commissioner shall find, by such audit and examination or in any other manner, that said report and account or either of them is incorrect, or that the trustees have violated any provision of this act, or that the affairs of the association have been mismanaged, he shall report accordingly to the court, and the court shall thereupon, upon motion of the commissioner or upon its own motion, make such inquiry and order in the interest of the members and creditors of the association as shall be equitable and just. The commissioner shall receive for all services performed by him pursuant to the provisions of this article, the fees which are fixed by law for like services performed by him in connection with associations not in dissolution and liquidation.

At least ten days before the filing of each trustees' report and account, a report of the operations of the association for the period of the accounting in the form which is provided for associations not in dissolution, shall be mailed to each member. Said report shall state the time and place when and where the report and account will be filed and the amount of the allowances for compensation which the trustees will apply for. Proof of the mailing of said report to members shall be filed in the Superior Court simultaneously with the filing of said report and account. No other notice to members need be given of any proceeding for the approval and disposition of any report and account or of any matter which may be presented to the court in connection therewith or incidental thereto. Such notice, if any, as the court may prescribe, of the filing of the report and account and the application for allowances shall be given to the creditors of the association.

Section amended.

82. Section one hundred forty-nine of chapter fifty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 17:12A-149. Superior Court jurisdiction.

149. The Superior Court shall have full and complete jurisdiction of associations in liquidation and their trustees, and of all matters and questions arising or growing out of liquidation, and may make such orders and judgments with respect thereto as shall be equitable and just. The court may allow reasonable compensation to the trustees for their services and costs and expenses of the administration of the trust.

C. 17:12A-150. Section repealed.

83. Section one hundred fifty of chapter fifty-six of the laws of one thousand nine hundred and forty-six is hereby repealed.

Section amended.

84. Section six of chapter two hundred ninety-three of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:13-31. Adoption of by-laws, filing, approval, review.

6. Every credit union shall, by majority vote of its members and without regard to the number of shares held by each, adopt by-laws not inconsistent with the laws of this State for the regulation of its

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business as it deems proper and may alter and amend the same from time to time in the manner therein provided. A copy of said by-laws and all alterations thereof and amendments thereto, certified by the secretary, shall be filed in the Department of Banking and Insurance within thirty days after their adoption. No by-laws or alterations thereof shall become effective until the same shall have been approved in writing by the Commissioner of Banking and Insurance and filed in the Department of Banking and Insurance. The commissioner shall, within thirty days after application shall have been made for the approval of any such by-laws or amendment or alteration thereof, act thereupon by approving or rejecting the same in writing and shall, within such time, give written notice of his determination to the applicant and shall file a copy of his written approval or rejection, as the case may be, of said by-laws or alteration or amendment thereof in the Department of Banking and Insurance. The action of the commissioner shall be subject to review, by the Superior Court, in a proceeding in lieu of prerogative writ.

Section amended.

85. Section twenty-five of chapter two hundred ninety-three of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:13-50. Inspection and supervision of credit unions.

25. Every credit union shall be subject to the inspection and supervision of the Department of Banking and Insurance and the Commissioner of Banking and Insurance shall, either personally or by a person appointed by him, visit and examine every such credit union at least once in each two years, or more often if he shall deem it expedient. When deemed advisable the examiner shall verify the liabilities of such credit union to its members by an inspection and verification of their accounts. The commissioner shall promptly communicate the result of each examination to the president of the credit union examined, who shall present the same to its board of directors at the next regular meeting or a special meeting if the commissioner shall so direct. The action taken thereon by the board

shall thereupon be promptly communicated by the president to the commissioner.

The officers, directors and employees of the credit union under examination shall exhibit its books, papers, records, documents and securities to the commissioner, or the person appointed by him to conduct the examination, and shall otherwise facilitate the same. The commissioner and every examiner may administer an oath to any person whose testimony is required on any examination and may compel the appearance of any person for the purpose of examination or the production of books, papers, records, documents, securities or things, by subpœna. The subpœna may be served by any police officer or constable of the municipality in which such person resides.

If any person shall fail to obey the subpœna, give testimony, answer questions or produce any books, papers, records, documents, securities or things, as required, the Superior Court may upon ex parte application compel him to do so.

A person who shall willfully and corruptly testify falsely to a material matter upon oath administered by the commissioner or examiner upon such investigation or inquiry, or in regard to a report made to the commissioner, shall be guilty of perjury and punished accordingly.

Section amended.

86. Section twenty-eight of chapter two hundred ninety-three of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:13-53. Commissioner to take possession.

28. Whenever it shall appear to the Commissioner of Banking and Insurance:

(a) That any such credit union has violated its charter or any law of this State; or

(b) That such credit union is conducting its business in an unsafe or unauthorized manner; or

(c) That such credit union has refused to submit its books, papers, records, documents, securities and things to the inspection of said commissioner or any examiner appointed by him; or

(d) That any officer or director of such credit union has refused to be examined upon oath touching the affairs of such credit union or has refused to answer questions under oath or to produce any books, papers, records, documents, securities or things of such credit union in his possession, custody or control; or

(e) That such credit union has suspended payment of its obligations; or

(f) That an examination or report provided for by this act discloses facts from which the commissioner shall have reason to conclude that such credit union is in an unsound or unsafe condition to transact business or is insolvent or that it is unsafe or inexpedient for it to continue business; or

(g) That any such credit union has neglected or refused to observe an order of the commissioner issued pursuant to section twenty-seven of this act; he shall have authority to institute an action in the Superior Court as provided in section twenty-nine hereof or forthwith to take possession of the property and business of such credit union.

Section amended.

87. Section twenty-nine of chapter two hundred ninety-three of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:13-54. Injunction.

29. In any action instituted in the Superior Court pursuant to section twenty-eight of this act, the court may enjoin such credit union from the transaction of any further business or the transfer or disposal of its property in any manner whatsoever; and the court may appoint a receiver with power to sue for, collect, receive and take into his possession all the goods and chattels, rights and credits, moneys and effects, lands and tenements, books, papers, choses in action, bills, notes and property of every description belonging to such credit union and sell, convey and assign the same and hold and dispose of the proceeds thereof under the direction of the court; or the court may enjoin excessive expenses of management, remove one or more of the officers, directors, employees or agents of such credit union and grant such other relief or

correction as the particular facts demand. The court may proceed in the action in a summary manner or otherwise.

Section amended.

88. Section thirty of chapter two hundred ninety-three of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:13-55. Retention of property by commissioner.

30. Whenever the Commissioner of Banking and Insurance shall take possession of the property and business of any such credit union pursuant to section twenty-eight of this act, he shall retain such possession until the property and business of such credit union shall be returned to the management of its board of directors on terms satisfactory to him; *provided, however,* that the commissioner shall have authority to institute an action in the Superior Court as provided in sections twenty-eight and twenty-nine of this act while in possession of the property and business of such credit union, in which case he shall retain the possession of the property and business of such credit union until otherwise ordered by the court; *and provided further,* that the commissioner may, if he deems it advisable and for the best interests of the members of such credit union, permit the voluntary dissolution of such credit union and, to that end, surrender to its officers and directors such powers as may be necessary to effect such dissolution in the manner provided in this act, but in such case the trustees in dissolution to be appointed by the members shall be persons satisfactory to the commissioner and the bonds to be given by them shall be approved as to form, sufficiency and amount by the commissioner.

Proviso.

Section amended.

89. Section thirty-one of chapter two hundred ninety-three of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:13-56. May continue operation of credit union.

31. Upon taking possession of the property and business of any such credit union, the commissioner may, pending the return of its property and business to the management of its board of directors or the order or judgment of the Superior Court in an action instituted under sections twenty-eight and

twenty-nine of this act or its dissolution as herein provided, continue the operation of the business of such credit union. For that purpose, the commissioner shall have and may exercise every authority and power theretofore conferred by law, by the provisions of its certificate of incorporation and by its by-laws upon its board of directors and committees and upon all and any of its officers, directors and committee members. However, this section shall not be construed to deprive any such credit union at any time of title to its property, and all transfers and conveyances of property to said credit union during the commissioner's possession thereof shall be made in its name and all transfers and conveyances of property from such credit union shall be made in the name of such credit union, under its seal or otherwise as the circumstances may require, by the commissioner. Any act or thing done by such credit union, during the commissioner's possession as aforesaid, over the signature of or by order of the commissioner shall be construed to be the act of such credit union and shall be valid and effectual in law if the statutes of this State, the certificate of incorporation of such credit union or its by-laws shall have authorized its board of directors, committees, any director thereof, any committee member thereof or any officer thereof to do or perform such act or thing. The commissioner shall not be obligated to carry on the business of such credit union in possession unless he deems it proper and expedient so to do but may, during his possession thereof, conserve its assets until such time as he shall determine it expedient and proper to continue the business or until otherwise directed by the Superior Court in an action instituted pursuant to sections twenty-eight and twenty-nine hereof or until its dissolution as herein provided.

90. Section thirty-three of chapter two hundred ninety-three of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

Section amended.

33. Upon taking possession of the property and business of any such credit union, the commissioner shall forthwith give notice of such fact to any and all banks, trust companies, corporations, associations and individuals holding any assets of such credit union. No bank, trust company, corporation, association or individual knowing of such taking possession by the commissioner or notified as aforesaid shall have a lien or charge for any payment, advance or clearance thereafter made or liability thereafter incurred against any of the assets of such credit union in his possession unless such payment, advance, clearance or liability shall have been authorized by the commissioner. Upon taking possession of the property and business of any such credit union by the commissioner all judgments, decrees, levies and executions against the property of such credit union shall be thereafter stayed until otherwise directed by the Superior Court or until the property and business of such credit union shall have been returned to the management of its board of directors.

C. 17:13-58. Notice of taking possession, judgments and levies stayed.

91. Section thirty-four of chapter two hundred ninety-three of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

Section amended.

34. Whenever any such credit union of whose property and business the commissioner shall have taken possession as aforesaid or any member thereof deems itself or himself aggrieved by any act of the commissioner done pursuant to this section, such credit union or such member thereof may, at any time after such taking possession, institute an action in the Superior Court to enjoin further proceedings. The court may proceed in the action in a summary manner or otherwise.

C. 17:13-59. Institution of action by aggrieved party.

Section amended.

92. Section thirty-nine of chapter two hundred ninety-three of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:13-64. Legal proceedings, effect.

39. The trustees of any such credit union in dissolution may institute such actions as they may think necessary and proper in the name of such credit union, and the trustees shall be suable in the same manner or in their own names or individual capacities for the debts owing by such credit union and shall be jointly and severally responsible for such debts to the amount of the moneys and property of such credit union which shall come to their hands or possession as such trustees. Any action or proceeding pending against such credit union shall not abate by reason of such dissolution, but no judgment or order shall be entered therein except upon notice to the trustees. The trustees shall, as soon after their appointment as convenient, give public notice to all persons having debts, demands or claims against such credit union to bring in their debts, demands or claims against such credit union, under oath, within three months from the date of such notice, which notice shall be set up in five of the most public places in the county in which such credit union maintains its principal office and which notice shall be advertised at least twice in each month during said three months' period in a newspaper published in said county. After the expiration of the time limited in said notice, all persons having debts, demands or claims against such credit union who shall not have brought in such debts, demands or claims within the said time limited shall be barred from any action therefor against the trustees or against such credit union. If the trustees to whom any such debt, demand or claim shall have been presented shall dispute the same or any part thereof and shall give notice in writing thereof to the person presenting such debt, demand or claim or to his attorney or agent that such debt, demand or claim or any part thereof is disputed, such person shall institute action therefor

within thirty days from the time of giving notice disputing said debt, demand or claim. If action shall not be instituted upon any such debt, demand or claim within thirty days after the trustees shall have given notice of the dispute as aforesaid, then such debt, demand or claim shall be barred.

Section amended.

93. Section forty-four of chapter two hundred ninety-three of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:13-69. Removal of trustees.

44. The Superior Court may upon application in an action by said commissioner remove any or all of the trustees of any such credit union in dissolution and appoint another or others in his or their place and, in case of any vacancy among the trustees, may fill such vacancy. Any such action may be brought in a summary manner or otherwise.

Section amended.

94. Section 17:15–9 of the Revised Statutes is amended to read as follows:

Examination of unauthorized persons.

17:15–9. When the commissioner has reason to believe that any person or corporation not authorized to transact business under this chapter, except those exempted in section 17:15–1 of this Title, is engaged in the business of transmitting money to foreign countries, or receiving money on deposit to be transmitted to foreign countries, he may, either personally, by his deputy or by a person appointed by him for the purpose, examine the unauthorized person or corporation. The commissioner, his deputy or other person so appointed, may administer an oath to persons whose testimony is required on the examination, and may compel their attendance and the production of all books and papers for the purpose of examination, by subpœna. If it appears by the examination that the unauthorized person or corporation is conducting such business, the commissioner shall communicate the facts to the county prosecutor of the county in which such person or corporation is carrying on the business, who shall proceed to enforce the provisions of section 17:15–10 of this Title.

Section amended.

95. Section twenty-two of chapter one hundred eighty-seven of the laws of one thousand nine hundred and fifty-one is amended to read as follows:

C. 17:15A-22. Order suspending or revoking license, filing, review.

22. Whenever the commissioner shall suspend or revoke a license issued pursuant to this act, he shall forthwith make a written order to that effect. The commissioner shall on the date such order is made file one copy thereof in the office of the department and serve a second copy thereof on the licensee either personally or by mailing the same to the last-known address of such licensee. Any such order shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

96. Section seven of chapter three hundred twenty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:16A-7. Certified copy of certificate as evidence.

7. When an investment company of another State shall hold the certificate of the commissioner authorizing it to transact business in this State, in any civil action in which such company is plaintiff or defendant, or in any criminal proceeding in this State, a copy of such certificate of authority, certified under the hand and official seal of the commissioner, shall be prima facie evidence of the incorporation of such company.

Section amended.

97. Section eight of chapter three hundred twenty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:16A-8. Change of securities.

8. a. The commissioner may order a change of any of the securities deposited by any investment company incorporated under the laws of any other State or country as hereinabove provided, or any part of them, at any time during the continuance of the certificate of authority issued to the company, and during the same period the company may change the securities or any part thereof with the consent of the commissioner. The company so depositing securities shall be entitled to receive the dividends or interest thereon, and upon the termination of its authority to transact business in

this State it shall be entitled to withdraw any part of or all of the securities. The amount of such deposit shall not be reduced by any withdrawal to less than the total outstanding liability of the company to its creditors in this State.

b. As to investment companies other than those affected by paragraph (a) of this section, the commissioner shall hold the securities deposited for the benefit and security of all the creditors of the company depositing them, but shall, so long as the company shall continue solvent and comply with all the requisites of the laws of this State applicable to it, permit the company to collect the interest or dividends on the securities so deposited, and, from time to time, with his assent, to withdraw any of such securities, on depositing with him other like securities, the par value of which shall be equal to the par value of such as may be withdrawn.

c. Whenever any investment company incorporated under the laws of this State shall voluntarily dissolve or a receiver thereof shall be appointed by the Superior Court, or shall have heretofore or hereafter become legally merged into another corporation, the commissioner shall thereupon deliver to such receiver or to the directors or trustees on dissolution, or to the corporation into which merged, the securities deposited as aforesaid, and upon such delivery the commissioner shall be relieved of all further responsibility or obligation in regard to the securities so deposited; *provided,* that said deposited securities shall not be delivered to the directors or trustees on dissolution until all proceedings in such voluntary dissolution shall have been first approved by the commissioner.

d. The securities deposited by any individual or partnership shall not be returned to such individual or partnership until after cancellation of his or its outstanding certificate of authority and the commissioner is satisfied, on the basis of such reasonable evidence and security as he may require, that all liabilities under his or its investment con-

tracts have been fully discharged. In the event of death or insolvency of the individual or insolvency of the partnership, the commissioner may deliver such securities to the executor, administrator, receiver, trustee in bankruptcy or such other legal representative as may be authorized by a court of competent jurisdiction to administer the estate of the deceased person or insolvent debtor. The commissioner shall not be liable for the surrender of securities pursuant to this subdivision.

Section amended.

98. Section ten of chapter three hundred twenty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:16A-10. Issuance of investment contracts, review.

10. Except as herein otherwise provided, no investment contract shall be issued by any investment company of this State or be made, issued, solicited, sold or delivered in this State by any investment company of another State or country until the expiration of at least thirty days after the form thereof shall have been filed with the commissioner. After the expiration of such period, or if prior to the expiration of such period the commissioner shall acknowledge such filing, investment contracts in the form so filed, or so filed and acknowledged, as the case may be, may thereafter be made, issued, solicited, sold or delivered in this State by the company filing the same while the company is authorized to transact an investment business in this State. If the commissioner shall at any time notify the company filing such form of his disapproval thereof, as containing provisions which are unfair, unjust, inequitable, contrary to law or to the public policy of this State, the company shall not thereafter make, issue, solicit, sell or deliver in this State any investment contract in the form so disapproved unless and until such disapproval is canceled or withdrawn by him. The disapproval of the commissioner shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

99. Section thirteen of chapter three hundred twenty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows: Section amended.

13. Every investment company transacting business in this State shall annually on or before March first file in the department 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 December thirty-first of the year last preceding, and its business for that year. The statement shall be in the form and contain the matters the commissioner prescribes. The commissioner may also address inquiries to the company or its officers in relation to its condition or affairs, or any matter connected with its transactions and the officers of the company shall 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. Any such company neglecting to make and file its annual statement in the form and within the time provided by this section shall forfeit one hundred dollars ($100.00) for each day's neglect, to be recovered in a civil action; and upon notice by the commissioner to that effect, its authority to do new business in this State shall cease while such default continues. C. 17:16A-13. Annual statement, form, penalty.

100. Section fourteen of chapter three hundred twenty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows: Section amended.

14. The commissioner may, whenever he deems the same expedient, make or cause to be made, an examination of the assets and liabilities, method of conducting business and all other affairs of every investment company authorized to transact business in this State. For the purpose of the examination the commissioner may authorize and employ such persons to conduct the same or to assist therein as he may deem advisable. The examination may be conducted in any State or C. 17:16A-14. Examination of assets and liabilities, expenses.

country in which the company examined is incorporated or has an office, agent or place of business. The reasonable expenses of such examination shall be fixed and determined by the commissioner, and he shall collect them from the company examined, which shall pay them on presentation of a detailed account of the expenses. If any company, after the examination, shall be adjudged by the Superior Court to be insolvent, the expense of the examination, if unpaid, shall be ordered paid out of the assets of the company. No company shall, either directly or indirectly, pay, by way of gift, credit or otherwise, any other or further sum to the commissioner or to any person in the employ of the department for extra service or for purposes of legislation, or for any other purpose. It shall be the duty of the officers, agents and employees of any such company to exhibit all its books, records and accounts for the purpose of the examination, and otherwise to facilitate it so far as it may be in their power to do, and for that purpose the commissioner, his deputy, assistants and employees may examine, under oath, the officers, agents and employees of any such company relative to its business and affairs.

Section amended.

101. Section eighteen of chapter three hundred twenty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:16A-18. Revocation or cancellation of certificate of authority, review.

18. The revocation or cancellation by the commissioner of a certificate of authority or the refusal or failure by the commissioner to issue or renew a certificate of authority within a reasonable time shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

102. Section nineteen of chapter three hundred twenty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:16A-19. Insolvency, suspension of business, receiver, injunctions.

19. When any investment company of this State shall become insolvent or shall suspend its ordinary business for want of funds to carry on the same, or when the commissioner shall ascertain, as a result of examination as authorized by this chapter,

or in any other manner, that any company is exceeding its powers, or violating the law, or that its condition or methods of business are such as to render the continuance of its operations hazardous to the public or its creditors, or that the assets of the company are less than its liabilities including capital and all reserve funds required by the provisions of this chapter, the commissioner may institute an action in the Superior Court to enjoin the company from the transaction of any further business, or the transfer or disposal of its property in any manner whatsoever, and the court may appoint a receiver, with power to sue for, collect, receive and take into his possession all the goods and chattels, rights, and credits, moneys and effects, lands and tenement, books, papers, choses in action, bills, notes and property of every description belonging to such company, and sell and convey and assign the same, and hold and dispose of the proceeds thereof under the directions of the court. The court may proceed in the action in a summary manner or otherwise.

Section amended.

103. Section twenty of chapter three hundred twenty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:16A-20. Offenses and penalties.

20. If any investment company itself or by its agents, attorneys, solicitors, surveyors, canvassers, collectors or other representatives of whatsoever designation shall solicit, negotiate, or in anywise transact any business in this State except in the enforcement of contracts by legal process, without having complied with the requirements of this chapter, the investment company so offending shall be liable to a penalty of one thousand dollars ($1,000.00) and costs of suit, to be sued for and collected in a civil action by the commissioner in the name and for the benefit of the State.

Any officer, agent, employee or other representative of any investment company doing business in this State who shall have failed or neglected to procure a certificate of authority as agent for such company as required by this act; or who shall issue,

circulate or cause or permit to be circulated any estimate, illustration or circular misrepresenting the terms of any investment contract or security issued by such company; and any such representative of any company who shall solicit, negotiate or effect the sale of any investment contract or otherwise transact business on behalf of any company which shall have neglected, failed or refused to procure a certificate of authority as provided for by the provisions of this chapter; or who shall accept any deposit, dues, premiums or other contributions or things of value on behalf of such unauthorized company shall be guilty of a misdemeanor.

Section amended.

104. Section three of chapter four hundred nineteen of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:16B-3. Grounds for suspension or revocation of license.

3. (a) A license may be suspended or revoked by the commissioner on the following grounds:

(1) Material misstatement in application for license;

(2) Failure to comply with any provision of this or any other law relating to retail installment contracts;

(3) Defrauding any retail buyer to the buyer's damage;

(4) Failure to perform any valid written agreement with any retail buyer; or

(5) Fraudulent misrepresentation, circumvention or concealment by the licensee through whatever subterfuge or device of any of the material particulars or the nature thereof required to be stated or furnished to the retail buyer under any law of this State relating to retail installment contracts.

(b) If a licensee is a firm, association or corporation, it shall be sufficient cause for the suspension or revocation of a license that any officer, director or trustee of a licensed firm, association or corporation, or any member of a licensed part-

nership, has so acted or failed to act as would be cause for suspending or revoking a license to such party as an individual. Each licensee shall be responsible for the acts of any or all of his employees while acting as his agent, if such licensee had actual knowledge of said acts and after such actual knowledge retained the benefits, proceeds, profits or advantages accruing from said acts or otherwise ratified said acts.

(c) No license shall be suspended or revoked except after hearing thereon. The commissioner shall give the licensee at least ten days' written notice, in the form of an order to show cause, of the time and place of such hearing by registered mail addressed to the principal place of business in this State of such licensee. The notice shall contain the grounds of complaint against the licensee. Any order suspending or revoking such license shall recite the grounds upon which the same is based and shall not be effective until after ten days' written notice thereof forwarded by registered mail to the licensee at such principal place of business. No revocation, suspension or surrender of any license shall impair or affect the obligation of any lawful retail installment contract acquired previously thereto by the licensee.

(d) The action of the commissioner shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

105. Section five of chapter four hundred nineteen of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:16B-5. Powers of commissioner.

5. The commissioner shall have power to issue subpœnas to compel the attendance of witnesses and the production of documents, papers, books, records and other evidence before him in any matter over which he has jurisdiction, control or supervision pertaining to this act. The commissioner shall have the power to administer oaths to any persons whose testimony is required.

If any person shall fail to obey any such subpœna, or to give testimony, or to produce evidence

as required thereby, the Superior Court may, upon ex parte application on behalf of the commissioner, compel him to do so, by a fine, not exceeding one hundred dollars ($100.00), or imprisonment in the county jail, or both fine and imprisonment.

Section amended.

106. Section three of chapter one hundred fifty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 17:17A-3. Violations, hearing, review.

3. Whenever the Commissioner of Banking and Insurance has reason to believe that there is a violation of this act, he shall serve upon the insurer or insurers and the director or directors, as the case may be, a notice of a hearing before the Commissioner of Banking and Insurance to be held not less than thirty days after the service of such notice, and requiring such insurer or insurers and such director or directors, as the case may be, to show cause why an order should not be made by the Commissioner of Banking and Insurance directing such insurer or insurers and such director or directors, as the case may be, to cease and desist from such violation.

If, upon such hearing, the Commissioner of Banking and Insurance finds that there has been a violation of this act he shall issue and cause to be served upon such insurer or insurers and such director or directors, as the case may be, an order reciting the facts found by him, and setting forth the respects in which there has been a violation of this act, and directing such insurer or insurers and such director or directors, as the case may be, to cease and desist from such violation.

Any such cease and desist order of the Commissioner of Banking and Insurance shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

107. Section 17:18–3 of the Revised Statutes is amended to read as follows:

Dealing in real estate.

17:18–3. Any insurance company of this State may purchase, hold and convey, such real estate as may be:

(a) Requisite for its accommodation in the transaction of its business;

(b) Conveyed to it in satisfaction of debts previously contracted in the course of its dealings;

(c) Purchased at sales upon judgments or mortgages obtained or made for those debts;

(d) Conveyed to it pursuant to or in connection with any contract of reinsurance effected under section 17:34–13 of this Title; or

(e) Purchased or held as an investment for the production of income as permitted by section 17:24–1 of this Title.

No such company shall purchase, hold or convey real estate in any other case or for any other purpose. All real estate so acquired (except real estate held as an investment for the production of income as permitted by section 17:24–1 of this Title), not necessary for the accommodation of the company in the convenient transaction of its business, shall be sold and disposed of within five years after the company has acquired title thereto, unless it procures a certificate from the commissioner that the interests of the company will suffer materially by a forced sale of the real estate, in which event the time for the sale may be extended to such time as the commissioner directs in the certificate. Nothing herein contained shall prevent any company from improving and conveying its real estate, notwithstanding the lapse of five years without having procured the certificate. Real estate acquired by such company as provided in subsections (b), (c) and (d) of this section shall not be held as an investment for the production of income as provided in subsection (e) of this section unless such company shall have procured the approval of the commissioner.

Section amended.

108. Section 17:19–4 of the Revised Statutes is amended to read as follows:

Acquiring property, condemnation.

17:19–4. When the application has been approved by the governing body, the applicant may thereupon undertake and proceed to acquire the real estate required for the completion of the project set forth in the application. If the applicant is unable to acquire any property included within

and necessary to the completion of the project by agreement with the owner thereof, the applicant may petition the governing body which has approved the application to acquire the property by the exercise of the power of eminent domain. If the governing body determines by resolution that the acquisition of the property described in the petition for the completion of the project in question is in the public interest and necessary for the public use, the governing body shall thereupon proceed to acquire the same by condemnation. A copy of the resolution, duly certified by the clerk of the city, under its seal, shall be conclusive evidence as to the matter therein contained in any proceeding on the part of the governing body to acquire the property or any part thereof therein described. Upon the adoption of the resolution by the governing body the applicant shall be required to enter into an undertaking with the governing body to pay such sums as may be ascertained according to law to be payable to the owner of the property, together with costs of the condemnation proceedings.

Upon paying the owner of the property the sum so ascertained, with the costs, if any, the city shall be seized and possessed in fee simple of all the real estate.

Section amended.

109. Section 17:20–3 of the Revised Statutes is amended to read as follows:

Securities delivered, proceedings in Superior Court, claims.

17:20–3. Whenever any insurance company of this State shall voluntarily dissolve, or a receiver or trustee thereof shall be appointed by the Superior Court in any action brought in such court to effect the liquidation or reorganization of such company; or if, pursuant to the provisions of any statute of this State, any statutory officer shall take possession of the business and affairs of such company; or if such company shall have heretofore or shall hereafter become legally merged into or consolidated with another such company, the commissioner shall thereupon deliver to such receiver or trustee, or to the directors or trustees on disso-

lution, or to such statutory officer, or to the company resulting from such merger or consolidation, the securities deposited with him as aforesaid or under any other provision of chapters seventeen to thirty-three of this Title.

Before the commissioner shall make such delivery, such receiver or trustee, or such directors or trustees on dissolution, or such statutory officer, or such company resulting from such merger or consolidation, shall institute an action in the Superior Court to obtain delivery by the commissioner of such securities to the plaintiff. The court may proceed in the action in a summary manner or otherwise, and process therein may be served upon all persons, other than the commissioner by publishing the same or a notice thereof once in a newspaper published in the county where the company has its principal office. The court may enter judgment directing the commissioner to deliver such securities to the plaintiff. Upon such delivery, the commissioner shall be relieved of all further responsibility or obligation in regard to the securities so deposited, except when such securities are delivered by such commissioner as commissioner to himself in his capacity as the officer designated by statute to take possession of the business and affairs of any such company. Such deposited securities shall not be delivered to the directors or trustees on dissolution until all proceedings in such voluntary dissolution shall have first been approved by the commissioner.

Nothing herein contained shall be construed as in anywise affecting the rights, in such securities, of the policyholders of such company for whose benefit and security such deposit was made, as provided in section 17:20–2 of this Title. Such securities or the proceeds thereof, shall be administered, upon such delivery, as a trust fund for the benefit of such policyholders, and shall not be mingled with other assets of such company, until distribution thereof is made as hereinafter provided.

The Superior Court, in any action brought therein for the delivery of such securities as herein provided, shall have jurisdiction to limit the time within which policyholders shall present and make proof of their respective claims against such company, and may bar all such policyholders from any claim in such securities for failing so to do within the time limited. The court may also prescribe what notice, by publication or otherwise, shall be given to such policyholders of such limitation of time. Nothing contained in chapters seventeen to thirty-three of this Title shall be construed as conferring upon the Superior Court general jurisdiction over the business and affairs of such company by reason only of any application made to it pursuant to the provisions of this section. Such claims shall be presented to such receiver or trustee, or to such directors or trustees in dissolution, or to such statutory officer, or to such company resulting from such merger or consolidation, in writing and under oath and shall be passed upon by the same, subject to a summary review by the court as may be prescribed by order of the court. Upon the expiration of the time limited for filing claims, and upon the determination as herein provided, of claims disallowed, such securities or the proceeds thereof shall be distributed pro rata to such policyholders on account of such claims, and the balance thereof shall thereupon be discharged from any trust for the benefit of such policyholders. If the proceeds of such distribution are insufficient to pay such claims in full, nothing herein contained shall be construed as preventing such policyholders from asserting any lawful claim against other assets of such company for the amount of such deficiency.

Section amended.

110. Section 17:20–4 of the Revised Statutes is amended to read as follows:

Deposits to do business elsewhere.

17:20–4. The commissioner may receive from any insurance company of this State a deposit of any securities necessary to enable it to transact business in any other State, territory, dependency or Fed-

eral District of the United States or in any foreign country under the laws thereof. The securities shall be held by the commissioner as long as the company desires to transact business in the State, territory, dependency, Federal District or foreign country requiring the deposit but the company may draw the dividends or receive the interest on the securities. When the company desires to discontinue its business therein, and the deposit is no longer required by the laws thereof, the commissioner shall return the securities to the company depositing them. Before the commissioner shall return such securities deposited with him as aforesaid, the company shall institute an action and obtain a judgment therefor in the Superior Court substantially similar to that provided in section 17:20–3 of this Title.

Section amended.

111. Section seventeen of chapter one hundred seventy-five of the laws of one thousand nine hundred and forty-four is amended to read as follows:

C. 17:22-6.17. Review in Superior Court.

17. The revocation of a license by the commissioner under section sixteen of this act shall be subject to review in the Superior Court by a proceeding in lieu of prerogative writ.

Section amended.

112. Section twenty-five of chapter one hundred seventy-five of the laws of one thousand nine hundred and forty-four is amended to read as follows:

C. 17:22-6.25. Violations, penalty.

25. Any person, persons or corporation violating any of the provisions of this act shall be liable to a penalty not exceeding one hundred dollars ($100.00), to be recovered as provided in section 17:33–2 of the Revised Statutes.

Section amended.

113. Section 17:23–2 of the Revised Statutes is amended to read as follows:

Penalty for not filing annual statement.

17:23–2. A company neglecting to make and file its annual statement in the form and within the time provided by section 17:23–1 of this Title shall forfeit one hundred dollars ($100.00) for each day's neglect, to be recovered in a civil action; and upon notice by the commissioner to such effect its authority to do new business in this State shall cease while the default continues.

Section amended.

114. Section 17:23–4 of the Revised Statutes is amended to read as follows:

Examination, payment of expenses, gratuities.

17:23–4. The commissioner may, whenever he deems it expedient, make or cause to be made, an examination of the assets and liabilities, method of conducting business and all other affairs of any insurance company authorized to transact business in this State, and shall make such an examination of every life insurance company of this State at least once in three years. For the purpose of the examination the commissioner may authorize and employ such person or persons to conduct the same or to assist therein as he deems advisable. The examination may be conducted in any State or country in which the company examined is incorporated or has an office, agent or place of business.

The reasonable expenses of the examination shall be fixed and determined by the commissioner, and he shall collect them from the corporation examined, which shall pay them on presentation of a detailed account of the expenses.

If any company, after the examination, is adjudged insolvent by the Superior Court, the expense of the examination, if unpaid, shall be ordered paid out of the assets of the company.

No insurance company shall, either directly or indirectly pay, by way of gift, credit or otherwise, any other or further sum to the commissioner or to any person in the employ of the department, for extra service or for purposes of legislation, or for any other purpose.

Section amended.

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

Investments by insurance companies.

17:24–1. Any insurance company of this State, for the purpose of investing its capital, surplus and other funds, or any part thereof, may:

a. Purchase or hold as collateral security or otherwise and sell and transfer any bonds or public stock issued, created or guaranteed by the United States, or any territory or insular possession thereof, or by this State, or by any of the other States of the United States or the District of Co-

lumbia, or the Dominion of Canada or any of the provinces thereof, or by any of the incorporated cities, counties, parishes, townships or other municipal corporations situated in any of the places hereinabove mentioned; or bonds authorized to be issued by any commission appointed by the Supreme Court of this State as the said court was constituted prior to September 15, 1948;

b. Purchase or hold real estate for business or residential purposes (other than as provided for in sections 17:19–8 to 17:19–12, inclusive, of this Title) as an investment for the production of income, and improve or otherwise develop such real estate; *provided,* that if the commissioner shall Proviso. determine, after due hearing upon notice to any such insurance company, that the interests of such insurance company's policyholders require that any specified real estate so purchased or held be disposed of, then such insurance company shall dispose of such real estate within such reasonable time as the commissioner shall direct; *and provided* Proviso. *further,* the aggregate amount of such investments for the production of income, but excluding real estate held as provided for in said sections 17:19–8 to 17:19–12, inclusive, shall not exceed five per centum (5%) of the total admitted assets of such insurance company. The term "real estate" as used in this subsection "b" shall include a leasehold of real estate for business or residential purposes having an unexpired term of not less than twenty years, inclusive of the term which may be provided by any enforceable option of renewal. Income produced by investment in any such leasehold shall be applied by such insurance company in a manner calculated to amortize the amount invested for acquisition and improvement thereof within a period not exceeding eight-tenths of such unexpired term of the leasehold following such acquisition or improvement, or within a period of forty years thereafter, whichever is less;

c. Invest in bonds or notes secured by mortgages or trust deeds on unencumbered fee simple or

leasehold real estate, which shall include areas above the surface of the ground but not contiguous thereto, or any interest therein, located within said States, the District of Columbia, or the Dominion of Canada, worth at least one-half more than the sum invested or loaned; or invest in bonds or notes secured by mortgages or trust deeds on unencumbered fee simple or leasehold real estate or any interest therein so located worth less than as above provided but worth at least one-third more than the sum so invested, *provided,* (1) that any such bonds or notes so secured shall provide for amortization payments to be made by the borrower on the principal amount thereof at least once in each year, and (2) that in every such case such insurance company shall carry as a reserve any amount by which such investment or loan, or balance thereof remaining after such amortization payments, may exceed the amount which could otherwise have been so invested or loaned as hereinabove provided. No loan may be made on leasehold real estate unless the terms of such loan provide for amortization payments to be made by the borrower on the principal thereof at least once in each year in amounts sufficient to completely amortize the loan within a period not exceeding nine-tenths of the term of the leasehold unexpired at the time the loan is made. For the purposes of this subsection "c" fee simple or leasehold real estate or any interest therein shall not be deemed to be encumbered within the meaning of this subsection "c" by reason of the existence of taxes or assessments that are not delinquent, easements, profits or licenses, nor by reason of building restrictions or other restrictive covenants, nor when such real estate or interest therein is subject to lease in whole or in part whereby rents or profits are reserved to the owner; *provided,* that the security created by the mortgage or trust deed on such real estate or interest therein securing such bond or note is a first lien upon such real estate or interest therein;

Proviso.

Proviso.

d. Invest in bonds or notes evidencing loans to veterans if the full amount of any such loan is guaranteed by the Government of the United States or by the Administrator of Veterans' Affairs pursuant to the Servicemen's Readjustment Act of one thousand nine hundred and forty-four, as heretofore or hereafter amended; and in the case of loans so guaranteed for less than the full amount thereof, the maximum amount which may be loaned or invested by any such insurance company pursuant to the provisions of any law of this State shall be increased by the amount so guaranteed;

e. Lend on or purchase mortgage or collateral trust bonds of railroad companies organized under the laws of said States, or the District of Columbia, or the Dominion of Canada, or operated wholly or partly therein; or equipment trust certificates or obligations which are adequately secured or other adequately secured instruments evidencing an interest in transportation or municipal sanitation equipment wholly or in part within the United States or Canada and a right to receive determined portions of rental, purchase or other fixed obligatory payments for the use or purchase of such equipment; or certificates of receivers of any corporation where such purchase is necessary to protect an investment in the securities of such corporation theretofore made under authority of chapters seventeen to thirty-three of this Title; or the bonds or other evidences of indebtedness of public utility companies organized under the laws of the Dominion of Canada or any province thereof; or the capital stock, bonds, securities or evidences of indebtedness created by any corporation of the United States or of any State or of the Dominion of Canada or of any province thereof; *provided,* Proviso. that no purchase of any bond or evidence of indebtedness which is in default as to interest shall be made by such company unless such purchase is necessary to protect an investment theretofore made under authority of said chapters seventeen to thirty-three in the securities of the corporation

which issued, assumed or guaranteed such bond or evidence of indebtedness in default; *provided, further,* that no purchase of the stock of any company of a class on which dividends have not been paid during each of the past five years preceding the time of purchase shall be made unless the stock so purchased shall represent a majority in control of all the stock then outstanding; *and provided further,* that in the case of the stock of a corporation resulting from or formed by merger or consolidation less than five years prior to such purchase, each consecutive year next preceding the effective date of such merger or consolidation during which dividends shall have been paid by any one or more of its constituent corporations on any or all classes of its or their stock in an aggregate amount sufficient to have paid dividends on that class of stock of the existing corporation whose stock is to be purchased, had such corporation then been in existence, shall be deemed a year during which dividends have been paid on such class of stock; *provided, however,* that nothing herein contained shall prohibit the purchase of stock of any class which is preferred, as to dividends, over any class the purchase of which is not prohibited by this section; *and provided further,* that no purchase of its own stock shall be made by any insurance company except for the purpose of the retirement of such stock or except as specifically permitted by any law of this State applicable by its terms only to insurance companies; or

Proviso.

Proviso.

Proviso.

f. Invest in bonds or notes evidencing loans if the full amount of any such loan is insured by the Government of the United States, or by the Administrator of the Farmers Home Administration pursuant to the Bankhead-Jones Farm Tenant Act of 1937 as heretofore or hereafter amended.

Section amended.

C. 17:26-1.1. Amendments, changes authorized, proviso, procedure.

116. Section one of chapter fourteen of the laws of one thousand nine hundred and forty-three is amended to read as follows:

1. Any mutual life insurance corporation heretofore or hereafter incorporated under any general

or special law of this State may change its name, extend its corporate existence or amend its charter or certificate of incorporation; *provided,* such amendment, change or alteration, shall not be inconsistent with the Constitution and laws of this State, in the manner provided by section 17:26–1 of the Revised Statutes, or, if it so elects, in the following manner:

(a) The board of directors shall by a vote of not less than two-thirds of its number adopt the proposed amendment, change or alteration and thereupon a certificate of such adoption setting forth such amendment, change or alteration shall be made and signed by the president or a vice-president of the corporation and by the secretary or an assistant secretary under the corporate seal and shall be acknowledged or proved as in the case of deeds of real estate and shall be submitted to and examined by the Attorney-General and if found by him to be in accordance with the provisions of this act and not inconsistent with the Constitution and laws of this State, he shall indorse thereon or annex thereto his certificate approving the same and when so approved it shall be filed in the Department of Banking and Insurance, where it shall be open to the inspection of any policyholder of the corporation.

(b) The Commissioner of Banking and Insurance shall, upon the filing of such certificate so approved, cause a certified copy thereof to be delivered to the president of the corporation who shall then call a special meeting of the policyholders of the corporation to be held at the principal office of the corporation in this State at a time to be fixed by the board of directors of the corporation, not less than three months and not more than six months from the date of the filing of such certificate in the Department of Banking and Insurance, for the purpose of considering and of ratifying or rejecting such amendment, change or alteration. Notice of such special meeting and of the purpose thereof shall be given to the policyholders by publi-

cation in such manner and form and for such length of time as the Superior Court, upon application of the corporation, shall direct. Such notice shall include the substance of the proposed amendment, change or alteration in such form as the court shall direct.

(c) At such special meeting each policyholder who is twenty-one years of age or more and whose policy has been in force for at least one year may cast one vote in person or by proxy for or against the adoption of such amendment, change or alteration. No other measure shall be brought before such special meeting. The president, or, in his absence, a vice-president of the corporation shall preside at the meeting and the secretary, or, in his absence, an assistant secretary of the corporation shall keep minutes thereof. Voting shall be by ballot and tellers to receive and count the votes and to determine the validity thereof shall be elected by a head vote of policyholders and their proxies present at the meeting. Each ballot shall contain the words "For adoption of (amendment, change or alteration, as the case may be)" and "Against adoption of (amendment, change or alteration, as the case may be)" and shall be signed by the policyholder or proxy casting the same. A majority of the votes cast at the meeting in person or by proxy shall be necessary to ratify such amendment, change or alteration. A certificate setting forth the action of the policyholders at such special meeting, sworn to by the presiding officer and the secretary thereof, shall be filed in the Department of Banking and Insurance. If such certificate shall be to the effect that the policyholders voted in favor of adoption, the charter or certificate of incorporation shall be deemed to be amended, changed or altered accordingly.

(d) Any amendment, change or alteration adopted pursuant to this act may, in the discretion of the board of directors, be in the form of an amended charter or certificate of incorporation

setting forth fully and completely all the terms and conditions of the charter or certificate of incorporation under which the corporation shall thereafter transact business.

(e) The certificate, or a copy thereof, duly certified by the Commissioner of Banking and Insurance, shall be evidence in all courts and places.

Section amended.

117. Section 17:29–10 of the Revised Statutes is amended to read as follows:

Penalty for violations.

17:29–10. Any insurer, agent, expert or other person violating any provisions of this article shall be subject to a penalty of five hundred dollars ($500.00) for each violation, to be sued for and recovered in a civil action by the commissioner, or any citizen of this State, and paid to the State Treasurer.

Agents' commissions.

If an insurer is adjudged to have violated this article, 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. Any local agent may recover from the insurer in any court of competent jurisdiction the excess commission or compensation, or other thing of value, if any, to which he may be entitled under the provisions of this article.

Section amended.

118. Section eighteen of chapter twenty-seven of the laws of one thousand nine hundred and forty-four is amended to read as follows:

C. 17:29A-18. Suspension of license, procedure.

18. Any rating organization which violates any provision of this act shall be subject to suspension of its license. Failure of a rating organization to comply with the provisions of any order of the commissioner within the time limited by such order, or any extension thereof as the commissioner may, in his discretion grant, shall, if no proceeding in lieu of prerogative writ has been taken for review of such order, automatically suspend the license of such rating organization. No order suspending a license because of a violation of any provision of this act shall be made by the commissioner, except

upon ten days' notice to such rating organization, specifying the particular violation. If such rating organization shall make a request therefor in writing within the ten-day period, the commissioner shall name a time and place for a hearing, at which such rating organization shall be given opportunity to make its defense. At the conclusion of such hearing, the commissioner shall make such order as in his judgment the evidence shall warrant. A suspension of license shall be effective until modified or rescinded by order of the commissioner upon proof that the violation of the provisions of this act no longer continue, or upon proof that the rating organization has complied with the terms of any prior order made by the commissioner, or until the order of the commissioner upon which such suspension is based is reversed or modified upon a review thereof by a proceeding in lieu of prerogative writ.

Section amended.

119. Section twenty-two of chapter twenty-seven of the laws of one thousand nine hundred and forty-four is amended to read as follows:

C. 17:29A-22. Penalties.

22. Any person, partnership, association, corporation, insurer, or rating organization who or which shall willfully violate the provisions of this act shall be liable to a penalty in the sum of five hundred dollars ($500.00) for each such violation, to be sued for and recovered for the use of the State in a civil action brought in the name of the State by the commissioner in a court of competent jurisdiction.

Section amended.

120. Section twenty-three of chapter twenty-seven of the laws of one thousand nine hundred and forty-four is amended to read as follows:

C. 17:29A-23. Commissioner's powers to assess penalties.

23. In lieu of the penalty provided for in section twenty-two of this act, but in addition to any other penalty or forfeiture provided by this act, or otherwise provided by law, the commissioner may, if he finds that any person, partnership, association, corporation, insurer, or rating organization has willfully violated any provision of this act, impose a penalty of not less than twenty-five dollars

($25.00) and not more than five hundred dollars ($500.00) for each such violation. No such penalty shall be imposed, except upon at least ten days' written notice to such person, partnership, association, corporation, insurer, or rating organization, specifying the specific violation, and naming a date and place for a hearing on the violation so charged. If the commissioner shall find, upon the evidence placed before him at such hearing, that such person, partnership, association, corporation, insurer, or rating organization is guilty of any violation of the provisions of this act, he shall make an order briefly stating his findings, and specifying the penalty imposed. The imposition of such a penalty shall, in the case of a licensed broker, or agent, or in the case of a rating organization, automatically suspend the license of such broker or agent or rating organization until such time as such penalty shall be paid. The commissioner may file in the office of the Clerk of the Superior Court, a certificate stating the amount of any penalty assessed pursuant to the provisions of this section, and the name of the person, partnership, association, corporation, insurer, or rating organization against whom or which the penalty has been assessed, and thereupon the Clerk of Superior Court shall enter upon his record of docketed judgments such certificate, or an abstract thereof, and shall duly index the same. From the time of such docketing, such certificate shall have the same force and effect as a judgment obtained in the Superior Court, Law Division, and the commissioner shall have all remedies and may take all the proceedings for the collection thereof which may be had or taken upon the recovery of such a judgment. Before any such penalty is imposed the proceeding before the commissioner may be removed to the Superior Court by a proceeding in lieu of prerogative writ and there determined.

Section amended.

121. Section twenty-four of chapter twenty-seven of the laws of one thousand nine hundred and forty-four is amended to read as follows:

C. 17:29A-24. Review by Superior Court, stay.

24. Any order made by the commissioner pursuant to the provisions of this act shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ. Upon the institution of the proceeding, the court may, in the following cases, stay the provisions of such order:

(a) Where, pursuant to section two of this act, a rating organization, which was engaged in the business of rate-making on the effective date of this act, has been refused a license by the commissioner. Such rating organization may, with leave of court, be allowed to continue to engage in business, subject to the provisions of this act, pending final disposition of its application for review; or

(b) Where any order of the commissioner shall provide for a change in any rating-system which results in an increase or decrease in rates, any insurer affected thereby may, with leave of court, pending final disposition of the proceedings in the Superior Court, continue to charge rates which obtained prior to such order, on condition that the difference in the rates be deposited in a special account by the insurer affected, to be held in trust by such insurer, and to be retained by the insurer or paid to the holders of policies issued after the order of the commissioner, as the court may determine.

Section amended.

122. Section six of chapter three hundred seventy-nine of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 17:29B-6. Hearings, witnesses, rules, production of records.

6. (a) Whenever the commissioner shall have reason to believe that any such person has been engaged or is engaging in this State in any unfair method of competition or any unfair or deceptive act or practice defined in section four, and that a proceeding by him in respect thereto would be to the interest of the public, he shall issue and serve upon such person a statement of the charges in that respect and a notice of a hearing thereon to

be held at a time and place fixed in the notice, which shall not be less than ten days after the date of the service thereof.

(b) At the time and place fixed for such hearing, such person shall have an opportunity to be heard and to show cause why an order should not be made by the commissioner requiring such person to cease and desist from the acts, methods or practices so complained of. Upon good cause shown, the commissioner shall permit any person to intervene, appear and be heard at such hearing by counsel or in person.

(c) Nothing contained in this act shall require the observance at any such hearing of formal rules of pleading or evidence.

(d) The commissioner, upon such hearing, may administer oaths, examine and cross-examine witnesses, receive oral and documentary evidence, and shall have the power to subpœna witnesses, compel their attendance, and require the production of books, papers, records, correspondence, or other documents which he deems relevant to the inquiry. The commissioner, upon such hearing, may, and upon the request of any party, shall cause to be made a stenographic record of all the evidence and all the proceedings had at such hearing. If no stenographic record is made and if a judicial review is sought, the commissioner shall prepare a statement of the evidence and proceeding for use on review. In case of a failure of any person to comply with any subpœna issued hereunder or to testify with respect to any matter concerning which he may be lawfully interrogated, the Superior Court, on ex parte application of the commissioner, may compel him to do so.

(e) Statements of charges, notices, orders, and other processes of the commissioner under this act may be served by anyone duly authorized by the commissioner, either in the manner provided by law for service of process in civil actions, or by registering and mailing a copy thereof to the person affected by such statement, notice, order,

or other process addressed to his or its residence or principal office or place of business. An affidavit by the person so serving such statement, notice, order, or other process, setting forth the manner of such service, or the return postcard receipt for such statement, notice, order, or other process, registered and mailed as aforesaid, shall be proof of the service of the same.

Section amended.

123. Section seven of chapter three hundred seventy-nine of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 17:29B-7. Cease and desist orders, modification.

7. (a) If, after such hearing, the commissioner shall determine that the method of competition or the act or practice in question is defined in section four and that the person complained of has engaged in such method of competition, act or practice in violation of this act, he shall make his findings in writing and shall issue and cause to be served upon the person charged with the violation an order requiring such person to cease and desist from engaging in such method of competition, act or practice.

(b) Until the expiration of the time limited for judicial review, if no proceeding for review has been instituted within such time or, if a proceeding for review has been instituted within such time, then until the transcript of the record in the proceeding has been filed in the Superior Court, as hereinafter provided, the commissioner may at any time, upon such notice and in such manner as he shall deem proper, modify or set aside in whole or in part any order issued by him under this section.

(c) After the expiration of the time limited for judicial review if no such proceeding has been instituted within such time, the commissioner may at any time, after notice and opportunity for hearing, reopen and alter, modify or set aside, in whole or in part, any order issued by him under this section, whenever in his opinion the facts or the laws have so changed as to require such action or if the public interest shall so require.

124. Section eight of chapter three hundred seventy-nine of the laws of one thousand nine hundred and forty-seven is amended to read as follows: Section amended.

8. An order of the commissioner under section seven shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ. C. 17:29B-8. Review.

No order of the commissioner under this act shall in any way relieve or absolve any person affected by such order from any liability under any other law of this State.

125. Section nine of chapter three hundred seventy-nine of the laws of one thousand nine hundred and forty-seven is amended to read as follows: Section amended.

9. (a) Whenever the commissioner shall have reason to believe that any person engaged in the business of insurance is engaging in this State in any method of competition or in any act or practice in the conduct of such business which is not defined in section four, and that such method of competition is unfair or that such act or practice is unfair or deceptive and that a proceeding by him in respect thereto would be to the interest of the public, he may issue and serve upon such person a statement of the charges in that respect and a notice of a hearing thereon to be held at a time and place fixed in the notice, which shall not be less than ten days after the date of the service thereof. Each such hearing shall be conducted in the same manner as the hearings provided for in section six. The commissioner shall, after such hearing, make a determination in writing in which he shall state his findings as to the facts, and he shall serve a copy thereof upon such person. C. 17:29B-9. Unfair and deceptive practices, procedure.

(b) If such determination charges a violation of this act and if such method of competition, act or practice has not been discontinued, the commissioner may, through the Attorney-General of this State, at any time after ten days after the service of such determination institute an action in the Superior Court to enjoin and restrain such person from engaging in such method, act or practice. The court may proceed in the action in a summary man-

ner or otherwise and may make an adjudication on the record and evidence before the commissioner and such additional evidence before the court or which it directs to be taken before the commissioner, as the court may deem proper. The court may enjoin any method of competition or act or practice which it finds to be unfair or deceptive.

Section amended.

126. Section ten of chapter three hundred seventy-nine of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 17:29B-10. Judicial review.

10. If the determination of the commissioner does not charge a violation of this act, then any intervenor in the proceedings before him may, within thirty days after the service of such determination, institute an action, notwithstanding the determination, in the Superior Court to enjoin and restrain any method of competition, act or practice. The court may proceed in the action in a summary manner or otherwise and may make an adjudication on the record and evidence before the commissioner and such additional evidence taken before it as it deems advisable and may enjoin any method, act or practice which it finds to be a violation of this act.

Section amended.

127. Section thirteen of chapter three hundred seventy-nine of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 17:29B-13. Immunity from prosecution.

13. If any person shall ask to be excused from testifying or from producing any books, papers, records, correspondence or other documents at any hearing on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture, and shall notwithstanding be directed to give such testimony or produce such evidence, he must nonetheless comply with such direction, but he shall not thereafter be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may testify or produce evidence pursuant thereto, and no testimony so given or evidence produced shall be received against him upon any criminal action, in-

vestigation or proceeding; *provided, however,* that no such individual so testifying shall be exempt from prosecution or punishment for any perjury committed by him while so testifying and the testimony or evidence so given or produced shall be admissible against him upon any criminal action, investigation or proceeding concerning such perjury, nor shall he be exempt from the refusal, revocation or suspension of any license, permission or authority conferred, or to be conferred, pursuant to the insurance laws of this State. Any such person may execute, acknowledge and file in the office of the commissioner a statement expressly waiving such immunity or privilege in respect to any transaction, matter or thing specified in such statement and thereupon the testimony of such person or such evidence in relation to such transaction, matter or thing may be received or produced before any judge, court, tribunal, grand jury or other officer or body, and if so received or produced such person shall not be entitled to any immunity or privilege on account of any testimony or evidence he may so give or produce. Proviso.

128. Section 17:30–3 of the Revised Statutes is amended to read as follows: Section amended.

17:30–3. When a company whose property and business the commissioner has taken possession of, deems itself aggrieved by any act of the commissioner pursuant to this article, it may, at any time after such taking of possession, institute an action in the Superior Court to enjoin further proceedings. The court may proceed in the action in a summary manner or otherwise. Injunction against action by commissioner.

129. Section 17:30–4 of the Revised Statutes is amended to read as follows: Section amended.

17:30–4. When the commissioner has paid to every creditor of the company, not including stockholders, whose claim has been proved and allowed, the full amount thereof, and has made proper provision for unclaimed or unpaid amounts, and has paid all the expenses of the liquidation, he shall call a meeting of the stockholders or members of Winding up affairs.

the company as the case may be, to determine whether the commissioner shall be continued as liquidator and shall wind up the affairs of the company, or whether an agent or agents shall be elected for that purpose. In so determining, the stockholders shall vote by ballot, in person or by proxy, each share of stock entitling the holder to one vote in the case of a stock company, and each member to have one vote in the case of a mutual company, and a majority vote shall be necessary to a determination. Thirty days' notice of the meeting shall be given in one or more newspapers published in the county wherein the principal office of the company was located or by mailing ten days' notice thereof to each stockholder or member at his address as it appears on the books of the company.

If it is determined to continue the liquidation under the commissioner, he shall complete the liquidation, and after paying the expenses thereof, shall distribute the moneys remaining in his hands to the stockholders or members, as the case may be, in proportion to the several holdings of shares if it is a stock company, and in proportion to the financial interests of the respective members if it is a mutual company, in such manner and upon such notice as the Superior Court upon application to it by the commissioner shall direct.

If it is determined to appoint an agent or agents to liquidate, the stockholders or members shall thereupon select him or them by majority vote in the manner above provided. Each agent shall execute and file with the commissioner a bond to the State of New Jersey in the amount, with the surety and in such form as the commissioner shall approve, conditioned for the faithful performance of all the duties of his trust. Thereupon the commissioner shall transfer and deliver to the agent or agents all the undivided and uncollected or other assets of the company then remaining in his hands. Upon the transfer and delivery, the commissioner shall be discharged from any further liability to the company and its creditors. The agent or agents

shall convert the assets coming into his or their possession into cash, and shall institute an action in the Superior Court for the settlement of his or their accounts and his or their expenses and for an order for distribution of the property of the company, which distribution shall be as is herein provided in the case of distribution by the commissioner. In case of the death, removal or refusal to act of any agent, the stockholders or members, on the same notice, to be given by the commissioner upon proof of the death, removal or refusal to act being filed with him, and by the same vote hereinbefore provided, may elect a successor, who shall have the same powers and be subject to the same liabilities and duties as the agent orginally elected.

Section amended.

130. Section 17:30–5 of the Revised Statutes is amended to read as follows:

Injunction and receiver.

17:30–5. When any company becomes insolvent or suspends its ordinary business for want of funds to carry it on and is not about to resume its business in a short time thereafter with safety to the public and advantage to the stockholders, and the commissioner has refused, upon the demand of any creditor or stockholder, or in the case of a mutual company of any member, to take possession of the property and business of the company pursuant to the foregoing provisions of this article, the Attorney-General, or any creditor, stockholder or member, may institute an action in the Superior Court for injunctive relief and the appointment of a receiver or trustees. The court may proceed in the action in a summary manner or otherwise, and may enjoin the company and its officers and agents from exercising any of its privileges or franchises and from collecting or receiving any debts, or paying out, selling, assigning or transferring any of its estate, moneys, funds, lands, tenements or effects, except to a receiver appointed by the court, until the court otherwise directs, and may appoint a receiver or trustees. The duties and powers of a receiver or trustees so appointed shall be the same as if he or they had been appointed under

the provisions of chapter fourteen of Title 14, of the Revised Statutes.

Section amended.

131. Section 17:31–4 of the Revised Statutes is amended to read as follows:

Bond as a lien on real estate.

17:31–4. No bond, undertaking, recognizance or other obligation heretofore or hereafter given or entered into by any company organized under the laws of this or any other State and authorized to transact 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 guaranteeing bonds, undertakings or other obligations required by law or the charter, ordinances, rules or regulations of any county or municipality, or any forfeiture thereunder, shall be deemed to impose any lien upon the real estate of the company in this State.

This section shall not affect any right to a lien upon the real estate by attachment or other judicial proceeding or by judgment acquired by reason of any such bond or recognizance.

Section amended.

132. Section 17:32–4 of the Revised Statutes is amended to read as follows:

Evidence of authority of foreign company.

17:32–4. When an insurance company of another State or foreign country complies with the laws of this State and has issued to it the certificate of the commissioner, authorizing it to transact business in this State, then in any civil action in which the company is plaintiff or defendant, or in any criminal proceedings in this State, a certified copy of the certificate of authority, under the hand and official seal of the commissioner, shall be prima facie evidence of the incorporation of the company.

Section amended.

133. Section 17:33–2 of the Revised Statutes is amended to read as follows:

Penalty for violation.

17:33–2. Except as in this subtitle otherwise provided, the penalty for each violation of any chapter of this subtitle or any supplement thereto, other than the failure of a company to file an annual

statement, shall be five hundred dollars ($500.00) and all costs. Any penalty provided for herein shall be enforced and collected by the commissioner in the name of the State in a summary proceeding in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). A warrant may issue in lieu of a summons. Upon the failure of the defendant to pay forthwith the amount of any money judgment rendered against him, such defendant shall be committed to the county jail as provided in said Penalty Enforcement Law until the penalty and costs are paid. One-half of the penalty, when recovered, shall be paid by the commissioner to the local firemen's relief association in the municipality wherein the violation was committed, if there is such an association therein, and if not, then in equal shares to the several firemen's relief associations in the county wherein the violation occurred, and if none exist in the county, then to the commissioner, to be distributed by him as other funds are by law distributed to such associations, and the other half to the commissioner for the use of the State. The necessary expenses for enforcing the provisions of this subtitle when not otherwise provided for, shall be paid out of the penalties so collected and the fees and taxes paid by insurance companies of other States and foreign countries.

Section amended.

134. Section 17:34–18 of the Revised Statutes is amended to read as follows:

Form of policy subject to approval by commissioner, review by Superior Court.

17:34–18. No form of policy of life insurance shall be issued by a company of this State, or be issued or delivered in this State to any resident thereof by a foreign life insurance company, until the form has been filed with the commissioner. If the commissioner shall at any time notify any company of his disapproval of the form, as contrary to law, specifying particulars, the company shall not thereafter issue any policy in the form so disapproved. The disapproval of the commissioner shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

135. Section 17:34–21 of the Revised Statutes is amended to read as follows:

Misrepresentation of policies, penalties.

17:34–21. An officer or agent of any insurance company doing business in this State and issuing or circulating, or causing or permitting to be issued or circulated, any estimate, illustration, circular or statement misrepresenting the terms of any policy issued by the company, or the benefits or advantages promised thereby, or the dividends or shares of surplus to be received thereon, or using any name or title of any policy or class of policies misrepresenting the true nature thereof, shall be subject to a penalty of five hundred dollars ($500.00) for each offense, to be sued for and recovered by the Attorney-General in a civil action in the name and for the use of the State.

Section amended.

136. Section 17:34–34 of the Revised Statutes is amended to read as follows:

Change to mutual company.

17:34–34. When the board of directors of the corporation has determined that it would be conducive to the welfare of the corporation and in the interests of its policyholders to change the corporation from a stock life insurance corporation to a mutual life insurance corporation, the corporation may institute an action in the Superior Court for the relief herein provided. The court may proceed in the action in a summary manner or otherwise. The corporation may thereafter apply to the court to appoint two or more disinterested persons to appraise the value of the capital stock of the corporation. Upon the application and upon such notice to the commissioner and to the policyholders and stockholders of the corporation, as the court may direct, the court may make the appointment.

Section amended.

137. Section 17:34–35 of the Revised Statutes is amended to read as follows:

Appraisers, oath, powers.

17:34–35. The appraisers so appointed shall take and file with the Clerk of the Superior Court an oath faithfully and impartially to discharge the duties of their office. They may compel the attendance of witnesses and the production of books and papers by subpœnas issuing out of the court

and administer oaths to witnesses. They shall, after giving such notice to all parties in interest as the court shall direct, proceed to examine into the matters so referred to them and shall report to the court their findings of the value of the stock, and the basis on which the findings are made.

Section amended.

138. Section 17:34–36 of the Revised Statutes is amended to read as follows:

Court to hear objections, etc.

17:34–36. Upon the filing of the report the court shall hear objections, if any, and confirm, modify or disapprove the appraisers' findings. If the findings are confirmed or modified the court shall fix by order or judgment the value of the capital stock and the price per share at which it may be purchased by the corporation. If the court disapproves the findings it shall either refer the matter back to the appraisers for further investigation, or appoint other appraisers.

Section amended.

139. Section 17:34–37 of the Revised Statutes is amended to read as follows:

Meetings of stockholders and policyholders, confirmation of court action.

17:34–37. The Clerk of the Superior Court shall cause a certified copy of the order or judgment to be mailed to the president of the corporation, who shall, upon its receipt, call a special meeting of the stockholders of the corporation. Notice of the meeting shall be given in accordance with the provisions of the by-laws relating to special meetings of stockholders, and shall state fully the object of the meeting together with the price of the stock as fixed by the order or judgment.

At the meeting the stockholders may, if the purchase can be made out of the surplus of the corporation and without impairment of the rights of the stockholders who elect to retain their stock, by a majority vote of all the outstanding stock of the corporation, authorize the purchase by the corporation of the shares of the capital stock thereof which may be offered for sale at the price fixed by the order or judgment, and fix the terms and conditions of the purchase.

If the stockholders vote in favor of the purchase at the price fixed by the court, the president of

the corporation shall forthwith call a meeting of the policyholders to consider the subject of the purchase, upon such notice as shall have been directed by the court to be given to the policyholders upon the application for the appointment of appraisers. At the meeting every policyholder of the corporation who is twenty-one years of age or more, and whose policy has been in force for at least one year, may cast one vote, in person or by proxy. If a majority of the policyholders voting at the meeting are in favor of purchasing the stock of the corporation upon the terms and conditions fixed by the stockholders, the directors shall report the action of both the stockholders' and policyholders' meetings to the court in the action. The court shall, upon such notice to the parties in interest as it shall direct, confirm the same if it finds that the provisions of this article have been in all respects complied with and that the purchase can be made out of the surplus of the corporation and without impairment of the rights of stockholders who elect to retain their stock.

Section amended.

140. Section 17:34–38 of the Revised Statutes is amended to read as follows:

Trustee for policyholders.

17:34–38. Upon the confirmation of the action of the stockholders and policyholders, the Superior Court shall appoint a trustee for the policyholders of the corporation. The trustee so appointed shall, before entering upon the performance of any of the duties of the office, qualify by filing with the clerk of the court a statement duly verified accepting the appointment and declaring that as trustee for the policyholders he will hold all stock of the corporation which may thereafter be transferred to him upon the trusts herein set forth in order to effectuate the purposes of this article.

Section amended.

141. Section 17:34–42 of the Revised Statutes is amended to read as follows:

Policyholders' meetings, voting for directors.

17:34–42. The policyholders' meetings shall be held at the principal office of the corporation in this State at a time to be fixed by the directors

of the corporation at least six months in advance of the election. Notice of the policyholders' meetings shall be given in the manner and for the length of time the Superior Court shall by order direct. At the policyholders' meetings every policyholder who is twenty-one years of age or more and whose policy has been in force for at least one year, may cast one vote in person or by proxy for as many directors as there are vacancies to be filled, and for or against any other measures as may properly come before the meeting. The persons voted for as directors need not be stockholders in the corporation. The president of the corporation shall preside at the meeting and the secretary of the corporation shall keep the minutes thereof unless the policyholders otherwise determine. Voting for directors at the meeting shall be by ballot and tellers shall be elected to receive and count the votes. A certificate setting forth the action of the policyholders at the meeting, sworn to by the presiding officer and the secretary thereof, shall be filed in the office of the commissioner, and a duplicate thereof shall be filed with the policyholders' trustee. The latter shall, at the next ensuing election of the corporation, vote for those persons as directors, who have received the highest number of votes at the policyholders' meeting, as shown by the certificate.

Section amended.

142. Section 17:34–43 of the Revised Statutes is amended to read as follows:

Counsel for policyholders, expenses.

17:34–43. The Superior Court may in its discretion appoint counsel for the policyholders at any stage of the proceedings. The proper and necessary expenses of the proceedings in the Superior Court and of the appraisal of the stock and the holding of the several stockholders' and policyholders' meetings including a reasonable allowance to the appraisers and the policyholders' trustee and the counsel for the policyholders, shall be paid by the corporation upon the approval and order of the court.

Section amended.

143. Section one of chapter two hundred eight of the laws of one thousand nine hundred and forty is amended to read as follows:

C. 17:34-43.1. Power of corporation to acquire remaining shares, court's approval.

1. Any stock life insurance corporation incorporated under any general or special law of this State that has heretofore acquired, or shall hereafter acquire, not less than ninety per centum (90%) of the shares of the capital stock of said corporation for the benefit of the policyholders thereof pursuant to the provisions of chapter ninety-nine of the laws of one thousand nine hundred and thirteen, or of Title 17, chapter thirty-four, article eight of the Revised Statutes shall, after a lapse of twenty years from the date of the order or judgment of confirmation made pursuant to section seven of chapter ninety-nine of the laws of one thousand nine hundred and thirteen, or section thirty-seven of Title 17, chapter thirty-four, article eight, of the Revised Statutes, have full power and authority to negotiate and enter into an agreement for the acquisition by such corporation of not less than the whole of its remaining capital stock then still outstanding in the name of any person or persons except stock held by the trustee or trustees for policyholders appointed pursuant to the provisions of chapter ninety-nine of the laws of one thousand nine hundred and thirteen, or of Title 17, chapter thirty-four, article eight, of the Revised Statutes, and except stock, if any, held by any director of said corporation, and to pay therefor out of the surplus of the corporation such price as shall be mutually agreed upon by said corporation and the holder or holders of the whole of said capital stock still outstanding except as aforesaid; *provided, however,* that each of such stockholders shall receive the same price per share for the stock held by him; *and provided further,* that any agreement for the purchase of such stock made pursuant to this section shall be conditioned upon approval thereof by the Superior Court. Such approval may be secured in an action brought by the corporation

Proviso.

Proviso.

or of any of the stockholders who are parties to the agreement. The court shall determine, upon such notice as it shall direct to be given to the Commissioner of Banking and Insurance and to the parties in interest (including stockholders, and including notice by publication to the policyholders as a class), whether the purchase at the price stated in such agreement can be made out of the surplus of the corporation and without impairing the rights of policyholders or of the other stockholders of the corporation or impairing the financial security of the corporation. If the court shall find that the purchase of the said stock at said price can be made out of the surplus of the corporation and without such impairment, it shall approve said agreement and direct the performance thereof, and in case the court shall find that the purchase of such stock at such price cannot be so made, it shall disapprove the agreement. The aforesaid notice shall be given by and at the expense of the said corporation.

Section amended.

144. Section two of chapter two hundred eight of the laws of one thousand nine hundred and forty is amended to read as follows:

C. 17:34-43.2. Reappraisal of outstanding shares.

2. In the event that said corporation and the holder or holders of the whole of said capital stock still outstanding, except stock held by such trustee or trustees for policyholders and except stock held by any director of said corporation, shall after the lapse of such period of twenty years mentioned in section one of this act have failed to agree upon a price for the acquisition by said corporation of said stock, the said holder or holders of the whole of such capital stock still outstanding except as aforesaid, may, at any time thereafter, institute an action in the Superior Court, applying to the court to proceed to a reappraisal of the value of said stock still outstanding except as aforesaid, as of the date of the commencement of the action. There shall be deposited with the Clerk of the Superior Court the certificate or certificates representing the whole of such capital stock outstanding except as

aforesaid, accompanied by all instruments of transfer, executed in blank, necessary and appropriate to cause such stock to be transferred on the books of such corporation, to be held by the clerk pending the final determination of the action. The court shall direct notice to be given to the Commissioner of Banking and Insurance, the corporation, the other stockholders of the corporation, and by publication to the policyholders as a class. The notice to the corporation shall be given by the plaintiffs and the notice to the Commissioner of Banking and Insurance, the other stockholders, and the policyholders shall be given by and at the expense of the corporation. Upon proof being made of the giving of the notice and upon hearing all parties in interest appearing in response thereto, the court may appoint two or more disinterested persons to appraise the value per share of the capital stock held by the plaintiffs, the certificates of which shall have been deposited with the clerk as aforesaid. Thereafter such appraisal proceedings shall be conducted in manner and form prescribed by article eight of chapter thirty-four of Title 17, sections thirty-five and thirty-six, of the Revised Statutes.

Section amended.

145. Section three of chapter two hundred eight of the laws of one thousand nine hundred and forty is amended to read as follows:

C. 17:34-43.3. Purchase of shares out of surplus.

3. If and when the Superior Court shall have confirmed the appraisers' findings, it shall further determine, upon such notice to the aforesaid parties in interest as it shall direct, whether the purchase at the price found by the appraisers can be made out of the surplus of the corporation and without impairing the rights of policyholders or of the other stockholders of the corporation or impairing the financial security of the corporation, and if it shall find that the purchase of the said stock at said price can be made out of the surplus of the corporation and without any such impairment, it shall enter an order or judgment directing the corporation to purchase the said shares out of its surplus, and thereupon, within ten days after the entry

of said order or judgment, the corporation shall deposit with the Clerk of the Superior Court a sum of money sufficient to pay for all the certificates of stock so deposited at the value thereof fixed by said appraisal. The clerk shall retain the said sum so deposited until the period limited for appeal from such order or judgment shall have expired or, in case proceedings for such appeal shall have been commenced, until the termination thereof. Upon the expiration of the period limited for such appeal, or, in case any such proceedings for appeal shall have been commenced, upon the termination thereof, the clerk shall deliver to the corporation the certificates for said shares and instruments of transfer theretofore deposited and shall thereupon pay over to each stockholder entitled thereto the amount to which he may be entitled according to the number of shares deposited by him without any deduction therefrom on account of fees, costs or charges of any kind whatsoever. In case the court shall find that the purchase of said stock at said price cannot be made out of the surplus of said corporation or without impairing the rights of policyholders or of the other stockholders of the corporation or impairing the financial security of the corporation it shall enter an order or judgment to that effect directing the clerk to return to the plaintiffs the certificates of stock with all instruments of transfer deposited with the clerk pursuant to the provisions of this act. Such certificates and instruments of transfer, however, shall not be returned by the clerk until the period limited for the appeal from such order or judgment shall have expired or, in case such proceedings for appeal shall have been commenced, until the termination thereof.

Section amended.

146. Section five of chapter two hundred eight of the laws of one thousand nine hundred and forty is amended to read as follows:

C. 17:34-43.5. Counsel appointed.

5. The Superior Court may in its discretion appoint counsel for the trustees for policyholders and for the policyholders at any stage of the pro-

ceedings. The proper and necessary expenses of the proceedings in the Superior Court and of the appraisal of the stock, including a reasonable allowance to the appraisers and the counsel for the policyholders and trustees for policyholders, if appointed by the court, and to counsel for the stockholders, shall be paid by the corporation upon the approval and order of the court.

C. 17:34-43.6. Section repealed.

147. Section six of chapter two hundred eight of the laws of one thousand nine hundred and forty is hereby repealed.

Section amended.

148. Section 17:34–46 of the Revised Statutes is amend to read as follows:

Penalty for violation of section 17:34-45.

17:34–46. A person who violates any of the provisions of section 17:34–45 of this Title shall, for each offense, be liable to a penalty in the sum of one hundred dollars ($100.00) for every twenty-five hundred dollars ($2,500.00) of insurance or fraction thereof effected by the policy contract of insurance, and costs, to be enforced and collected in a summary proceeding in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.) in the county where the offense has been committed, or in any county where the offender resides or is served with process, by any person who sues therefor. One-half of the penalty shall be for the benefit of the person prosecuting the suit, and the other half shall be paid to the State Treasurer for the benefit of the school fund of the State. Upon the failure of the defendant to pay forthwith the amount of any money judgment rendered against him, the court in which the judgment was obtained may issue its process against the body of the defendant and cause him to be committed to the county jail until the judgment and costs are paid, the imprisonment not to exceed sixty days.

149. Section four of chapter one hundred fifty-four of the laws of one thousand nine hundred and forty-six is amended to read as follows: Section amended.

4. On or before the first day of September of each year, all unclaimed funds which were contained in the last preceding report required to be filed by section two of this act and which have not been claimed, less the cost of publication pursuant to section three of this act, shall be paid over to the State Treasurer. The State Treasurer shall have power, upon the failure or refusal of an insurance company to pay to him the unclaimed funds as herein provided, to institute an action therefor in any court of competent jurisdiction. C. 17:34-52. Payment to State Treasurer.

The State Treasurer shall have the power, for cause shown, to extend for a period of not more than one year the time within which any insurance company shall file any report and make any publication required by this act, and he shall have the power, for cause shown, to extend for a period of not more than one year the time within which any insurance company shall make any payment to him required by this act.

150. Section seven of chapter one hundred fifty-four of the laws of one thousand nine hundred and forty-six is amended to read as follows: Section amended.

7. A claim for any unclaimed funds may be filed at any time with the State Treasurer by or in behalf of any person entitled to receive the same. The State Treasurer shall possess full and complete authority to accept or reject any such claim. In event any such claim is rejected by him, the claimant may institute an action in the Superior Court to enforce such claim. The court may proceed in the action in a summary manner or otherwise. C. 17:34-55. Claims against funds.

151. Section 17:35–14 of the Revised Statutes is amended to read as follows: Section amended.

17:35–14. When the commissioner, upon investigation, is satisfied that any such corporation of this State is insolvent because of matured death claims, or other obligations due and unpaid, ex- Injunction.

ceeding its assets and death assessments or periodical calls made or in process of collection, or has exceeded its powers, failed to comply with any provisions of law, or is conducting business fraudulently, he shall institute an action in the Superior Court to enjoin the corporation from transacting any further business, and for such other relief as may be appropriate. The court may proceed in the action in a summary manner or otherwise.

Section amended.

152. Section 17:35–23 of the Revised Statutes is amended to read as follows:

Agent defined, penalty for acting as agent without authority.

17:35–23. Whoever solicits, procures or receives in or transmits from this State an application other than his own, for membership or insurance in a corporation or association included in section 17:35–18 of this Title, shall be deemed to be an agent of the corporation or association within the meaning of this article. Any person who transacts business for any such corporation or association, as an agent thereof within the meaning of this article, without having a certificate of authority from the commissioner to act as agent, or after his certificate of authority has been suspended or revoked, shall be subject to a penalty of two hundred fifty dollars ($250.00), to be enforced and collected, in the name of the State, on the complaint of the commissioner in a summary proceeding in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). A warrant may issue in lieu of a summons. Upon the failure of the defendant to pay forthwith the amount of any money judgment rendered against him, the defendant shall be committed to the county jail until the penalty and costs are paid. The costs recoverable in such proceeding shall be the same as are allowed in civil actions in the court in which the proceeding is instituted. The expenses of the action shall be paid by the commissioner out of any available funds not otherwise appropriated.

153. Section one of chapter two hundred thirty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

Section amended.

C. 17:35-26. Policy, certificate and endorsement forms filed, approval or disapproval, review.

1. No policy or certificate or endorsement thereto granting benefits in the event of death, sickness or bodily injury or death of the insured by accident shall be issued or delivered in this State by any assessment insurance company or association until a copy of the form thereof, the classification of risks and the premiums or rates of contribution thereon and the form of application therefor have been filed with the Commissioner of Banking and Insurance. If the commissioner shall at any time notify any company or association of his disapproval of any such policy or certificate form, application or endorsement because such policy, application or endorsement contains provisions which are unjust, unfair, inequitable, misleading, contrary to law or to the public policy of this State or because the policy or certificate is sold in such manner as to mislead the insured or because insurance under such policy or certificate is being solicited by any means of advertising, communication or dissemination of information which involves misleading or inadequate description of the provisions of the policy or certificate, specifying particulars, it shall be unlawful for such company or association thereafter to issue any policy or certificate or endorsement thereto or use any application in the form so disapproved. Such disapproval of the commissioner shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

154. Section eleven of chapter one hundred seventy-one of the laws of one thousand nine hundred and forty-four is amended to read as follows:

Section amended.

C. 17:36-5.11. Withdrawal of approval, review.

11. The Commissioner of Banking and Insurance may after notice and hearing withdraw any such approval. The action of the Commissioner of Banking and Insurance in refusing or withdrawing any such approval shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

Copy of policy form filed, disapproval, review.

155. Section 17:38–1 of the Revised Statutes is amended to read as follows:

17:38–1. No policy of insurance or endorsement thereto against loss or damage from the sickness or the bodily injury or death of the insured by accident shall be issued or delivered in this State by any insurance company to any resident thereof until a copy of the form thereof, classification of risks and premium rates pertaining thereto and form of application therefor have been filed with the Commissioner of Banking and Insurance. If the commissioner shall at any time notify any company of his disapproval of any such policy form, application or endorsement because (1) the benefits are unreasonable in relation to the premium charged, or (2) such policy, application or endorsement contains provisions which are unjust, unfair, inequitable, misleading, contrary to law or to the public policy of this State, or (3) the policy is sold in such manner as to mislead the insured, or (4) insurance under such policy is being solicited by any means of advertising, communication or dissemination of information which involves misleading or inadequate description of the provisions of the policy, specifying particulars, it shall be unlawful for such company thereafter to issue any policy or endorsement or use any application in the form so disapproved. Such disapproval of the commissioner shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

156. Section seven of chapter three hundred five of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

C. 17:38-20. Copy of policy form, application, riders, etc., filed, disapproval, review.

7. No policy of group accident, group health, group accident and health, or blanket accident insurance shall be issued or delivered in this State by any insurance company to any resident thereof until a copy of the form thereof, all forms of applications, riders and endorsements for use in connection with the issuance or renewal thereof and all certificates of insurance to be issued thereunder

have been filed with the Commissioner of Banking and Insurance. If the commissioner shall at any time notify any company of his disapproval of any such form as contrary to law, specifying particulars, it shall be unlawful for such company thereafter to issue any such form so disapproved. Such disapproval of the commissioner shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

157. Section 17:45–13 of the Revised Statutes is amended to read as follows:

Failure to file annual statement or answer inquiries, penalty.

17:45–13. Any such association which neglects to make and file its annual statement in the form and within the time provided by section 17:45–12 of this Title or to reply in writing to inquiries of the commissioner within such reasonable time as may be specified by him shall forfeit twenty-five dollars ($25.00) for each day's neglect, to be recovered in a civil action, and upon notice by the commissioner to that effect its authority to do new business in this State shall cease while such default continues.

Section amended.

158. Section 17:45–14 of the Revised Statutes is amended to read as follows:

Examination of companies, expenses, forbids gifts.

17:45–14. The commissioner may, whenever he deems it expedient, make or cause to be made an examination of the assets and liabilities, method of conducting business and all other affairs of every such association authorized or which has made application for authority to transact business under the provisions of this chapter. For the purpose of such examination the commissioner may authorize and employ such persons to conduct the same or to assist therein as he may deem advisable, which examination may be conducted in any State in which the association examined has an office, agent or place of business. The reasonable expense of such examination shall be fixed and determined by the commissioner, and he shall collect the same from the association examined, which shall pay same on presentation of a detailed account of such expense. If any association, after such examina-

tion, shall be adjudged by the Superior Court to be insolvent, the expense of such examination, if unpaid, shall be ordered paid out of the assets of the association. No association shall, either directly or indirectly, pay, by way of gift, credit or otherwise, any other or further sum to the commissioner or to any person in the employ of the department, for extra service or for purposes of legislation, or for any other purpose whatsoever.

Section amended.

159. Section 17:45–15 of the Revised Statutes is amended to read as follows:

Injunction against doing business, proceedings in Superior Court.

17:45–15. When any such association shall become insolvent or shall suspend its ordinary business for want of funds to carry on the same, or when the commissioner shall ascertain, as a result of examination as authorized by this chapter, or in any other manner, that any such association is exceeding its powers or violating the law or that its condition or methods of business are such as to render the continuance of its operations hazardous to the public or its members or that the assets of such association are less than its liabilities including the guarantee, benefit and reserve funds required by the provisions of this chapter or that the membership of such association has decreased to less than one hundred persons, the commissioner may institute an action in the Superior Court to enjoin such association from the transaction of any further business, or the transfer or disposal of its property in any manner whatsoever, and the court may grant injunctive relief and appoint a receiver, with power to sue for, collect, receive and take into his possession all the goods and chattels, rights, and credits, moneys and effects, lands and tenements, books, papers, choses in action, bills, notes and property of every description belonging to such association, and sell and convey and assign the same, and hold and dispose of the proceeds thereof under the directions of the court. The court may proceed in the action in a summary manner or otherwise.

160. Section 17:45–17 of the Revised Statutes is amended to read as follows:

Section amended.

17:45–17. Any mutual benefit association of this or any other State, country or province which shall have violated any of the provisions of, or shall have neglected, failed or refused to comply with any of the requirements of this chapter, except the failure to file an annual statement, shall be liable to a penalty of five hundred dollars ($500.00), to be sued for and collected by the commissioner in a civil action in the name of the State. Each such penalty when recovered shall be paid by the commissioner into the State treasury for the use of the State.

Violations, penalty, recovery, misrepresentation by employee a misdemeanor.

Any officer, agent, employee or member of any such association doing business in this State who shall issue, circulate or cause or permit to be circulated, any estimate, illustration, circular of any sort misrepresenting the terms of any certificate issued by such association or any other association authorized to transact business under this chapter, misrepresent the benefits or advantages promised thereby, use any name or title of any certificate or class of certificates misrepresenting the true nature thereof, solicit, negotiate or effect the sale of any benefit contract or membership certificate of any mutual benefit association which shall have neglected, failed or refused to procure a certificate of authority as provided for by the provisions of this chapter, or accept any dues, contributions, fees, assessments or thing of value of any kind in consideration for such benefit contract or membership certificate on behalf of such association, shall be guilty of a misdemeanor.

161. Section 17:46–2 of the Revised Statutes is amended to read as follows:

Section amended.

17:46–2. The Commissioner of Banking and Insurance; any corporation to whom the provisions of this chapter apply, by authority of its board of directors given at a regular or special meeting, which meeting may be called on one day's notice by mail (unless same be waived), or by authority of a majority of its board of directors evidenced in

Insolvency proceedings, who may institute, trustee.

writing; ten per centum (10%) of the stockholders of any such corporation; or ten per centum (10%) of its creditors, absolute or contingent, may institute an action in the Superior Court for the relief hereinafter set forth. The court may proceed in the action in a summary manner or otherwise. If the court shall determine that said corporation is insolvent, or has suspended its ordinary business for want of funds to carry on the same, or that its condition or methods of business are such as to render the continuance of its operation hazardous to the public or to holders of its guarantees, or that its business has been and is being conducted at great loss and greatly prejudicial to the interests of its creditors and stockholders, or that the interests of its creditors, absolute or contingent, or of the public, or its stockholders, or the conservation of its assets or business require the intervention of the court, it shall so adjudge, and thereupon the commissioner shall become trustee of the corporation, its assets and property, rights, credits and interests, and of any subsidiary corporation, herein included in the term "corporation," or "company," its assets and properties, rights, credits and interests, and of any trust or trusts created by or the result of any instrument issued by said corporation in the course of its business or the result of any conduct of the corporation, the trust or trusts to be administered by the commissioner subject to the supervision and control of the court in the action and as a trust administered in that court.

Section amended.

162. Section 17:46–3 of the Revised Statutes is amended to read as follows:

Powers and duties of commissioner as trustee.

17:46–3. The court shall have power and authority to make orders and judgments authorizing and empowering the commissioner to exercise all or any of the following powers and duties: All of the powers of the corporation and its board of directors or officers, and its privileges and franchises, provided that no additional guarantees or similar obligations shall be created; except as hereinafter mentioned, all such powers as might be conferred upon

a receiver of such a corporation by the court in the conduct of its business; in the name of the corporation or otherwise, to demand, sue for, collect, receive and take into his possession all the goods and chattels, rights and credits, moneys and effects, lands and tenements, books, papers, choses in action, bills, notes and property of every description of such corporation or any such trust, and in his discretion to compound and settle with any debtor or creditor of such corporation or any such trust, or with persons having possession of its property or in any way responsible to such corporation or any such trust, upon such terms and conditions and in such manner as he shall deem just and beneficial to the corporation or trust, and in case of mutual dealings between the corporation and any person to allow just and proper set-offs in favor of such persons in all cases in which the same ought to be allowed; to sell, convey and assign all or any part of the said estate, rights and interests, including bills, notes and choses in action of said corporation or any such trust; in the name of such corporation or otherwise to prosecute and defend any and all actions and other legal proceedings and, in the name of such corporation or otherwise, execute, acknowledge and deliver any and all deeds, assignments, releases, warrants to cancel mortgages and other instruments necessary or proper to effectuate any sale of real or personal property, or to compromise or compound claims or to restore to any person any property deposited or transferred as security for the payment of any debt or the performance of any obligation upon the payment of such debt or the performance of such obligation, and any deed or other instrument executed pursuant to the authority hereby given, shall be valid and effectual for all purposes, as though the same had been executed by the officers of such corporation by authority of its board of directors; to deposit the moneys collected or in the hands of the commissioner or under his control in one or more national or State banks, savings banks or trust com-

panies, within this State or the city of New York, which said deposits shall be entitled in case of insolvency or liquidation of the depository to such priority in payment as may be given to deposits of public funds under the applicable banking law; to temporarily invest any such moneys in obligations of the United States of America; to, either personally or by any assistants designated by him, subpœna witnesses to compel their attendance, to administer an oath, and to examine any person under oath, before him, or before any assistant duly designated for such purpose, and, in connection therewith, require the production of any books or papers relevant to the inquiry, and, if a person subpœnaed to attend such inquiry fails to obey the command of a subpœna without reasonable excuse or a person in attendance upon such inquiry, shall, without reasonable cause, refuse to be sworn or to be examined, or to answer a question, or to produce a book or paper when ordered to do so by the officer duly conducting such inquiry, or if any corporation, association, partnership, or individual fails to perform any act required hereunder to be performed, the Superior Court may compel him to do so; to receive, collect and sue for the interest and principal of any bonds, mortgages or other security held by or under the control of such corporation or in any trust created by or the result of any instruments issued by said corporation in the course of its business or as a result of any conduct of the corporation, or with respect to which the corporation has an agency by any instrument or by any foreclosure or other action thereon, take title to the property sold under such action or deeded by any mortgagor or owner, in such form and manner as he or the said court may determine; to, with the consent where required of all of the persons interested in any specific mortgage or property, or with the consent where required of two-thirds in interest of such persons and with the approval of the court, extend and renew mortgages, sell, convey and realize upon the same or any real estate and other

assets, at such prices and on such terms, including the taking of security for part of the purchase money, as shall be deemed advantageous, or lease, exchange and otherwise deal with and dispose of all such mortgages, real estate and other assets which may come to his possession; to turn over to holders of guaranteed mortgage investments, mortgages to which they are entitled under the assignments or certificates or other instruments held by them, or the properties held as a result of the foreclosure thereof, or the foreclosure judgment in such case, and to agree upon and compound and settle claims by or against the corporation in respect thereto, including the adjustment and the payment or collection or postponement or securing the equities or interests of the corporation therein by reason of advances made by it for interest, principal or other payments guaranteed by it or for taxes or other expenses; to use such consents as are required, of persons in interest; to accept such guaranteed mortgage investments in payment for properties or mortgages upon such terms as he may deem proper and to facilitate the exchange of guaranteed mortgage investments among holders for the purpose of effecting such cancellation; to compromise, compound and settle debts of the corporation by the surrender or transfer of mortgages or certificates, or properties or equities or interests therein held by it in its own right; to, with the consent of all the persons in interest, or with the consent of two-thirds of the persons in interest and with the approval of the court, borrow moneys for the protection, rehabilitation, repair, maintenance, payment of taxes and other charges or expenses arising out of holding or management of any properties owned, mortgaged or controlled by virtue of agreements or otherwise and charge the same against such properties or mortgages as a lien thereon prior to the rights of the holders of the guaranteed mortgage investments affecting the same, or in like manner to borrow moneys for such purpose affecting a number or group of properties or mortgages;

to borrow moneys, with the approval of the court for any necessary general expense of administration and issue such trustees' or receivers' certificates or other obligations as the court may direct; to secure the repayment of the certificates or other obligations of the commissioner by the mortgage, pledge, assignment, transfer in trust, or hypothecation of any or all of the property whether real, personal or mixed of such corporation or of the trusts which may come to his possession or be in his control; and to take any and all other action necessary and proper to consummate any such loans and to provide for the repayment thereof, and the commissioner shall be under no obligation personally or in his official capacity as commissioner to repay any loan made pursuant to this provision; to administer the properties, rights, credits and interests which may come to his possession as one trust irrespective of the terms of any instruments made by said corporation in the conduct of its business, keeping proper books of account from which, in the event of ultimate liquidation, the rights of the interested parties may be determined, charging against the separate interests of the parties such proportion of the cost of the general administration, including the repayment of any indebtedness incurred by the commissioner, as the court may determine just and equitable; to, in all cases in which he is satisfied from the books and records of the company or from any other evidence as to the ownership of guaranteed mortgage investments, without requiring the filing of proofs of claim, remit and pay so much of the net available collected interest, principal or proceeds of sales, as he may deem prudent or as the court may direct, after deducting therefrom reasonable amounts to cover costs and expenses of collection, foreclosure, sale or other corporate functions performed under this chapter, and after reserving so much as he may deem necessary or proper to meet expenses or charges or taxes accrued or accruing against specific properties or mortgages, and for service in the

collection thereof, and for general expenses of administration, including, in his or the court's discretion, moneys on hand at the time of taking possession of such company available for and awaiting distribution to persons entitled thereto; to permit outstanding checks or accepted drafts of such corporation representing such payments theretofore made, or other proper payments in the course of business of the corporation to be honored and charged against funds of the corporation on hand; to exercise such further powers and duties as the court may determine.

Section amended.

163. Section 17:46–4 of the Revised Statutes is amended to read as follows:

Court may remove commissioner as trustee.

17:46–4. The court shall have power to remove the commissioner and appoint another trustee or trustees and, except as from time to time the court may otherwise order, the substituted trustee or trustees shall have the powers and authority and be charged with all the duties which at the time of his or their appointment had been conferred upon the commissioner, and thereafter the court may confer upon such substituted trustee or trustees any power or authority which it is permitted by the terms of this chapter to confer upon the commissioner.

Section amended.

164. Section 17:46–5 of the Revised Statutes is amended to read as follows:

Title to assets.

17:46–5. Title to the assets and property, rights and credits of said corporation and of any such trust shall remain in the corporation or as it was at the time of the commencement of the action, unless the court shall otherwise order, but the court may, at any time, upon such notice as it may prescribe, vest title to the whole or any part of the property, assets, rights and credits of such corporation or of any such trust or coming to the possession or control of the commissioner, in the commissioner.

Section amended.

165. Section 17:46–6 of the Revised Statutes is amended to read as follows:

Jurisdiction and powers of court.

17:46–6. When the commissioner becomes trustee of the corporation, all actions, judgments, levies and executions against the assets and property, rights and credits of the corporation or any property of any trust shall be stayed, unless and until otherwise ordered by the court. The court shall have exclusive jurisdiction to determine all judicial questions, and all controversies arising in the course of or respecting the administration of the assets, property, rights and credits of the corporation, and all accountings arising therein, and of the rights of all parties interested therein, and all subsidiary and ancillary actions or proceedings, and of all questions affecting any and all trusts or affecting any of the assets, property, rights and credits of such corporation, or of any property, assets, rights and credits in the possession of or under the control of the commissioner or of any of the trusts created by or the result of the issuance of any securities by the corporation in the course of its business, or resulting from any conduct of the corporation. No plenary proceedings shall be instituted in any action other than the one in which the administration of the assets and property, rights and credits of said corporation shall be pending, affecting any of the matters herein above stated, all such questions being drawn into the said action, and all such controversies and matters may be presented in such action by any party interested, including the commissioner. The court may make such declaratory orders and judgments as may be proper, and may permit such proceedings as the court may determine to be proper in other courts for the purpose of determining any matter with respect to any claim, the judgment in any other action or proceeding being enforceable only, however, in the Superior Court action. The court may at any time enjoin the corporation, its officers, directors, stockholders, members, trustees, agents, servants, employees, certificate holders, policyholders, cestuis

que trustent or other persons interested in any trust created by or the result of any instrument issued by the corporation in the conduct of its business or resulting from any conduct of the business of the corporation, bondholders, creditors, absolute or contingent, attorneys, managers and all other persons from the transaction of its business or a part thereof, or the waste or disposition of its property, and as may be deemed necessary to prevent interference with the commissioner in any proceeding hereunder, or interference with or waste of the assets of such company or of such trust, or the institution or prosecution of actions or the obtaining of preferences, judgments, attachments, or other liens, or the making of any levy against the company or against its assets or the assets of any such trust or any part thereof, and may grant such other restraint as to it shall seem proper to protect its exclusive jurisdiction.

Section amended.

166. Section 17:46–7 of the Revised Statutes is amended to read as follows:

Liens.

17:46–7. Upon the commissioner becoming trustee of the corporation, no bank, trust company, corporation, association, or individual knowing of the taking possession by the commissioner, or notified as aforesaid of the fact, shall have a lien or charge for any payment, advance or clearance thereafter made, or liability thereafter incurred against any of the assets of the corporation or of the trusts except as the commissioner shall deem necessary for the administration of the property and assets. After the commissioner becomes trustee, no lien shall be obtained by judgment, execution, attachment or of any proceedings whatsoever, and all liens so obtained shall be absolutely null and void, and of no effect.

Section amended.

167. Section 17:46–9 of the Revised Statutes is amended to read as follows:

Order to resume control of property.

17:46–9. The commissioner, or the corporation or any interested party, may at any time apply to the court for an order in such action permitting

the corporation to resume control of its property and the conduct of its business, but no such order shall be granted except with the approval of the commissioner in his official capacity and except after a determination by the court that the objects of the action have been accomplished.

Section amended.

168. Section 17:46–13 of the Revised Statutes is amended to read as follows:

Accrued wages preferred.

17:46–13. The wages or compensation of the clerical and office force, and other employees, of such corporation, due for services rendered within two months prior to the time that the commissioner becomes trustee, not exceeding three hundred dollars ($300.00) in any individual case, shall be preferred, and may be paid, in the discretion of the commissioner, at any time after he so becomes trustee.

Section repealed.

169. Section 17:46–14 of the Revised Statutes is hereby repealed.

Section amended.

170. Section 17:46–15 of the Revised Statutes is amended to read as follows:

Persons entitled to list of shareholders, court order relative to lists.

17:46–15. Any holder of a part or share of, or a participation certificate in, a guaranteed mortgage investment of any such corporation, shall have the right to obtain from the commissioner, upon reasonable and timely application made in good faith for the protection of his interest and upon paying or tendering payment of the reasonable expense thereof as determined by the commissioner, a list of the names and addresses and amount of the respective holdings of the other persons holding the other shares or parts, or participation certificates, in the same mortgage investment, or be permitted to make such list from the books or records of the company. Any such person may be required to establish his identity and right to such list and may be required to produce the certificate or other instrument evidencing his ownership of a part or share of such investment. The court may make a general order that no such lists shall be offered for sale or be generally circulated or be given general publicity, and a copy of such order

shall be delivered to the person obtaining such list at the time of delivery, and a violation of such order shall be deemed to be a contempt of the court and punishable as such.

Section amended.

171. Section 17:46–19 of the Revised Statutes is amended to read as follows:

Liquidation, court order, vacating order.

17:46–19. At any time the commissioner in his official capacity or as trustee may, or any party in interest may, provided no general plan of rehabilitation, reorganization, readjustment or liquidation shall have been approved, apply in the action for an order of liquidation. The court may make such order, provided it is satisfied that further effort to rehabilitate said corporation would be futile and that the interests of those interested so require. The commissioner or substitute trustee or trustees shall thereupon proceed to liquidate such corporation, and the date of such order shall be the date as of which claims shall be determined as respects their rank, amounts and validity, and the like, for the purposes of liquidation, and thereupon such proceedings shall be continued as liquidation proceedings. The liquidation of such corporation shall thenceforth proceed and be conducted under and in accordance with the provisions of chapter fourteen of Title 14; *provided, however,* that the court may also make such orders or judgments, as it is authorized to make under its inherent jurisdiction and any trusts involved shall be liquidated in such manner as the court shall determine. Nothing herein shall prevent or restrict the effectuation of any plan of general or partial liquidation adopted under this chapter.

Proviso.

The court may, however, at any time before liquidation has been effected, in a proper case, vacate the order for liquidation, whereupon the proceedings shall continue as if such order had not been made.

Section amended.

172. Section 17:46–20 of the Revised Statutes is amended to read as follows:

Order dissolving corporation.

17:46–20. The commissioner may apply in the action, at any time after an order or judgment of liquidation has been made, for an order dissolving the corporation.

Section amended.

173. Section 17:46–22 of the Revised Statutes is amended to read as follows:

Orders and regulations binding.

17:46–22. The orders and regulations made by the commissioner in his official capacity under the provisions of any law of this State, and the orders and judgments of the court made in the proceedings, and the acts of the commissioner thereunder or of any substituted trustee or trustees, shall be binding upon and effectual as to all persons who may be affected thereby in any manner, including trustees or depositaries of mortgages against which or under which interests in mortgages are issued, and any such trustees or depositaries shall be relieved of responsibility for any act or omission in compliance with said orders or regulations, or said orders or judgments made under this chapter.

Section amended.

174. Section 17:46–31 of the Revised Statutes is amended to read as follows:

Deposits preferred.

17:46–31. All deposits made by the commissioner or by any trustee or trustees, acting under the authority of this chapter, or under the authority of the Superior Court pursuant to this chapter, in State banks, savings banks or trust companies, in the event of the suspension or insolvency of the depository shall be preferred before all other deposits except such deposits as may be made by the commissioner which are given like preference by any statute of this State, with respect to which they shall have equal priority.

Section amended.

175. Section eight of chapter three hundred sixty-six of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:48-8. Copy of contract forms filed, disapproval, review.

8. No hospital service corporation shall enter into any contract with a subscriber unless and until it shall have filed with the Commissioner of

Banking and Insurance a copy of the contract or certificate and of all applications, riders and endorsements for use in connection with the issuance or renewal thereof. If the commissioner shall at any time notify the corporation filing the same of his disapproval of any such form, as contrary to law, or as being oppressive or calculated to mislead the public, specifying particulars, it shall be unlawful for such corporation thereafter to issue such form so disapproved. Such disapproval of the commissioner shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

176. Section nine of chapter three hundred sixty-six of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:48-9. Schedule of rates filed, disapproval, review.

9. No corporation subject to the provisions of this act shall enter into any contract with a subscriber unless and until it shall have filed with the Commissioner of Banking and Insurance a full schedule of the rates to be paid by the subscribers to such contracts. The commissioner may disapprove such schedule at any time if he finds that such rates are excessive, inadequate or discriminatory. It shall be unlawful for any corporation to effect any contract according to such rates thereafter. Such disapproval of the commissioner shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

177. Section eleven of chapter three hundred sixty-six of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:48-11. Annual financial statement filed, penalty for neglect to file.

11. Every hospital service corporation 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 inquiries to any such corporation 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 officers of such corporation 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.

Any hospital service corporation neglecting to make and file its annual statement in the form and within the time provided by the last preceding section or neglecting to reply in writing to inquiries of the Commissioner of Banking and Insurance within such reasonable time as may be specified by him shall forfeit twenty-five dollars ($25.00) for each day's neglect, to be recovered in a civil action, and upon notice by the Commissioner of Banking and Insurance to that effect its authority to do new business in this State shall cease while such default continues.

Section amended.

178. Section twelve of chapter three hundred sixty-six of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:48-12. Examination of assets and liabilities, expenses.

12. The Commissioner of Banking and Insurance shall have the power, whenever he deems it expedient, to make or cause to be made an examination of the assets and liabilities, method of conducting business and all other affairs of every hospital service corporation authorized or which has made application for authority to transact business under the provisions of this act. For the purpose of such examination the commissioner may authorize and employ such persons to conduct the same or to assist therein as he may deem advisable, which examination may be conducted in any State in which the corporation examined has an office, agent or place of business.

The reasonable expense of such examination shall be fixed and determined by the Commissioner of

Banking and Insurance, and he shall collect the same from the corporation examined, which shall pay same on presentation of a detailed account of such expense. In case any corporation, after such examination, shall be adjudged by the Superior Court to be insolvent, the expense of such examination, if unpaid, shall be ordered paid out of the assets of the corporation. No corporation shall, either directly or indirectly, pay, by way of gift, credit or otherwise, any other or further sum to the commissioner or to any person in the employ of the Department of Banking and Insurance, for extra service or for purposes of legislation, or for any purpose whatsoever.

It shall be the duty of the officers, agents and employees of any such corporation to exhibit all its books, records and accounts for the purpose of such examination, and otherwise to facilitate the same so far as it may be in their power to do so, and for that purpose the Commissioner of Banking and Insurance, and his deputies, assistants and employees shall have the power to examine, under oath, the officers, agents and employees of any such corporation relative to its business and affairs.

Section amended.

179. Section thirteen of chapter three hundred sixty-six of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:48-13. Insolvency, injunction, receiver, powers and duties.

13. Whenever any hospital service corporation shall become insolvent or shall suspend its ordinary business for want of funds to carry on the same, or whenever the Commissioner of Banking and Insurance shall ascertain, as a result of examination as authorized by this act, or in any other manner, that any such association is exceeding its powers or violating the law or that its condition or methods of business are such as to render the continuance of its operations hazardous to the public or its members or that the assets of such corporation are less than its liabilities or that the number of subscribers to its service has decreased to less than one hundred persons, said commis-

sioner may institute an action in the Superior Court to enjoin such corporation from the transaction of any further business, or the transfer or disposal of its property in any manner whatsoever. The court may proceed in the action in a summary manner or otherwise. It may grant injunctive relief and appoint a receiver, with power to sue for, collect, receive and take into his possession all the goods and chattels, rights, and credits, moneys and effects, lands and tenement, books, papers, choses in action, bills, notes and property of every description belonging to such corporation and sell and convey and assign the same, and hold and dispose of the proceeds thereof under the directions of the court. Any such corporation may be deemed insolvent whenever it is presently or prospectively unable to fulfill its outstanding contracts and to maintain the reserves required pursuant to this act.

Section amended.

180. Section fifteen of chapter three hundred sixty-six of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:48-15. Violations, penalties.

15. Any hospital service corporation of this or any other State, country or province which shall have violated any of the provisions of or shall have neglected, failed or refused to comply with any of the requirements of this act, except the failure to file an annual statement, shall be liable to a penalty of five hundred dollars ($500.00), to be sued for and collected by the Commissioner of Banking and Insurance in a civil action in the name of the State. The penalties when recovered shall be paid by the Commissioner of Banking and Insurance into the State treasury for the use of the State. Any officer, agent, employee or member of any such corporation doing business in this State who shall issue, circulate or cause or permit to be circulated, any estimate, illustration, circular of any sort misrepresenting the terms of any contract issued by such corporation, or any other such corporation authorized to transact business under this

act, or misrepresent the benefits or advantages promised thereby, or use any name or title of any contract or class of contracts misrepresenting the true nature thereof, or who shall solicit, negotiate or effect the issue of any contract of any hospital service corporation which shall have neglected, failed or refused to procure a certificate of authority as provided for by the provisions of this act or who shall accept any premiums, dues, deposits, contributions, fees, assessments or thing of value of any kind in consideration for such contract or certificate on behalf of such corporation, shall be guilty of a misdemeanor.

Section amended.

181. Section sixteen of chapter three hundred sixty-six of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 17:48-16. Disputes between hospital and corporation, review.

16. Any dispute arising between a corporation subject to the provisions of this act and any hospital with which such corporation has a contract for hospital service may be submitted to the Commissioner of Institutions and Agencies for his determination with respect thereto. All determinations of the Commissioner of Banking and Insurance made under the provisions of this act shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

182. Section nine of chapter seventy-four of the laws of one thousand nine hundred and forty is amended to read as follows:

C. 17:48A-9. Form of subscription certificate filed, disapproval, review.

9. No subscription certificate shall be issued by any medical service corporation to any subscriber unless and until the form thereof shall have been filed with the Commissioner of Banking and Insurance together with all applications, riders and endorsements for use in connection with the issuance or renewal thereof. If the commissioner shall at any time notify the corporation filing the same of his disapproval of any such form, as contrary to law, or as being oppressive or calculated to mislead the public, specifying particulars, it shall be unlawful for such corporation thereafter to issue

any such form so disapproved. Such disapproval of the commissioner shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

183. Section ten of chapter seventy-four of the laws of one thousand nine hundred and forty is amended to read as follows:

C. 17:48A-10. Schedule of rates filed, disapproval, review.

10. No corporation subject to the provisions of this act shall enter into any contract with a subscriber unless and until it shall have filed with the Commissioner of Banking and Insurance a full schedule of the rates to be paid by the subscribers to such contracts. The commissioner may disapprove such schedule of rates at any time if he finds that such rates are excessive, inadequate or discriminatory. It shall be unlawful for any corporation to effect any contract or issue any subscription certificate until a revised schedule of rates has been filed. Such disapproval by the commissioner shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

184. Section sixteen of chapter seventy-four of the laws of one thousand nine hundred and forty is amended to read as follows:

C. 17:48A-16. Failure to file statement or answer inquiries, penalty.

16. Any medical service corporation neglecting to make and file its annual statement in the form and within the time provided by the last preceding section, or neglecting to reply in writing to inquiries of the Commissioner of Banking and Insurance within such reasonable time as may be specified by him, shall forfeit twenty-five dollars ($25.00) for each day's neglect, to be recovered in a civil action; and upon notice by the Commissioner of Banking and Insurance to such effect, its authority to do new business in this State shall cease while such default continues.

185. Section eighteen of chapter seventy-four of the laws of one thousand nine hundred and forty is amended to read as follows:

Section amended.

C. 17:48A-18. Expenses of examination, forbids gifts to department employees.

18. The reasonable expense of such examination shall be fixed and determined by the Commissioner of Banking and Insurance, and he shall collect the same from the corporation examined, which shall pay same on presentation of a detailed account of such expense. In case any corporation, after such examination, shall be adjudged by the Superior Court to be insolvent, the expense of such examination, if unpaid, shall be ordered paid out of the assets of the corporation. No corporation shall, either directly or indirectly, pay, by way of gift, credit or otherwise, any other further sum to the commissioner or to any person in the employ of the Department of Banking and Insurance, for extra service or for purposes of legislation, or for any other purpose whatsoever.

186. Section twenty of chapter seventy-four of the laws of one thousand nine hundred and forty is amended to read as follows:

Section amended.

C. 17:48A-20. Insolvency, injunction, receiver.

20. Whenever any medical service corporation shall become insolvent or shall suspend its ordinary business for want of funds to carry on the same, or whenever the Commissioner of Banking and Insurance shall ascertain, as a result of examination as authorized by this act, or in any other manner, that any such medical service corporation is exceeding its powers or violating the law or that its condition or methods of business are such as to render the continuance of its operations hazardous to the public or its members, that its assets are less than its liabilities or that the number of subscribers to its service has decreased to less than one hundred persons, or that it has failed to maintain the number of participating physicians specified by this act, said commissioner may institute an action in the Superior Court to enjoin it from the transaction of any further business, or from the transfer or disposal of its property in any manner whatsoever.

The court may proceed in the action in a summary manner or otherwise. It may grant injunctive relief and appoint a receiver, with power to sue for, collect, receive and take into his possession all the goods and chattels, rights and credits, moneys and effects, lands and tenement, books, papers, choses in action, bills, notes and property of every description belonging to such medical service corporation and sell and convey and assign the same, and hold and dispose of the proceeds thereof under the directions of the Superior Court. Any such medical service corporation may be deemed insolvent whenever it is presently or prospectively unable to fulfill its outstanding contracts and to maintain the reserves required pursuant to this act.

Section amended.

187. Section twenty-two of chapter seventy-four of the laws of one thousand nine hundred and forty is amended to read as follows:

C. 17:48A-22. Violations, penalty, recovery.

22. Any medical service corporation of this or any other State, country or province which shall have violated any of the provisions of or shall have neglected, failed or refused to comply with any of the requirements of this act, except the failure to file an annual statement, shall be liable to a penalty of five hundred dollars ($500.00), to be sued for and collected by the Commissioner of Banking and Insurance in a civil action in the name of the State. The penalties when recovered shall be paid by the Commissioner of Banking and Insurance into the State treasury for the use of the State. Any officer, agent, employee or member of any such corporation doing business in this State, or any other person who shall issue, circulate or cause or permit to be circulated, any estimate, illustration, circular of any sort misrepresenting the terms of any contract issued by such corporation, or any other such corporation authorized to transact business under this act, or misrepresent the benefits or advantages promised thereby, or use any name or title of any contract or class of contracts misrepresenting the true nature thereof, and any person who shall

solicit, negotiate or effect the issue of any contract or subscription certificate of any medical service corporation of this or any other State which shall have neglected, failed or refused to procure a certificate of authority as provided for by the provisions of this act, or who shall accept any premiums, dues, deposits, contributions, fees, assessments or thing of value of any kind in consideration for such contract or certificate on behalf of such corporation, shall be guilty of a misdemeanor.

Section amended.

188. Section six of chapter one hundred eighty-eight of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

C. 17:49-6. Penalties, Superior Court jurisdiction.

6. Any person who shall violate any provision of this act shall be guilty of a misdemeanor and punished accordingly, and, in addition thereto, shall be liable to a penalty in the sum of five hundred dollars ($500.00) for each violation, to be sued for and collected by the Commissioner of Banking and Insurance in a civil action in the name of the State. The Superior Court shall have jurisdiction to restrain any violation of this act in an action brought for that purpose by the Commissioner of Banking and Insurance, and may appoint a receiver for such assets of any person, partnership, or association of persons as are actually employed in the conduct of business in violation of this act.

Section amended.

189. Section four of chapter one hundred sixty-one of the laws of one thousand nine hundred and forty-five is amended to read as follows:

C. 17:50-4. Instrument authorizing service of process, filed, fee.

4. Concurrently with the filing of the declaration provided for by the terms of section three hereof, the attorney shall file with the Commissioner of Banking and Insurance of this State an instrument in writing duly executed by him for said subscribers, conditioned that upon the issuance of certificate of authority provided for in section eleven hereof, action may be brought in any county in which the cause of action arises, or where the claimant resides, and service of process may be had upon the Commissioner of Banking and Insurance of

this State in all actions or proceedings in this State arising out of any policies, contracts or agreements issued, which service shall be valid and binding upon all subscribers exchanging at any time reciprocal or interinsurance contracts through such attorney. Three copies of such process shall be served and the Commissioner of Banking and Insurance of this State shall file one copy in his office, forward one copy to said attorney, and return one copy with his admission of service. Where the principal office of the attorney is located in this State, service of process may also be had upon all subscribers by serving the attorney at said office. Service of process shall not be had upon subscribers or any of them in any action or proceeding in this State, except in the manner provided in this section, and any action or other proceeding may be begun and prosecuted or defended by them under the name or designation adopted by them. A service fee of two dollars ($2.00) shall accompany each such service and be paid to the Commissioner of Banking and Insurance.

Section amended.

190. Section one of chapter three hundred thirty of the laws of one thousand nine hundred and fifty-two is amended to read as follows:

C. 17:51-1. Acts which constitute commissioner as attorney for service of process, service.

1. (a) Any of the following acts in this State, by an insurer not authorized to transact business in this State: (1) the issuance or delivery of contracts of insurance to residents of this State or to corporations authorized to do business therein, (2) the solicitation of applications for such contracts, (3) the collection of premiums, membership fees, assessments or other considerations for such contracts, or (4) any other transaction of business in relation to such contracts of insurance, is equivalent to and shall constitute an appointment by such insurer of the Commissioner of Banking and Insurance and his successor or successors in office, to be its true and lawful attorney, upon whom may be served all lawful process and a complaint in any action or proceeding instituted by or on behalf of

an insured or beneficiary arising out of any such contracts of insurance, and any such act shall be signification of its agreement that such service of process and a complaint is of the same legal force and validity as personal service of the same in this State upon such insurer.

(b) Such service of process and a complaint upon the commissioner shall be made by leaving two copies thereof, with the fee prescribed by law, in the hands of the commissioner or someone designated by him in his office, or in the following actions, by serving the same, as follows: (1) If the action is commenced in the County Court of any county other than Mercer county, then the sheriff or other authorized person, or (2) if the action is commenced in the county district court of any county other than Mercer county, then the clerk of the court may serve the commissioner by mailing such papers to him by registered mail, with the said fee. The commissioner shall forthwith mail by registered mail one of the copies of such process and complaint to the defendant at its last-known principal place of business, and shall keep a record of all papers so served upon him. The commissioner, upon giving notice to the defendant of the service of process as required by this act, shall file with the clerk of the court his certificate of the notice given. Such service of process and a complaint is sufficient, provided notice of such service and a copy of the papers are sent within ten days thereafter by registered mail by plaintiff or plaintiff's attorney to the defendant at its last-known principal place of business, and the defendant's receipt, or receipt issued by the post office with which the letter is registered, showing the name of the sender of the letter and the name and address of the person to whom the letter is addressed, and the affidavit of the plaintiff or plaintiff's attorney showing a compliance herewith are filed with the clerk of the court in which such action is pending on or before the date the defendant is required to appear, or within such further time as the court may allow.

(c) Service of process and a complaint in any such action or proceeding shall in addition to the manner provided in subsection (b) of this section be valid if served upon any person within this State who, in this State on behalf of such insurer, is

(1) soliciting insurance, or

(2) making, issuing or delivering any contract of insurance, or

(3) collecting or receiving any premium, membership fee, assessment or other consideration for insurance; and a copy of such process and complaint is sent within ten days thereafter by registered mail by the plaintiff or plaintiff's attorney to the defendant at the last-known principal place of business of the defendant, and the defendant's receipt, or the receipt issued by the post office with which the letter is registered, showing the name of the sender of the letter and the name and address of the person to whom the letter is addressed, and the affidavit of the plaintiff or plaintiff's attorney showing a compliance herewith are filed with the clerk of the court in which such action is pending on or before the date the defendant is required to appear, or within such further time as the court may allow.

(d) No plaintiff shall be entitled to a judgment by default under this section until the expiration of thirty days from date of the filing of the affidavit of compliance.

(e) Nothing in this section contained shall limit or abridge the right to serve any process, complaint, notice or demand upon any insurer in any other manner now or hereafter permitted by law.

Section amended.

191. Section two of chapter three hundred thirty of the laws of one thousand nine hundred and fifty-two is amended to read as follows:

C. 17:51-2. Actions against unauthorized insurer.

2. (a) Before any insurer not authorized to transact business in this State shall file or cause

to be filed any pleading or other paper in any action or proceeding instituted against it, such insurer shall either (1) deposit with the clerk of the court in which such action or proceeding is pending cash or securities or file with such clerk a bond with good and sufficient sureties, to be approved by the court, in an amount to be fixed by the court sufficient to secure the payment of any final judgment which may be rendered in such action; *provided, however,* that the court may in its discretion and after reasonable notice to the opposing party and upon a hearing make an order dispensing with such deposit or bond where the insurer shows to the satisfaction of the court that it maintains, in a State of the United States, funds or securities, in trust or otherwise, sufficient and available to satisfy any final judgment which may be entered in such action or proceeding; or (2) procure a certificate of authority to transact the business of insurance in this State. Proviso.

(b) Nothing in subsection (a) of this section is to be construed to prevent an insurer not authorized to transact business in this State from making a motion for summary judgment, or judgment on the pleadings, or to dismiss the complaint on the ground either (1) that such insurer has not done any of the acts enumerated in subsection (a) of section one, or (2) that the person on whom service was made pursuant to subsection (c) of section one was not doing any of the acts therein enumerated.

192. Section three of chapter three hundred thirty of the laws of one thousand nine hundred and fifty-two is amended to read as follows: Section amended.

3. The provisions of this act shall not apply to any action or proceeding against any unauthorized insurer arising out of a contract of C. 17:51-3. Provisions inapplicable.

(a) Reinsurance effectuated in accordance with the laws of New Jersey;

(b) Insurance effectuated in accordance with chapter four hundred sixty-two of the laws of one thousand nine hundred and forty-eight;

(c) Aircraft insurance;

(d) Insurance on property or operations of railroads engaged in interstate commerce;

(e) Insurance against legal liability arising out of the ownership, operation or maintenance of any property having a permanent situs outside of this State; or

(f) Insurance against loss of or damage to any property having a permanent situs outside this State; where such contract contains a provision designating the commissioner of insurance to be its true and lawful attorney upon whom may be served all lawful process in any action or proceeding instituted by or on behalf of an insured or beneficiary arising out of any such contract or where the insurer enters a general appearance in any such action or proceeding.

193. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 18

AN ACT concerning education, and revising parts of the statutory law.

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

Section amended.

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

Powers and duties.

18:2–4. The State board may:

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

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

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

d. Decide appeals from the decisions of the commissioner;

e. Make and enforce rules and regulations for the granting of appropriate certificates or licenses to teach or to administer, direct, or supervise, the teaching, instruction or educational guidance of pupils in public schools operated by boards of education, for each of which certificates a fee of not less than five dollars ($5.00) shall be charged.

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

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

g. Appoint, upon application, a superintendent of schools in two or more districts whenever in its opinion it is advisable so to do, and apportion the expense equitably among the districts;

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

i. Except as provided by sections 18:14–5 and 18:14–7 of this Title, fix rates to be paid by a district for the tuition of children sent from it to the schools of other districts, when the districts cannot agree among themselves as to the proper rates, and require any districts having the necessary accommodations to receive pupils from other districts at rates agreed upon or which it may fix in the event of disagreement;

j. Compel the production at such time and place within the State as it may designate of any and all books, papers, and vouchers in any way relating to schools or to the receipt or disbursement of school moneys; compel the attendance before it or before any of its committees or before the commissioner or one of his assistants at such time and place as it may designate of any member of a board of education or of any person in the employ

of a board of education, and suspend from office any person refusing to attend or to submit such books, papers, and vouchers as he may have been directed to produce;

k. Issue subpœnas signed by its president and secretary compelling the attendance of witnesses and the production of books and papers in any part of the State before it or before any of its committees or before the commissioner or one of his assistants. Any person who shall neglect or refuse to obey the command of the subpœna or who, after appearing, shall refuse to be sworn and testify, except such refusal be on grounds recognized by law, shall in either event be liable to a penalty of one hundred dollars ($100.00) for each offense to be recovered by the State Board of Education in a civil action. Such penalty when recovered shall be paid into the treasury of the State;

l. Advance the education of people of all ages;

m. Establish standards of higher education;

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

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

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

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

r. Investigate and recommend respecting the needs for facilities and services at the State University of New Jersey as an instrumentality of the State for providing public higher education and thereby to increase the efficiency of the public school system of the State, advise with the State University of New Jersey regarding its annual budget for services, lands, buildings, and equipment

and jointly with the State University make recommendations to the Governor and to the Legislature in suport of such budget, and make with the State University contracts in behalf of the State in accordance with legislative appropriations;

s. Make to the Governor and the Legislature such recommendations as the State board deems necessary with regard to appropriations that may be required for services, lands, buildings, and equipment to be furnished by institutions of higher education other than the State University of New Jersey, and make contracts in behalf of the State with such institutions in accordance with legislative appropriations; *provided,* that no disbursement of moneys so appropriated shall be made to any such institution or institutions utilized by the State for the purpose of public higher education, except on recommendation of the State board; and the State board shall see to the application of the money for such purposes; Proviso.

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

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

2. Section one of chapter four hundred twenty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows: Section amended.

1. Whenever any school district of this State has heretofore received a conveyance of lands subject to a recital or condition in the deed of conveyance, substantially providing that the land and premises conveyed is intended to be conveyed for the express purpose of building a public schoolhouse on the same and for the uses and purposes of a public school for said district, and the lands so conveyed C. 18:5-29.1. Sale of land not used for building.

have been held by the district for more than thirty years upon which no public schoolhouse has even been built or has stood for the past twenty years, and the board of education of the district shall determine that the lands are not required for school uses and purposes; the board of education of the district may sell and convey the said lands and make, execute and deliver a valid conveyance thereof, free of any such recital or condition and thereby vest a title in fee simple absolute in the grantee as fully as though such recital or condition was not contained in the deed of conveyance to the school district; *provided,* that no proceeding or action shall be commenced against said school district for the recovery of said lands or the enforcement of such recital or condition within the period of one year from the date of conveyance of said lands by the board of education of the district.

Proviso.

Section amended.

3. Section 18:5–31 of the Revised Statutes is amended to read as follows:

Sale under certain circumstances.

18:5–31. When any person dies and by his last will and testament gives, devises and bequeaths any real estate to the board of education of any municipality in this State, by whatever name or names the board may be designated, in trust to take and receive the rents, issues, and profits arising from the same, pay all expenses necessary to the maintenance and proper care of such premises, and the net income arising therefrom to invest in books or other school properties, or otherwise for and on behalf of the schools or any school in such municipality, and for the use and benefit of the scholars thereof, such real estate may be sold under the circumstances hereinafter enumerated and in the manner hereinafter prescribed.

When the buildings upon the property are or become old, dilapidated and greatly in need of extraordinary repairs, or when such buildings are not well adapted or become not well adapted for business or other purposes for which they were built, or cannot be repaired or modernized so as

to yield a good income without extraordinary expense, or when a fair rental, considering the value of the property, cannot be obtained for the same, or when the premises consist in whole or in part of vacant lots which cannot be rented for a fair price or at all, and when if sold the proceeds arising from the sale of the real estate could be invested and in that way yield a larger income than could be obtained by the renting or other use of the premises, then the board of education or other trustees of the schools or any school of any municipality in this State, may institute a civil action in the Superior Court to direct such lands and other premises to be sold in fee simple absolute. The court may proceed in the action in a summary manner or otherwise.

If it shall be made to appear to the court by any person or persons whom it may concern that such sale may be had without prejudice to the public welfare and the best interests of the school or schools for whose benefit the devise was made, and that it is advisable and best for the beneficiaries of the trust, and that their interests would be promoted by the sale, the court may direct the lands and other premises to be sold in fee either at public or private sale, and with such limitations as to price and as to credit for purchase money as it may deem proper to direct.

A deed given pursuant to such directions and made by such person as may be designated by the court shall convey to the purchaser an estate in fee simple absolute, freely and fully discharged from the trust created by the will of the testator, including such devise whether in trust or not as is mentioned in section 18:5–32 of this Title.

4. Section 18:5–32 of the Revised Statutes is amended to read as follows:

Section amended.

18:5–32. When any such testator as is mentioned in section 18:5–31 of this Title shall make a charge on any real estate so devised to any board of education, of any legacy or bequest to any other person in trust or otherwise, then no direction for the

Sale when real estate charged with private bequest.

sale thereof shall be made by the court unless the beneficiary under the legacy or bequest is made a party defendant to the action; nor shall the sale be made unless it shall appear to the court that the rights and interests of the beneficiary under such legacy or bequest will not be prejudiced thereby. If a sale is directed the court shall make all necessary orders or judgments for the conservation of such legacy or bequest as is required in section 18:5–33 of this Title with respect to the investment of moneys arising from the sale.

Section amended.

5. Section 18:5–33 of the Revised Statutes is amended to read as follows:

Investment of proceeds under direction of Superior Court.

18:5–33. The moneys arising from a sale under sections 18:5–31 and 18:5–32 of this Title shall be invested, under the direction of the Superior Court, by and in the name of the board of education or the trustees mentioned in the will to whom the real estate so sold shall have been devised, or other trustees, and shall be held by them in trust for the uses and purposes set forth in the will. The court may from time to time make such further orders and directions in the premises as shall conserve the purposes of the trust and be deemed necessary to carry out the will of the testator.

Section amended.

6. Section 18:5–61 of the Revised Statutes is amended to read as follows:

Failure to make annual report, penalty.

18:5–61. If any custodian of school moneys shall fail to make and transmit his annual report to the board of education of his district and to the county superintendent of schools on or before August first in any year, he shall forfeit to the school district the sum of ten dollars ($10.00) for each day thereafter until he shall have made and transmitted both reports. The sum shall be sued for and collected by the district clerk or secretary of the board of education of the district in a civil action in any court of competent jurisdiction.

Section amended.

7. Section nine of chapter two hundred twenty-nine of the laws of one thousand nine hundred and fifty-one is amended to read as follows:

C. 18:5-65.9. Cancellation of license, review.

9. Upon proof that any public school accountant shall have knowingly omitted to report any error, omission, irregularity, violation of law or discrepancy found in the books or accounts, or shall have issued false reports of his audit of any school district; that is to say, shall have issued audits of such a nature as not to show an accurate, intelligent and complete statement of the financial condition of the school district, or of such a nature as not to comply with the requirements of the Commissioner of Education, or if such auditor or accountant shall fail to file such report and recommendations as required by section five of this act, or neglect or refuse to carry out any agreement or contract for audit, his license as a public school accountant may be canceled by the State Board of Public Accountants. Such cancellation shall not affect the accountant's right to practice as a registered municipal accountant or as a certified public accountant.

Upon cancellation or refusal of a license pursuant to this section, a person aggrieved thereby shall have the right to have the matter reviewed by a proceeding in the Superior Court in lieu of prerogative writ.

Section amended.

8. Section ten of chapter two hundred twenty-nine of the laws of one thousand nine hundred and fifty-one is amended to read as follows:

C. 18:5-65.10. Audit contrary to law, penalty.

10. Any person who shall make, or begin to make, any audit of accounts of any school district as required by this act contrary to the provisions hereof, or without a license therefor in full force and effect, shall be liable to a penalty of one hundred dollars ($100.00) for every audit of account so made, to be recovered in a civil action instituted by the State Board of Public Accountants in any court of competent jurisdiction.

Section amended.

9. Section 18:5–87 of the Revised Statutes is amended to read as follows:

Supplemental debt statement.

18:5–87. Prior to the authorization of any bonds of a school district, a supplemental debt statement and a school debt statement shall be prepared and filed in accordance with this section. In the case of any school district other than a chapter six school district, the chief financial officer of any municipality comprised within such school district shall, prior to any such authorization and at any other time within five days after receipt of request therefor from the board of education of the school district, make in the manner required by law and file in the office of the clerk of such municipality, in the office of the Director of the Division of Local Government, and in the office of the district clerk or secretary of the school district a supplemental debt statement, prepared as of a date subsequent to the last day of the month next preceding such authorization or request, and giving effect to such authorization or, if such statement is made and filed pursuant to any such request of the board of education, to a proposed authorization of bonds of the school district in a principal amount to be stated in such request. In the case of a chapter six school district, the chief financial officer of the municipality comprised within such school district shall, prior to the passage on first reading of the ordinance authorizing the issuance of such bonds, make in the manner required by law a supplemental debt statement, prepared as of a date subsequent to the last day of the month next preceding such passage, and giving effect to such authorization, and shall file the same in the office of the clerk of such municipality prior to such passage on first reading and in the office of the Director of the Division of Local Government prior to final adoption of such ordinance. The district clerk or secretary of such school district shall, prior to any such authorization and at any other time within five days after receipt of request therefor from the board of education of the school district, make, swear to and file in his office

a school debt statement setting forth the amounts of any and all bonds or notes of the school district issued and outstanding or authorized but not issued and determining the net school debt of the school district, prepared as of a date subsequent to the last day of the month next preceding such authorization or request, and giving effect to such authorization or, if such statement is made, sworn to and filed pursuant to any such request of the board of education, to a proposed authorization of bonds of the school district in a principal amount to be stated in such request. Every such debt statement shall be presumed to be accurate and correct for a period of at least sixty days after the filing thereof, and after the issuance of any bond or other obligation, authorized within the principal amount of bonds to which effect is given therein and authorized or provided for in reliance thereon by a proposal or ordinance adopted within sixty days after the filing thereof, such presumption shall be conclusive and shall not be rebutted and the correctness and sufficiency of such debt statement shall not be contested or questioned in any action or proceeding relating to such bond or other obligation or the levy or collection of taxes for the payment of the same.

Section amended.

10. Section 18:6–23 of the Revised Statutes is amended to read as follows:

Sue and be sued in corporate name; submission to arbitration.

18:6–23. The board shall have power, in and by its corporate name, to sue and be sued; and may submit to arbitration and determination any and all matters of dispute or controversy which arise, within the terms and provisions of chapter twenty-four of Title 2A, Administration of Civil and Criminal Justice, of the New Jersey Statutes (N. J. S. 2A:24–1 et seq.).

Section amended.

11. Section 18:6–24 of the Revised Statutes is amended to read as follows:

Purchase, lease, sale, condemnation of property.

18:6–24. The board shall have power, in and by its corporate name, to purchase, lease, receive, hold, and sell property, real and personal, and to take and condemn land and other property for school

purposes in the manner provided by law regulating the ascertainment and payment of compensation for property condemned or taken for public use.

Section amended.

12. Section 18:6–63 of the Revised Statutes is amended to read as follows:

Proposition confirming ordinance authorizing issuance of bonds submitted to voters.

18:6–63. A proposition confirming an ordinance of the municipality authorizing the issuance of bonds under the provisions of section 18:5–85 or section 18:5–86 of this Title shall be submitted to the qualified voters of such municipality at a general, special or municipal election to be held therein, whenever the governing body of the municipality shall have, by resolution or ordinance adopted not less than forty days prior to such election, directed that such proposition be so submitted and, in the case of a special election, specified the day and time thereof, the place or places thereof and the polling districts therefor by reference to the general election districts established and used in the municipality, and the hours (which need include only four consecutive hours) during which the polls at such election shall be open. It shall be the duty of the clerk of the municipality to give notice of any such election, setting forth, in addition to the proposition to be submitted, the day and time thereof and the place or places thereof and the polling districts therefor by reference to the general election districts established and used in the municipality and the hours during which the polls at such election will be open. At least seven days before the date of such election, said clerk shall post not less than seven copies of such notice, one on each schoolhouse within the municipality and the others at such other public places in the municipality as he may select, and shall publish said notice in a newspaper published in the municipality if there be one or, if there be no such newspaper, in a newspaper published in the county and circulating in the municipality. No other or different notice of said election shall be required to be posted, published, delivered or other-

wise given. Such election shall be held and the result of the balloting on such proposition ascertained and determined in accordance with the provisions of Title 19, Elections, of the Revised Statutes which are not inconsistent with this section and are applicable to the holding in such municipality of a general, special or municipal election, as the case may be, *provided, however,* that any notice or demand therein required to be given to or made upon any person or body for the performance of an official duty with regard to such election shall be sufficient if given or made at least ten days before the date of such election. No action to contest or in any manner question the validity of such election or the result of the balloting on such proposition shall be instituted after the expiration of twenty days from the date of such election.

Proviso.

13. Section 18:7–15 of the Revised Statutes is amended to read as follows:

Section amended.

18:7–15. Notices of the election shall specify the day, time, and place thereof, and whenever two or more polling districts have been established, shall also contain the boundaries of the several polling districts and the location of the polling place in each of such districts.

Notice of election, posting, advertising.

At least ten days before the date of the election the district clerk shall post not less than seven notices of the election, one on each schoolhouse within the district and others at such other public places therein as the board shall direct. A district clerk who shall fail to post notices in accordance with this section shall pay a fine of twenty dollars ($20.00), to be recovered in a civil action in a municipal court or county district court by any resident of the district.

The district clerk shall also cause such election to be advertised at least one week before the holding of such election in a newspaper circulating in the district.

Section amended.

14. Section 18:7–59 of the Revised Statutes is amended to read as follows:

Right to sue and be sued, counsel.

18:7–59. A board may, in its corporate capacity, sue and be sued in any court and employ counsel therefor. The amount of the expense incurred by the board in conducting or defending such action shall be certified to the assessor by the president and district clerk of the board. The amount shall be assessed and collected in the next annual tax levy.

Section amended.

15. Section 18:7–75 of the Revised Statutes is amended to read as follows:

Condemnation of lands and other property.

18:7–75. The board may take and condemn land and other property for school purposes in the manner provided by law regulating the ascertainment and payment of compensation for property condemned and taken for public use, if before beginning such proceedings it shall have the authority of a vote of the legal voters of the district.

Section amended.

16. Section 18:7–89 of the Revised Statutes is amended to read as follows:

Contesting validity of election ordering issue.

18:7–89. No action to contest the validity of any election ordering the issue of bonds or election or district meeting held pursuant to section 18:7–94 of this Title shall be commenced after the expiration of twenty days from the date of such election or meeting.

Section amended.

17. Section 18:7–110 of the Revised Statutes is amended to read as follows:

Power to condemn land and other property.

18:7–110. The board of education in every such school district may take and condemn land and other property for school purposes, including the purposes specified in section 18:7–109 of this Title, in the manner provided by law regulating the ascertainment and payment of compensation for property condemned and taken for public use, when, before beginning any such proceedings, the amount necessary for such purpose shall have been fixed, determined and certified by the board of school estimate as provided in this article.

18. Section 18:10–12 of the Revised Statutes is amended to read as follows: Section amended.

18:10–12. The board of trustees shall cause actions to foreclose to be commenced without delay whenever the interest on bonds secured by mortgage held by the board as part of the school fund shall remain unpaid for six months. The board may discontinue the actions upon the payment of accrued interest and the costs of such actions. Action to foreclose.

19. Section 18:10–13 of the Revised Statutes is amended to read as follows: Section amended.

18:10–13. The board of trustees may bid for and purchase any lands and premises exposed to sale under the order and judgment of any court for the payment and satisfaction of any mortgage thereon held by the board, and may take and hold title to the lands and premises so purchased in and by its official name as a part of the principal of the school fund; but the board shall not bid a higher price for such lands and premises that shall be sufficient to produce the amount due upon the mortgage and costs. Purchase of lands by board on foreclosure.

The taxed costs of the foreclosure action and sale, if any, shall be paid by the State Treasurer on the warrant of the Director of the Division of Budget and Accounting.

20. Section 18:10–36 of the Revised Statutes is amended to read as follows: Section amended.

18:10–36. When a railroad company shall institute a proceeding in lieu of prerogative writ to review any tax paid into the treasury of this State, a portion of which shall constitute the fund to be distributed under this article, the amount sought to be reviewed shall not be distributed but shall be retained in the treasury unless the railroad company shall deliver to the State Treasurer a certificate setting forth the amount which it concedes to be due the State, in which event the sum conceded to be due shall be included in the gross sum to be distributed as provided by this article. The portion of the amount retained as is finally determined Retention of amount of tax sought to be reviewed, distribution.

to be due shall be distributed in the manner provided in this article.

Section amended.

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

Attendance and testimony of witnesses, oath, perjury.

18:13–18. For the purpose of examining into any charge filed as provided in section 18:13–17 of this Title, the board of education may issue subpœnas on behalf of either party to compel the attendance of witnesses to testify before the board in the matter. The subpœnas shall be issued under the seal of the board and be signed by the secretary or clerk thereof, and shall be served in the same manner as subpœnas issued out of the County Court.

Any person who shall neglect or refuse to obey the command of the subpœna, or who after appearing shall refuse to be sworn and testify, shall in either event be liable to a penalty of fifty dollars ($50.00) to be sued for in the name of the board in any court of competent jurisdiction. Such penalty when collected shall be paid to the custodian of school moneys of the district.

Any member of the board may administer oaths to such witnesses as may appear or be brought before it, and any person who has been so sworn and who shall testify falsely shall be guilty of perjury.

Section amended.

22. Section 18:14–39 of the Revised Statutes is amended to read as follows:

Failure of parents, etc., to comply with law, penalty.

18:14–39. A parent, guardian or other person having charge and control of a child between the ages of seven and sixteen years, who shall fail to comply with any of the provisions of this article relating to his duties shall be deemed to be a disorderly person and shall be subject to a fine of not more than five dollars ($5.00) for a first offense and not more than twenty-five dollars ($25.00) for each subsequent offense, in the discretion of the court.

In any such proceeding, the summons issuing therein, or in special circumstances a warrant, shall be directed to the alleged disorderly person and the child.

Sundry sections repealed.

23. Section 18:14–40 of the Revised Statutes is hereby repealed.

24. Section 18:14–41 of the Revised Statutes is hereby repealed.

Section amended.

25. Section 18:14–114 of the Revised Statutes is amended to read as follows:

Disposition of fines.

18:14–114. In every case of conviction under the provisions of this Title, when a fine is imposed, the defendant may pay the fine together with the costs into the court wherein the conviction was had and the court shall receive the same and, except as provided in section 18:14–41 of this Title, cause the fine within ten days thereafter to be transmitted to the custodian of school moneys of the school district where the offense was committed, for the use of the public schools thereof.

Section amended.

26. Section 18:15–46 of the Revised Statutes is amended to read as follows:

Board of education, appointment, terms, vacancies.

18:15–46. For each county system of vocational schools established in accordance with this article, there shall be a board of education consisting of the county superintendent of schools and four persons to be appointed.

In counties of the first class the four appointive members of such board shall be appointed by the county supervisor. In all counties of the second class, and in counties of the third and fifth classes having populations in excess of one hundred sixty thousand, the four appointive members of the board shall be appointed by the director of the board of chosen freeholders, with the advice and consent of that board. Not more than two members appointed in any such county of the second, third, or fifth class shall be members of the same political party, but no changes for adjustment of party representation shall be made in a board except as vacancies occur. In other counties, the four appointive members of the board shall be appointed by the judge of the County Court or in counties where there is more than one judge by a majority of them.

In making the first appointments to a board, one person shall be appointed to serve for one year, one for two years, one for three years and one for four years from November first next succeeding the date of their respective appointments. The persons so appointed shall also serve from the date of their respective appointments until November first next ensuing.

Annually during the month of October a member of the board shall be appointed to serve for a term of four years, and until the appointment and qualification of his successor, to take the place of the member whose term shall expire on November first then next ensuing.

A vacancy in the board caused by the death, resignation or removal of a member shall be reported forthwith by the secretary of the board to the county supervisor, director of the board of chosen freeholders, or the judge or judges, as the case may be, who, within thirty days thereafter, and in the manner herein prescribed for making appointments for a full term, shall appoint a person to fill the vacancy for the unexpired term.

Section amended.

27. Section 18:15–81 of the Revised Statutes is amended to read as follows:

Establishment of special schools.

18:15–81. The board of education of a school district may establish and maintain a special school of instruction for the purpose of restraining, instructing, and caring for dependent and delinquent children under sixteen years of age, committed to the school by any juvenile and domestic relations court or any court having jurisdiction over juvenile offenders. Such special school shall be deemed to be a part of the public school system of the school district in or by which it has been established.

Section amended.

28. Section 18:15–84 of the Revised Statutes is amended to read as follows:

Children committed to school by court.

18:15–84. Such special school shall receive, restrain, and instruct dependent and delinquent children, and children under the age of sixteen years, who shall be habitual truants, or habitually insubordinate, incorrigible, or disorderly during

their attendance at school, committed to such school by a juvenile and domestic relations or other court.

If in the judgment of the court the best interests of a child demand that the special school have the entire charge and control of the child, the court may take the custody of the child from its parents or guardian and give it, for an indeterminate period, to the board of education having control of the special school. When in the judgment of the board the conduct of the child has so improved that it should be permitted to attend the regular public schools, it may return the child to the custody of its parents or guardian.

Any child, under the age of sixteen years, arrested for any cause except murder or manslaughter, and pupils habitually truant or incorrigible, may, by order of the juvenile and domestic relations or other court, be held in the school until final judgment.

Section amended.

29. Section 18:15–92 of the Revised Statutes is amended to read as follows:

Report to court.

18:15–92. The superintendent of a special school of instruction shall when required, present to the juvenile and domestic relations or other court a report concerning the conduct and maintenance of the school and the number of pupils therein and such other information as the court shall require.

Section amended.

30. Section 18:16–5 of the Revised Statutes is amended to read as follows:

Application for admission.

18:16–5. Application for admission shall be made to the State board by a parent, guardian or friend of a proposed pupil in the manner directed by the board. The board shall require that the application be accompanied by a certificate from a judge of the County Court or the county clerk of the county, a chosen freeholder or clerk of the township, the mayor or other executive officer of the municipality in which the applicant shall reside, stating:

a. That the applicant is a legal resident of the municipality claimed as his residence;

b. The age, circumstances and capacity of the proposed pupil; and

c. The ability or inability of the proposed pupil or his parent or guardian to pay any part of the expense of his care and maintenance.

Section amended.

31. Section three of chapter one hundred twenty-four of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 18:16-39. Subpœnas, oaths.

3. For the purpose of examining into any charge filed as provided in section two of this act the State Board of Education may issue subpœnas on behalf of either party to compel the attendance of witnesses to testify before the State Board of Education or Commissioner of Education, as the case may be, in the matter. The subpœnas shall be issued under the seal of the State Board of Education and be signed by the secretary thereof, and shall be served in the same manner as subpœnas issued out of the County Court.

Any person who shall neglect or refuse to obey the command of the subpœna, or who after appearing shall refuse to be sworn and testify, shall in either event be liable to a penalty of fifty dollars ($50.00) to be sued for in a civil action in the name of the State Board of Education in any court of competent jurisdiction. Such penalty when collected shall be paid to the State Treasurer.

The Commissioner of Education or any member of the State Board of Education may administer oaths to such witnesses as may appear or be brought before him or it, and any person who has been so sworn and who shall testify falsely shall be guilty of perjury.

Section amended.

32. Section 18:20–6 of the Revised Statutes is amended to read as follows:

Restraining transaction of business without license.

18:20–6. When it shall appear that any corporation is carrying on the business of instructing or teaching as provided in section 18:20–5 of this Title, or conferring any such degree, or giving any such diploma without such license, the State board, represented by the Attorney-General, may institute a civil action in the Superior Court to restrain the corporation from the transaction of any such business or the exercise of any such franchise

within this State until it shall have obtained such license or the approval of the State Board of Education. The court may proceed in the action in a summary manner or otherwise. The costs in any such action, to be fixed by the court, shall be paid by the corporation before the dissolution of any injunctive order or judgment.

Section amended.

33. Section 18:20–11 of the Revised Statutes is amended to read as follows:

Penalty for illegally granting degree.

18:20–11. An officer or member of a school, corporation, association or institution of learning who by vote or in any other manner or capacity, or a school, corporation, association or institution of learning which shall admit or participate in admitting a scholar, student, or subscriber to any grade of a degree by conferring or participating in conferring any degree upon him, contrary to the provisions of sections 18:20–5 to 18:20–10 of this Title, or who shall sign any certificate or diploma as evidence of the conferring of such degree shall be liable to a penalty of not more than three hundred dollars ($300.00) for each offense, to be enforced and collected by and in the name of the State board in a summary proceeding in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall be either in the nature of a summons or warrant.

Section repealed.

34. Section 18:20–12 of the Revised Statutes is hereby repealed.

Section amended.

35. Section 18:20–13 of the Revised Statutes is amended to read as follows:

Commitment upon failure to pay.

18:20–13. Upon the failure of the defendant to pay forthwith the amount of any money judgment rendered against him the defendant shall be committed to the county jail for a period not exceeding ninety days.

Sundry sections repealed.

36. Section 18:20–14 of the Revised Statutes is hereby repealed.

37. Section 18:20–15 of the Revised Statutes is hereby repealed.

New Jersey State Library

Section amended.

38. Section 18:20–16 of the Revised Statutes is amended to read as follows:

Disposition of moneys.

18:20–16. All moneys recovered under the provisions of section 18:20–11 of this Title shall be payable by the State board to the State Treasurer.

Section repealed.

39. Section 18:20–17 of the Revised Statutes is hereby repealed.

Section amended.

40. Section nine of chapter two hundred thirty of the laws of one thousand nine hundred and forty-nine is amended to read as follows:

C. 18:20-44. Contracts unenforceable.

9. Any contract entered into, after the effective date of this act, by or on behalf of any person, firm, association or corporation operating any private correspondence school to which a valid certificate of approval or license has not been issued pursuant to this act, shall be unenforceable in any action brought thereon.

Section amended.

41. Section eighteen of chapter one hundred sixty-nine of the laws of one thousand nine hundred and forty-five is amended to read as follows:

C. 18:25-19. Enforcement orders.

18. Observance of an order of the commissioner may be enforced by a civil action in the County Court to compel the specific performance of the order or of the duties imposed by law upon the respondent named in the order. Such action shall be brought in the County Court to which an appeal from the order would lie as hereinafter provided.

C. 18:25-20. Section repealed.

42. Section nineteen of chapter one hundred sixty-nine of the laws of one thousand nine hundred and forty-five is hereby repealed.

C. 18:25-21. Section amended.

43. Section twenty of chapter one hundred sixty-nine of the laws of one thousand nine hundred and forty-five is amended to read as follows:

Appeals, procedure.

20. Any person aggrieved by a final order of the commissioner may take an appeal therefrom to the County Court of the county in which the alleged unlawful employment practice or unlawful discrimination took place. A notice of appeal shall be served upon the commissioner and all other parties to the proceeding or their attorneys, and filed with the court, within thirty days after the making of the order. Within twenty days after the service

of such notice, the commissioner shall file in the County Court the original or a certified copy of the record of the proceedings under review, including such testimony as shall have been taken stenographically, and shall serve notice of the filing of such record upon the appellant.

44. Section twenty-one of chapter one hundred sixty-nine of the laws of one thousand nine hundred and forty-five is hereby repealed. C. 18:25-22. Section repealed.

45. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 19

AN ACT concerning elections, and revising parts of the statutory law.

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

1. Section 19:3–9 of the Revised Statutes is amended to read as follows: Section amended.

19:3–9. When upon the trial of any action or proceedings instituted under this Title for the purpose of securing a determination that any nomination for or election to any public office or party position is null and void, it shall appear from the evidence that the offense complained of was not committed by the candidate, or with his knowledge or consent, and that all reasonable means were taken by or on behalf of the candidate to prevent the commission of any such offense, or that the offenses complained of were trivial or unimportant, and that in all respects his candidacy and election were free from all illegal acts, or that any act or omission of any candidate complained of arose from accidental miscalculation or from some other reasonable cause of like nature, and in any case Circumstances under which office not void.

did not arise from any want of good faith, and under the circumstances it seems to the court or judge to be unjust that the candidate shall forfeit his nomination, position or office, then the nomination or election of such candidate shall not by reason of such offense complained of be void.

Section amended.

2. Section 19:3–13 of the Revised Statutes is amended to read as follows:

Proceedings to vacate office.

19:3–13. If such determination shall not have been made until after such candidate has been inducted into office, then upon a certified copy of the record of the determination being sent to the Attorney-General, it shall be his duty to institute appropriate proceedings for the vacation of such office where no other proceeding to the same purpose has been commenced.

If the record relates to the election of any candidate for the office of United States Senator, member of Congress, State Senator or member of the General Assembly, the Attorney-General, instead of instituting appropriate proceedings for the vacation of the office, shall send the certified copy, within five days after the same is received by him, to the United States Senate, the House of Representatives, the State Senate or the General Assembly, as the case may be, if such United States Senate, House of Representatives, State Senate or General Assembly is then in session, and if not, then on the first day of such session.

Section amended.

3. Section 19:3–16 of the Revised Statutes is amended to read as follows:

Proceedings to vacate office.

19:3–16. If such determination shall not have been made until after such candidate shall have been inducted into office, then upon a certified copy of the record of the determination being sent to the Attorney-General, it shall be his duty to institute appropriate proceedings for the vacation of such office where no other proceeding to the same purpose has been commenced.

If the record relates to the election of any candidate to the office of United States Senator, member of Congress, State Senator, or member of the Gen-

eral Assembly, the Attorney-General, instead of instituting appropriate proceedings for the vacation of the office, shall send the certified copy, within five days after the same is received by him, to the United States Senate, the House of Representatives, the State Senate or the General Assembly, as the case may be, if such United States Senate, House of Representatives, State Senate or General Assembly is then in session, and if not, then on the first day of such session.

Section amended.

4. Section 19:3–19 of the Revised Statutes is amended to read as follows:

Certificate of election surrendered.

19:3–19. In the case of a delegate-at-large or district delegate to any national convention, whose election shall have been declared null and void under this Title, after a certificate of election has been issued to him, the Attorney-General shall transmit to such convention a certified copy of the judgment and determination of the court or judge declaring the election void, to the end that the certificate of election issued to the person having the next highest number of votes for such party position may be honored by the convention.

Any delegate-at-large or district delegate to any national convention to whom a certificate of election shall have been delivered, which certificate shall have been declared null and void after such delivery, shall, upon the service upon him of a certified copy of the determination of the court or judge declaring the certificate null and void, forthwith surrender such certificate to the Clerk of the Superior Court.

Section amended.

5. Section 19:3–23 of the Revised Statutes is amended to read as follows:

Vacation of office when nomination or election void.

19:3–23. When the nomination or election of a person to public office within this State or any of its political subdivisions shall have been declared null and void, such person shall remove or be removed from such office.

It shall be lawful for the Attorney-General to institute a proceeding in lieu of prerogative writ to remove from office a person whose nomination

or election shall be void under the provisions of this Title.

Section amended.

6. Section 19:3–24 of the Revised Statutes is amended to read as follows:

Right of recovery of office not abridged.

19:3–24. Nothing in this Title contained shall abridge any right which a claimant to any office might otherwise have to institute a proceeding in lieu of prerogative writ for the recovery of such office.

Section amended.

7. Section 19:4–8 of the Revised Statutes is amended to read as follows:

Registry books transmitted for readjustment purposes.

19:4–8. The county board in counties of the first class and the governing body of any municipality may make application to a judge of the Superior Court assigned to the county, or a judge of the County Court of the county, in which such county board or municipality is situated, for an order directing the commissioner of registration of the county or the municipal clerk of the muncipality to transmit to the county board or governing body, as the case may be, the registry books of any election district in the county or municipality if necessary for the purpose of such redistricting, which order shall direct the time within which such registry books shall be returned to the commissioner of registration or municipal clerk.

Section amended.

8. Section 19:6–3 of the Revised Statutes is amended to read as follows:

District boards, members, appointment.

19:6–3. The county board shall, on or before the twentieth day of March, appoint the members of the district boards. The members of any district board shall be equally apportioned between the two political parties which at the last preceding general election held for the election of all of the members of the General Assembly cast the largest and next largest number of votes respectively in this State for members of the General Assembly.

In case the county board shall neglect or refuse to appoint and certify the members of the district boards as herein provided, a judge of the County Court shall, before the first day of April in each year, make such appointments and certifications.

9. Section 19:6–4 of the Revised Statutes is amended to read as follows: Section amended.

19:6–4. A judge of the County Court or the county board shall have power to dismiss any member of a district board from such board for an illegal act, or for any cause which shall be determined in a summary way by such judge or county board. The county board shall dismiss the members of a district board from such board if upon any recount of the votes cast in such district it shall appear that errors occurred in the count or the certificate thereof, which, under the provisions of this Title, are sufficient to cause the costs of such recount to be paid by the State, county or municipality; and no person so removed from any board shall thereafter be eligible to serve as a member of the same or any other district election board. Application for the removal of all of the members, or of any member of any district election board, may, within ten days after the final order has been entered on any recount which may have been allowed affecting such district, be made by any candidate at the last election to a judge of the County Court or the county board. On the application, summary hearings shall be held to determine whether the board or the member was incompetent or careless in the receipt of illegal votes or the rejection of legal votes or otherwise in the conduct of the election generally. If, upon such hearing, it appears to the judge or the county board, as the case may be, that such incompetency or carelessness existed, the board or the member thereof found so to be incompetent or careless shall be removed and upon such removal disqualified from further service as a member of any district board. Removal of members.

10. Section 19:6–16 of the Revised Statutes is amended to read as follows: Section amended.

19:6–16. The commission, committee, board or official having charge of the police department in each municipality shall assign at least one policeman to each district board in such municipality Assignment of police to district boards.

and under the direction of the board to enforce the election laws, to maintain order, peace and quiet during the hours of registry and election, and to assist the members of the board in carrying the ballot box or boxes to the office of the municipal clerk after the ballots are counted.

Section amended.

11. Section 19:6–30 of the Revised Statutes is amended to read as follows:

Maintenance of order, powers.

19:6–30. The district board in each election district, the county board, and the clerk thereof, the board of county canvassers and the board of State canvassers and the County Court shall, respectively, possess full power and authority to direct the police on duty to maintain regularity and order, and to enforce obedience to their lawful commands during their sessions respectively.

If a person shall refuse to obey the lawful command of any such board, or by disorderly conduct in its hearing or presence shall interrupt or disturb its proceedings, it may by an order in writing, signed by its chairman and attested by its clerk, commit the person so offending to the common jail of the county in which the board shall have met, for a period not exceeding three days. Such order shall be executed by any sheriff or constable to whom it shall be delivered; or if a sheriff or constable shall not be present or shall refuse to act, by any other person deputed by the board in writing, and the keeper of such jail shall receive the person so committed, and safely keep him for such time as shall be provided in the commitment.

Section amended.

12. Section 19:9–2 of the Revised Statutes is amended to read as follows:

Preparation of books, blank forms and other supplies.

19:9–2. The Secretary of State shall prepare and distribute on or before the tenth day of March in each year prior to the primary election for the general election and the general election the following information and election supplies: 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; Gen-

eral Assembly and county officers; public question 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.

All other books, ballots, envelopes and other blank forms which the county clerk is required to furnish under any other section of this Title, stationery and supplies for the primary election for the general election, the primary election for delegates and alternates to national conventions and the general election, shall be furnished, prepared and distributed by the clerks of the various counties; except 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 or superintendent shall be furnished, used or issued, prepared and distributed by such county board or superintendent, as the case may be.

The county board in counties having a superintendent of elections shall furnish and deliver to the county clerk, the municipal clerks and the district boards in municipalities having more than one election district, a map or description of the district lines of their respective election districts, together with the street and house numbers where possible in such election districts. In counties not having a superintendent of elections the municipal clerks shall furnish and deliver such map or description of district lines to the county clerk, the county board and the district board in municipalities having more than one election district.

Nothing in subtitle two of the Title, Municipalities and Counties (section 40:16–1 et seq.), shall in anywise be construed to affect, restrict, or abridge the powers conferred on the county clerks, county boards or superintendents by this Title.

13. Section 19:12–2 of the Revised Statutes is hereby repealed. Section repealed.

Section amended.

14. Section 19:13–12 of the Revised Statutes is amended to read as follows:

Recourse to court by candidate for protection of rights.

19:13–12. Any judge of the Superior Court, in the case of candidates to be voted for by the electors of the entire State, or of more than one county thereof, and in all other cases a judge of the Superior Court assigned to the county in which any petition of nomination shall be filed, on the application or complaint, duly verified, of any candidate, which application or complaint shall be made at least thirty-six days before the election, setting forth any invasion or threatened invasion of his rights under the petition of nomination filed with the Secretary of State or with any county clerk, shall hear such application or complaint in a summary way and make such order thereon as will protect and enforce the rights of such candidates, which order or determination shall be filed within two days after the filing of the application or complaint.

Section amended

15. Section 19:14–20 of the Revised Statutes is amended to read as follows:

Correction of errors, procedure.

19:14–20. When it shall appear that an error or omission has occurred in the copy prepared by the county clerk for the printer or in the printing of the ballots by any county clerk, any voter resident in the county may present to a judge of the Superior Court assigned to the county a verified petition setting forth such error or omission; and such judge being satisfied thereof, shall thereupon summarily, by his order, require the county clerk to correct such error or show cause before the judge at the shortest possible day, why same should not be corrected. The county clerk shall correct the same by causing new ballots to be immediately printed in place of those found to be inaccurate or incomplete; and those found to be inaccurate or incomplete shall be immediately destroyed.

16. Section 19:15–24 of the Revised Statutes is amended to read as follows:

Section amended.

Challenging voter, procedure, violations by members of board, removal.

19:15–24. The district boards shall not 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 board shall determine the right of the voter to vote, after making use of, and giving due weight to, the evidence afforded by his signature, if any, and such answers, and if any member of the board shall give or assent to give a ballot to any person challenged, without requiring him to take the oath or affirmation hereinbefore prescribed to be made upon such challenge, and the person shall not be qualified and entitled to vote, the member so giving or assenting to give a ballot, shall be deemed to have given to such person a ballot, knowing it to be illegal. The question as to the giving of the ballot to the person shall be put in the following form: "Shall a ballot be given to this person by this board?"

If a majority of the board shall decide to give a ballot to such voter or in case of a tie vote, the voter shall be given a ballot and allowed to vote.

If a majority of the board shall decide against giving a ballot to the voter no ballot shall be given. The board upon demand of a member of the board or any other citizen shall forthwith issue a warrant for the arrest of such person and deliver the same to a peace officer, who shall forthwith arrest him, and the right to challenge voters shall exist until the ballot shall have been deposited in the ballot box.

Every such challenge and the determination of the board shall in every instance be recorded in the signature comparison record, in the column "Sig. Comp. by," used at the election at which the challenge has been made.

Any member of a district board who refuses or neglects to comply with the provisions of this section may be summarily removed from office by the county board, or any judge of the Superior Court assigned to the county or a judge of the County Court of the county.

Section amended.

17. Section 19:16–3 of the Revised Statutes is amended to read as follows:

Canvassing ballots.

19:16–3. In canvassing the ballots the district board shall count the votes as follows:

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.

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; but if the district board canvassing the ballots or the county board, judge of the Superior Court or other judge or officer conducting a recount thereof, shall be satisfied that the placing of such marks to the left and right of the names was intended to identify or distinguish the ballot, then the ballot shall not be counted and shall be declared null and void.

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 the candidates so marked, but shall be counted for such other candidates as are properly marked; but if the district board canvassing the ballot or the county board, judge of the Superior Court or other judge or officer conducting a recount thereof, shall be satisfied that the placing of the marks to the right of the names was intended to identify or distinguish the ballot, the ballot shall be declared null and void.

d. Where the name of any person is written or pasted in the column designated personal choice,

and a cross ×, plus + or check √ appears in the square to the left of the name, it shall be counted as a vote for such person.

e. In the 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 such 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 same. If no mark is made in the 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 the public question nor shall it invalidate the ballot.

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 that office, but shall be counted for such other offices as are plainly marked.

g. If the mark made for any candidate or public question is substantially a cross ×, plus + or check √ and is substantially within the square, it shall be counted for the candidate or for or against the 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 ×, plus + or check √ and is substantially within the square.

Section amended.

18. Section 19:16–4 of the Revised Statutes is amended to read as follows:

Void ballots.

19:16–4. In counting the ballots the board shall deem null and void all ballots which are wholly blank, or on which more names have been marked for every office than there are persons to be elected to such office, and on which both "Yes" and "No" have been marked upon every public question. All

ballots still remaining in the ballot box after ballots equal in number to the number of names of voters in the registry binders who have voted at such election inclusive of void ballots, have been counted shall be deemed null and void.

No ballot which shall have, either on its face or back, any mark, sign, erasure, designation or device whatsoever, other than is permitted by this Title, by which such ballot can be distinguished from another ballot, shall be declared null and void, unless the district board canvassing such ballots, or the county board, judge of the Superior Court or other judge or officer conducting the recount thereof, shall be satisfied that the placing of the mark, sign, erasure, designation or device upon the ballot was intended to identify or distinguish the ballot.

No ballot shall be declared invalid by reason of the fact that the mark made with ink or the mark made with lead pencil appears other than black.

No ballot cast for any candidate shall be invalid by reason of the fact that the name of such candidate may be misprinted, or his Christian name or his initials may be omitted.

No ballot cast for any candidate shall be invalid by reason of the use of any paster permitted by this Title on which the title of office may be printed or the name of such candidate may be misprinted or part of his Christian or surname or initials may be omitted, or because the voter in writing the name of such candidate may misspell the same or omit part of his Christian name or surname or initials.

No ballot shall be declared null and void or invalid, by reason of having a cross $\times$, plus $+$ or check $\surd$ appearing in a square at the left of a blank space, or a space wherein no name is printed.

Section amended.

19. Section 19:17–3 of the Revised Statutes is amended to read as follows:

Statements filed.

19:17–3. After the district board shall have made up and certified such statements, it shall at the same time and with the ballot boxes, as hereinafter provided, deliver or safely transmit one of the statements to the clerk of the municipality wherein

such election is held, who shall forthwith file the same. In counties having a superintendent of elections one of such statements shall forthwith be filed with the superintendent of elections of the county. The superintendent may arrange to accept such certificates in such municipality within the county at the office of the clerk of such municipality or some other convenient place. Any municipal clerk who shall refuse to permit such superintendent or his deputies or assistants access to his office for the purpose of collecting such certificates or any municipal clerk or other person who shall interfere or obstruct the superintendent, his deputies or assistants in the collection of such certificates, or any member of a district board who shall willfully fail or refuse to deliver such statement to the superintendent, his deputies or assistants as the case may be, shall be guilty of a misdemeanor. In all counties the board shall, immediately after election, deliver or safely transmit another of the statements to the clerk of the county, who shall forthwith file the same.

If officers were voted for or public questions were voted upon at the election by the voters of the entire State or of more than one county thereof, or of a congressional district, then the board shall, immediately after the election, inclose, seal up and transmit the fourth statement to the Secretary of State by mail in stamped envelopes to be furnished by the Secretary of State, addressing the same in the following manner: "To the Secretary of State of New Jersey, Trenton, New Jersey." Upon receiving such statements the Secretary of State shall forthwith file the same in his office.

Section repealed.

20. Section 19:17–4 of the Revised Statutes is hereby repealed.

Section amended.

21. Section 19:17–5 of the Revised Statutes is amended to read as follows:

Failure to deliver proper statements, etc., penalty.

19:17–5. If any district board neglects to give the following information on the statements of results: the total number of names on the signature copy register or register of voters, the total num-

ber of ballots rejected, the number of votes given for each person, and the number of votes given for or against each public question, or fails 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 Title, or destroys or damages, or causes or allows any loose leaf binder, registry book or other book or document to be destroyed or damaged or fails to perform any duties provided by this Title or imposed by the county board or by the commissioner, the payment of part or all of the compensation of the members of the board shall be withheld by the county treasurer or collector, as the case may be, by order of the county board or the commissioner, as the case may be, or may be forfeited by like order; and the Secretary of State or the clerk of the county or the municipal clerk, as the case may be, shall certify to the county board the name of any district board so failing to deliver or transmit such statements, books, documents or articles as hereinbefore mentioned.

In case of failure of a district board to produce the required statements, books or other documents within twenty-four hours after being notified, the county board may make application to the County Court for an order to show cause why the members of such district board shall not be held in contempt of court for such neglect or failure, and punished accordingly.

Section amended.

22. Section 19:18–1 of the Revised Statutes is amended to read as follows:

Election records placed in ballot box.

19:18–1. As soon as the election shall be finished and the votes canvassed and the statements made and certified by the district board as herein required, all ballots which have been cast, whether the same have been canvassed and counted or rejected for any cause, and one tally sheet, spoiled and unused ballots, shall be carefully collected and deposited in the ballot box.

In all municipalities the signature copy registers shall not be placed in the ballot box but shall be delivered immediately by the district board to the commissioner of registration.

In order to carry out his duties, any superintendent of elections in counties having a superintendent of elections shall have access and be permitted to inspect and examine any and all signature copy registers for said county for any election which may have been or shall be held in said county and any official or person having possession or custody of same who shall refuse to deliver said signature copy registers to the office of said superintendent of elections forthwith upon demand having been made upon him by said superintendent of elections as aforesaid shall be guilty of a misdemeanor. Unless the said official having custody or possession of said signature copy registers shall forthwith produce the same at the office of the superintendent of elections when demanded by him so to do, the said superintendent of elections may apply to a judge of the Superior Court assigned to the county or a judge of the County Court of the county, and such judge shall forthwith make an order directing the official having possession or custody of the said signature copy registers to produce them at once in the court in which said judge may be sitting, and upon their being produced said judge shall deliver the same to the superintendent of elections.

Section amended.

23. Section 19:18–4 of the Revised Statutes is amended to read as follows:

Preservation of ballot boxes and contents.

19:18–4. Every municipal clerk to whom the ballot boxes shall be delivered shall thereupon keep the same, with their contents, but shall not have the keys thereof in his possession until required for the next ensuing election, and shall not open or permit to be taken or opened any ballot box for the space of three months after the same has been so deposited, except when he shall be called upon by some court or other tribunal authorized to try the merits of such election or to take testimony regard-

ing the same; and after such trial or investigation the clerk shall have such box or boxes returned to be held for any purpose within the time that same are required to remain in his custody.

After the space of three months the municipal clerk may remove the contents thereof and preserve the same for two years, and permit the ballot boxes to be used at any election, unless an order shall have been made directing a recount of the ballots contained therein, or a petition filed contesting any nomination or election necessitating the use of the ballots contained in such boxes, within the time limited by law.

When any election is required to be held for any purpose within such three months, the judge of the Superior Court assigned to the county or a judge of the County Court of the county, upon application of the governing body of any municipality, may direct that the contents of such ballot boxes be removed and preserved for two years and that these ballot boxes be used at such election.

Section amended.

24. Section 19:18–8 of the Revised Statutes is amended to read as follows:

Inspection of contents of ballot boxes, etc.

19:18–8. A judge of the Superior Court may at any time for satisfactory reasons shown, and when he deems it necessary, issue an order for the opening of any ballot box or boxes and the removal of the contents thereof and for the removal from the file of any municipal or county office of any documents and books for any necessary purpose, which order shall also set forth the return of such contents to the ballot box or boxes and their return together with the documents and books to the files of the office from which the same were removed.

Section amended.

25. Section 19:23–29 of the Revised Statutes is amended to read as follows:

Error in ballots, correction.

19:23–29. When it shall appear that any error or omission has occurred in the copy prepared by the municipal clerk for the printer or in the printing of the official ballots for any primary election by any municipal clerk, any voter resident in any election district affected by such error or omission may

present to a judge of the Superior Court assigned to the county containing the election district, a verified statement setting forth the error or omission, and such judge, being satisfied thereof, shall thereupon summarily, by his order, require the municipal clerk to correct the error or omission, or show cause why it should not be corrected.

Section amended.

26. Section 19:26–2 of the Revised Statutes is amended to read as follows:

Primary books, public inspection, removal of names.

19:26–2. The party primary poll books shall be subject to public inspection, and any voter whose name appears therein may apply to a judge of the County Court for his county, at any time prior to the next primary election to have his name stricken from such book, and the court shall have power to hear the application in a summary way at such time and upon such notice to that person as it may prescribe, and if satisfied that the applying voter's name has been improperly placed on such primary book, the court may make an order directing the commissioner, the county clerk or the municipal clerk, as the case may be, to erase the name from the primary book, and the commissioner or clerk, as the case may be, shall thereupon erase the same.

Section amended.

27. Section 19:28–1 of the Revised Statutes is amended to read as follows:

Application for recount.

19:28–1. When any candidate at any election shall have reason to believe that an error has been made by any district board or any board of canvassers in counting the vote or declaring the vote of any election, he may, on or before the second Saturday following such election, or declaration of any board of canvassers, apply to a judge of the Superior Court assigned to the county, or to a judge of the County Court of the county, wherein such district or districts are located, for a recount of the votes cast at the election in any district or districts.

When ten voters at any election shall have reason to believe that an error has been so made in counting or declaring the vote upon any public question at any election, such voters may, within

a like time, make like application for a like recount of the votes cast at the election on such public question.

Section amended.

28. Section 19:28–2 of the Revised Statutes is amended to read as follows:

Expenses of recount, liability for, deposit for recount.

19:28–2. Any applicant or group of applicants, as the case may be, for such recount, upon applying therefor, shall deposit with the county clerk or such other public officer or officers as such judge shall direct, such sum of money proportioned to the number of votes to be counted but not exceeding twenty-five dollars ($25.00) for any one district recount of which is asked, as the judge shall order as security for the payment of the costs and expenses of the recount in case the original count be confirmed. Such judge shall fix and determine the amount of compensation to be paid for making the recount, and the costs and expenses thereof. If it appears that an error or errors have occurred as a result of which the election is changed or the difference in the vote between any candidate and any other candidate for the same office or between the negative and affirmative of any such public question is altered in any district by more than ten votes or ten per centum (10%) of the total vote cast in the district, whichever is the greater, the costs and expenses of the recount of such district shall be paid by the State, county or municipality in and for which the election was held, upon the warrant of such judge, as other election expenses are paid. If no error shall appear sufficient to produce such change, the costs and expenses of the recount shall be paid out of the deposit made as security by the party or parties making the application.

Section amended.

29. Section 19:28–3 of the Revised Statutes is amended to read as follows:

Recount, order and proceedings.

19:28–3. Such judge shall be authorized to order upon such terms as he deems proper a recount of the votes as he may determine, to be publicly made under his direction by the county board. Such board shall have power to subpœna witnesses to

testify and produce documents and paraphernalia as it may determine, after three days' notice of the time and place of the recount has been given by such applicant or group of applicants to such interested party or parties as the judge may direct. The members of the district board shall be subpœnaed to be present at the recount to witness the opening of the ballot box or boxes used in their election district and to give such testimony as the county board deems necessary. The judge shall have power to decide all disputed questions which the county board shall fail to decide by a majority vote.

Section amended.

30. Section 19:28–4 of the Revised Statutes is amended to read as follows:

Revocation of election certificate, new certificate.

19:28–4. If it appears upon such recount that an error has been made sufficient to change the result of such election, such judge in case of candidates shall issue an order to revoke the certificate of election already issued to any person and shall issue an order directing the chairman and clerk of the county board of canvassers to issue in its place another certificate in favor of the person who shall be found to have received a plurality of the votes cast at the election, which certificate shall supersede all others and entitle the holder thereof to the same rights and privileges as if such certificate had been originally issued by the canvassing board. In the event the person to whom the certificate of election has already issued shall so request, such judge shall order the recount to proceed in all districts in which such person was a candidate for election and shall withhold the issuance of any such new certificate until it shall finally be determined who has received a plurality of the votes cast at such election. If during the further recount requested by the person to whom the certificate of election has already issued, such person gains sufficient votes to give him more votes than the contestant, the judge conducting the recount may then order that the recount shall not proceed unless the contestant shall deposit such further sum of money

as the judge shall require not exceeding twenty-five dollars ($25.00) per district.

In case of a tie vote as a result of a recount the judge conducting the recount shall issue an order revoking the certificate originally issued by the board of canvassers.

Section amended.

31. Section 19:28–5 of the Revised Statutes is amended to read as follows:

Order filed.

19:28–5. When any such certificate shall be issued or revoked by order of the judge of the Superior Court or a judge of the County Court, his order shall be filed with the Secretary of State or with the clerk of the county or municipality, as the case may be, in and for which such election was held.

Section amended.

32. Section 19:28–8 of the Revised Statutes is amended to read as follows:

Correction of error.

19:28–8. In case of public questions such judge shall make an order that the result of such election be corrected.

Section amended.

33. Section 19:29–2 of the Revised Statutes is amended to read as follows:

Petition, contents, verification, bond.

19:29–2. In the case of an office or proposition voted for by the voters of the entire State or more than one county thereof, the contest shall be heard by any judge of the Superior Court assigned for that purpose by the Chief Justice of the Supreme Court, and shall be commenced by the filing of a petition therefor with the Clerk of the Superior Court signed by at least twenty-five voters of the State or by any defeated candidate for such nomination, party position or public office.

In all other cases the contest shall be heard and determined by a judge of the Superior Court assigned to the county wherein such office or proposition is to be contested, and shall be commenced by the filing of a petition therefor with the Clerk of the Superior Court, signed by at least fifteen voters of the county or by any defeated candidate for such nomination, party position or public office.

The petition shall be verified by the oath of at least two of the petitioners, or by the candidate

filing the same, as the case may be, which verification may be made on information and belief. The petition shall be accompanied by a bond to the incumbent, with two or more sureties, or a deposit of cash security, to be approved by such judge, in the penal sum of five hundred dollars ($500.00), condition to pay all costs in case the election be confirmed, or the petition be dismissed or the prosecution fail. When the reception of illegal or the rejection of legal voters is alleged as a cause of contest, the names of the persons who so voted, or whose votes were rejected, with the election district where they voted, or offered to vote, shall be set forth in the petition, if known.

No petition heretofore filed pursuant to this section shall be dismissed or the prosecution fail because the petitioner shall not have filed a bond with sureties as required herein, and the court shall be construed to have acquired jurisdiction to hear and determine such contest if the petitioner shall have filed with the petition a bond, without sureties, in the penal sum of five hundred dollars ($500.00), conditioned as required in this section, with a deposit of five hundred dollars ($500.00) as cash security therefor, approved by a judge of the Superior Court.

Section amended.

34. Section 19:29–4 of the Revised Statutes is amended to read as follows:

Time of hearing complaint.

19:29–4. The judge shall appoint a suitable time for hearing such complaint, not more than thirty nor less than fifteen days after the filing of the petition, and the contestant shall cause a notice of such hearing, with a copy of the contestant's petition, to be served on the incumbent at least ten days before the day set for trial.

Notice.

Section amended.

35. Section 19:29–5 of the Revised Statutes is amended to read as follows:

Procedure at trial.

19:29–5. The proceedings shall be similar to those in a civil action so far as practicable, but shall be under the control and direction of the court, which shall hear and determine the matter without a jury, with power to order any amendments in the

petition, or proceedings as to form or substance, and to allow adjournments to any time not more than thirty days thereafter for the benefit of either party, on such terms as shall seem reasonable to the court, the grounds for such adjournment being shown by affidavit.

Section amended.

36. Section 19:29–6 of the Revised Statutes is amended to read as follows:

Witnesses and evidence.

19:29–6. The court may compel the attendance of any officer of such election and of any other person capable of testifying concerning the same, and also compel the production of all ballot boxes, books, papers, tally lists, ballots and other documents which may be required at such hearing. The style, form and manner of service and process and papers, and the fees of officers and witnesses, shall be the same as in the Superior Court in other cases, as far as the nature of the case admits.

Section amended.

37. Section 19:29–7 of the Revised Statutes is amended to read as follows:

Witnesses compelled to testify.

19:29–7. The judge may require any person called as a witness who voted at such election to answer touching his qualification as a voter, and if the court, from his examination, or otherwise, is satisfied that he was not a qualified voter in the election district where he voted, he may compel him to disclose for whom he voted.

Section amended.

38. Section 19:29–8 of the Revised Statutes is amended to read as follows:

Judgment, misconduct of members.

19:29–8. The judge shall pronounce judgment whether the incumbent or any contestant was duly elected, and the person so declared elected will be entitled to his certificate. If misconduct is complained of on the part of the members of any district board it shall not be held sufficient to set aside the election unless the rejection of the vote of such district would change the result as to that office.

Section amended.

39. Section 19:29–9 of the Revised Statutes is amended to read as follows:

Effect of judgment.

19:29–9. If the judgment be against the incumbent, and he has already received a certificate of election, the judgment shall annul it. If the judge

finds that no person was duly elected, the judgment shall be that the election be set aside.

Section amended.

40. Section 19:29–10 of the Revised Statutes is amended to read as follows:

Order putting successful party in office.

19:29–10. When either the contestant or incumbent shall be in possession of the office, by holding over or otherwise, the judge shall, if the judgment be against the party in possession of the office and in favor of his antagonist, issue an order to carry into effect his judgment, which order shall be under the seal of the court, and shall command the sheriff of the county to put the successful party into possession of the office without delay, and to deliver to him all books, papers and effects belonging to the same.

Section amended.

41. Section 19:29–11 of the Revised Statutes is amended to read as follows:

Appeals.

19:29–11. The party against whom judgment is rendered may have it reviewed by the Appellate Division of the Superior Court on an appeal in lieu of prerogative writ.

Section repealed.

42. Section 19:29–12 of the Revised Statutes is hereby repealed.

Section amended.

43. Section 19:29–13 of the Revised Statutes is amended to read as follows:

Enforcement of judgment on appeal.

19:29–13. The Appellate Division of the Superior Court in the appeal in lieu of prerogative writ shall enforce its judgment in such manner as may be appropriate and where appropriate, remove from office the party against whom judgment is rendered, if he is in possession of the office.

Section amended.

44. Section 19:31–13 of the Revised Statutes is amended to read as follows:

Registrant required to reregister upon divorce, marriage, etc.

19:31–13. Whenever the registrant after his or her original registration shall change his or her name due to marriage, divorce, or by judgment of court, the registrant shall be required to reregister and the commissioner upon receipt of information or notice of such change, shall transfer the permanent registration forms of such persons to the inactive file. When notice or information of such change in name has not been received by or filed

with the commissioner prior to the fortieth day preceding any election, such person may be permitted to vote under his or her original registration at the next election following such change in name, after signing the signature copy register with both the registered name and his or her new name. Such person shall be required to reregister before being permitted to vote at any subsequent election. The commissioner shall then transfer the former permanent registration form to the inactive file and notify the registrant by regular mail of such transfer and the requirement to reregister before being permitted to vote at any election.

Section amended.

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

Correction of records by commissioner.

19:31–19. The commissioner shall transfer to the inactive file the permanent registration and record of voting forms of such persons as a judge of the Superior Court, or a judge of the County Court may, as hereinafter provided, order stricken from the signature copy register.

The registrant shall be notified by the commissioner by registered mail of any transfer made pursuant to this section.

After the permanent registration form of any person has been placed in the inactive file for any reason whatsoever, the Commissioner of Registration shall stamp across the face of said registration form in red ink with a rubber stamp, in type at least one inch high, the word void and underneath said word, inactive, and thereafter, the said form shall not be restored, reinstated or retransferred to the active file.

Any person whose permanent registration form has been transferred to the inactive file shall be required to reregister, in order to be eligible to vote.

In no event, shall any person's registration form number which has been transferred to the inactive file be again used as the registration number of that person or any other person.

46. Section one of chapter fifty-three of the laws of one thousand nine hundred and forty is amended to read as follows:

Section amended.

1. Any candidate or his duly authorized attorney shall within twenty days after any election, upon application to the commissioner of registration, be permitted to inspect and examine the original and duplicate registration binders in the office of the commissioner and compare signatures thereon and if the commissioner shall refuse the right of examination and inspection, application may be made to any judge of the Superior Court assigned to the county or a judge of the County Court of the county, and such judge shall forthwith order the said commissioner to allow such person to make an examination and inspection, as aforesaid.

C. 19:31-27. Candidates may inspect registration binders.

47. Section 19:32–11 of the Revised Statutes is amended to read as follows:

Section amended.

19:32–11. The superintendent, his chief deputy or assistants, shall have the power, when in his or their judgment it is deemed necessary at any election, upon the completion of the counting and canvassing of the ballots by any district board, to enter any place containing ballot boxes for the purpose of taking possession and sealing any ballot box or boxes with a seal to be adopted by the superintendent. When any ballot box shall be so sealed it may be removed to a vault or other place of security by the superintendent, his chief deputy or assistants, but shall not be opened and the seal thereof destroyed or affected without an order first had and obtained from a judge of the Superior Court assigned to the county. Taping or any other mechanical device may be used to make such sealing secure.

Sealing, preserving and opening ballot boxes.

48. Section 19:32–18 of the Revised Statutes is amended to read as follows:

Section amended.

19:32–18. Any person affected by the action of the superintendent shall during the week immediately preceding the election and on the election day have the right to make application to a judge of the County Court of the county for the purpose of ob-

Application to County Court judge for order allowing voter to vote.

taining an order entitling him to vote in the district in which he actually resides. The burden of proof shall be upon the applicant.

A judge of the County Court, if satisfied that the applicant is entitled under the law to vote at such election and after determining the election district in which the person actually resides may issue an order directing the district board of that district to permit such person to vote. The district board shall certify and return the order to the commissioner at the close of the election, who thereupon shall restore the permanent registration forms of such person to the active file. Before the issuance of such order, the superintendent shall be heard personally, or by his chief deputy or assistants, as to the reasons why he has issued an order denying such person the right to vote. The superintendent or anyone representing him shall have full power to cross-examine any witness.

The judge of the County Court making such order shall cause a full record of the proceedings of the application to be taken stenographically, transcribed and filed in the office of the county clerk of the county, which record shall be an open and public record. All costs and expense of such proceedings shall be paid by the county.

Any person whose name shall appear on the peremptory order list and who shall not apply for and be granted an order to vote, during the week immediately preceding the election or on the election day immediately following the publication of his name as heretofore provided, shall not be permitted to vote by court order or otherwise until he shall have first reregistered.

Section amended.

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

Penalty for disobedience of order.

19:32–19. Any member of a district board who, after the receipt of an order from the superintendent denying any person the right to vote, unless the order of the superintendent has been revoked by a judge of the County Court of the county, as hereinabove provided, allows such person to vote,

shall be guilty of a misdemeanor, shall forfeit his right to such office and be subject to imprisonment for a term not exceeding three years, or the payment of a fine of one thousand dollars ($1,000.00), or both.

Section amended.

50. Section nine of chapter one hundred sixty-seven of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 19:32-34. Sealing, preserving and opening ballot boxes.

9. The superintendent, his chief deputy or assistants, shall have the power, when in his or their judgment it is deemed necessary at any election, upon the completion of the counting and canvassing of the ballots by any district board, to enter any place containing ballot boxes for the purpose of taking possession and sealing any ballot box or boxes with a seal to be adopted by the superintendent. When any ballot box shall be so sealed it may be removed to a vault or other place of security by the superintendent, his chief deputy or assistants, but shall not be opened and the seal thereof destroyed or affected without an order first had and obtained from a judge of the Superior Court assigned to the county. Taping or any other mechanical device may be used to make such sealing secure.

Section amended.

51. Section sixteen of chapter one hundred sixty-seven of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 19:32-41. Application to County Court judge for order allowing voter to vote.

16. Any person affected by the action of the superintendent shall during the week immediately preceding the election and on the election day have the right to make application to a judge of the County Court of the county for the purpose of obtaining an order entitling him to vote in the district in which he actually resides. The burden of proof shall be upon the applicant.

The judge of the County Court, if satisfied that the applicant is entitled under the law to vote at such election and after determining the election district in which the person actually resides may issue an order directing the district board of that district to permit such person to vote. The district

board shall certify and return the order to the commissioner at the close of the election, who thereupon shall restore the permanent registration forms of such person to the active file. Before the issuance of such order, the superintendent shall be heard personally, or by his chief deputy or assistants, as to the reasons why he has issued an order denying such person the right to vote. The superintendent or anyone representing him shall have full power to cross-examine any witness.

The judge of the County Court making such order shall cause a full record of the proceedings of the application to be taken stenographically, transcribed and filed in the office of the county clerk of the county, which record shall be an open and public record. All costs and expense of such proceedings shall be paid by the county.

Section amended.

52. Section seventeen of chapter one hundred sixty-seven of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 19:32-42. Penalty for permitting person to vote in violation of order.

17. Any member of a district board who, after the receipt of an order from the superintendent denying any person the right to vote, unless the order of the superintendent has been revoked by a judge of the County Court of the county, as hereinabove provided, allows such person to vote, shall be guilty of a misdemeanor, shall forfeit his right to such office and be subject to imprisonment for a term not exceeding three years, or the payment of a fine of one thousand dollars ($1,000.00), or both.

Section amended.

53. Section 19:33–1 of the Revised Statutes is amended to read as follows:

Procedure for removing names from register.

19:33–1. A judge of the Superior Court assigned to the County Court or a judge of the County Court of the county shall order stricken from any register the name of any person who shall be shown to his satisfaction not to be entitled to vote at any election in the election district wherein he is registered, and the commissioner shall, upon such order, cause the name of such person to be stricken from the register.

Such judge shall hear an application to strike off in a summary manner at the time and day specified in the notice hereafter provided; but no name shall be stricken or ordered stricken from any such register in the absence of the person to be affected thereby, unless it shall appear to the judge by affidavit of the commissioner of registration or his deputy or assistant that notice by mail has been given such person, either personally or by leaving the same at his registered place of residence, or present actual residence, if known to the commissioner, at least five entire days before the day and time of hearing before such judge, that at such hearing application would be made to have the name of such registered person stricken from the register, and of the grounds on which such application would be based. Such judge shall not order any name stricken subsequent to the sixth Tuesday preceding any election. The commissioner shall notify the judge, five days before the day and time specified, when the application will be made, and the judge shall hear the application at the time and day specified in the notice.

In addition to the notice by mail, the commissioner shall also publish in one or more newspapers within the county at least five entire days before the day and time of hearing before such judge, the names and registered addresses of such persons as shall be affected by this proceeding, giving notice through such publication of the time and place where the application is to be made for the removal of said names from the registry lists.

The judge shall cause a full record of the proceedings of such application, including the appearances and a statement of his findings of fact and law and of the order made pursuant thereto, to be taken stenographically, transcribed and filed in the office of the county clerk, which record shall be public. All costs and expenses of such proceedings shall be paid by the county. The commissioner of registration, after the hearing before the judge, shall transfer to the inactive file the perma-

nent registration and record of voting forms of such persons as the judge shall have ordered stricken from the signature copy register pursuant to this section.

The registrant shall be immediately notified by the commissioner by mail of any transfer made pursuant to this section. In counties other than counties of the first class this notice by mail shall be sent in addition to the notice by publication.

Section amended.

54. Section 19:34–56 of the Revised Statutes is amended to read as follows:

Disobedience of subpœna, penalty.

19:34–56. Every person upon whom a subpœna issued under and by virtue of this Title shall have been served, and to whom the lawful fees shall have been paid or tendered, shall obey the command of such subpœna, under the penalty of fifty dollars ($50.00), to be sued for and recovered, with costs, in a civil action, before any court of competent jurisdiction, by the person on whose application such subpœna shall have been issued; but no person shall in any case be required to attend any such examination as a witness out of the county in which he resides.

If any person so duly subpœnaed shall neglect or refuse to obey the command of such subpœna, any judge of the Superior Court or a judge of the County Court may, on due proof by affidavit of the service of the subpœna on such witness, and of the payment of his legal fees and of his refusal or neglect to obey the command of the subpœna, issue an attachment against the person to bring him before such judge; and the judge shall have power to proceed against such witness as for a contempt of court.

Section amended.

55. Section 19:34–57 of the Revised Statutes is amended to read as follows:

Subpœna to issue, expenses.

19:34–57. If proof be made before any county district court judge or municipal magistrate of facts constituting probable cause for believing that this Title has been violated, and that any person other than the accused has knowledge of the circumstances connected therewith, such judge or

magistrate shall issue process of subpœna for the appearance of such person before him, to be examined touching the same. The lawful expenses of such subpœna and examination shall be paid by the applicant therefor, and such evidence shall be filed with the clerk of the county, to be used before the grand jury. No such process of subpœna shall be issued or served nor any such examination held on the day of election.

Section amended.

56. Section 19:43–3 of the Revised Statutes is amended to read as follows:

Payment after time limit.

19:43–3. The judge of the County Court in the county wherein the statement of expenses of a candidate is required to be filed, or in case the statement of expenses is required to be filed in the office of the Secretary of State, then any judge of the Superior Court, may on the application of either the campaign manager or a creditor, allow any bill incurred in aid of the candidacy of any person to be paid after the time limited by this Title, if the expenditure of such money has been duly authorized in the manner and form required by this Title and a statement of any sum so paid, with the certificate of its allowance, shall forthwith after payment be filed by the campaign manager in the same office as the statement of campaign expenses of the candidates is required to be filed. The claims of one or more creditors may be united in one application, but the amount and specific character of each claim shall be separately stated. Any claim so allowed to be paid shall be paid from the account known as the campaign fund of the candidate, if such candidate is required to designate a depository for campaign funds, on deposit in the bank or trust company selected by the candidate in accordance with the provisions of this Title, or if such account has been closed then from any other funds in the hands of the candidate or his manager.

Section amended.

57. Section 19:44–6 of the Revised Statutes is amended to read as follows:

Filing statements, errors and omissions corrected.

19:44–6. Candidates for nomination for or election to any public office shall cause to be filed the statements of their campaign managers in the same office in which the petitions for nomination for such office shall be required by law to be filed.

Any affidavits, statements or vouchers required by this Title to be filed by the cashier or treasurer of any bank or trust company, relating to the candidacy of any candidate for nomination for or election to any public office or party position, shall be filed in the same office in which the above-mentioned statements of the candidate are by this Title required to be filed.

In case any statement required by this Title to be filed by or on behalf of any candidate has not been filed within the time herein limited, or in case such statement, or the affidavit verifying the same, contains an error or false recital the candidate or his campaign manager may apply to a judge of the Superior Court if the statement has been filed or is required to be filed in the office of the Secretary of State, or to a judge of the County Court of the county in which the statement is filed or required to be filed, if it is required to be filed with the county clerk of any county, or with any other public officer within any county. If it shall appear to the judge that the failure to file the statement within such time, or the inaccuracy or false recital contained therein or in the affidavit thereto annexed was due to the illness of the candidate or the absence, illness or death of his campaign manager, or was caused by the misconduct of any person other than the candidate or his campaign manager, or by any other reasonable cause not involving gross negligence on the part of the candidate or his manager, or willful intention to violate any provision of this Title, the judge may make an order permitting such statement to be filed as of time or permitting an amendment of the statement or affidavit.

58. Section 19:48–2 of the Revised Statutes is amended to read as follows:

Section amended.

19:48–2. Any person or corporation owning or being interested in any voting machine may apply to the Secretary of State to examine such machine. Before the examination the applicant shall pay to the Secretary of State an examination fee of four hundred fifty dollars ($450.00). The Secretary of State within a period of thirty days shall examine the machine and shall make and file in the office of the Secretary of State his report of the examination, which report shall state whether in his opinion the kind of machine so examined can be safely used by the voters at elections under the conditions prescribed in this subtitle. If the report states the machine can be so used, it shall be deemed approved, and machines of its kind may be adopted for use at elections as herein provided.

Examination of voting machines, fee, certificate of approval.

Before making such report the Secretary of State shall require the voting machine to be examined by three examiners to be appointed for such purpose by him, one of whom shall be an expert in patent law and the other two mechanical experts, and shall require of them a written report on such machine, which the Secretary of State shall attach to his own report on the machine. Each examiner shall receive one hundred fifty dollars ($150.00) for his compensation and expenses in making an examination and report as to each voting machine examined by him from and out of the examination fee of four hundred fifty dollars ($450.00). Neither the Secretary of State nor any examiner shall have any pecuniary interest in any voting machine. When the machine has been so approved, any improvement or change that does not impair its accuracy, efficiency, or capacity, shall not render necessary a re-examination or reapproval thereof. Any form of voting machine not so approved cannot be used at any election.

The certificate of approval, or a certified copy thereof, shall be conclusive evidence that the kind of machine so examined complies with the pro-

visions of this subtitle, except that the action of the Secretary of State in approving such machine may be reviewed by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

59. Section 19:52–6 of the Revised Statutes is amended to read as follows:

Machines locked, opening on court order, fee.

19:52–6. The district election officers shall, as soon as the count is completed and fully ascertained, as by this subtitle required, lock the counter compartment and it shall so remain for a period of fifteen days, except it be opened by order of a judge of the Superior Court assigned to the county. Within such period and upon written request of any defeated candidate, or upon petition of any ten qualified voters of a county or municipality using machines who voted in the election in question, the judge shall, at a cost of two dollars ($2.00) per district to the candidate or petitioners, order the machines in question opened and the registering counters rechecked against the election officers' returns. Any candidate or petitioners requesting such recheck, shall deposit with the county clerk, the amount necessary for all the districts requested. The county clerk, if it appears that an error or errors have occurred as a result of which the election is changed or the difference between the negative and affirmative of any public question is altered so as to change the results of the election, shall upon the warrant of such judge of the Superior Court, pay to such candidate or petitioners the cost of such recheck. In the event it shall appear after such recheck that the results of the election remain unchanged, the county clerk shall, upon the warrant of such judge, pay the funds so deposited into the county treasury. Such recheck shall be made under the supervision of the county election officials and in co-operation with the parties at interest or their representatives. When irregular ballots of whatever description have been voted, the district election officers shall return all such ballots in a properly secured package indorsed "irregular ballots" and return and file such pack-

age with the municipal clerk at the same time the original statement of the results of the election made by them is filed. Such package shall be preserved for six months next succeeding such election, and it shall not be opened or its contents examined during that time except by the order of a judge of a court lawfully empowered to direct the same to be opened and examined. At the end of the six months, such packages may be opened and the ballots disposed of at the discretion of the official having charge thereof.

Section amended.

60. Section eighteen of chapter one of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 19:56-18. Military service ballots, duties of county boards.

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

The county board shall investigate the qualifications of such person as a military service voter under this act by comparison of the contents of said certificate with the information appearing upon the application for said military service bal-

lot, including the signatures thereon when the military service voter's signature appears upon said application, and by comparison with the military records of the State when deemed desirable.

Should any dispute arise as to whether or not such person's name has been so certified or as to his qualifications or as to whether or not or how any military service ballot shall be counted, the county board shall refer the matter to the County Court for determination.

After such investigation the county board of elections shall detach or separate the certificate from the inner envelope containing the military service ballot, unless it has been rejected by it or by the County Court, marking the envelope so as to identify the election district in which the ballot contained therein is to be voted as indicated by the military service voter's home address appearing on the certificate attached to or accompanying said inner envelope and, in the case of ballots to be voted at a primary election for a general election, so as to identify the political party in the primary election of which it is to be voted.

Section amended.

61. Section twenty-two of chapter one of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 19:56-22. Canvassing votes cast, certifying results.

22. On the day of each election to be held in this State while this act is in effect each county board of elections shall open in the presence of the commissioner of registration or his assistant or assistants the inner envelopes in which the military service ballots, returned to it, to be voted in such election, are contained, except those containing the ballots which the board or the County Court of the county has rejected, and shall remove from said inner envelopes the military service ballots and shall then proceed to count and canvass the votes cast on such military service ballots, but no military service ballot shall be counted in any primary election for the general election if the ballot of the political party marked for voting thereon differs from the designation of the political party in the

primary election of which such ballot is intended to be voted as marked on said envelope by the county board of elections. Immediately after the canvass is completed, the county boards of election shall certify the result of such canvass to the county clerk showing the result of the canvass by ward and district, and the votes so counted and canvassed shall be counted in determining the result of said election.

Section amended.

62. Section twenty-three of chapter one of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 19:56-23. Ballots, certificates, etc., preserved for one year.

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

63. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 20

AN ACT concerning eminent domain, and revising parts of the statutory law.

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

Section amended.

1. Section 20:1–2 of the Revised Statutes is amended to read as follows:

Institution of an action for appointment of commissioners.

20:1–2. The party exercising the right of taking land or other property by eminent domain shall institute an action in the Superior Court for the appointment of three commissioners to fix the compensation to be paid for the taking of the property, including the damage, if any, resulting from such

taking, to any remaining property. In any such action, the court shall have and shall exercise its full jurisdiction, including jurisdiction to determine the right to exercise the power of eminent domain; and the court may proceed in the action in a summary manner or otherwise.

Section repealed.

2. Section 20:1–3 of the Revised Statutes is hereby repealed.

Section amended.

3. Section one of chapter fourteen of the laws of one thousand nine hundred and forty-two is amended to read as follows:

C. 20:1-3.1. Procedure for acquiring lands needed for defense or airports.

1. Whenever the State or any commission, official, board or body thereof or any county or municipality shall determine to acquire lands, easements, rights-of-way or other property to be used by the United States of America, the State of New Jersey or said county or municipality, for furthering national or State defense, or for developing or building airports or providing surface or aerial approaches thereto, by condemnation pursuant to Title 20 of the Revised Statutes, and shall represent to the court that it is necessary for such purposes that the plaintiff enter into possession of the same immediately, the plaintiff may, with leave of the court in the action for condemnation, at the commencement of the action or thereafter, pay into court the sum of money estimated by the plaintiff to be just compensation for the lands, easements, rights-of-way or other property to be taken. Notice of the payment into court shall be given as the court shall prescribe, to the owners, occupants and persons interested, but not until after such payment. Immediately upon the payment into court the State or said commission, official, board or body thereof or said county or municipality may take possession of said lands, easements, rights-of-way or other property for the purposes for which the same were determined to be taken.

C. 20:1-3.2. Section repealed.

4. Section two of chapter fourteen of the laws of one thousand nine hundred and forty-two is hereby repealed.

5. Section three of chapter fourteen of the laws of one thousand nine hundred and forty-two is hereby repealed.

C. 20:1-3.3. Section repealed.

6. Section four of chapter fourteen of the laws of one thousand nine hundred and forty-two is amended to read as follows:

Section amended.

4. The amount of the award made in said action for condemnation either as shown by the report of the commissioners filed therein or by final judgment entered on appeal from the report of the commissioners, as the case may be, shall be payable out of the fund so paid into court, which shall be distributed, among the claimants thereto, upon the application of any person interested.

C. 20:1-3.4. Payment of award out of fund.

7. Section five of chapter fourteen of the laws of one thousand nine hundred and forty-two is amended to read as follows:

Section amended.

5. If the amount of said award shown as aforesaid shall exceed the amount of said fund, the plaintiff shall, within twenty days after the filing of the report or the entry of the judgment, pay into court, with leave of court, the amount of such excess, with costs and interest on such excess at the legal rate from the date of taking possession to the date of such payment, and shall give notice thereof to the owners, occupants and persons interested, as the court may direct; or, if the court shall so direct, payment shall be made to the persons entitled to such excess.

C. 20:1-3.5. Recovery of excess if award exceeds fund.

8. Section six of chapter fourteen of the laws of one thousand nine hundred and forty-two is hereby repealed.

C. 20:1-3.6. Section repealed.

9. Section seven of chapter fourteen of the laws of one thousand nine hundred and forty-two is amended to read as follows:

Section amended.

7. If the amount of said award shown as aforesaid shall exceed the amount of said fund, and said excess, with interest and costs, shall not be paid into court or to the persons entitled thereto, as hereinbefore provided, distribution of said fund shall be directed to be made pro rata to the various claimants thereto according to their various claims,

C. 20:1-3.7. Pro rata distribution of fund.

as allowed by the court, and the court shall, at the same time, enter an order or judgment in favor of each of said claimants for the balance payable to him, with interest and costs. Such claimants may take such further action as may be appropriate for the enforcement of such orders and judgments, but the award, orders and judgments shall not be enforceable as liens upon the lands, easements, rights-of-way or other property taken and any improvement thereon.

Section amended.

10. Section eight of chapter fourteen of the laws of one thousand nine hundred and forty-two is amended to read as follows:

C. 20:1-3.8. Repayment when award is less than fund.

8. In the event that the amount of said award with interest and costs, shall be less than the fund so paid into court, the excess of said fund shall be repaid to the plaintiff by order of the court upon the plaintiff's application.

Section amended

11. Section nine of chapter fourteen of the laws of one thousand nine hundred and forty-two is amended to read as follows:

C. 20:1-3.9. Agreement to accept fund as full compensation.

9. In the event that all of the owners, occupants and persons interested shall agree in writing, duly acknowledged, to accept the said sum so deposited in court as full compensation for said lands, easements, rights-of-way or other property, said agreement shall be conclusive evidence of the value of said lands, easements, rights-of-way or other property for the purposes of said award, and judgment shall be entered and the fund distributed in accordance with said agreement.

Section amended.

12. Section ten of chapter fourteen of the laws of one thousand nine hundred and forty-two is amended to read as follows:

C. 20:1-3.10. Recovery of taxes and other municipal liens.

10. The provisions of this act shall not be construed to prevent any municipality from retaining from or recovering out of any moneys paid by it into court, under this act, any sum or sums due to such municipality, for taxes or other municipal liens or charges against any property taken in condemnation.

13. Section 20:1–4 of the Revised Statutes is amended to read as follows: Section amended.

20:1–4. A notice of the pendency of the action, naming the parties interested, describing the real estate taken and briefly stating the object of the action, shall be filed and recorded in the same manner and place and for the same fees as notices of lis pendens in other civil actions. If the names of the persons interested are not known to the plaintiff, a statement to that effect shall be included in the notice. Such notice from the time it is filed shall be constructive notice to persons acquiring an interest in or encumbrance upon the property from or against any person to whom the notice is directed; and in default of such filing, persons acquiring an interest in or encumbrance against the property without actual notice of the action shall not be bound. Notice of action, recording, notice, effect.

14. Section 20:1–5 of the Revised Statutes is hereby repealed. Section repealed.

15. Section 20:1–6 of the Revised Statutes is amended to read as follows: Section amended.

20:1–6. The three commissioners to be appointed by the court shall be disinterested freeholders, residents of the county where the land or property to be taken is situate or, if it is situate in two or more counties, then residents of the county in which the greater part in value of the same is situate. They shall examine and appraise the land or property and assess the damages on such notice to be given to the persons interested in the property and in such manner as the court shall direct. Appointment of commissioners, duties.

16. Section 20:1–7 of the Revised Statutes is hereby repealed. Sections repealed.

17. Section 20:1–8 of the Revised Statutes is hereby repealed.

18. Section 20:1–9 of the Revised Statutes is amended to read as follows: Section amended.

20:1–9. The commissioners shall take and subscribe an oath faithfully and impartially to examine the matter in question and make a true report according to the best of their skill and un- Commissioners, oath, duties.

derstanding. Thereafter they shall meet at the time and place appointed and proceed to view and examine the land or other property and make a just and equitable appraisement of the value of the same, and an assessment of the amount to be paid by the plaintiff for the land or other property and damages as aforesaid, as of the date of the commencement of the action for condemnation.

Section amended.

19. Section 20:1–10 of the Revised Statutes is amended to read as follows:

Report, filing.

20:1–10. The report of the commissioners shall be made in writing under the hands of the commissioners or any two of them and filed by them with the Superior Court, to remain of record therein.

Section amended.

20. Section 20:1–11 of the Revised Statutes is amended to read as follows:

Death or disability of a commissioner.

20:1–11. In case, pending the action or any proceeding, any commissioner shall die, shall be or is disqualified or unable to act, or shall fail or refuse to act and perform the duties of his appointment, the other two commissioners shall proceed to perform the duties of their appointment with the same powers as if all three were acting.

Section amended.

21. Section 20:1–12 of the Revised Statutes is amended to read as follows:

Plaintiff may take possession upon paying awards.

20:1–12. Upon the filing of the report of the commissioners, and upon payment to the parties entitled thereto or into court, of the amount awarded as provided in this chapter, the plaintiff may take possession of the land or other property for the purposes for which the same was authorized to be taken.

The report of the commissioners, together with the order or judgment appointing them, or a copy thereof certified by the clerk of the court and proof of such payment of the amount awarded shall be plenary evidence of the right of the plaintiff to have, hold, use, occupy, possess and enjoy the land and other property.

22. Section 20:1–13 of the Revised Statutes is amended to read as follows: Section amended.

20:1–13. The report of the commissioners together with the order or judgment appointing them, or a copy thereof certified by the clerk of the court, shall be plenary evidence of the right of the owner of the land or other property taken to recover the amount awarded with interest and costs, in the action or in an action in any court of competent jurisdiction to be instituted against the plaintiff after failure to pay the same for twenty days after the filing of the report, and shall from the time of filing the report be enforceable as a lien upon the land or property taken and any improvements thereon. Right of owner to recover amount of award.

23. Section 20:1–14 of the Revised Statutes is hereby repealed. Section repealed.

24. Section 20:1–15 of the Revised Statutes is amended to read as follows: Section amended.

20:1–15. If the party entitled to receive the amount assessed by the commissioners or the amount of the judgment entered on an appeal from their report shall upon tender thereof refuse the same, or shall be out of the State or under any legal disability, or if several parties being interested in the fund shall not agree and the court shall not have made a determination as to the distribution thereof, or if the lands or other property taken are encumbered by a mortgage, judgment or other lien, or if for any other reason the plaintiff cannot safely pay the amount awarded to any person, in any such case, with leave of court, the amount awarded may be paid into the court, and shall be distributed according to law, on the application of any person interested therein. Amount of award paid into court.

25. Section 20:1–16 of the Revised Statutes is amended to read as follows: Section amended.

20:1–16. The plaintiff or owner of any of the land or other property, or any person interested may appeal from the report of the commissioners to the Superior Court, whether or not an appeal Appeal to Superior Court.

has been or may be given by the statute conferring the power to take land or property for public use.

Section repealed.

26. Section 20:1–17 of the Revised Statutes is hereby repealed.

Section amended.

27. Section 20:1–18 of the Revised Statutes is amended to read as follows:

Proper parties to appeal.

20:1–18. The appeal shall be sufficient and binding on all the owners and parties interested, known or unknown, named or designated as parties in the action, if it is brought by or against the persons in possession of the property and such other persons, if any, designated in the action for the appointment of commissioners, as shall have appeared personally or by attorney before the commissioners.

Section repealed.

28. Section 20:1–19 of the Revised Statutes is hereby repealed.

Section amended.

29. Section 20:1–20 of the Revised Statutes is amended to read as follows:

Trial by jury.

20:1–20. The appeal shall be tried by a jury upon the demand of any party to the appeal.

Sections repealed.

30. Section 20:1–21 of the Revised Statutes is hereby repealed.

31. Section 20:1–22 of the Revised Statutes is hereby repealed.

Section amended.

32. Section 20:1–23 of the Revised Statutes is amended to read as follows:

Recovery of excess of award over amount found due.

20:1–23. Where before the entry of judgment on the appeal, payment of the amount awarded by the commissioners has been made to a defendant, or into court, as provided in section 20:1–15 of this Title, and the amount found due on the appeal shall be less than was awarded by the commissioners, the plaintiff may recover back the amount so paid, less the amount found due on the appeal. On proof of such payment, judgment may be entered by the court in favor of the plaintiff against the owner for the excess recovered by him, and the plaintiff shall have such remedies as may be appropriate for the recovery of the same.

33. Section 20:1–24 of the Revised Statutes is amended to read as follows:

Section amended.

20:1–24. An appeal by any party from the report of the commissioners or from the judgment on the appeal from the report, or any other proceedings by any party, shall not affect the right of the plaintiff to take possession of said land or other property, but the Superior Court may, upon application, stay the taking of possession of the land or other property or authorize possession to be taken upon prescribed conditions as to the use of the property pending such further proceedings. Neither the payment of the award or judgment to the parties entitled thereto nor the payment of the moneys into court shall affect the right of the plaintiff to take an appeal or any other proceeding. Any party entitled to payment may receive the same without being barred of his appeal or any right he may have to take other proceedings.

Effect of appeal on right to take land, appeal not barred by acceptance of award.

34. Section 20:1–25 of the Revised Statutes is amended to read as follows:

Section amended.

20:1–25. The amount of the judgment on the appeal, or so much thereof as shall not have been paid, shall be paid to the parties entitled thereto or paid into court as provided in section 20:1–15 of this Title.

Payment of judgment, right of possession, recovery.

If possession shall not have been taken theretofore, the plaintiff, upon payment as aforesaid, may, notwithstanding any further appeal or other proceedings, take possession of the lands or other property for the purposes for which the same was authorized to be taken.

The persons entitled to receive payment of the judgment shall be entitled to the same lien as is provided in section 20:1–13 of this Title for the collection of awards of commissioners and shall have such other remedies as may be appropriate for the recovery of the same.

35. Section 20:1–26 of the Revised Statutes is amended to read as follows:

Section amended.

20:1–26. The judgment or a copy thereof, certified by the clerk of the court, and proof of payment

Right of plaintiff to possession.

as aforesaid, shall be plenary evidence of the right of the plaintiff to have, hold, use, occupy, possess and enjoy the land and other property.

Section repealed.

36. Section 20:1–27 of the Revised Statutes is hereby repealed.

Section amended.

37. Section 20:1–28 of the Revised Statutes is amended to read as follows:

Reversal of appeal, recovery.

20:1–28. If on an appeal from such judgment, the judgment is reversed or modified and on the final determination of the cause a lesser sum is adjudged to be due to the person entitled thereto than the sum theretofore paid by the plaintiff either to said person or into court, the plaintiff may recover back the difference between the amount paid and the amount finally adjudged to be due. Judgment for such difference may be entered by the court in favor of the plaintiff against the person liable for such difference.

If the amount of the judgment as finally entered is for a greater amount than that so paid, the owner shall be entitled to have judgment for the excess against the plaintiff.

Section amended.

38. Section 20:1–30 of the Revised Statutes is amended to read as follows:

Abandonment of proceedings.

20:1–30. Any action or proceeding under this chapter may be abandoned at any time before the filing of the report of the commissioners, or within twenty days thereafter, or in the event of an appeal therefrom, before the entry of the judgment on the appeal or within twenty days after the entry thereof, provided there is paid to the owner and any other party who appeared in the action or proceeding, their reasonable costs, expenses and attorney fees as determined by the court, and provided a discharge of the notice of lis pendens is filed. However, any action or proceeding heretofore or hereafter instituted pursuant to this chapter by a housing authority may be abandoned prior but not subsequent to the vesting of title to the property in the housing authority.

Sections repealed.

39. Section 20:1–31 of the Revised Statutes is hereby repealed.

40. Section 20:1–32 of the Revised Statutes is hereby repealed.

41. Section 20:1–33 of the Revised Statutes is amended to read as follows: Section amended.

20:1–33. Where land or other property is taken or to be taken by a municipal corporation or other public body for public improvement and payment of the compensation for the land or other property and damages is authorized by statute to be set off against or made wholly or partially in benefits to be assessed for the same improvement, the municipal corporation or other body may elect to proceed under such statute and on such election the proceeding shall not be governed by this chapter, except as provided by such statute. Application of chapter.

42. Section 20:1–34 of the Revised Statutes is amended to read as follows: Section amended.

20:1–34. Where an award has been made in an action by a municipality for the condemnation of property of a public utility company and the award has been paid to the parties entitled thereto or the amount thereof paid into court, the municipality, in addition to having the right to take possession of the property so condemned, may take possession of such other property as the company has acquired, and any improvements made in its plant, since the commencement of the action, in advance of making compensation therefor, provided the municipality cannot acquire said property and improvements by agreement with the owner, either by reason of disagreement as to price, or the legal incapacity or absence of the owner, or his inability to convey valid title, or by reason of any other cause. Condemnation of public utility property.

Upon a municipality exercising this right and entering upon and taking the after-acquired property and improvements in advance of making compensation therefor, the municipality shall apply to the commissioners therefor appointed in the action to fix the compensation to be paid the persons interested for the after-acquired property and improvements. Thereupon the commissioners shall make a just and equitable appraisement of the value of

all such after-acquired property and improvements and damages if any, in accordance with this chapter. Upon the making of the award the municipality shall pay the amount thereof unless an appeal is taken therefrom to the Superior Court as provided for in section 20:1–16 of this Title, in which case the amount of the award shall be paid upon final determination thereof.

Section amended.

43. Section 20:1–35 of the Revised Statutes is amended to read as follows:

Condemnation of lands for highways to include sidewalks.

20:1–35. Unless otherwise particularly specified in the resolution, map, complaint and other proceedings for the acquiring of land or rights of way, or both, for public highways in the manner set forth in this chapter the boundary lines of the said road and highways, or portion thereof so taken and acquired, shall include within the boundaries thereof all land necessary and desired for the locating of sidewalks or other space then needed, or thereafter to be utilized as sidewalk, and whether the same shall then or thereafter be intended to be paved for use by pedestrians as sidewalks.

All land lying outside of and adjoining the outer boundary lines of any public road or highway, the boundaries of which have been established according to law prior to April twenty-eighth, one thousand nine hundred and thirty-one, and which lands or the use thereof shall be required for the purpose of laying out, grading and constructing sidewalks for the use of pedestrians, shall be taken, acquired and occupied from and as against the rightful owner thereof, only in accordance with this chapter and upon paying compensation therefor, to be fixed and determined in the manner prescribed by this chapter.

Nothing in this section shall limit or impair or deprive any municipality or county of the right to ordain or order the grading and the construction of a paved surface for any sidewalk above referred to, and the assessing of the proportionate cost thereof, against the owner of the property thereby

improved, as a local public improvement in the manner now provided by law.

Section amended.

44. Section 20:1–36 added to the Revised Statutes by chapter twenty-one of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

Condemnation by housing authority or redevelopment agency.

20:1–36. On or at any time after the institution of an action by a housing authority or redevelopment agency for the condemnation of property, such housing authority or redevelopment agency may file with the Clerk of the Superior Court, a declaration of taking signed by the duly authorized officer or agent of the housing authority or redevelopment agency declaring that all or any part of such property is being taken for the use of the housing authority or redevelopment agency. The said declaration of taking shall be sufficient if it sets forth: (1) a description of the property, sufficient for the identification thereof, to which there may be attached a plan or map thereof; (2) a statement of the estate or interest in said property being taken; (3) a statement of the sum of money estimated by the housing authority or redevelopment agency to be just compensation for the property taken; which sum shall be not less than the last assessed valuation for tax purposes of the estate or interest in the property to be taken.

From the filing of the said declaration of taking and the deposit in court to the use of the persons entitled thereto of the amount of the estimated compensation stated in said declaration, title to the property described as being taken by said declaration shall vest in the housing authority or redevelopment agency (free from the right, title, interest or lien of all persons), and said property shall be deemed to be condemned and taken for the use of the housing authority or redevelopment agency and the right to just compensation for the same shall vest in the persons entitled thereto. Upon the filing of the declaration of taking, the court shall designate a day (not exceeding twenty days after such filing, except upon good cause

shown), on which the persons in possession shall be required to surrender possession to the housing authority or redevelopment agency.

The ultimate amount of compensation shall be determined pursuant to Title 20 of the Revised Statutes. If the amount so fixed shall exceed the amount so deposited in court by the housing authority or redevelopment agency or otherwise paid to the persons entitled thereto, the court shall enter judgment against the housing authority or redevelopment agency in the amount of such deficiency, together with interest at the legal rate on such deficiency from the date of the vesting of title to the date of the entry of the final judgment (subject, however, to abatement for use, income, rents or profits derived from such property by the owner thereof subsequent to the vesting of title in the housing authority or redevelopment agency), and the court shall order the authority to deposit the amount of such deficiency in court. The money deposited into court by a housing authority or redevelopment agency shall be secured in such manner as may be directed by the court and shall be disbursed according to the order or judgment of the court to the persons found to be entitled thereto by the final award or judgment of the court. In case the amount deposited in court by the housing authority or redevelopment agency as the estimated compensation for the property shall exceed the amount of the final award or judgment, such excess shall be returned to the housing authority or redevelopment agency.

Except as herein provided, eminent domain proceedings and actions applicable to a housing authority or redevelopment agency shall not be altered by this section.

Note: Act effective.

45. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved March 19, 1953.

CHAPTER 21

AN ACT concerning explosives and fireworks, and revising parts of the statutory law.

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

1. Section one hundred fifteen of chapter twenty-seven of the laws of one thousand nine hundred and forty-one is amended to read as follows:

Section amended.

115. If the operations continue despite the revocation of permit, the person to whom the permit was issued shall be liable to a penalty of one thousand dollars ($1,000.00). The proceeding for the recovery of this penalty shall be by a civil action in the name of the commissioner, to be instituted in any court of competent jurisdiction; or by compromise.

C. 21:1A-115. Penalty for continuing violations, recovery.

2. Section one hundred sixteen of chapter twenty-seven of the laws of one thousand nine hundred and forty-one is amended to read as follows:

Section amended.

116. The commissioner is hereby empowered to seal any magazines or vehicles and to order premises closed where explosives are manufactured, processed, stored, transported, or sold when violations of the provisions of this act are found to exist. Unless the seal shall be removed by the commissioner or closing order revoked by the commissioner, because of satisfactory compliance with the provisions of this act and if magazines and vehicles continue to be used in violation of this act, the owner or user shall be liable to a penalty of one thousand dollars ($1,000.00). Notwithstanding anything in this act to the contrary, the proceeding for the recovery of this penalty shall be by a civil action in the name of the commissioner, to be instituted in any court of competent jurisdiction; or by compromise.

C. 21:1A-116. Seal of magazines, closing premises, penalty.

Section amended.

3. Section six of chapter one thirty-nine of the laws of one thousand nine hundred and fifty is amended to read as follows:

C. 21:1B-6. Corrections of violations.

6. In addition to the penalties provided in section five of this act, any person, firm or corporation who shall violate or remain in violation of any of the provisions hereof, or of any rule or regulation promulgated by the Division of State Police hereunder, may be directed and ordered by notice in writing setting forth the facts relating to such violation to correct said violation by said Division of State Police. Such notice in writing shall be served personally upon said person or mailed by registered mail to the principal office of said person, firm or corporation or if an individual or individuals, to his or their residence. If such order is not complied with and such violation not corrected within twenty days of the date of service of said order, the Division of State Police may institute an action in the Superior Court for injunctive relief or an abatement. The court may proceed in the action in a summary manner or otherwise, and shall make such determination thereof as shall seem necessary and proper to correct the violation and secure enforcement of said Division of State Police order. Every order issued by the Division of State Police under the provisions of this section shall be prima facie evidence of the truth of the matter and things therein set forth.

Section amended.

4. Section 21:2–35 of the Revised Statutes is amended to read as follows:

Penalties, recovery.

21:2–35. Any person who fails to comply with or violates any of the provisions of this chapter shall be liable to a penalty of not less than twenty-five dollars ($25.00) nor more than ten thousand dollars ($10,000.00) or imprisonment not exceeding one year, or both, in the discretion of the court. The money penalties herein provided for shall be sued for and recovered in a civil action by and in the name of the Commissioner of Labor.

5. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 22

AN ACT to adopt a supplement to the Revised Statutes consisting of, and to be known as, Title 22A, Fees and Costs, as revised in one thousand nine hundred and fifty-two, to repeal Title 22 of the Revised Statutes, as amended and supplemented, and to provide for the effect and operation of the said Title 22A.

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

Title 22A, fees and costs adopted.

1. The revision of Title 22 of the Revised Statutes of New Jersey, prepared under the direction of the Advisory Committee on Revision of Statutes appointed under chapter one hundred seventy-one of the laws of one thousand nine hundred and fifty, is adopted as a supplement to the Revised Statutes, consisting of, and to be known as, Title 22A, Fees and Costs, as revised in one thousand nine hundred and fifty-two.

Citations and references.

2. The said revision of Title 22 of the Revised Statutes shall be deemed to be a part of the general and permanent statutes of this State. In any citation thereof the abbreviation "N. J. S.," meaning New Jersey Statutes, shall be equivalent to a reference to the said revision and sections of such revision may be cited by section number only, preceded by such abbreviation.

Repealer.

3. Title 22 of the Revised Statutes, as amended and supplemented, is repealed, but such repeal shall not affect any right now vested in any person pursuant to the provisions of said Title, nor except as otherwise provided herein, any remedy where an action or proceeding which involves any provision of said Title is pending on the effective date of said repeal. The words "action or proceeding" as used in this section, shall not be limited to judicial actions or proceedings.

Repeal not to revive law.

4. The said repeal of Title 22 of the Revised Statutes, as amended and supplemented, shall not of itself be deemed to revive any common law, right or remedy abolished by any provision of the said Title.

Deemed a continuation.

5. The provisions of said Title 22A not inconsistent with those of prior laws shall be construed as a continuation of such laws.

Classification and arrangement.

6. The classification and arrangement of the several sections of the said Title 22A have been made for the purpose of convenience, reference and orderly arrangement, and therefore no implication or presumption of a legislative construction is to be drawn therefrom.

Outlines and analysis not deemed part of law.

7. In the construction of the said Title 22A, or any part thereof, no outline or analysis of the contents of said Title or of any chapter, article or other part thereof, no cross-reference or cross-reference note and no headnote or source note to any section of the said Title 22A shall be deemed to be a part of the said Title.

Provisions severable.

8. If said Title or any chapter, article or section of the said Title or any provision thereof, shall be declared to be unconstitutional, invalid or inoperative in whole or in part, by a court of competent jurisdiction, such Title, chapter, article, section or provision shall to the extent that it is not unconstitutional, invalid or inoperative, be enforced and effectuated, and no such determination shall be deemed to invalidate or make ineffectual the remaining provisions of the said Title, or of any chapter, article, or section of said Title.

Applicable statutes.

9. The provisions of section 1:1–8 of the Revised Statutes, and sections 1:1–11 to 1:1–21 of the Revised Statutes, both inclusive, shall be applicable to the enactment and operation of said Title 22A.

Effect of references.

10. Any reference to a section or sections of Title 22 of the Revised Statutes, as amended and supplemented, included in any other Title of the Revised Statutes, as amended and supplemented, or in any other statute which became effective prior to the

effective date of the adoption of Title 22A, Fees and Costs, as revised in one thousand nine hundred and fifty-two, and still remains in effect, shall be given effect on and after the date of the adoption of the said Title 22A, Fees and Costs, as though the reference therein were made to the section or sections of the said Title 22A which contains the statutory material formerly included in the said section or sections of Title 22 of the Revised Statutes, as amended and supplemented, and that for the purpose of determining the said corresponding sections reference may be made to the Distribution Table appended to the said Title 22A.

Where the statutory material formerly included in Title 22 of the Revised Statutes, as amended and supplemented, is not included in the said Title 22A and, therefore, not enacted in the said revision, references thereto in any other Title of the Revised Statutes, as amended and supplemented, or in any other statute which so became effective and remains in effect, shall cease to be operative and shall be deemed to be superseded.

Revision of Title.

11. The said revision of Title 22, constituting Title 22A, Fees and Costs, is as follows:

TITLE 22A. FEES AND COSTS

Analysis

Chapter

1. General Provisions. §§ 22A:1–1 to 22A:1–7.
2. Civil Causes. §§ 22A:2–1 to 22A:2–44.

Article

1. Supreme Court and Superior Court. §§ 22A:2–1 to 22A:2–23.
2. County Court, law division, and county clerk's office. §§22A:2–24 to 22A:2–29.
3. County Court, probate division, and surrogate's office. §§ 22A:2–30 to 22A:2–36.
4. County district courts and municipal courts. §§ 22A:2–37 to 22A:2–43.
5. Penalty proceedings, all courts. § 22A:2–44.

Chapter

3. Criminal Causes. §§ 22A:3–1 to 22A:3–6.
4. Fees of certain State and county officers. §§ 22A:4–1 to 22A:4–20.

CHAPTER 1. GENERAL PROVISIONS

Section

22A:1–1. Attendance and mileage of jurors in Superior and County Courts.
22A:1–2. Computation of mileage of jurors in counties other than counties of the first class.
22A:1–3. Account of per diem allowance paid jurors; payment to county treasurer.
22A:1–4. Fees and mileage of witnesses and others.
22A:1–5. Fees and mileage for service of subpœnas ad testificandum.
22A:1–6. Mileage for serving writs; computation.
22A:1–7. Payment of fees dispensed with by reason of poverty.

22A:1–1. Attendance and mileage of jurors in Superior and County Courts

Every person summoned as a petit juror in the Superior Court and the County Courts shall receive, for each day's attendance at such courts, to be paid by the sheriff of the county in which the juror shall serve, at the expiration of each term of service or at such other time or times within such terms as the board of chosen freeholders of the county shall direct, the sum of five dollars ($5.00). The board of chosen freeholders of any county may, in its discretion, by resolution reduce the aforesaid amount of five dollars ($5.00) to such an amount as the board may determine.

Every person summoned as a petit juror in such courts shall receive, in addition to the above per diem allowance, for actual travel, while engaged in attending court, to and from the courthouse and his

residence, mileage at the rate per mile of two cents ($0.02). The distance from the residence of the juror to the courthouse shall be computed by the most direct and usual route of travel between the two points and the first mile both ways from the courthouse shall be excluded from the computation.

The grand jurors and struck jurors in the several counties shall receive the same compensation, and shall be paid in the same manner as the petit jurors of the several counties.

Source. R. S. 22:1-1, as amended L. 1949, c. 127, p. 496, § 1.

22A:1-2. Computation of mileage of jurors in counties other than counties of the first class

In counties other than counties of the first class, the sheriff, with the approval of a judge of the County Court, shall estimate and determine, in accordance with the provisions of section 22A:1-1 of this Title, the distances traveled by each juror and enter the same opposite the juror's name on a suitable list to be prepared for the purpose by the sheriff. The judge shall certify the same by his signature to the county clerk, who shall file the same in his office.

In a book suitably ruled, the county clerk shall, in said counties, record the names of jurors summoned, and the distance from their residences to the courthouse as certified by the judge, and opposite said amount as evidence of the receipt thereof the jurors shall write their names.

For each name so recorded the county clerk shall receive a fee of eight cents ($0.08).

Source. R. S. 22:1-2.

22A:1-3. Account of per diem allowance paid jurors; payment to county treasurer

The sheriff of each county shall keep a true account of all per diem juror fees paid by him pursuant to section 22A:1-1 of this Title and shall submit such account for examination to the clerk of the county who shall examine the account and

certify the same, if found correct. Upon production of the account, so certified, to the county treasurer, with an affidavit annexed thereto that the account is true and the amount claimed by the sheriff is justly and honestly due to him, the sheriff shall be paid the amount so due him by the county treasurer, which amount the county treasurer shall be allowed in the settlement of his accounts with the board of chosen freeholders.

Source. R. S. 22:1-3.

22A:1-4. Fees and mileage of witnesses and others

Witnesses and others hereinafter mentioned shall be entitled to the following fees:

Each witness attending any of the following, in his own county, per day of attendance, fifty cents ($0.50); a court; a joint committee of the Legislature, a standing committee of either house or any special committee, which shall have been, by resolution, directed to enter upon any investigation or inquiry, the purpose of which shall necessitate sending for persons and papers and the examination of witnesses; a commissioner or commissioners; a master; a referee; an arbitrator; a coroner's inquest; an officer taking a deposition; or any proceeding issuing out of any court.

Each witness so attending from a foreign county, at the rate of one dollar ($1.00) a day, together with, for each day of attendance, an allowance of one dollar ($1.00) for every thirty miles of travel in going to the place of attendance from his place of residence and in returning.

For the Secretary of State, or any clerk attending on subpœna, with records, wills or other written evidence, at the rate of one dollar ($1.00) a day, and mileage as aforesaid.

Source. R. S. 22:1-4.

22A:1-5. Fees and mileage for service of subpœnas ad testificandum

For the service of subpœnas ad testificandum issued out of any of the courts of this State, there shall be allowed and paid as follows:

Serving each subpœna, thirty-five cents ($0.35).

Mileage, computed from the place where the subpœna is made returnable, for each mile actually traveled, four cents ($0.04).

The provisions of this section shall not apply to cases in behalf of the State where the officer serving such process is paid a salary or per diem.

Source. R. S. 22:1-10

22A:1-6. Mileage for serving writs; computation

For serving a writ out of any court, no officer shall be allowed to receive or charge for mileage upon any greater number of miles from and to the courthouse of his county than shall have been actually and necessarily traveled by him in making such service.

Source. R. S. 22:1-11.

22A:1-7. Payment of fees dispensed with by reason of poverty

The payment of any fees to any court or clerk thereof may be waived or dispensed with by the court when a plaintiff, defendant, appellant, respondent, or other party, by reason of poverty, seeks relief therefrom.

Source. C. 22:1-17 (L. 1951, c. 348, p. 1461).

CHAPTER 2. CIVIL CAUSES

ARTICLE 1. SUPREME COURT AND SUPERIOR COURT

Section

22A:2-1. Fees of Clerk of Supreme Court.
22A:2-2. Costs in Supreme Court; counsellors' fees.
22A:2-3. Order for payment of expenses.

Section

22A:2-4. Ethics committees; process or orders without fees.
22A:2-5. Appellate Division; fees, costs and allowances.
22A:2-6. Payment of clerk's fees in Law Division of Superior Court upon filing of first paper; fees after final judgment.
22A:2-7. Law Division of Superior Court; other fees.
22A:2-8. Bill of costs; disbursements included.
22A:2-9. Law Division of Superior Court; costs awarded.
22A:2-10. Chancery Division of Superior Court; costs awarded.
22A:2-11. Initial amount allowed in taxing costs in Chancery Division of Superior Court.
22A:2-12. Payment of fees in Chancery Division of Superior Court upon filing of first paper.
22A:2-13. Answering pleading or paper; fee.
22A:2-14. Guardian ad litem; appointment after default in Chancery Division; compensation.
22A:2-15. Probate proceedings in Superior Court in Chancery Division; clerk's fees; costs.
22A:2-16. Recording documents and making copies in probate proceedings in Chancery Division; fees.
22A:2-17. Fees and allowances in undetermined and pending causes.
22A:2-18. Additional fees in exceptional cases.
22A:2-19. Certified copies; fees.
22A:2-20. Additional fees for certain services.
22A:2-21. Attorneys responsible for fees.
22A:2-22. State officer or State department, board, body or commission; no fees charged to.
22A:2-23. Waiver of collection of fee.

ARTICLE 2. COUNTY COURT, LAW DIVISION, AND COUNTY CLERK'S OFFICE

22A:2–24. Civil actions in Law Division of County Court; fees, allowances and costs.
22A:2–25. Fees for filing, entering or docketing of other actions or proceedings in the Law Division of the County Court.
22A:2–26. Fees on miscellaneous motions in Law Division of County Court.
22A:2–27. Fees on appeals to County Court, Law Division.
22A:2–28. Costs awarded in Law Division of County Court in actions where summons does not issue.
22A:2–29. Fees for filing, indexing, entering or recording documents or papers in county clerk's office.

ARTICLE 3. COUNTY COURT, PROBATE DIVISION, AND SURROGATE'S OFFICE

22A:2–30. Fees of surrogate and clerk of Probate Division of County Court.
22A:2–31. Fees for probating will, granting administration or guardianship and filing and recording inventory in certain cases.
22A:2–32. Persons dying while in service in time of war or emergency; fees for probating will or granting administration or guardianship in certain cases.
22A:2–33. Fees for auditing, stating and allowance of accounts in certain cases.
22A:2–34. Fees paid by surrogate to Clerk of Superior Court.
22A:2–35. Fees on assignments for the benefit of creditors.
22A:2–36. Fees in other cases and costs in all cases.

ARTICLE 4. COUNTY DISTRICT COURTS, AND MUNICIPAL COURTS

22A:2–37. Fees of clerk of county district court.
22A:2–38. Fees of constables or sergeants-at-arms.
22A:2–39. Fees of jurors.
22A:2–40. First-class counties over 800,000; jury fees received by clerks; disposition.
22A:2–41. Fees of witnesses and appraisers.
22A:2–42. Attorney's or counsel's fees.
22A:2–43. Fees in municipal courts.

ARTICLE 5. PENALTY PROCEEDINGS, ALL COURTS

22A:2–44. Costs in penalty proceedings in all courts.

ARTICLE 1. SUPREME COURT AND SUPERIOR COURT

22A:2–1. Fees of Clerk of Supreme Court

For services hereinafter mentioned, the Clerk of the Supreme Court shall be entitled to demand and receive the following fees:

Upon the filing or entering of the notice of appeal, notice of cross-appeal or notice of petition for certification, the appellant, cross-appellant or petitioner shall pay twenty dollars ($20.00) and any other person filing any paper in any such cause shall pay five dollars ($5.00) for the first paper so filed by him, to the clerk, which shall cover all fees payable therein down to and including issuing of mandate except such as may be otherwise provided herein or provided by law or the rules of the court.

Upon the filing of the first paper in any motion, petition or application (including an order if it be the first paper), if not in a pending cause or if made after judgment entered, the moving party shall pay five dollars ($5.00) which shall cover all

fees payable on such motion, petition or application down to and including filing and entering the order therein and taxation of costs.

Source. C. 22:1A–1 (L. 1948, c. 366, p. 1480, § 1, as amended L. 1949, c. 193, p. 644, § 1).

22A:2–2. Costs in Supreme Court; counsellors' fees

Unless the court shall, in express terms, adjudge to the contrary, costs awarded in the Supreme Court shall be as follows:

Counsellors prevailing on a contested motion, petition (except a petition for certification) or application, whether or not in a pending cause, shall be entitled to a fee of ten dollars ($10.00) against the opposing parties;

For arguing a cause before the Supreme Court, counsellors shall be entitled to a fee of twenty-five dollars ($25.00);

Counsellors prevailing in opposition to a petition for certification, shall be entitled to a fee of ten dollars ($10.00);

All filing fees paid to the clerk of the court.

No costs shall be taxed for more than one Counsellor on each side.

Source. C. 22:1A-2 (L. 1948, c. 366, p. 1481, § 2, as amended L. 1949, c. 193, p. 645, § 2).

22A:2–3. Order for payment of expenses

The Supreme Court may by general rule, or by a special rule in any action pending therein, make such order for the payment of the cost of the transcript and of printing the briefs, appendices, and other proceedings, and other disbursements and expenses by either party, and the taxation and allowance thereof in the bill of costs, as the court may deem just.

Source. C. 22:1A–3 (L. 1948, c. 366, p. 1481, § 3, as amended L. 1949, c. 193, p. 645, § 3).

22A:2–4. Ethics committees; process or orders without fees

Whenever any duly authorized ethics committee of a county or State bar association which has been recognized as such by the Supreme Court, shall

make any application pursuant to the Rules of the Supreme Court, the clerk of said court shall issue process of subpœna, or any further orders pursuant to said rules, without requiring the payment of any fee for the same.

Source. C. 22:1A–4 (L. 1948, c. 366, p. 1481, § 4, as amended L. 1949, c. 193, p. 645, § 4); C. 22:2–6.1 (L. 1946, c. 250, p. 886, § 1).

22A:2–5. Appellate Division; fees, costs and allowances

In the Appellate Division of the Superior Court, the same fees, costs and allowances shall be paid and allowed as are provided with respect to the Supreme Court by this article.

Source. C. 22:1A–20 (L. 1948, c. 366, p. 1497, § 20, as amended L. 1949, c. 193, p. 650, § 12).

22A:2–6. Payment of clerk's fees in Law Division of Superior Court upon filing of first paper; fees after final judgment

Upon the filing or entering of the first paper or proceeding in any action or proceeding in the Law Division of the Superior Court, the plaintiff shall pay to the clerk ten dollars ($10.00) for the first paper filed by him, which shall cover all fees payable therein down to, but not including, final judgment or proceedings thereon, or, at his option, twenty dollars ($20.00) for the first paper so filed by him which shall cover all fees payable therein down to, and including entry of final judgment, taxation of costs, copy of costs and the issuance and recording of one final process, except such as may be otherwise provided herein, or provided by law, or the rules of court. Any person other than the plaintiff filing any paper in any such cause shall pay to the clerk five dollars ($5.00) for the first paper so filed by him. Where the plaintiff pays ten dollars ($10.00) upon the filing of the first paper, the party applying for the entry of final judgment shall pay, to the clerk, the following fees upon and after the entry of final judgment:

a. Entry of judgment, seven dollars fifty cents ($7.50).

b. Taxing costs, one dollar twenty-five cents ($1.25).

c. Copy of costs, fifty cents ($0.50).

d. Drawing, issuing and recording execution, two dollars ($2.00)

and such other fees as may be provided herein, or provided by law, or the rules of court.

Source. C. 22:1A-5 (L. 1948, c. 366, p. 1481, § 5, as amended L. 1949, c. 193, p. 646, § 5).

22A:2-7. Law Division of Superior Court; other fees

Upon the filing, entering, docketing or recording of the following papers, documents or proceedings by either party to any action or proceeding in the Law Division of the Superior Court, the party or parties filing, entering, docketing or recording the same shall pay to the clerk of said court the following fees:

Filing of the first paper in any motion, petition or application, if not in a pending action or proceeding under section 22A:2-6 of this Title, or if made after dismissal or judgment entered, the moving party shall pay three dollars ($3.00) which shall cover all fees payable on such motion, petition or application down to and including filing and entering of order therein and taxation of costs.

Entering judgment on bond and warrant by attorney and issuance of one final process, fifteen dollars ($15.00) in lieu of the fee required by section 22A:2-6 of this Title.

Docketing judgments or orders from other courts or divisions, two dollars ($2.00).

Satisfaction of judgment or other lien, one dollar ($1.00).

Recording assignment of judgment or release, two dollars ($2.00).

Issuing of executions and recording same, except as otherwise provided in this article, two dollars ($2.00).

Recording of instruments not otherwise provided for in this article, two dollars ($2.00).

Filing and entering recognizance of civil bail, two dollars ($2.00).

Signing and issuing subpœna, one dollar ($1.00).

Source. C. 22:1A-6 (L. 1948, c. 366, p. 1482, § 6, as amended L. 1949, c. 193, p. 646, § 6).

22A:2-8. Bill of costs; disbursements included

A party to whom costs are awarded or allowed by law or otherwise in any action, motion or other proceeding, in the Law Division or Chancery Division of the Superior Court is entitled to include in his bill of costs his necessary disbursements, as follows:

The legal fees of witnesses, including mileage for each attendance, masters, commissioners and other officers;

The costs of taking depositions when taxable, by order of the court;

The legal fees for publication where publication is required;

The legal fees paid for a certified copy of a deposition or other paper or document, or map, recorded or filed in any public office, necessarily used or obtained for use in the trial of an issue of fact or the argument of an issue of law, or upon appeal, or otherwise;

Sheriff's fees for service of process or other mandate or proceeding;

All filing and docketing fees and charges paid to the clerk of court;

Such other reasonable and necessary expenses as are taxable according to the course and practice of the court or by express provision of law, or rule of court.

Source. C. 22:1A-7 (L. 1948, c. 366, p. 1483, § 7).

22A:2-9. Law Division of Superior Court; costs awarded

Costs awarded to any party in any action, motion or proceeding in the Law Division of the Superior Court, whether he be plaintiff, defendant, third-party plaintiff or in any manner a party therein, shall be as follows:

For all proceedings down to and including final judgment when there has been a trial of an issue of fact, fifty dollars ($50.00).

Upon the entry of judgment final, by default, or upon consent, stipulation, or admissions, or upon the pleadings, or by summary judgment or on dismissal, in all actions or proceedings, to the moving party, forty dollars ($40.00).

Upon a voluntary dismissal either by stipulation or by order of court, or in any proceeding which has not proceeded to final judgment, twenty dollars ($20.00).

Upon any other litigated or special motion, subsidiary or interlocutory, in addition to necessary disbursements as provided by section 22A:2–8 of this Title, not exceeding fifteen dollars ($15.00).

Upon an appeal to the Law Division of the Superior Court, ten dollars ($10.00).

In proceedings after judgment in aid of execution, if the court determines that the result of the examination shows that such proceedings were well-founded, it may direct that the moving party be allowed in addition to his necessary disbursements, as provided by section 22A:2–8 of this Title, fifteen dollars ($15.00).

If the examination shows that said proceedings were not well-founded, the court may direct that the party against whom such proceedings were taken be allowed, in addition to such disbursements, ten dollars ($10.00).

For each applying creditor in attachment, ten dollars ($10.00).

Source. C. 22:1A–8 (L. 1948, c. 366, p. 1483, § 8, as amended L. 1949, c. 193, p. 647, § 7).

22A:2–10. Chancery Division of Superior Court; costs awarded

Upon the completion and determination of the following actions and proceedings in the Chancery Division of the Superior Court, the costs awarded to a party therein for the drawing of papers, in-

cluding orders, writs and judgments, shall be as stated below:

Plaintiff's costs, foreclosure	$50 00
Plaintiff's costs, partition	70 00
Plaintiff's and receiver's costs, receivership	125 00
Plaintiff's costs, receivership	62 50
Receiver's costs, receivership	62 50
Plaintiff's costs, divorce, nullity, custody	30 00
Plaintiff's costs, causes of action for other relief	65 00
Plaintiff's costs, incompetency action	47 50
Plaintiff's costs, sale of lands of infant or incompetent	50 00
Plaintiff's costs, release of dower or curtesy	50 00
Plaintiff's costs, mortgage lands of an infant or incompetent	50 00
Plaintiff's costs, interpleader	35 00
Plaintiff's costs, appointment of tax receiver	27 50
Plaintiff's costs, actions for payment of money into court; to hold real estate; to limit creditors	22 50
Plaintiff's costs, action for appointment of trustee or substituted trustee	33 50
Costs on contempt proceedings	25 00
Costs on application to fix dower or curtesy	22 50
Costs on application to pay moneys out of court	23 50
Costs on application for instructions, or to approve account	30 00
Costs on application for writ of execution	10 00
Costs on application for relief from final judgment or, in a matrimonial cause from judgment nisi or order	20 00
Costs on application for writ of possession	30 00

Costs on application for alimony pendente lite, attorney fee, suit money ..	20 00
Defendant's costs where final judgment is taken by him	30 00
Defendant's costs where final judgment is not taken by him	20 00
Costs upon any other litigated or special motion, subsidiary or interlocutory, not heretofore provided for	20 00

Source. C. 22:1A–9 (L. 1948, c. 366, p. 1484, § 9).

22A:2–11. Initial amount allowed in taxing costs in Chancery Division of Superior Court

In taxing costs in any proceeding in the Chancery Division of the Superior Court under section 22A:2–10 and section 22A:2–12 of this Title, where the matter does not proceed to final judgment, the attorney shall be allowed for any and all proceedings one-half the amount allowable to him under those sections.

Source. C. 22:1A–28 (L. 1949, c. 193, p. 652, § 16).

22A:2–12. Payment of fees in Chancery Division of Superior Court upon filing of first paper

Upon the filing of the first paper in any action or proceeding in the Chancery Division of the Superior Court there shall be paid to the clerk of the court, for the use of the State, the following fees, which, except as hereinafter provided, shall constitute the entire fees to be collected by the clerk for the use of the State, down to the final disposition of the cause:

Receivership and partition, thirty-five dollars ($35.00);

For withdrawal of surplus and other moneys and assets deposited with the court where the sum or value of the asset to be withdrawn is less than ten dollars ($10.00), no fee; where such sum or value is ten dollars ($10.00) or more but less than one hundred dollars ($100.00), a fee of one dollar ($1.00); where such sum or value is one hundred

dollars ($100.00) or more, a fee of fifteen dollars ($15.00);

Application for permanent alimony; for withdrawal of mortgages and other applications for relief filed subsequent to final judgment, fifteen dollars ($15.00);

All other actions and proceedings except in probate causes, twenty-five dollars ($25.00).

Source. C. 22:1A–11 (L. 1948, c. 366, p. 1494, § 11).

22A:2–13. Answering pleading or paper; fee

Each person other than the plaintiff filing an answering pleading or other answering paper in the Chancery Division of the Superior Court shall at the time of filing the first paper, pay to the clerk the sum of five dollars ($5.00); which shall cover all fees payable therein except such as may be otherwise provided herein or by law or the rules of court.

Source. C. 22:1A–12 (L. 1948, c. 366, p. 1495, § 12, as amended L. 1949, c. 193, p. 648, § 8).

22A:2–14. Guardian ad litem; appointment after default in Chancery Division; compensation

When a guardian ad litem is appointed after default in the Chancery Division of the Superior Court, such guardian shall be paid five dollars ($5.00) for his compensation and no more, unless the court shall otherwise order. The attorney for the moving party shall pay the said sum to the guardian ad litem, so appointed, at the time when a copy of such order is served upon the guardian ad litem.

Source. C. 22:1A–27 (L. 1949, c. 193, p. 652, § 15).

22A:2–15. Probate proceedings in Superior Court in Chancery Division; clerk's fees

For performing services in all probate proceedings in the Superior Court, Chancery Division, there shall be paid to the clerk of the court for the use of the State the following fees which, except as hereinafter provided, shall constitute the entire

fees to be collected by the clerk for the use of the State, down to the final disposition of the cause:

Each action, upon the filing of the first paper in the action, twenty-five dollars ($25.00);

Application for relief filed subsequent to final judgment, upon the filing of the first paper, ten dollars ($10.00).

Accounting

Auditing, stating, reporting and recording accounts of executors, administrators, guardians, trustees, assignees, as follows:

In estates up to and including two thousand dollars ($2,000.00), twenty dollars ($20.00);

In estates from two thousand dollars ($2,000.00) to and including ten thousand dollars ($10,000.00), forty dollars ($40.00);

In estates from ten thousand dollars ($10,000.00) to and including thirty thousand dollars ($30,000.00), fifty dollars ($50.00);

In estates from thirty thousand dollars ($30,000.00) to and including sixty-five thousand dollars ($65,000.00), sixty-five dollars ($65.00);

In estates exceeding sixty-five thousand dollars ($65,000.00), one-tenth of one per centum (1/10 of 1%);

For each page of accounting, in excess of one, one dollar ($1.00).

In computing the amount of an estate for the purpose of fixing the fees of the Clerk of the Superior Court, for auditing and reporting the account, the balance from the prior account shall be excluded.

No fees herein allowed shall be charged against the recipient of any pension, bounty or allowance for services of the Clerk of the Superior Court and the Chancery Division of the Superior Court in respect thereof, pursuant to sections 3A:29–1 to 3A:29–4 of the New Jersey Statutes.

Commissions on Deposits

On commissions on deposits, including any deposit made pursuant to sections thirty-one and thirty-two of chapter sixty-seven, of the laws of one thousand nine hundred and forty-eight, if under one hundred dollars ($100.00), one-half of one per centum (½ of 1%) of it; if over one hundred dollars ($100.00), and under one thousand dollars ($1,000.00), one-fourth of one per centum (¼ of 1%) on such excess if over one thousand dollars ($1,000.00), one-eighth of one per centum (⅛ of 1%) on such excess.

Miscellaneous Charges

Filing an exemplified copy of a will or administration proceeding from a foreign State, five dollars ($5.00);

Filing a caveat not in a pending cause, two dollars ($2.00);

Certificates, each one dollar ($1.00);

Subpœnas, each one dollar ($1.00);

Minimum charge for all other papers or services by the clerk, one dollar ($1.00).

Source. C. 22:1A–17 (L. 1948, c. 366, p. 1496, § 17, as amended L. 1949, c. 193, p. 650, § 11).

22A:2–16. Recording documents and making copies in probate proceedings in Chancery Division; fees

The Clerk of the Superior Court shall receive the following fees for recording documents and making copies thereof in all probate proceedings in the Chancery Division.

When written in whole, per folio, fifteen cents ($0.15). When written and printed or typewritten in whole or in part with type of eight-point face and with not less than four-point space between the lines, or when written and printed or typewritten in whole or in part with type of more than eight-point face, per folio, fifteen cents ($0.15).

When printed or typewritten in whole or in part with type of less than eight-point face with less than four-point space between the lines, in broken measure, tabular, schedule or figure work, per folio, twenty cents ($0.20).

For official copies and abstracts of such instruments or documents from the records and files of the Superior Court, Chancery Division, per folio, twenty cents ($0.20).

Source. C. 22:1A-18 (L. 1948, c. 366, p. 1496, § 18).

22A:2-17. Fees and allowances in undetermined and pending causes

The fees to be paid to the Clerk of the Superior Court, and the allowances of costs therein, with respect to all undetermined and pending causes and proceedings begun prior to the effective date of this act, shall be those prescribed by this article. When the same cannot be applied, then the fees and costs shall be the same as were prescribed by law at the time such proceedings were commenced.

Sources. C. 22:1A-23, L. 1948, c. 366, p. 1499, § 27; C. 22:1A-24, L. 1948, c. 366, p. 1500, § 28, as amended L. 1949, c. 193, p. 651, § 14; C. 22:1A-32, L. 1949, c. 193, p. 653, § 20.

22A:2-18. Additional fees in exceptional cases

In any cause or proceeding in which the papers filed with the Clerk of the Superior Court shall be exceptionally numerous or other work done by him shall be exceptionally onerous, he may make application to the court, on notice, for an order fixing and allowing a reasonable additional fee to be paid to him for the use of the State. The court, in each such case, may make such order fixing and allowing such additional fee, if any, as shall be deemed just and reasonable under the circumstances and directing how and by whom the same shall be paid.

Source. C. 22:1A-13 (L. 1948, c. 366, p. 1495, § 13).

22A:2-19. Certified copies; fees

Except as otherwise provided herein for probate proceedings in the Superior Court, the first copy of any order, judgment, pleading or other paper

shall be certified by the Clerk of the Supreme Court or the Clerk of the Superior Court, as the case may be, and supplied to the attorney or litigant, free of charge, where such copy is furnished to the clerk for certification. All copies other than the first copy, supplied as aforesaid, shall be furnished upon the payment of two dollars ($2.00) for the first twenty folios thereof, and ten cents ($0.10) for each folio in excess of twenty; *provided,* that a minimum charge of two dollars ($2.00) shall be made for any such copy.

Source. C. 22:1A-14 (L. 1948, c. 366, p. 1495, § 14, as amended L. 1949, c. 193, p. 648, § 9).

22A:2-20. Additional fees for certain services

The Clerk of the Supreme Court and the Clerk of the Superior Court are authorized and directed to charge the following additional fees:

For affixing the seal of the Court to any document one dollar ($1.00);

For an exemplification, two dollars ($2.00);

The Clerk of the Superior Court is authorized and directed to charge the following additional fees:

For filing notice of appeal in any division of the Superior Court and forwarding copy to the Appellate Division or Supreme Court, five dollars ($5.00);

The Clerk of the Superior Court is authorized and directed to charge the following additional fees in the Chancery Division:

For a warrant of satisfaction, one dollar ($1.00);

For a master's certificate certifying his appointment, one dollar ($1.00);

A minimum charge for all other papers or services by the clerk, one dollar ($1.00);

Commissions on appeals accounts and deposits for security for costs—one and one-half per centum (1½%) on one hundred dollars ($100.00) or less; one per centum (1%) on any excess of one hundred dollars ($100.00);

Commissions on paying out trust fund accounts (including all funds, moneys or other assets brought into and deposited in court)—two per centum (2%) on first one hundred dollars ($100.00); one and one-half per centum (1½%) on the next nine hundred dollars ($900.00); one per centum (1%) on the excess over one thousand dollars ($1,000.00).

Source. C. 22:1A-15 (L. 1948, c. 366, p. 1495, § 15, as amended L. 1949, c. 193, p. 649, § 10).

22A:2-21. Attorneys responsible for fees

Attorneys for the respective parties shall be liable and responsible for all fees charged by the Clerk of the Supreme Court and the Clerk of the Superior Court, unless the court otherwise directs.

Source. C. 22:1A-16 (L. 1948, c. 366, p. 1496, § 16).

22A:2-22. State officer or State department, board, body or commission; no fees charged to

No charge shall be made by the Clerk of the Supreme Court or the Clerk of the Superior Court for the filing of any paper or the rendering of any service for which a fee is provided by this chapter when the party filing the paper or requesting the service is a State officer paid from State funds, or a State department, board, body or commission.

Source. C. 22:1A-29 (L. 1949, c. 193, p. 652, § 17).

22A:2-23. Waiver of collection of fee

The collection of any fee provided for by this chapter may be waived in particular circumstances by general rule of the Supreme Court or by special order of the Supreme Court, or by an order of any court made pursuant to authority granted by a rule of the Supreme Court.

Source. C. 22:1A-30 (L. 1949, c. 193, p. 652, § 18).

ARTICLE 2. COUNTY COURT, LAW DIVISION AND COUNTY CLERK'S OFFICE

22A:2-24. Civil actions in Law Division of County Court; fees, allowances and costs

In any civil action in the Law Division of any County Court, in which a summons must be issued, the same fees, allowances and costs shall be paid and allowed as in the Law Division of the Superior Court, as provided by article one of this chapter. The plaintiff shall have the same option in respect to the fee payable upon filing the first paper, as provided in section 22A:2–6 of this Title, and the clerk shall be paid the same fees as in the Law Division of the Superior Court for the entry of final judgment and proceedings thereafter where the plaintiff shall have paid ten dollars ($10.00) upon filing the first paper.

Source. C. 22:1A-21 (L. 1948, c. 366, p. 1497, § 21, as amended L. 1949, c. 193, p. 650, § 13).

22A:2-25. Fees for filing, entering or docketing of other actions or proceedings in the Law Division of the County Court

Upon the filing, entering or docketing of the herein-mentioned papers or documents by either party to any action or proceeding in the Law Division of the County Court, other than a civil action in which a summons must be issued, he shall pay the clerk of the court the following fees:

Entering of complaint or first paper of any action or proceeding, three dollars ($3.00).

Filing complaint, one dollar ($1.00).

Filing answer or appearance, two dollars ($2.00).

Filing any other pleading, any amended pleading or any amendment to a pleading, one dollar ($1.00).

Filing and entering each order or judgment of court, including order to show cause, two dollars ($2.00).

Filing and entering stipulation, fifty cents ($0.50).

Filing affidavit, twenty-five cents ($0.25).

Filing notice, twenty-five cents ($0.25).

Filing interrogatories, one dollar ($1.00).

Filing demand for security of costs, twenty-five cents ($0.25).

Filing consent, twenty-five cents ($0.25).

Filing and entering substitution of attorney, seventy-five cents ($0.75).

Filing and entering a voluntary dismissal, either by stipulation or order of court, two dollars and fifty cents ($2.50).

Filing notice of appeal, two dollars ($2.00).

Filing and entering proof of publication, twenty-five cents ($0.25).

Filing award, fifty cents ($0.50).

Filing report on street improvements, one dollar ($1.00).

Filing proceedings or papers on appeal, two dollars ($2.00).

Filing findings and determination of the court, two dollars ($2.00).

Filing any other paper or document not herein stated, twenty-five cents ($0.25).

Signing and sealing habeas corpus, one dollar fifty cents ($1.50).

Signing and issuing subpœnas, fifty cents ($0.50).

Signing subpœna ticket, ten cents ($0.10).

Entering verdict, fifty cents ($0.50).

Taking verdict, twenty-five cents ($0.25).

Swearing witnesses, ten cents ($0.10).

Marking exhibits, ten cents ($0.10).

Taxing costs, one dollar twenty-five cents ($1.25).

Clerk's certificate to certified copy, fifty cents ($0.50).

In the trial of every case the sum of two dollars ($2.00).

For the signing of every judgment, fifty cents ($0.50).

Source. R. S 22:2-18.

22A:2-26. Fees on miscellaneous motions in Law Division of County Court

Upon all unlitigated motions, with or without notice, in the Law Division of the County Court, the moving party shall pay to the clerk of the said division, one dollar ($1.00).

Upon all other motions in that division, the prevailing party shall pay to said clerk, two dollars ($2.00).

This section shall not apply to an action in which a summons must be issued.

Source. R. S. 22:2-20.

22A:2-27. Fees on appeals to County Court, Law Division

In cases appealed to the Law Division of the County Court from any inferior court or tribunal, criminal or civil, the following fees shall be charged by the clerk of the Law Division and allowed in the taxed bill of costs:

Attorney's fees for trial or arguments, six dollars ($6.00).

Clerk's fees as follows:

On hearing appeal or argument, two dollars ($2.00).

On signing judgment, fifty cents ($0.50).

Filing notice of appeal, two dollars ($2.00).

Filing other appeal papers, and proceedings before notice of trial or before order fixing date for trial, two dollars ($2.00).

Filing notice of trial or order fixing date for trial, one dollar fifty cents ($1.50).

Order dismissing appeal, two dollars fifty cents ($2.50).

Recording judgment, three dollars fifty cents ($3.50).

Taxing costs, including copy, one dollar seventy-five cents ($1.75).

All fees for summoning and swearing witnesses and taking verdict as allowed in other cases in the Law Division of the County Court.

Source. R. S. 22:2-22, as amended L. 1938, c. 172, p. 383, § 1).

22A:2-28. Costs awarded in Law Division of County Court in actions where summons does not issue

Costs awarded to a party in any action, motion or proceeding in the Law Division of the County Court, other than in an action in which a summons must be issued, shall be as follows:

To Plaintiff

For all proceedings before trial, twenty-five dollars ($25.00).

For each additional defendant served with original process, not exceeding ten, two dollars ($2.00).

For each defendant in excess of that number, one dollar ($1.00).

For each applying creditor in attachment, ten dollars ($10.00).

For procuring the appointment of a guardian ad litem for one or more parties, five dollars ($5.00).

For service of process by publication, or personally without the State, on one or more defendants, five dollars ($5.00).

For procuring an order of arrest, or discharge upon habeas corpus, five dollars ($5.00).

For all proceedings before argument where there is no issue of fact to be tried, and in all summary motions and proceedings, fifteen dollars ($15.00).

To Defendant

For all proceedings before trial, seventeen dollars ($17.00), or before argument, where there is no issue of fact to be tried, twelve dollars ($12.00).

To Either Party

Upon the grant of a motion for new trial, eight dollars ($8.00).

For taking depositions, five dollars ($5.00).

For the argument of an issue of law, including the entry of judgment upon such issue, or other

disposition of it, without argument, fifteen dollars ($15.00).

For the trial of an issue of fact, whether or not there be a default, including the entry of judgment upon such issue, twenty dollars ($20.00).

Where, on a trial of an issue of fact, the judge declares a mistrial and allows costs to either party, fifteen dollars ($15.00), but no costs shall be taxed on a mistrial without an order of court.

Upon the entry of judgment upon consent, stipulation, admissions or summary judgment or judgment on the pleadings or judgment by default, fifteen dollars ($15.00).

Upon a dismissal without trial or argument, to the moving party, ten dollars ($10.00).

Upon entering a mandate from an appellate court, four dollars ($4.00).

Upon any other litigated or special motion, subsidiary or interlocutory, a sum to be fixed by the court or judge, not exceeding twelve dollars ($12.00).

Where no sum shall be so fixed, eight dollars ($8.00).

In proceedings after judgment in aid of execution, if the court determines that the result of the examination shall show that such proceedings were well founded, it may direct that the moving party be allowed ten dollars ($10.00).

Source. R. S. 22:2-26.

22A:2-29. Fees for filing, indexing, entering or recording documents or papers in county clerk's office

Upon the filing, indexing, entering or recording of the following documents or papers in the office of the county clerk or clerk of the Law Division of the County Court, such parties filing or having the same recorded or indexed in the county clerk's office or with the clerk of the Law Division of the County Court of the various counties in this State shall pay the following fees in lieu of the fees heretofore provided for the filing, recording or entering of such documents or papers.

In general—	Fee
Issuing county clerk's certificate	$1 00
Comparing and making copies, per sheet	1 00
Recording all instruments not herein stated	2 00
Bonds, bail, recognizances—	
Recording all official bonds with acknowledgment and proof of the execution thereof	3 00
Filing and entering recognizances or civil bail	2 50
Filing satisfaction or order discharging recognizance or civil bail	3 00
Filing and recording filiation bond	2 50
Filing satisfaction of or order discharging filiation bond	3 00
Recording sheriff's bonds	3 00
Corporations and trade names—	
Recording of business corporations:	
Three sheets or less	5 00
For each sheet more than three, per sheet	1 00
Recording all certificates of incorporation of corporations and associations not for profit, and of societies, clubs, credit unions, churches, religious societies and congregations	5 00
Recording all other certificates	3 00
Filing trade-name certificates	5 00
Recording dissolution of copartnership	2 00
Judgments, et cetera—	
Recording judgments	3 00
Filing, entering and recording judgment on bond and warrant by attorney	5 00
Docketing, recording and filing docketed judgments	3 00
Recording assignment of judgments	3 00

Issuing certificates of judgment	1 00
Issuing transcript of judgments	2 50
Filing or entering on the record of discharge, cancellation, release or satisfaction of a judgment by satisfaction piece, execution returned satisfied or otherwise	1 00
For recording and indexing postponement of the lien of judgments	2 00

Liens—

Filing, indexing and recording mechanic's lien claim	3 00
Recording, filing and noting on the record the discharge, release or satisfaction of a mechanic's lien claim	3 00
Extension of lien claim	1 00
Filing statement of county district court judgment in mechanic's lien proceeding	3 00
Filing, recording and indexing mechanic's notice of intention	50
Filing a certificate discharging a mechanic's notice of intention and noting the discharge on the record thereof	50
Filing, recording and indexing stop notices	50
Filing a certificate discharging a stop notice and noting the discharge on the record thereof	50
Filing a court order discharging a stop notice and noting the discharge on the record thereof	3 00
Filing building contract	2 00
Filing building specifications	50
Filing building plans	50
Filing each notice of physicians' lien	50
Entering upon the record the discharge of a physician's lien	50
Filing each hospital lien claim	50
Discharge of hospital lien	50

Filing satisfaction or order for discharge of attachment	3 00
Recording collateral inheritance waiver or receipt	3 00
Commissions and oaths—	
Administering oaths to notaries public and commissioners of deeds	2 00
For issuing certificate of authority of notary to take proof, acknowledgment or affidavit	1 00
For issuing each certificate of the commission and qualification of notary public for filing with other county clerks	1 00
For filing each certificate of the commission and qualification of notary public, in office of county clerk of county other than where such notary has qualified	1 00
Miscellaneous—	
Drawing execution	2 00
Recording execution	2 00
Filing and recording proceedings for laying out, vacating or dedicating roads	5 00
Change of name (recording and filing all proceedings)	12 00
Recording firemen's certificates	50
Registering physician	2 00
Registering nurses	2 00
Filing and indexing permit to carry concealed weapon or renewal	3 00
Subordination, release, partial release or postponement of a lien to the lien of mortgage	2 00
Filing order amending notice of intention	3 00
Recording change of name of building and loan association	5 00

Recording merger agreements of banks:	
Three sheets or less	5 00
For each sheet more than three, per sheet	1 00
Recording certificates, each	1 00
Recording all instruments not herein stated	2 00

Source. R. S. 22:2-19, as amended L. 1941, c. 253, p. 675, and C. 22:1B-1 (L. 1948, c. 411, p. 1628, § 1).

ARTICLE 3. COUNTY COURT, PROBATE DIVISION, AND SURROGATE'S OFFICE

22A:2-30. Fees of surrogate and clerk of Probate Division of County Court

Fees for services of the surrogate and Clerk of the Probate Division of the County Court enumerated below shall be as follows:

Probate of Wills and Copies

Probate of a will of not more than two pages, fifteen dollars ($15.00).

The above fee is for all services in preparation and execution of complaint, deposition of one witness, qualification of executor, surrogate's certificate, judgment for probate, letters testamentary, binding, recording, or photostating, comparing, docketing, report to the Division of Taxation in the Department of the Treasury, report and transmission to the Clerk of the Superior Court.

Probate of will without letters, twelve dollars ($12.00). This fee is for the same services as are enumerated in the preceding paragraph except letters, surrogate's certificate and qualification of executor.

Probate of each codicil, not exceeding one page, five dollars ($5.00).

To reopen probate proceedings for qualification of executor or taking proof of extra witness, five dollars ($5.00).

One witness in the above proceedings, no charge. Each additional witness, one dollar ($1.00).

Recording and comparing, or photostating, each additional page of will or codicil, one dollar ($1.00).

Filing, entering, issuing and recording, or photostating, proceedings in commission for deposition of foreign witness to a will or codicil, six dollars ($6.00).

Plain extra copy of will, one dollar ($1.00) for each page.

Certified extra copy of will, one dollar ($1.00) for each page, plus one dollar ($1.00).

Certified copy of will with proofs for New Jersey county, not exceeding two pages including will and codicil, six dollars ($6.00). For pages in excess of two, one dollar ($1.00) for each page.

Wills filed but not probated (as, where there are no assets), for each page, one dollar ($1.00).

Exemplifying will for another State, not exceeding two pages including will and codicil, plus cost of certificate of Secretary of State when requisite, seven dollars ($7.00). For pages in excess of two, one dollar ($1.00) for each page.

Recording or photostating, indexing, filing and reporting to the Division of Taxation in the Department of the Treasury an exemplified copy of will from another State, one dollar ($1.00) for each page.

Recording or photostating, docketing, indexing and filing a certified copy of will with proofs from New Jersey, one dollar ($1.00) for each page.

Recording or photostating certified transcripts of wills admitted to probate or letters granted by the ordinary or the Superior Court, one dollar ($1.00) for each page.

Letters of Trusteeship

Acceptance of trustee and letters of trusteeship, including one certificate, five dollars ($5.00).

Letters of Administration

General administration, including preparation and execution of complaint, bond, surety affidavits, necessary recording or photostating, indexing, filing, report to the Division of Taxation in the Department of the Treasury and the Clerk of the Superior Court and original letters, twelve dollars ($12.00).

Administration ad prosequendum, six dollars ($6.00).

Exemplifying administration, six dollars ($6.00).

Certified copy of administration, four dollars ($4.00).

Affidavits of surviving spouse or next of kin where the value of the real and personal assets of the estate does not exceed five hundred dollars ($500.00), when less than one hundred dollars ($100.00), one dollar ($1.00), and one dollar ($1.00) for each one hundred dollars ($100.00), or part thereof, in excess of one hundred dollars ($100.00).

Letters of Guardianship

Granting letters of guardianship, eight dollars ($8.00).

Acceptance of guardianship, one dollar ($1.00).

Affidavits of estates of minors where value of personal estate does not exceed five hundred dollars ($500.00) and value of real estate does not exceed one hundred dollars ($100.00)—when less than one hundred dollars ($100.00), one dollar ($1.00), and one dollar ($1.00) for each one hundred dollars ($100.00), or part thereof, in excess of one hundred dollars ($100.00), plus fifty cents ($0.50) for each consent when required.

Inventories

For all services in appointment of appraisers, two dollars ($2.00).

Filing, entering and recording, or photostating, inventory and appraisement, not exceeding one page, five dollars ($5.00).

For each additional page, one dollar ($1.00).

Accounting

For filing complaint and one page of accounting, auditing, stating, reporting and recording, or photostating, accounts of executors, administrators, guardians, trustees and assignees, including drawing judgment, but exclusive of advertising costs:

In estates up to and including two thousand dollars ($2,000.00), twenty dollars ($20.00).

In estates from two thousand dollars ($2,000.00) to and including ten thousand dollars ($10,000.00), forty dollars ($40.00).

In estates from ten thousand dollars ($10,000.00) to and including thirty thousand dollars ($30,000.00), fifty dollars ($50.00).

In estates from thirty thousand dollars ($30,000.00) to and including sixty-five thousand dollars ($65,000.00), sixty-five dollars ($65.00).

In estates exceeding sixty-five thousand dollars ($65,000.00), one-tenth of one per centum (1/10 of 1%).

For each page of accounting, in excess of one, one dollar ($1.00).

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 from the prior account shall be excluded.

For preparing notice of settlement of accounts and copies of the same, forwarding notice to newspaper, with directions as to publication, obtaining proofs of publication, keeping a record of notices

and newspapers to which they are sent and of the moneys received to defray the cost of advertising and transmitting advertising charges to newspaper, five dollars ($5.00).

No fees herein allowed shall be charged against the recipient of any pension, bounty or allowance, for services of the surrogate and the Probate Division of the County Court in respect thereof, pursuant to sections 3A:29–1 to 3A:29–4 of the New Jersey Statutes.

Miscellaneous Proceedings

Proceedings relative to presumption of death, filing, entering and recording, or photostating (exclusive of letters), with additional fee for advertising, twenty-five dollars ($25.00).

Sale of land to pay debts or in fulfillment of a contract made by decedent (exclusive of advertising), thirty dollars ($30.00).

Distribution, filing and entering complaint, recording, or photostating, and filing judgment, five dollars ($5.00).

Adoption, filing, entering and recording, or photostating, proceedings (all papers) including one judgment, fifteen dollars ($15.00).

Application and order to limit time to creditors, twelve dollars ($12.00), but exclusive of advertising costs.

Preparing notices to creditors to present their claims and copies of the same, sending notice to newspapers with directions as to publications, obtaining proofs of publication, keeping a record of notices and newspapers to which they are sent for publication, and of the moneys received to defray the cost of advertising and transmitting advertising charges to newspapers, five dollars ($5.00).

Advertising order of court or notice, when done by the surrogate, one dollar twenty cents ($1.20), in addition to advertising fees.

Proceeding for the determination of mental incompetency and for the appointment of a guardian

for an alleged mental incompetent, twenty-five dollars ($25.00).

Miscellaneous Charges

Short certificates, seventy-five cents ($0.75).

Subpœnas, each, one dollar ($1.00).

Marking true copies, subpœnas, each, fifty cents ($0.50).

Marking true copies, orders to show cause, each, fifty cents ($0.50).

Authorization of process, fifty cents ($0.50).

Swearing each witness, ten cents ($0.10).

Adjournment or continuance, one dollar ($1.00).

Miscellaneous orders of court, first page, one dollar ($1.00). For each additional page, one dollar ($1.00).

Recording or photostating all papers not herein provided for, one dollar ($1.00) for each page.

For making copies not otherwise provided for, one dollar ($1.00) for each page.

Filing transcript of death certificate, fifty cents ($0.50).

Power of attorney, one dollar ($1.00).

Renunciation by one person, filing, entering and recording, or photostating, one dollar ($1.00). Each additional person, twenty-five cents ($0.25).

Caveat, filing, two dollars ($2.00).

Combined refunding bond and release of not more than two pages, filing, entering and recording, or photostating, two dollars ($2.00). For more than two pages, one dollar ($1.00) for each page. Additional charge for county clerk's certificate, fifty cents ($0.50).

Release of not more than two pages, two dollars ($2.00). For more than two pages, one dollar ($1.00) for each page. Additional charge for county clerk's certificate, fifty cents ($0.50).

Assignments of legacy or interest, two dollars ($2.00), plus fifty cents ($0.50) where county clerk's certificate is necessary.

New Jersey State Library

Filing all papers not herein provided for, fifty cents ($0.50).

Whenever in this act the fee is quoted "for each page" or reference is made to pages it shall be construed to mean one typewritten or printed page, double space, where typewriting or printing may be used in any instrument.

Source. R. S. 22:2-37, as amended L. 1948, c. 190, p. 958, § 1; L. 1950, c. 237, p. 801, § 1 and L. 1952, c. 254, p. 863, § 1.

22A:2-31. Fees for probating will, granting administration or guardianship and filing and recording inventory in certain cases

Whenever it shall appear that the estate, real and personal, of any testator, intestate, minor or ward, is less than one hundred dollars ($100.00), no fees shall be charged upon actions for probate of a will, granting administration or guardianship up to and including the letters issued and copies of such letters as well as the fees of filing and recording and with respect to an inventory, and whenever it shall appear that such estate does not exceed two hundred dollars ($200.00) the fees shall be one-half of those allowed by law; but if it shall afterwards appear in any case that the value of the estate, real and personal, exceeds or exceeded two hundred dollars ($200.00), then such 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 section.

Source. R. S. 22:2-38.

22A:2-32. Persons dying while in service in time of war or emergency; fees for probating will or granting administration or guardianship in certain cases

Whenever it shall appear by affidavit of persons applying for letters testamentary, of administration or of guardianship that the estate, real and personal, of any testator, intestate, minor or ward, does not exceed one thousand dollars ($1,000.00), and that such testator or intestate died while in the active military or naval service of the United

States in time of war, or in time of emergency, or that such minor or ward is the child of a person who died while in the active military or naval service of the United States in time of war, or in time of emergency, no fees shall be charged upon actions for the probate of a will in those cases, where any part of the estate of the testator is bequeathed or devised to the surviving spouse, the father or mother, the brothers or sisters or any of the lineal descendants of the testator, granting of administration or guardianship up to and including the letters issued and copies of such letters; but if it shall afterwards appear in any case that the value of the estate, real and personal, exceeds or exceeded one thousand dollars ($1,000.00), then such estate shall be liable for and pay the fees that would have been collected if this section were not law.

As used in this section the term "in time of emergency" shall mean and include any time after June twenty-third, one thousand nine hundred and fifty, and prior to the termination, suspension or revocation of the proclamation of the existence of a national emergency issued by the President of the United States on December sixteenth, one thousand nine hundred and fifty, or termination of the existence of such national emergency by appropriate action of the President or Congress of the United States.

Source. C. 22:2-38.1 (L. 1944, c. 188, p. 696, § 1, as amended L. 1951, c. 66, p. 427, § 1).

22A:2-33. Fees for auditing, stating and allowance of accounts in certain cases

Whenever it shall appear that the estate, real and personal, of any testator, intestate, minor or ward is less than two hundred dollars ($200.00), no fees shall be charged upon filing complaint and account, auditing, stating, reporting and recording or photostating 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 ($500.00), such fees shall be one-half of those hereinbefore provided.

Source. R. S. 22:2-39.

22A:2-34. Fees paid by surrogates to Clerk of Superior Court

From fees received by the surrogates there shall be paid to the Clerk of the Superior Court the following fees for services by him performed:

For recording the name of each testator, the year in which the will was proved, and filing the will, twenty-five cents ($0.25).

Recording the name of each intestate where administration has been granted and the year when granted, twelve cents ($0.12).

Source. R. S. 22:2-40.

22A:2-35. Fees on assignments for the benefit of creditors

The surrogate and officers of the County Court shall receive for services with respect to an assignment for the benefit of creditors the fees provided for like services with respect to the administration and settlement of decedents' estates.

Source. R. S. 22:2-42.

22A:2-36. Fees in other cases and costs in all cases

All other fees payable to the clerk of the probate division of the County Court and all costs to a party in any action, motion or proceeding in that division shall be the same as allowed for similar services in the Chancery Division of the Superior Court, except that the fees of the clerk shall be two-thirds of the sum allowed for like service in the Chancery Division of the Superior Court.

Source. R. S. 22:2-43.

ARTICLE 4. COUNTY DISTRICT COURTS AND MUNICIPAL COURTS

22A:2-37. Fees of clerk of county district court

In all actions and proceedings in the county district court, the following fees shall be paid to the clerk:

Copy of proceedings or transcript of the same, per folio, twenty cents ($0.20).

Entering action without process where the amount claimed does not exceed five hundred dollars ($500.00), five dollars ($5.00).

Entering action without process where the amount claimed exceeds five hundred dollars ($500.00), six dollars ($6.00).

Filing a pleading stating a counterclaim, one dollar fifty cents ($1.50).

Execution, or an order in the nature of execution, on a judgment, or execution against the body, for one defendant, one dollar fifty cents ($1.50).

Execution against the body, each additional defendant, one dollar ($1.00).

Copy of execution, or other order, in the nature of execution, fifty cents ($0.50).

Approving appeal bond, one dollar ($1.00).

Granting leave to take deposition, fifty cents ($0.50).

Mileage of constable in serving any summons, executions or warrant against the body, after the first mile, the distance to be computed by counting the number of miles, in and out, by the most direct route from the place where process is issued, for every mile, four cents ($0.04).

Recording return of commission, one dollar fifty cents ($1.50).

Summons, one defendant, where the amount does not exceed five hundred dollars ($500.00), four dollars sixty cents ($4.60). For each additional defendant, forty cents ($0.40).

Summons, one defendant, where the amount exceeds five hundred dollars ($500.00), five dollars sixty cents ($5.60). For each additional defendant, forty cents ($0.40).

In tenancy, one defendant, four dollars ten cents ($4.10). For each additional defendant, forty cents ($0.40).

In replevin, one defendant, where the amount does not exceed five hundred dollars ($500.00), five dollars fifty cents ($5.50). For each additional defendant, forty cents ($0.40).

In replevin, one defendant, where the amount exceeds five hundred dollars ($500.00), six dollars fifty cents ($6.50). For each additional defendant, forty cents ($0.40).

Certificate of judgment, one dollar ($1.00).

Jury of six men, eight dollars fifty cents ($8.50).

Jury of twelve men, fourteen dollars ($14.00).

Capias to arrest, one defendant, three dollars thirty-five cents ($3.35). For each additional defendant, one dollar ($1.00).

Order or warrant for possession, two dollars fifty cents ($2.50).

Writ of attachment, one defendant, where the amount does not exceed five hundred dollars ($500.00), five dollars eighty-five cents ($5.85).

Writ of attachment, one defendant, where the amount exceeds five hundred dollars ($500.00), six dollars eighty-five cents ($6.85).

Certifying statement of judgment for docketing in the Superior or County Court, one dollar ($1.00).

Certifying statement of judgment on mechanic's lien for docketing, one dollar ($1.00).

There shall be no charge for any order up until the time of final judgment. After final judgment orders for warrants, orders to show cause, discovery or any other order not specifically provided for herein the clerk shall charge the sum of one dollar ($1.00).

Source. R. S. 22:2–44, as amended, L. 1939, c. 184, p. 538, § 1; L. 1940, c. 40, p. 121, § 1; L. 1946, c. 178, p. 765, § 1; L. 1950, c. 219, p. 547, § 5.

22A:2–38. Fees of constables or sergeants-at-arms

From the fees mentioned in section 22A:2–37 of this Title, the clerk of the county district court shall pay to constables or sergeants-at-arms the following fees:

Serving summons on one defendant, sixty cents ($0.60).

Serving summons on every additional defendant, thirty cents ($0.30).

Warrant or capias, for each defendant served, seventy-five cents ($0.75).

Summons in replevin, taking bond and any inventory, against one defendant, one dollar fifty cents ($1.50). Against each additional defendant thirty cents ($0.30).

Every execution, or any order in the nature of an execution on a judgment or execution against the body, for each defendant served, seventy-five cents ($0.75).

Serving copy of an execution or any order with a jailer, twenty-five cents ($0.25).

Writ of attachment and making inventory, one dollar ($1.00).

Order or warrant for possession, one dollar ($1.00).

Attending jury until agreed on their verdict, fifty cents ($0.50).

Summoning each jury of six men, seventy-five cents ($0.75).

Summoning each jury of twelve men, one dollar ($1.00).

For serving every subpœna, notice or order, thirty-five cents ($0.35).

For every mile of travel in serving any summons or capias against the body, subpœna, notice or order, the distance to be computed by counting the number of miles in and out, by the most direct route from the place where process is issued, four cents ($0.04).

In addition to the foregoing, the following fees for constables and sergeants-at-arms shall be taxed

in the costs and collected on execution, writ of attachment or order in the nature of an execution on any final judgment, or on a valid and subsisting levy of an execution or attachment which may be the effective cause in producing payment or settlement of a judgment or attachment.

For advertising property under execution or any order, thirty-five cents ($0.35).

For selling property under execution or any order, fifty cents ($0.50).

On every dollar of the first five hundred dollars ($500.00) collected on execution, writ of attachment or any order, ten cents ($0.10), and on every dollar of any amount in excess thereof, two cents ($0.02).

Source. R. S. 22:2-45, as amended L. 1940, c. 23, p. 97, § 1; L. 1950, c. 219, p. 549, § 6.

22A:2-39. Fees of jurors

From the fees mentioned in section 22A:2-37 of this Title the clerk shall pay to jurors the following fees, except in counties of the first class having a population of over eight hundred thousand, in which counties such fees shall be paid to the treasurer of the county:

For all cases tried, each juror, seventy-five cents ($0.75) for each case whether tried separately or consolidated for trial.

For all cases summoned and jurors attending, but jurors not sworn in any cause, each juror, twenty-five cents ($0.25).

Any unexpended balance, or part of any jury fee received by the clerk, to be paid over to the county treasurer.

Source. R. S. 22:2-46, as amended L. 1946, c. 180, p. 767, § 1; L. 1950, c. 206, p. 453, § 4.

22A:2-40. First-class counties over 800,000; jury fees received by clerks; disposition

All jury fees received by the clerks of county district courts in first-class counties having a population of over eight hundred thousand, shall be

credited upon receipt to the county treasurer and paid over as provided by law for other fees received by the clerk for the credit of the county treasurer.

Source. C. 22:2-46.1 (L. 1950, c. 206, p. 453, § 3).

22A:2-41. Fees of witnesses and appraisers

For witnesses there shall be taxed in the costs in the county district court, the fees prescribed by section 22A:1-4 of this Title.

For each appraiser there shall be taxed in the costs in said court, a fee of one dollar ($1.00) for making an inventory and appraisement.

Source. R. S. 22:2-47; R. S. 22:2-48.

22A:2-42. Attorney's or counsel's fees

There shall be taxed by the clerk of a county district court in the costs against the judgment debtor, a fee to the attorney of the prevailing party, of five per centum (5%) of the first five hundred dollars ($500.00) of the judgment, and two per centum (2%) of any excess thereof.

In actions of replevin the court shall allow the attorney of the prevailing party a fee of not less than five dollars ($5.00) nor more than ten dollars ($10.00), to be taxed and collected as aforesaid.

Upon entry of any order adjudging a person in contempt for violation of any order of the court or upon any motion or application to the court made subsequent to the commencement of an action or proceeding in any county district court, the court, in its discretion, may award an attorney or counsel fee of not more than ten dollars ($10.00) to be paid in such manner as the court shall direct.

Source. R. S. 22:2-50, as amended L. 1943, c. 202, p. 556, § 1; L. 1950, c. 219, p. 551, § 7.

22A:2-43. Fees in municipal courts

In civil causes, in municipal courts, all filing fees and other charges, all fees of constables, jurors, attorneys and appraisers, and all costs shall be the same as are provided by law for similar services in the county district court.

Source. New.

ARTICLE 5. PENALTY PROCEEDINGS, ALL COURTS

22A:2-44. Costs in penalty proceedings in all courts

The costs recoverable in any proceeding in any court for the collection and enforcement of a penalty pursuant to the Penalty Enforcement Law (N. J. S. 2A:58-1 et seq.) shall be the same as in actions in the court and shall be recoverable by the plaintiff in the event of a judgment for the plaintiff. The fees to the court and the court officers shall be as provided for proceedings of a criminal nature in section 22A:3-4 of this Title.

Source. New.

CHAPTER 3. CRIMINAL CAUSES

Section

22A:3-1. Fees of Clerk of the Superior Court and the Law Division of County Court in criminal causes and proceedings.
22A:3-2. Fees of Attorney-General and county prosecutor.
22A:3-3. Fees of county clerk on discharge of bail.
22A:3-4. Fees and costs of courts of limited criminal jurisdiction and their officers.
22A:3-5. Disposition of fees and costs.
22A:3-6. Imprisonment for failure to pay costs.

22A:3-1. Fees of Clerk of the Superior Court and the Law Division of County Court in criminal causes and proceedings

The Clerk of the Superior Court and of the Law Division of the County Court shall receive the following fees for the services enumerated below:

For entering every indictment, and filing the same, twenty cents ($0.20).

For every process, subpœna, or other writ, thirty-four cents ($0.34).

For sealing the same, fourteen cents ($0.14).

For every ticket for a subpœna, ten cents ($0.10).

For entering an appearance or default, fourteen cents ($0.14).

For entering a recognizance taken in court, twenty cents ($0.20).

For discharging by proclamation and entering the same, twenty cents ($0.20).

For entering and filing a plea, fourteen cents ($0.14).

For entering a relinquishment of a plea, eight cents ($0.08).

For entering an order of court, sixteen cents ($0.16). For a certified copy thereof, when required, twelve cents ($0.12).

For calling and swearing every jury, forty cents ($0.40).

For swearing each witness, eight cents ($0.08).

For swearing constable to attend jury, eight cents ($0.08).

For taking and entering a general verdict, twenty cents ($0.20).

For entering every special verdict, for each sheet, twelve cents ($0.12).

For entering judgment, twelve cents ($0.12).

For copies of writs, indictments, pleadings, special verdicts and other papers, for each sheet, eight cents ($0.08).

When an indictment is quashed or a grand jury investigation is had but no indictment laid, judgment arrested, or defendant acquitted or discharged for want of prosecution the clerk may only charge against the county the fees for such services as he may have performed in issuing writs, process and subpœnas and sealing the same, where the same have been legally served, and in such cases no other fees shall be chargeable.

Source. R. S. 22:3-1.

22A:3-2. Fees of Attorney-General and county prosecutor

The following fees shall be charged against the defendant in a criminal case for the services of the Attorney-General or county prosecutor:

For every indictment to which the defendant or prisoner pleads guilty, ten dollars ($10.00).

For every indictment to which the defendant or prisoner pleads not guilty and afterwards retracts his plea and pleads guilty, twelve dollars ($12.00).

For every indictment to which the defendant or prisoner pleads not guilty, is tried and found guilty, fifteen dollars ($15.00).

No other costs for services of said officers shall be charged. No costs shall be charged against the defendant where indictment is quashed, the defendant is acquitted or the judgment is arrested.

Source. R. S. 22:3-6.

22A:3-3. Fees of county clerk on discharge of bail

For filing certificate of sheriff that prisoner on bail has paid his fine and for discharging such bail on the records the county clerk shall receive twenty-five cents ($0.25).

Source. R. S. 22:3-8.

22A:3-4. Fees and costs of courts of limited criminal jurisdiction and their officers

The fees provided in the following schedule, and no other charges whatsoever, shall be allowed for court costs in any proceeding of a criminal or quasi criminal nature in all county district courts, criminal judicial district courts, county traffic courts, municipal courts, park police courts, or other inferior courts of limited criminal jurisdiction, but no charge shall be made for the services of any salaried police officer of the State, county or municipal police, or a State Motor Vehicle Inspector.

Court

Drawing complaint, taking affidavit and filing, one dollar ($1.00).

Issuing warrant or summons, seventy-five cents ($0.75).

Copy of summons or warrant, ten cents ($0.10).

Filing summons or warrant, ten cents ($0.10).

Return of summons, ten cents ($0.10).

Drawing, taking and filing bond, seventy-five cents ($0.75).

Issuing every subpœna, fifteen cents ($0.15).
Hearing contested case, two dollars ($2.00).
Hearing noncontested case, fifty cents ($0.50).
Swearing each witness, ten cents ($0.10).
Issuing commitment, seventy-five cents ($0.75).
Drawing conviction, seventy-five cents ($0.75).
Every adjournment, twenty-five cents ($0.25).
Entering judgment, twenty-five cents ($0.25).
Drawing and certifying bill of costs, twenty-five cents ($0.25).
Every execution, fifty cents ($0.50).
Return of execution, fifteen cents ($0.15).
Drawing and sealing return to proceeding in lieu of prerogative writ, one dollar ($1.00).
Transcript and filing papers on appeal, two dollars ($2.00).
Drawing warrant for discharge of defendant, seventy-five cents ($0.75).

Constables or Other Officers

Serving warrant or summons, seventy-five cents ($0.75).
Serving every subpœna, thirty-five cents ($0.35).
Serving every execution, seventy-five cents ($0.75).
Advertising property under execution, thirty-five cents ($0.35).
Sale of property under execution, fifty cents ($0.50).
Serving every commitment, seventy-five cents ($0.75).
Transport of defendant, actual cost.
Mileage, for every mile of travel in serving any warrant, summons, commitment, subpœna or other process, computed by counting the number of miles in and out, by the most direct route from the place where such process is returnable, exclusive of the first mile, four cents ($0.04).
If defendant is found guilty of the charge laid against him, he shall pay the costs herein provided, but if, on appeal, the judgment is reversed, the

costs shall be repaid to defendant. If defendant is found not guilty of the charge laid against him, the costs shall be paid by the prosecutor, except when the Commissioner of Motor Vehicles or the inspector of motor vehicles, a peace officer, or a police officer shall have been prosecutor.
Source. R. S. 22:3-9.

22A:3-5. Disposition of fees and costs

Money received in accordance with section 22A:3-4 of this Title by a municipal court or a court with jurisdiction in one municipality shall, unless otherwise provided by law, be accounted for by the court and paid to the municipal treasurer and to the officer respectively within thirty days from receipt thereof.
Source. R. S. 22:3-10.

22A:3-6. Imprisonment for failure to pay costs

A person who defaults in the payment of costs assessed against him in accordance with the provisions of section 22A:3-4 of this Title shall be liable to imprisonment in the county jail for a period of one day for each dollar of costs imposed.
Source. R. S. 22:3-11.

CHAPTER 4. FEES OF CERTAIN STATE AND COUNTY OFFICERS

Section

22A:4-1. Fees of Secretary of State and Governor.
22A:4-2. Fees of the surveyors general.
22A:4-3. Commissioner of Banking and Insurance.
22A:4-4. Fees of county clerks and registers of deeds and mortgages.
22A:4-5. Second-class counties over 400,000; fees of county clerk and register of deeds and mortgages.
22A:4-6. Fee of county clerk for court attendance.
22A:4-7. Coroners' inquest fees.

Section

22A:4–8. Fees and mileage of sheriffs and other officers.
22A:4–9. Subpœnas issued on application of bar associations; no fee.
22A:4–10. Sheriffs, constables and other officers.
22A:4–11. Mileage of sheriffs, constables and other officers for service of compulsory process.
22A:4–12. Searches.
22A:4–13, Demand or protest of negotiable instruments.
22A:4–14. Acknowledgments, proof, affidavits and oaths.
22A:4–15. Accounting for fees by Clerk of Supreme Court and Clerk of Superior Court.
22A:4–16. Collection of fees for services of State judicial officers.
22A:4–17. Disposition of fees of county officers.
22A:4–18. Judges of County Court; fees, disposition and accounting.
22A:4–19. Collection of fees in advance; deposits.
22A:4–20. Services performed for State; charging and accounting for fees.

22A:4–1. Fees of Secretary of State and Governor

For services herein enumerated the Secretary of State shall receive the following fees:

For recording all deeds, mortgages, bills of sale and all other documents in the office of the Secretary of State: When written in whole, per folio, fifteen cents ($0.15); when written and printed or typewritten in whole or in part with type of eight-point face and with not less than four-point space between lines, or when written and printed or typewritten in whole or in part with type of more than eight-point face per folio, fifteen cents ($0.15); when printed or typewritten in whole or in part with type of less than eight-point face with

less than four-point space between the lines, in broken measure, tabular, schedule or figure work, per folio, twenty cents ($0.20).

For official copies and abstracts of instruments and documents in the office of the Secretary of State or from the records and files thereof, per folio, twenty cents ($0.20).

For the seal to commissions of sheriffs, surrogates and clerks of any court (commissions issued by the Governor), one dollar ($1.00).

For the seal to every certificate, exemplification or other paper, one dollar ($1.00).

For every order, warrant or certificate under the Governor's hand and seal, countersigned by the Secretary of State, forty cents ($0.40).

For entering writings on the record, for each sheet, eight cents ($0.08), and for every copy of the same, and other papers in his office, for each sheet, eight cents ($0.08).

For a commission for a sheriff, surrogate or clerk of any court, one dollar thirty-four cents ($1.34).

For every other commission, twenty-five cents ($0.25).

For drawing a certificate to pass under the great seal, or any other seal, and engrossing the same, for each sheet, twelve cents ($0.12).

For every commission granted to a notary public or a foreign commissioner of deeds the Governor shall receive and pay to the State Treasurer a fee of ten dollars ($10.00).

For filing the seal of a foreign commissioner of deeds the Secretary of State shall receive a fee of one dollar ($1.00).

For filing and recording all certificates and amended certificates of associations and corporations not for profit and of societies, clubs, churches, religious societies and congregations, required to be filed in the office of the Secretary of State, five dollars ($5.00).

No fee shall be charged by the Secretary of State for filing and recording the certificate of incorpora-

tion of an association formed for the purpose of acquiring, caring for and maintaining historic lands, sites and buildings in this State, as and for a State park.

For accepting service of process in actions against corporations, to be taxed as part of the taxable costs if the plaintiff prevails, three dollars ($3.00).

For filing and entering conditional sales contracts or agreements affecting equipment, rolling stock, motor vehicles and other vehicles of railroads, street railroads and transportation companies, one doller ($1.00).

For filing and entering a satisfaction of an above-mentioned contract or agreement, fifty cents ($0.50).

For filing a certified copy of an order of change of name, five dollars ($5.00).

For filing any paper or document for which no other fee is fixed, two dollars ($2.00).

Except as otherwise provided by law, all fees for the services of the Governor for licenses, and seals to exemplifications, commissions, certificates or other papers, shall be collected by the Secretary of State and he shall account therefor to the Director of the Division of Budget and Accounting and pay over the same to the Treasurer in the same manner as he accounts for and pays over other fees collected by him for the use of the State, plus recording fees.

Source. R. S. 22:4-1, as amended L. 1947, c. 101, p. 514, § 1.

22A:4-2. Fees of the surveyors general

For performing the services herein enumerated, the surveyors general of the western and eastern divisions of this State shall be entitled to receive the following fees and no more:

For each certificate under seal, fifty cents ($0.50).

For every search for any record or paper, twelve and one-half cents ($0.12½).

For copies of any record or other writing, per folio, twelve and one-half cents ($0.12½).

Source. R. S. 22:4-2.

22A:4-3. Commissioner of Banking and Insurance

For accepting service of process as the attorney for a foreign insurance company or association the Commissioner of Banking and Insurance shall be paid a service fee of two dollars ($2.00).

For accepting service of process as the attorney for a banking, saving, trust, guaranty, safe deposit, indemnity, mortgage, investment, or building and loan corporation or association organized under the laws of any other State or of any foreign government, there shall be paid a service fee of two dollars ($2.00).

For accepting service of process as the attorney for a foreign fraternal beneficiary association, the Commissioner of Banking and Insurance shall be paid a service fee of three dollars ($3.00).

For accepting service of process as the attorney for any person, copartnership, association or corporation engaged in the business of making small loans, the Commissioner of Banking and Insurance shall be paid a service fee of five dollars ($5.00).

For accepting service of process as the attorney for a foreign building and loan association, the Commissioner of Banking and Insurance shall be paid a service fee of five dollars ($5.00).

The plaintiff in the action shall be entitled to recover the amount of the service fee so paid, as part of the taxable costs if he prevails in the action.

Source. R. S. 22:4-3.

22A:4-4. Fees of county clerks and registers of deeds and mortgages

Registers of deeds and mortgages and, in counties not having such office, the county clerk shall charge for the services herein enumerated the follow- fees:

For recording deeds, mortgages, bills of sale, chattel mortgages, notices of lis pendens or judgments by confession, and all instruments of the nature of those enumerated in Title 46, of the Revised Statutes, and all other instruments for which

no specific fee is provided by law: When written in whole, per folio, twenty cents ($0.20); when written and printed or typewritten in whole or in part with type of eight-point face and with not less than four-point space between lines, or when written and printed or typewritten in whole or in part with type of more than eight-point face, per folio, twenty cents ($0.20); when printed or typewritten in whole or in part with type of less than eight-point face with less than four-point space between the lines, in broken measure, tabular, schedule or figure work, per folio, twenty-five cents ($0.25).

For official copies and abstracts of such instruments from the records and files of the respective recording offices, per folio, twenty-five cents ($0.25).

For preparing and transmitting to the assessor, collector or other custodian of the assessment map of any taxing district, the abstract of an instrument evidencing title to realty, as required by section 54:4–31 of the Revised Statutes, fifty cents ($0.50).

For entering the marginal notation of an order, judgment, statement or warrant discharging or annulling a notice of lis pendens, and for filing such order, judgment or statement, sixty cents ($0.60).

For entering the marginal notation of a discharge, assignment, postponement, extension, cancellation or release of a mortgage, sixty cents ($0.60).

For preparing and forwarding an abstract of a discharge, cancellation or release of a building and loan mortgage, as required by section 46:18–8 of the Revised Statutes, twenty-five cents ($0.25), additional.

For filing and entering statement of satisfaction of conditional sale and noting the cancellation of the contract and date thereof on the margin of the page upon which the contract was entered, thirty cents ($0.30).

For registering each and every mortgage, one dollar ($1.00), if the description and boundaries of the real estate therein described shall not contain in excess of one folio; and for all excess of description over and above one folio, at the rate of twenty cents ($0.20) per folio.

For registering abstract of a mortgage, fifty cents ($0.50).

For every receipt for a mortgage, fifteen cents ($0.15).

For a marginal notation of the discharge of a mortgage in counties where mortgages are indexed under a system requiring a duplication of indices and description, one dollar ($1.00).

For supplemental indexing under the plan or system known as that of local indexing by county blocks, an additional fee of one dollar ($1.00) for every instrument so indexed.

For filing and recording notices of Federal tax liens or certificates discharging such liens, two dollars fifty cents ($2.50).

For filing and entering or refiling conditional sale contract or copy, one dollar twenty-five cents ($1.25).

For furnishing a certified copy of an honorable discharge of a veteran, fifty cents ($0.50).

For filing each map, plat, plan or chart filed pursuant to chapter twenty-three of Title 46, of the Revised Statutes, to be paid by the party delivering same (except that there shall be no charge when the same is presented by the State or some one of its agencies), six dollars ($6.00).

For recording a tax sale certificate, two dollars fifty cents ($2.50) unless held by and recorded at the request of a municipality, in which case, one dollar ($1.00).

For recording redemption or assignment of sales, two dollars fifty cents ($2.50).

Source. R. S. 22:4-4, as amended L. 1948, c. 274, p. 1175, § 1; L. 1949, c. 199, p. 662, § 1; L. 1951, c. 164, p. 636, § 1.

22A:4–5. Second-class counties over 400,000; fees of county clerk and register of deeds and mortgages

In all second-class counties having a population of over four hundred thousand which now have or hereafter may adopt pursuant to law the photographic, photostatic or any similar system of recording instruments, the register of deeds, and, in said counties not having such office, the county clerk, shall charge for recording or registering instruments which may be recorded or registered by law, the sum of three dollars ($3.00) for the first page of such instrument or part thereof, and the sum of fifty cents ($0.50) for each additional page or part thereof.

Source. C. 22:4–4.1 (L. 1948, c. 308, p. 1226, § 1).

22A:4–6. Fee of county clerk for court attendance

For attending, by deputy or in person, the daily sessions of the Law Division of the County Court, and of the Superior Court held in the county, the county clerk shall receive per day three dollars ($3.00).

Source. R. S. 22:4–5.

22A:4–7. Coroners' inquest fees

Coroners shall be allowed the following fees: For drawing and returning the inquisition, two dollars ($2.00).

For viewing the body, by coroner or person acting in his stead, five dollars ($5.00).

Mileage per mile, going and returning, or actual carfare, ten cents ($0.10).

For a precept to summon a jury, fifty cents ($0.50).

For swearing the jury, twenty-five cents ($0.25).

For swearing each witness, six cents ($0.06).

Sitting with jury at inquest each day, three dollars ($3.00).

Taking deposition of witnesses at inquest, counting not more than two folios of manuscript to each page, per folio, ten cents ($0.10).

Jurors' fees: For each case, twenty-five cents ($0.25); in cases of special importance the board of chosen freeholders of the county in which any inquest is held may, upon the recommendation of the coroner and of the county prosecutor, and by the affirmative votes of two-thirds of all the members of such board, make to each juror sitting on the inquest therein an extra allowance of not more than five dollars ($5.00).

Burying the body when necessary, the actual cost thereof not exceeding fifty dollars ($50.00).

None of the fees allowed in this section shall be paid by any county treasurer until a detailed bill of items therefor, duly taxed according to law, shall have been presented to and approved by the board of chosen freeholders of such county.

Source. R. S. 22:4-6.

22A:4-8. Fees and mileage of sheriffs and other officers

For the services hereinafter enumerated sheriffs and other officers (including coroners in cases where coroners are authorized by law to perform such services) shall receive the following fees:

In addition to the mileage allowed by law, for serving every summons and complaint, attachment or any mesne process issuing out of the Superior Court or County Court, the sheriff or other officer serving such process shall, for the first defendant or party on whom such process is served, be allowed four dollars fifty cents ($4.50) and, for service on the second defendant named therein, four dollars ($4.00), and for serving such process on any other defendant or defendants named therein, one dollar fifty cents ($1.50) each, and no more. If a man and his wife be named in such process they shall be considered as one defendant, except where they are living separate and apart.

Serving capias ad respondendum, capias ad satisfaciendum, warrant of commitment, writ of ne exeat, in addition to mileage, ten dollars ($10.00).

Serving order to summon juries and return, one dollar fifty cents ($1.50).

Serving every execution against goods or lands and making an inventory and return, in addition to mileage, seven dollars fifty cents ($7.50).

For returning every writ twenty-five cents ($0.25).

Executing every writ of possession and return, in addition to mileage, six dollars fifty cents ($6.50).

Executing every writ of attachment, sequestration or replevin issuing out of any of the courts, in addition to mileage, six dollars fifty cents ($6.50).

For serving each out-of-State paper, in addition to the mileage allowed by law, six dollars fifty cents ($6.50).

For serving or executing any process or papers where mileage is allowed by law, the officer shall receive mileage actually traveled to and from the courthouse, at the rate per mile of six cents ($0.06).

For summoning a special jury, four dollars ($4.00).

Attending a jury of view, each day, two dollars ($2.00).

For service of notices on grand and petit jurors the same fees allowed by law for the service of a summons issued out of the County Court.

For producing the jury list and attending the judge within the county, two dollars seventy cents ($2.70); and for attending the judge outside the county the sheriff shall receive an additional sum for each mile from the courthouse of his county to the place of attendance, such mileage to be at the rate per mile of twenty cents ($0.20).

For attending the regular terms of the courts of the county for each day, three dollars ($3.00).

Every person committed to prison, twenty-five cents ($0.25).

Discharging every person from prison, twelve cents ($0.12).

Victualing a prisoner, per day, fifteen cents ($0.15).

Attending with a prisoner before a judge on his being surrendered by or in discharge of his bail, and receiving him into custody, one dollar fifty cents ($1.50).

The sheriff shall be entitled to retain out of all moneys collected or received by him on a forfeited recognizance, whether before or after execution, or from amercements, or from fines and costs on conviction, on indictment or otherwise, whether such moneys are payable to the State or to the county treasurer of the county wherein conviction was had, five per centum (5%).

For transporting each offender to the State Prison, per mile, but not less than three dollars ($3.00) for each offender, to be certified by the keeper of the prison and the certificate to be delivered to the county treasurer of the county where the conviction was had, twenty-three cents ($0.23).

Execution Sales

When a sale is made by virtue of an execution the sheriff shall be entitled to charge the following fees: On all sums not exceeding one thousand dollars ($1,000.00), four per centum (4%); on all sums exceeding one thousand dollars ($1,000.00) on such excess, two and one-half per centum (2½%); the minimum fee to be charged for a sale by virtue of an execution, five dollars ($5.00).

When the execution is settled without actual sale and such settlement is made manifest to the officer, the officer shall receive one-half of the amount of percentage allowed herein in case of sale.

Making statement of execution, sales and execution fees, one dollar fifty cents ($1.50).

Advertising the property for sale, provided the sheriff or deputy sheriff attend in pursuance of the advertisement, five dollars ($5.00).

For the crier of the vendue, when the sheriff proceeds to sell, for every day he shall be actually employed in such sale, one dollar fifty cents ($1.50).

Every adjournment of a sale, but no more than one adjournment shall be allowed, and if the sheriff shall have several executions against a defendant, he shall only be allowed for advertising, attending and adjourning, as if he had but one execution, one dollar fifty cents ($1.50).

Drawing and making a deed to a purchaser of real property, twelve dollars fifty cents ($12.50).

Drawing and making a bill of sale to the purchaser of personal property when such bill of sale is required or demanded, nine dollars fifty cents ($9.50).

When more than one execution shall be issued out of the Superior Court upon any judgment, each sheriff to whom such execution shall be directed and delivered shall be entitled to collect and receive from the defendant named in such execution the fees allowed by law for making a levy and return and statement thereon, or for such other services as may be actually performed by him, and the sheriff who shall collect the amount named in said execution or any part thereof, shall be entitled to the legal percentage upon whatever amount may be so collected by him, but in case any such judgment shall be settled between the parties and the amount due thereon shall not be collected by either sheriff, then the percentage on the amount collected which would be due the sheriff thereon in case only one execution had been issued shall be equally divided among the several sheriffs in whose hands an execution in the same cause may have been placed.

The sheriff shall file his taxed bill of costs with the clerk of the court out of which execution issued, within such time as the court shall direct by general rule or special order, or, in default thereof, he shall not be entitled to any costs. If any sheriff shall charge in such bill of costs for services not done, or allowed by law, or shall take any greater fee or reward for any services by him done than is or shall be allowed by law he shall be liable for the damages sustained by the party aggrieved including a pen-

alty of thirty dollars ($30.00), to be recovered in a summary manner, in the action or proceeding wherein the execution was issued or otherwise.

Source. R. S. 22:4-7, as amended L. 1948, c. 273, p. 1169, § 1.

22A:4-9. Subpœnas issued on application of bar associations; no fee

Whenever any duly authorized ethics committee of a county or State bar association which has been recognized as such by the Supreme Court shall require the service of a process of subpœna issued pursuant to section 22A:2-4 of this Title, every sheriff or other officer serving said process shall not require the payment of any fee for making such service.

Source. C. 22:4-7.1 (L. 1946, c. 251, p. 887, § 1).

22A:4-10. Sheriffs, constables and other officers

Sheriffs, undersheriffs, deputy sheriffs, coroners, constables, court attendants and other officers authorized by law to perform any of the services enumerated below shall receive therefor the following fees:

Serving notice on a defaulting juror, to be paid by the juror, one dollar ($1.00).

For making return when served with a writ of habeas corpus, two dollars ($2.00).

For producing a prisoner held in custody on capias ad respondendum, before a court taking bail, two dollars ($2.00).

For taking a bond and inventory pursuant to law, concerning insolvent debtors, to be paid by the defendant, fifty cents ($0.50).

For all services of the sheriff or other officer pursuant to a claim of exemption on execution or other civil process for seizure of property, five dollars ($5.00). This fee includes one dollar ($1.00) apiece to be paid by the sheriff to each of three appraisers appointed.

Source. R. S. 22:4-8, as amended L. 1948, c. 273, p. 1173, § 2.

22A:4–11. Mileage of sheriffs, constables and other officers for service of compulsory process

Sheriffs, constables and other authorized officers shall receive mileage for every mile actually traveled in serving and executing any bench warrant, State warrant, capias ad testificandum or other compulsory process issued by any court of this State. Such mileage shall be computed from the court issuing such process and shall be at the rate per mile of six cents ($0.06).

For transporting a prisoner taken on such process, per mile, six cents ($0.06).

Source. 22:4–9, as amended L. 1948, c. 273, p. 1174, § 3.

22A:4–12. Searches

Fees for the services enumerated herein shall be as follows:

In Superior Court

The clerk shall receive for a search for judgments and all other records which may become a lien upon real estate, for each name, each year, each book, six cents ($0.06).

For stating a judgment, five cents ($0.05).

For every other search, for each name, each year, each book, two cents ($0.02).

For drawing certificate and seal, twelve cents ($0.12).

For copies or abstracts of judgments or other records included in such certificate, for each folio, eight cents ($0.08).

The fee for a search and certificate shall in no case be less than twenty-five cents ($0.25).

County Clerks and Registers of Deeds and Mortgages

County clerks and registers of deeds and mortgages shall receive for a search of all records except those enumerated hereunder, for each name, each year, each book, four cents ($0.04).

For a search of the records of assignments of mortgages, for each name, each year, each book, five cents ($0.05).

For a search of mechanic's lien claims, for each name, each book, each year, six cents ($0.06).

For a search of the records of registered mortgages, for each name, each year, each book, seven cents ($0.07).

For each search of the records of physician's lien claims, which shall include cost of search and certificate thereof, fifty cents ($0.50).

For each search of the records of hospital lien claims which shall include cost of search and certificate thereof, fifty cents ($0.50).

For copies of abstracts of all deeds, mortgages, judgments or other records included in a search certificate, for each folio, eight cents ($0.08).

For drawing a certificate and seal for a search, twenty cents ($0.20).

Source. R. S. 22:4–10, as amended L. 1941, c. 253, p. 679, § 2.

22A:4–13. Demand or protest of negotiable instruments

A notary public for performing the services herein enumerated shall be entitled to receive the following fees:

For making demand for payment or acceptance of a promissory note, bill of exchange, draft or check, protesting the same and registering protest of the same, two dollars ($2.00).

For making and serving each and every notice of protest to be served on the persons entitled thereto, in addition to the cost of postage for each notice if sent by mail, for each of said notices so made and served, ten cents ($0.10).

If a notary charges any greater fees for the services mentioned than are herein allowed he shall forfeit and pay to the party from whom he has taken the same the sum of twenty-five dollars ($25.00), to be recovered in a civil action, with costs, before a court of competent jurisdiction.

Source. R. S. 22:4–11.

22A:4-14. Acknowledgments, proof, affidavits and oaths

For a service specified in this section, commissioners of deeds, foreign commissioners of deeds, notaries public, judges and other officers authorized by law to perform such service, shall receive a fee as follows:

For administering an oath or taking an affidavit, twenty-five cents ($0.25).

For taking proof of a deed, one dollar ($1.00).

For taking all acknowledgments, one dollar ($1.00).

Source. R. S. 22:4-12.

22A:4-15. Accounting for fees by Clerk of Supreme Court and Clerk of Superior Court

All fees, costs, allowances, percentages and other perquisites of whatsoever kind which the Clerk of the Supreme Court and the Clerk of the Superior Court, as such, and as clerk of the respective courts, and their office assistants are allowed by law to charge and receive for official acts or services they may render, shall be for the sole use of the State as public money, to be regularly accounted for and paid over as hereinafter set forth.

The Clerk of the Supreme Court and the Clerk of the Superior Court shall on the tenth day of each month, render a full and itemized statement of account and return to the Director of the Division of Budget and Accounting of all such sums received by them or their assistants and of all sums which may have been charged or taxed, or which may have accrued or become payable for services during the month preceding the making of such statement. The statement of account shall be made under oath in such form as the said director shall specify and shall be filed in his office to be forthwith audited by him and kept as a public record.

All such fees, costs, allowances, percentages and other perquisites shall be paid to the State Treasurer on or before the tenth day of each month, and whether collected or not, such officers shall be personally liable therefor.

The penalty for each day's neglect of any such officer in rendering his account or in paying over such money to the State Treasurer shall be one hundred dollars ($100.00), to be recovered in the name of the State in a civil action in the Superior Court, and said clerks may also be proceeded against by proceeding in lieu of prerogative writ.
Source. R. S. 22:4-14, as amended L. 1948, c. 366, p. 1498, § 23.

22A:4-16. Collection of fees for services of State judicial officers

All fees allowed by law for the services of the Supreme Court, Superior Court, and any justice or judge thereof whether such services be performed in open court or in chambers shall be taxed, collected and accounted for by the clerks of the respective courts in the same manner as fees allowed to such clerks.

Fees for an order made, writ allowed, motion granted or other service rendered at chambers by a justice of the Supreme Court or by a judge of the Superior Court, shall be paid to, demanded and received by the clerk of the court to which the same may appertain, at the time of the filing or entering of the order, writ, motion or other service in the minutes of the court or docket of the clerk thereof.
Source. R. S. 22:4-15, as amended L. 1948, c. 366, p. 1499, § 24.

22A:4-17. Disposition of fees of county officers

All fees, costs, allowances, percentages and other perquisites of whatever kind which surrogates, county clerks in their several capacities, registers of deeds and mortgages, and sheriffs or persons employed in their offices are entitled to charge and receive for any official acts or services they may render shall be for the sole use of the county and shall be accounted for regularly to the county treasurer.

Such accounting shall be made on or before the fifteenth day of each month on form blanks supplied by the county treasurer. The statement of account shall clearly set forth all sums charged

or taxed or which shall have accrued or become payable during the preceding month. Such statements shall be made under oath and filed in the office of the county treasurer as public records.

Such statements when received by the county treasurer shall be forthwith audited by the county auditor or other proper officer.

On or before the twentieth day of each month surrogates, county clerks, registers of deeds and mortgages, and sheriffs shall pay over the amount of such fees and moneys to the county treasurer and such officers shall be personally liable to the county for such fees and moneys.

The penalty for each day's neglect to file the required statement of account or to pay over such moneys shall be one hundred dollars ($100.00) to be recovered in the name of the board of chosen freeholders of the county in a civil action in the County Court of the county or the Superior Court, and said officers may also be proceeded against by proceeding in lieu of prerogative writ.

Source. R. S. 22:4–17.

22A:4–18. Judges of County Court; fees, disposition and accounting

Fees allowed by law for services performed or licenses granted by the judges of the County Court shall be paid to the clerks of the law divisions of the respective County Courts, who shall, except as otherwise provided by law, account for and pay over such fees in the manner provided in section 22A:4–17 of this Title and for failure so to do shall be liable to the same penalty, and subject to the same proceedings.

Source. R. S. 22:4–18, as amended L. 1948, c. 366, p. 1499, § 26.

22A:4–19. Collection of fees in advance; deposits

Surrogates, registers of deeds and mortgages, county clerks, clerks of courts and sheriffs, for their own protection, may exact in advance of a service the fees and costs therefor.

For convenience, such officers may receive reasonable deposits in advance to meet the fees and costs of persons who may desire such services, and such officers shall account to depositors at least once in four months for the sums deposited, except that the Clerk of the Supreme Court and the Clerk of the Superior Court shall so account at least annually.

Source. R. S. 22:4-16, as amended L. 1948, c. 366, p. 1499, § 25; R. S. 22:4-19.

22A:4-20. Services performed for State; charging and accounting for fees

Whenever any surrogate, register of deeds and mortgages, county clerk or sheriff shall be requested by the State or any of its agencies to file any paper, enter and docket any writ, order or judgment, record any paper, make a copy or search or perform any other service in their respective offices for which costs, fees or compensation is allowed, such surrogate, register of deeds and mortgages, county clerk or sheriff shall forthwith file or record such paper or perform the service requested without exacting payment in advance of the lawful fees incident to such filing, recording or service, but such officer shall render to the State, or the agency thereof making such request, a monthly statement of all such fees due and payable to him. No surrogate, register of deeds and mortgages, county clerk or sheriff shall become personally liable to his county for the payment of such fees and costs until the same shall have been actually paid to him.

Source. R. S. 22:4-20.

Act effective.

12. This act shall take effect immediately, but shall be inoperative for sixty days thereafter.

Approved March 19, 1953.

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R. S. 22:4–16...As am. L. 1948, c. 366, p. 1499, § 25.....22A:4–19
R. S. 22:4–17 .....22A:4–17
R. S. 22:4–18...As am. L. 1948, c. 366, p. 1499, § 26.....22A:4–18
R. S. 22:4–19 .....22A:4–19
R. S. 22:4–20 .....22A:4–20

Approved March 19, 1953.

CHAPTER 23

AN ACT concerning fish and game, wild birds and animals, and revising parts of the statutory law.

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

Section amended.

1. Section 23:2–8 of the Revised Statutes is amended to read as follows:

Powers and duties of council, wardens, protectors, etc.

23:2–8. The council, the wardens, the deputy wardens and the protector shall have the power of summary arrest in cases of flagrant violation of this Title, or of the provisions of the State Fish and Game Code, and may, in the discharge of their duties, call in the aid of a constable, sheriff or other peace officer when deemed necessary. An officer neglecting or refusing to aid when so required shall forfeit twenty-five dollars ($25.00) to be recovered in a civil action.

Section amended.

2. Section 23:4–36 of the Revised Statutes is amended to read as follows:

Gunning under influence of liquor or drugs prohibited.

23:4–36. No person shall go into the woods or fields at any time with a gun or firearm when under the influence of a drug or intoxicating liquor, under a penalty of fifty dollars ($50.00) for each offense. Upon the conviction of a person for violating this section, the license to hunt and fish of that person issued to him in accordance with article one of chapter three of this Title (§ 23:3–1 et seq.), shall become void, and the municipal court or other court before which the conviction is had, shall take the license from the person so convicted, mark it "revoked" and send it to the board. If the conviction is reversed on appeal the license shall be restored to the defendant. Any license to hunt or fish issued to a person convicted of a violation of this section during the calendar year in which the offense occurred shall be null and void.

3. Section nine of chapter three hundred eighteen of the laws of one thousand nine hundred and thirty-eight is amended to read as follows: Section amended.

9. This act shall be enforced in the manner and by the persons authorized under chapter ten of Title 23 of the Revised Statutes. C. 23:5-5.9. Enforcement.

4. Section 23:7–2 of the Revised Statutes is amended to read as follows: Section amended.

23:7–2. A person violating the provisions of section 23:7–1 of this Title may be arrested without warrant by the owner, occupant, lessee, licensee or an officer of the law and taken for trial before any county district court or municipal court which shall have jurisdiction to try such offender and pronounce sentence. Arrest without warrant, failure to show permit.

In a prosecution for violation hereof, the failure of the defendant to produce a written permit to hunt and fish on the lands on which he is charged with trespassing, signed by the owner, occupant, lessee or licensee thereof shall be prima facie proof that he was forbidden so to trespass.

5. Section 23:7–4 of the Revised Statutes is amended to read as follows: Section amended.

23:7–4. If any person shall fail to pay any fine imposed by this article, the court before which the conviction is had may commit such person to the county jail until such fine is paid. Failure to pay fine, commitment.

6. Section 23:10–2 of the Revised Statutes is amended to read as follows: Section amended.

23:10–2. Every county district court and municipal court, hereinafter in this chapter referred to as the "court," shall, except as otherwise specifically provided, have jurisdiction to try and punish any person violating any provision of this Title, any provision of any law supplementary thereto or any provision of the State Fish and Game Code, and every penalty prescribed for such violation may be enforced and recovered before such court in a summary proceeding in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.) either in the county or municipality where the of- Jurisdiction.

fense is committed or where the offender is first apprehended or where he may reside.

Section amended.

7. Section 23:10–5 of the Revised Statutes is amended to read as follows:

Arrest without warrant, interference with officer, penalty.

23:10–5. Any constable, police officer, fish and game warden, protector, or deputy warden, or any officer or member of any incorporated game protective society may, for a violation of any provision of this Title, or any provision of any law supplementary thereto, or of any provision of the State Fish and Game Code committed within the view of any such officer or person, arrest, without warrant, the offender and carry him before a court in the county wherein such arrest is made. Any person or persons who shall, by threat, menace or force, or in any manner, attempt to deter or prevent any fish and game warden or other person authorized to make arrests for violation of the fish and game laws of this State, or any provision of any law supplementary thereto, or any provision of the State Fish and Game Code from enforcing or carrying into effect any provisions of this Title, or any provision of any law supplementary thereto, or any provision of the State Fish and Game Code or who shall resist arrest or the seizure of boats or nets or other apparatus illegally used, shall be subject to a fine of one hundred dollars ($100.00).

Sundry sections repealed.

8. Section 23:10–6 of the Revised Statutes is hereby repealed.

9. Section 23:10–7 of the Revised Statutes is hereby repealed.

10. Section 23:10–8 of the Revised Statutes is hereby repealed.

11. Section 23:10–9 of the Revised Statutes is hereby repealed.

12. Section 23:10–10 of the Revised Statutes is hereby repealed.

13. Section 23:10–11 of the Revised Statutes is hereby repealed.

14. Section 23:10–13 of the Revised Statutes is hereby repealed.

15. Section 23:10–16 of the Revised Statutes is hereby repealed.

16. Section 23:10–18 of the Revised Statutes is hereby repealed.

17. Section 23:10–21 of the Revised Statutes is amended to read as follows: Section amended.

23:10–21. A person found using a seine, gill, drift, anchor or sink net, fixed net, trap, pot, pound, set line, fyke, weir or other apparatus for the taking of fish in any waters of this State in violation of this Title, or any provision of any law supplementary thereto, or any provision of the State Fish and Game Code shall, in addition to the penalties prescribed, forfeit the same. Forfeiture of apparatus, procedure.

All constables, sheriffs, fish and game wardens and the fish and game protector shall, and any other person may, seize and secure the same, and shall immediately thereafter institute a proceeding for the confiscation thereof in a county district court of the county wherein, or in the municipal court within the jurisdiction of which, the seizure is made. The court may proceed in a summary manner and may make direct confiscation and forfeiture of the same to the division's use, which division may dispose thereof at its discretion.

18. Section 23:10–22 of the Revised Statutes is hereby repealed. Sections repealed

19. Section 23:10–23 of the Revised Statutes is hereby repealed.

20. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 24

AN ACT concerning food and drugs, and revising parts of the statutory law.

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

Section amended.

1. Section 24:1–2 of the Revised Statutes is amended to read as follows:

Certain books as evidence.

24:1–2. The books printed and published and known as the official United States Pharmacopœia, official Homeopathic Pharmacopœia of the United States, official National Formulary, or any supplement to any of them, or any of the printed copies of such books, shall in any action or proceeding brought under any of the provisions of this subtitle be received as evidence of the contents thereof, in any court or before any magistrate.

The court or magistrate may determine whether the books offered as such were so printed and published, either from inspection or the knowledge of the judge or magistrate, or from testimony.

No judgment shall be reversed because of the admission of such books unless it be shown that the books so offered in evidence were not, in fact, printed and published as such official United States Pharmacopœia, official Homeopathic Pharmacopœia of the United States, or official National Formulary.

Section amended.

2. Section 24:4–1 of the Revised Statutes is amended to read as follows:

Confiscation, procedure.

24:4–1. Any food, drug, cosmetic or device, if not in transit from one State to another, that is offered or exposed for sale, or had in possession with intent to distribute or sell or is intended for distribution or sale in violation of any provision of this subtitle, may be confiscated by a summary proceeding as hereinafter provided.

3. Section 24:4–2 of the Revised Statutes is amended to read as follows: Section amended.

24:4–2. The County Court, or county district court or municipal court having jurisdiction in the county or municipality, as the case may be, in which such food, drug, cosmetic or device is found shall have jurisdiction to hear and determine such proceeding. Jurisdiction.

4. Section 24:4–3 of the Revised Statutes is hereby repealed. Sections repealed.

5. Section 24:4–4 of the Revised Statutes is hereby repealed.

6. Section 24:4–5 of the Revised Statutes is amended to read as follows: Section amended.

24:4–5. Upon the filing of a verified complaint the court may issue a warrant directed to the sheriff or a constable of the county or other peace officer, commanding such officer to seize and take in his possession the article described in the complaint, and bring the same before the court which issued the warrant and to summon the person named in the warrant, and any other person who may be found in possession of the article, to appear at the time and place therein specified. Issuance of warrant.

7. Section 24:4–6 of the Revised Statutes is hereby repealed. Sections repealed.

8. Section 24:4–7 of the Revised Statutes is hereby repealed.

9. Section 24:4–9 of the Revised Statutes is amended to read as follows: Section amended.

24:4–9. If upon the hearing it shall appear that the article was offered or exposed for sale, or had in possession with intent to distribute or sell, or was intended for distribution or sale in violation of any provision of this subtitle, it shall be confiscated and disposed of by destruction or sale as the court may direct, but no such article shall be sold contrary to any provision of this subtitle. Sale or destruction of condemned article, disposition of proceeds.

The proceeds of any sale, less the legal costs and charges, shall be paid to the State department which shall pay the same into the State treasury, or to the local board for the use of the municipality.

Section amended.

10. Section 24:4–10 of the Revised Statutes is amended to read as follows:

Return of goods, bond.

24:4–10. In case the article seized is not injurious to health and is of such a character that when properly marked or branded its sale is not prohibited by this subtitle, the court may order such article delivered to the owner upon the payment of the costs of the proceeding and the execution and delivery to the State department or local board instituting the proceeding, as obligee, of a good and sufficient bond to the effect that such article shall not be sold or otherwise disposed of contrary to the provisions of this subtitle or the laws of any State, territory, district of the United States, or of the United States.

Section amended.

11. Section 24:10–21 of the Revised Statutes is amended to read as follows:

Penalties, recovery, jurisdiction.

24:10–21. Any person violating any of the provisions of sections 24:10–2, 24:10–3, 24:10–4, 24:10–7, 24:10–8, or 24:10–19 of this Title shall be liable to a penalty of two hundred dollars ($200.00), and any person violating any of the provisions of sections 24:10–11, 24:10–14, 24:10–15, or 24:10–16 of this Title shall be liable to a penalty of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00).

Such penalties shall be recovered in a civil action in the name of the State Department of Health or a local board of health, as the case may be. Such action may be maintained in the county district court of any county, or a municipal court, and jurisdiction is conferred upon such courts to hear and determine actions brought hereunder.

Section amended.

12. Section 24:10–42 of the Revised Statutes is amended to read as follows:

Injunction.

24:10–42. If any person shall violate any provision of section 24:10–39 of this Title in the distribution or sale of milk or cream, or the keeping or feeding of cows, the State department may institute an action in the Superior Court in the name of the State, on the relation of the department, to enjoin

and prohibit such violation, and for such other or further relief as the court shall deem proper.

Section amended.

13. Section 24:10–50 of the Revised Statutes is amended to read as follows:

Penalties.

24:10–50. Any person who shall violate any of the provisions of this article shall be liable for the first offense to a penalty of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00), and for the second and each subsequent offense to a penalty of not less than one hundred dollars ($100.00) nor more than two hundred dollars ($200.00), which penalty shall be sued for and enforced by the State department in a summary proceeding in accordance with the penalty enforcement law (N. J. S. 2A:58–1 et seq.). Process shall be in the nature of a summons or warrant.

Sundry sections repealed.

14. Section 24:10–52 of the Revised Statutes is hereby repealed.

15. Section 24:10–54 of the Revised Statutes is hereby repealed.

16. Section 24:10–55 of the Revised Statutes is hereby repealed.

17. Section 24:10–56 of the Revised Statutes is hereby repealed.

Section amended.

18. Section 24:10–99 of the Revised Statutes is amended to read as follows:

Penalties.

24:10–99. Any person who shall violate the provisions of this article shall be liable to a penalty of not less than one hundred dollars ($100.00) nor more than two hundred dollars ($200.00) for the first offense, and to a penalty of two hundred dollars ($200.00) for the second and each subsequent offense.

The penalty herein prescribed shall be sued for and enforced by and in the name of the State department in a summary proceeding in accordance with the penalty enforcement law (N. J. S. 2A:58–1 et seq.). All penalties recovered hereunder, after payment of costs, shall be paid into the treasury of the State.

Section amended.

19. Section 24:10–100 of the Revised Statutes is amended to read as follows:

Courts of jurisdiction, process, commitment upon failure to pay penalty.

24:10–100. In addition to the courts specified in said penalty enforcement law, jurisdiction over such proceedings is conferred upon municipal courts of the municipality where the defendant may be apprehended or where he may reside. Process shall be either a summons or a warrant.

If any person shall fail to pay forthwith the penalty so imposed, together with all costs, he shall be committed to the common jail of the county wherein such conviction is had for a period not exceeding ninety days or until the penalty and costs are paid.

Section repealed.

20. Section 24:10–101 of the Revised Statutes is hereby repealed.

Section amended.

21. Section 24:10–102 of the Revised Statutes is amended to read as follows:

Arrest without warrant.

24:10–102. Any constable, police officer or member of the New Jersey State Police may execute all process in the proceeding. For violations of any provision of this article within the view of any such officer, he may arrest the offender without warrant.

Section repealed.

22. Section 24:10–103 of the Revised Statutes is hereby repealed.

Section amended.

23. Section thirty-two of chapter one hundred ninety-five of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 24:10-135. Penalties, recovery.

32. Any person violating any of the provisions of this act shall be liable to a penalty of not less than twenty-five dollars ($25.00) for the first offense and fifty dollars ($50.00) for any subsequent offense, which penalty shall be enforced in the name of the Department of Health of the State of New Jersey or other body exercising the powers thereof, as the case may be, in a summary proceeding in accordance with the penalty enforcement law (N. J. S. 2A:58–1 et seq.). The penalties, when recovered, shall be paid to the State Treasurer.

24. Section thirty-three of chapter one hundred ninety-five of the laws of one thousand nine hundred and thirty-eight is amended to read as follows: Section amended.

33. Upon the failure of the defendant to pay such penalty and costs within three days, he shall be committed to the common jail of the county for a period not exceeding sixty days unless the judgment for said penalty and costs shall be sooner paid. C. 24:10-136 Failure to pay penalty.

25. Section three of chapter one hundred seven of the laws of one thousand nine hundred and forty-six is amended to read as follows: Section amended.

3. Any person who violates any of the provisions of this act shall be liable to a penalty of twenty-five dollars ($25.00) for the first offense and fifty dollars ($50.00) for each subsequent offense, to be recovered in a civil action brought by and in the name of the State Department of Health or the local board of health of the municipality within which the violation occurred. C. 24:10A 3 Penalty.

26. Section ten of chapter eighty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows: Section amended.

10. Any violation of this act or of any rule or regulation of the department lawfully issued hereunder shall be punishable by a penalty of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00). All such penalties shall be sued for and recovered in a civil action by and in the name of the department or by and in the name of the local board of health of the municipality in which the violation occurred. C. 24:11A 10 Violations, penalties, recovery.

Any penalty recovered in any such action shall be paid to the plaintiff therein. When the plaintiff is the department, the penalty recovered shall be paid by the department into the State treasury. When the plaintiff is a local board of health, the penalty recovered shall be paid by the local board into the treasury of the municipality within which the local board has jurisdiction.

Section amended.

27. Section twelve of chapter eighty-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 24:11A-12. Injunctions.

12. The department, either before or after the institution of an action for the recovery of a penalty imposed by this act for violation of any provision thereof, may institute an action in the Superior Court in the name of the State at the relation of the department, to restrain such violation and for such other relief as the court shall deem proper. Neither the action for the restraint and other relief, nor any of the proceedings therein, shall relieve any party thereto from any penalty prescribed by this act for such violation.

Section amended.

28. Section 24:13–7 of the Revised Statutes is amended to read as follows:

Violations, penalties.

24:13–7. Every person who shall violate any of the provisions of this chapter shall be liable to a penalty of fifty dollars ($50.00) for the first offense, and to a penalty of one hundred dollars ($100.00) for the second and each subsequent offense to be enforced in a summary proceeding in accordance with the penalty enforcement law (N. J. S. 2A:58–1 et seq.).

Section amended.

29. Section 24:13–8 of the Revised Statutes is amended to read as follows:

Jurisdiction, proceedings.

24:13–8. In addition to the courts specified in said penalty enforcement law, jurisdiction over such proceedings is conferred upon municipal courts. All such proceedings shall be instituted by the State department, or the local board of the municipality in which the violation occurred, as plaintiff. The process shall be either in the nature of a summons or warrant.

Section amended.

30. Section 24:13–9 of the Revised Statutes is amended to read as follows:

Commitment.

24:13–9. Upon the failure of the defendant to pay forthwith the amount of any money judgment rendered against him, the defendant shall be committed to the county jail for any period not exceeding ninety days.

Sundry sections repealed.

31. Section 24:13–10 of the Revised Statutes is hereby repealed.

32. Section 24:13–11 of the Revised Statutes is hereby repealed.

33. Section 24:13–12 of the Revised Statutes is hereby repealed.

34. Section 24:13–13 of the Revised Statutes is hereby repealed.

35. Section 24:13–14 of the Revised Statutes is hereby repealed.

Section amended.

36. Section 24:14–9 of the Revised Statutes is amended to read as follows:

Penalties, enforcement.

24:14–9. Any person who shall violate any provision of this chapter, except as hereinafter provided, or any rule, regulation or order of the State department, shall be liable to a penalty of twenty-five dollars ($25.00) for the first offense, and to a penalty of fifty dollars ($50.00) for the second and each subsequent offense.

Any person who shall gather any oysters, clams or other shellfish from a place which has been condemned by the State department pursuant to section 24:14–2 of this Title, or who shall distribute, sell, offer or expose for sale or have in his possession any such shellfish so gathered, unless he shall first have secured a permit in writing from the State department to take such shellfish, or unless he shall first have secured a permit from the State department to distribute, sell, offer or expose for sale or have in his possession any such shellfish so taken, shall be liable to a penalty of one hundred dollars ($100.00) for the first offense, and for each subsequent offense shall be committed to the common jail of the county wherein the conviction was had for a period of not less than thirty days.

The penalties herein provided shall be enforced by the State department as plaintiff in a summary proceeding in accordance with the penalty enforcement law (N. J. S. 2A:58–1 et seq.).

Section amended.

37. Section 24:14–10 of the Revised Statutes is amended to read as follows:

Jurisdiction.

24:14–10. In addition to the courts specified in said penalty enforcement law, jurisdiction over such proceedings is conferred upon municipal courts. Process shall be either in the nature of a summons or warrant.

Section repealed.

38. Section 24:14–11 of the Revised Statutes is hereby repealed.

Section amended.

39. Section 24:14–12 of the Revised Statutes is amended to read as follows:

Commitment upon failure to pay penalty.

24:14–12. If any person convicted of violating this chapter shall fail forthwith to pay the penalty imposed, together with the costs of the prosecution, the defendant shall be committed to the county jail for a period not exceeding ninety days, or until the penalty and costs are paid.

Section repealed.

40. Section 24:14–13 of the Revised Statutes is hereby repealed.

Section amended.

41. Section 24:14–14 of the Revised Statutes is amended to read as follows:

Arrest without warrant.

24:14–14. Any constable, police officer, or inspector of the State department or of a local board may arrest, without warrant, any person who shall violate any provision of this chapter within the view of such constable, police officer or inspector.

Section repealed.

42. Section 24:14–15 of the Revised Statutes is hereby repealed.

Section amended.

43. Section 24:17–4 of the Revised Statutes is amended to read as follows:

Injunction

24:17–4. The State department, either before or after the institution of a proceeding for the collection of a penalty imposed by this subtitle for a violation of any provision thereof, may institute an action in the Superior Court in the name of the State at the relation of the department to restrain such violation and for such other or further relief as the court shall deem proper.

The institution of such action, or any of the proceedings therein, shall not relieve any party to such proceeding from any penalty prescribed by this subtitle for such violation.

44. Section 24:17–5 of the Revised Statutes is amended to read as follows: Section amended.

24:17–5. Except as otherwise specifically provided, any and all penalties prescribed by any provision of this subtitle shall be sued for and recovered in a civil action by and in the name of the State Department of Health, or by and in the name of the local board of health, as the case may be, as plaintiff. Recovery of penalties.

45. Section 24:17–6 of the Revised Statutes is hereby repealed. Sections repealed.

46. Section 24:17–7 of the Revised Statutes is hereby repealed.

47. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 25

AN ACT concerning frauds and fraudulent conveyances, and amending sections 25:2–15 and 25:2–16 of the Revised Statutes.

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

1. Section 25:2–15 of the Revised Statutes is amended to read as follows: Section amended.

25:2–15. 1. Where a conveyance or obligation is fraudulent as to a creditor, such creditor, when his claim has matured, may, as against any person except a purchaser for fair consideration without knowledge of the fraud at the time of the purchase, or one who has derived title immediately or mediately from such a purchaser: Rights of creditor whose claims matured.

a. Disregard the conveyance and attach or levy execution upon the property conveyed or such obligation; or

b. Have the conveyance set aside or the obligation annulled to the extent necessary to satisfy his claim.

2. A purchaser, who, without actual fraudulent intent, has given less than a fair consideration for the conveyance or obligation, may retain the property or obligation as security for repayment.

Section amended.

2. Section 25:2–16 of the Revised Statutes is amended to read as follows:

Rights of creditors whose claims not matured.

25:2–16. Where a conveyance made or obligation incurred is fraudulent as to a creditor whose claim has not matured he may proceed in the Superior Court against any person against whom he could have proceeded had his claim matured, and the court may,

(a) Restrain the defendant from disposing of the property covered or affected by such conveyance or of such obligation,

(b) Appoint a receiver to take charge of such property or obligation,

(c) If equitable, set aside the conveyance or annul the obligation to the extent necessary to satisfy his claim, or

(d) Make any order which the circumstances of the case may require.

3. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 26

AN ACT concerning health and vital statistics, and revising parts of the statutory law.

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

Section amended.

1. Section ten of chapter one hundred seventy-seven of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 26:1A-10 Violations, recovery, disposition of penalties

10. Each violation of any provision of the State Sanitary Code shall constitute a separate offense and shall be punishable by a penalty of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00). Each such penalty shall be sued for and recovered in a civil action, in any court of competent jurisdiction, by and in the name of the State Department of Health or by and in the name of the local board of health of the municipality in which the violation occurred.

Any penalty recovered in any such action shall be paid to the plaintiff therein. When the plaintiff is the State Department of Health, the penalty recovered shall be paid by the department to the State Treasurer. When the plaintiff is a local board of health, the penalty recovered shall be paid by the local board into the treasury of the municipality within which the local board has jurisdiction.

Section amended.

2. Section twenty-seven of chapter one hundred seventy-seven of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 26:1A-27. Injunction.

27. If no action for abatement, as provided in section twenty-six of this act shall be taken by the local board within the time specified in the notice, or if in the opinion of the commissioner the action of the local board shall not be such as the necessities of the case seem to him to require, the commis-

sioner may institute an action in the Superior Court in the name of the State on the relation of the commissioner to enjoin the continuance of the nuisance or source of foulness.

Section amended.

3. Section twenty-eight of chapter one hundred seventy-seven of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 26:1A-28. Injunction on nuisance originating outside of local jurisdiction.

28. Whenever any nuisance or foul odors injurious to the public health within the territorial jurisdiction of a local board shall have a source of origin outside such territorial jurisdiction, the State Commissioner of Health may institute an action in the Superior Court, in the name of the State, on the relation of the commissioner, to enjoin the continuance of the nuisance or source of foulness or ill health.

C. 26:1A-29. Section repealed.

4. Section twenty-nine of chapter one hundred seventy-seven of the laws of one thousand nine hundred and forty-seven is hereby repealed.

C. 26:1A-30. Section amended.

5. Section thirty of chapter one hundred seventy-seven of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

Abatement of nuisance, costs.

30. In every such action in which it shall be ascertained by the court that the nuisance or source of foulness or ill health existed at the time of the commencement of the action, substantially as therein set forth, the court may abate the same by an injunction or otherwise. The court may charge the costs of the action upon the property whereon the nuisance or source of foulness or ill health is found, and enforce the payment of the same by the sale of the property or any part of it; or the court may order the persons who caused the nuisance or source of foulness or ill health, or allowed the same to continue, to pay the costs.

Section amended.

6. Section 26:2–73 added to the Revised Statutes by chapter two hundred sixty-one of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

Violations, penalties.

26:2–73. Any person, corporation or their agents violating any of the provisions of this act, shall

be liable to a penalty of not less than ten dollars ($10.00) nor more than fifty dollars ($50.00), and for the second and each subsequent offense to a penalty of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00), to be recovered by and in the name of the State Commissioner of Health of the State of New Jersey, or by and in the name of the local board of health.

Section amended.

7. Section 26:2–74 added to the Revised Statutes by chapter two hundred sixty-one of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

Disposition of penalties recovered.

26:2–74. Any penalty recovered under the provisions of this subtitle shall be paid to the plaintiff. When the plaintiff is the State Commissioner of Health of the State of New Jersey, the penalty recovered shall be paid by the commissioner into the treasury of the State. When the plaintiff is a local board of health, the penalty recovered shall be paid by the local board into the treasury of the municipality within which the local board has jurisdiction.

Section amended.

8. Section 26:2–75 added to the Revised Statutes by chapter two hundred sixty-one of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

Jurisdiction, proceedings.

26:2–75. Every municipal court shall have jurisdiction over proceedings to enforce and collect any penalty imposed because of a violation of any provision of this subtitle, if the violation has occurred within the territorial jurisdicton of the court. The proceedings shall be summary and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall be in the nature of a summons or warrant and shall issue only at the suit of the State Commissioner of Health of the State of New Jersey, or the local board of health, as the case may be, as plaintiff.

Section repealed.

9. Section 26:2–76 added to the Revised Statutes by chapter two hundred sixty-one of the laws of one thousand nine hundred and thirty-nine is hereby repealed.

Section repealed.

10. Section 26:2–78 added to the Revised Statutes by chapter two hundred sixty-one of the laws of one thousand nine hundred and thirty-nine is hereby repealed.

Section repealed.

11. Section 26:2–79 added to the Revised Statutes by chapter two hundred sixty-one of the laws of one thousand nine hundred and thirty-nine is hereby repealed.

Section repealed.

12. Section 26:2–80 added to the Revised Statutes by chapter two hundred sixty-one of the laws of one thousand nine hundred and thirty-nine is hereby repealed.

Section amended.

13. Section eight of chapter one hundred eighty-one of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 26:3-20.1. Violations by local boards, injunction.

8. Whenever any local board shall violate any of the provisions of section 26:3–20 of this Title, the department may institute an action in the Superior Court in the name of the State at the relation of the department to enjoin such violation and for such other relief as the court deems proper.

Section amended.

14. Section 26:3–54 of the Revised Statutes is amended to read as follows:

Expenses of abatement, recovery.

26:3–54. The local board may recover, by a civil action, the expenses incurred in such removal and abatement from any person who shall have caused or allowed such nuisance, source of foulness, water in which mosquito larvae breed, or cause of sickness, hazardous to the public health to exist, or from any owner, tenant, or occupant of premises who, after notice as herein provided, shall fail to remove and abate the same within the time specified in the notice.

Section amended.

15. Section 26:3–56 of the Revised Statutes is amended to read as follows:

Proceedings in Superior Court for relief.

26:3–56. The local board, instead of proceeding in a summary way to abate a nuisance hazardous to the public health, may institute an action in the Superior Court, in the name of the State, on relation of the board, for injunctive relief to prohibit the continuance of such nuisance.

16. Section 26:3–57 of the Revised Statutes is amended to read as follows: Section amended.

26:3–57. The court may charge the costs of the action upon the property whereon the nuisance is found, and enforce the payment of the same by sale of the property, or any part of it; or the court may order the person who caused the nuisance, or allowed it to continue, to pay the costs. Costs, recovery.

17. Section 26:3–58 of the Revised Statutes is amended to read as follows: Section amended.

26:3–58. In case no such nuisance shall be found to exist, costs shall be awarded against the local board which caused the action to be brought, but only in case it shall appear to the court that no probable cause existed for bringing the action. Local board liable for costs.

18. Section 26:3–59 of the Revised Statutes is amended to read as follows: Section amended.

26:3–59. Any county district court or municipal court may issue a warrant to search for any nuisance affecting health. Such warrant may be issued according to the practice of the court, upon the information and belief of any officer or agent of the State Department of Health, or of any local board of health that there is in any dwelling house, store, stable or any building of any kind whatsoever any nuisance affecting health or any person sick of any contagious or infectious disease, or any condition of contagion or infection which may have been caused by anyone recently sick of any such disease in any such dwelling house or other place. The warrant shall be directed to the sheriff of the county within which the search is to be made, or to any constable, marshal, police officer, or officer or agent of the local board having jurisdiction within the place where such search is to be made. Search warrants.

19. Section 26:3–62 of the Revised Statutes is amended to read as follows: Section amended.

26:3–62. The officer to whom the search warrant shall be directed shall make return of his proceedings thereunder to the court issuing the warrant. Return of warrant.

Section amended.

20. Section 26:3–71 of the Revised Statutes is amended to read as follows:

Penalty need not be specific amount.

26:3–71. The penalty for the violation of a provision of a health ordinance or code need not be for a specific amount, but the local board may provide that the penalty shall not be less than one given sum nor greater than another given sum. The amount of the penalty between the maximum and minimum inclusive shall be left to the discretion of the court.

Section amended.

21. Section 26:3–72 of the Revised Statutes is amended to read as follows:

Jurisdiction of proceedings for recovery of penalties.

26:3–72. Every municipal court shall have jurisdiction over proceedings to enforce and collect any penalty imposed because of a violation of any provision of a health ordinance or code of a local board, if the violation occurs within the territorial jurisdiction of the court. The proceedings shall be summary and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.); process shall issue at the suit of such local board and shall be either in the nature of a summons or warrant.

Sundry sections repealed.

22. Section 26:3–73 of the Revised Statutes is hereby repealed.

23. Section 26:3–74 of the Revised Statutes is hereby repealed.

24. Section 26:3–76 of the Revised Statutes is hereby repealed.

Section amended.

25. Section 26:3–77 of the Revised Statutes is amended to read as follows:

Commitment upon failure to pay amount of judgment.

26:3–77. The court may cause a defendant who refuses or neglects to pay the amount of a judgment rendered against him and all costs and charges incident thereto, to be committed to the county jail for a period not exceeding ninety days.

Section amended.

26. Section 26:3–78 of the Revised Statutes is amended to read as follows:

Additional penalty for second violation.

26:3–78. In case a defendant shall have been twice convicted, within the space of six months, of the violation of the same health ordinance or code and due proof of such fact is made, the court may,

in addition to the imposition of the penalty prescribed by section 26:3–70 of this Title, cause the defendant to be imprisoned in the county jail or county workhouse, with or without hard labor, for any number of days not exceeding one for each dollar of the penalty.

Sundry sections repealed.

27. Section 26:3–79 of the Revised Statutes is hereby repealed.

28. Section 26:3–80 of the Revised Statutes is hereby repealed.

29. Section 26:3–81 of the Revised Statutes is hereby repealed.

Section amended.

30. Section eleven of chapter one hundred ninety-two of the laws of one thousand nine hundred and forty-five is amended to read as follows:

C. 26:3B-11. Jurisdiction, proceedings, process.

11. Every municipal court shall have jurisdiction over proceedings to enforce and collect any penalty imposed because of a violation of any provision of this act, if the violation has occurred within the territorial jurisdiction of the court. The proceedings shall be summary and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall be in the nature of a summons or warrant and shall issue only at the suit of the Department of Health of the State of New Jersey or of the State Commissioner of Health, or of the local board of health, or of such board, body or officers exercising the functions of a local board of health according to law, as the case may be, as plaintiff.

Section amended.

31. Section twelve of chapter one hundred ninety-two of the laws of one thousand nine hundred and forty-five is amended to read as follows:

C. 26:3B-12. Commitment upon failure to pay amount of judgment.

12. The court shall cause a defendant, other than a body corporate, who refuses or neglects to pay forthwith the amount of a judgment rendered against him and the costs and charges incident thereto, to be committed to the county jail for a period not exceeding ten days in the case of a first conviction, and in the case of a conviction for a second or subsequent violations for a period of not less than ten days nor more than thirty days.

C. 26:3B-13. Section repealed.

32. Section thirteen of chapter one hundred ninety-two of the laws of one thousand nine hundred and forty-five is hereby repealed.

C. 26:3B-14. Section repealed.

33. Section fourteen of chapter one hundred ninety-two of the laws of one thousand nine hundred and forty-five is hereby repealed.

C. 26:3B-15. Section repealed.

34. Section fifteen of chapter one hundred ninety-two of the laws of one thousand nine hundred and forty-five is hereby repealed.

Section amended.

35. Section 26:4–4 of the Revised Statutes is amended to read as follows:

Notice to local board to control disease, procedure for enforcement.

26:4–4. Whenever within the jurisdiction of a local board there is a person infected with any communicable disease, the State department may cause a notice in writing, signed by the Commissioner of Health, to be sent to the local board requiring it to take action for the restriction of the spread of the communicable disease within the time specified in the notice.

If no action is taken by the local board within the time specified in the notice, the State department may bring a proceeding in lieu of prerogative writ to compel the local board to take the action ordered in the notice.

Section amended.

36. Section 26:4–37 of the Revised Statutes is amended to read as follows:

Quarantine restrictions, filing complaint, process, determination of court, length of quarantine, report.

26:4–37. In establishing quarantine for venereal disease, the licensed health officer or the State Commissioner of Health, or the authorized representative of either shall by notice in writing define the restriction of the actions, behavior and movements of the person or the place and the limits of the area within which the person is to be quarantined. Such person while so quarantined shall observe and obey said notice restricting his actions, behavior and movements or remain within the place and area defined by said health officer, director or representative in said notice. The custodian, if any, of such person shall safely keep and confine said person and said notice shall be sufficient warrant and authorization therefor.

Whenever a licensed health officer or the State Commissioner of Health or the authorized representative of either shall quarantine any person for venereal disease under authority of this article, he may also order the removal of such person to the place and area within which the person is to be quarantined for venereal disease, and the person shall proceed to such place at the time and in the manner specified.

A licensed health officer or the State Commissioner of Health or the authorized representative of either one of them may file a complaint with any county district court, municipal court or county court in the county against the following persons:

a. Any person, who while quarantined for venereal disease fails, refuses or neglects to observe and obey said notice restricting his actions, behavior and movements, or to remain within the place and area defined by said health officer, director or representative or to proceed to a place for quarantine for venereal disease at the time and in the manner specified by said health officer, director or representative.

b. Any person who fails, refuses or neglects to submit to, observe or obey the conditions of any commitment or to comply with any order made by any county district court, municipal court or county court in the county under authority of this article.

c. Any of the persons included in section 26:4–36 of this article.

If a warrant issues, it shall be directed to the sheriff or any constable in the county, or any police officer.

The court shall determine the matter without a jury. If the court finds that the person is one of those listed in this section against whom a complaint may be filed, he may commit such person to a State, county, or municipal hospital which will receive the person, or to any other place or institution suitable for and willing to receive the person for detention, examination, care and treatment,

whether the hospital, place or institution be located within or without the county, or to the county jail or may make any order for the examination, care or treatment of said person which may be deemed proper under the circumstances.

The complaint, commitment, and all other papers relating to the case shall be impounded and shall not be open to public inspection, and hearings shall not be open to the public.

Any person committed under the provisions of this statute shall be held in the place to which committed until discharged by the court which heard the case or by the county court of the county from which the person is committed or by the Superior Court or by order of the Commissioner of the State Department of Health.

The local health officer having jurisdiction shall report to the State department any person quarantined for venereal disease, or upon whom a summons is served or against whom a warrant is issued under authority of this article except where the action is initiated by the State Commissioner of Health or his authorized representative.

Section amended.

37. Section 26:4–49 of the Revised Statutes is amended to read as follows:

Additional penalty for second conviction.

26:4–49. In case a defendant shall have been twice convicted, within the space of six months, of the violation of the same provision of this article and due proof of such fact is made, the court may, in addition to the imposition of the penalty prescribed by section 26:4–129 of this Title, cause the defendant to be imprisoned, with or without hard labor, for any number of days not exceeding one for each dollar of the penalty.

Section amended.

38. Section one of chapter one hundred one of the laws of one thousand nine hundred and forty-five is amended to read as follows:

C. 26:4-49.7. Examination and treatment of venereal disease of person charged with offense.

1. When it appears to any criminal judicial district court, any municipal court or county court in the county, from the evidence or otherwise, that any person coming before such court on any charge, may have a venereal disease in an infectious stage,

it shall be the duty of such court to order the person to submit to a medical examination for venereal diseases, in a jail or at a hospital or clinic or by such physician as may be selected or appointed for the purpose, and if found to have a venereal disease in an infectious stage to submit to treatment in such jail, hospital or clinic or by such officer or to other treatment permitted under the medical practice act.

Section amended.

39. Section 26:4–51 of the Revised Statutes is amended to read as follows:

Application court for compulsory examination.

26:4–51. Whenever any person shall refuse to submit to an examination, or to furnish such specimens, the commissioner or the local board may apply to the county court for an order requiring that he shall submit to examination and furnish the required specimens. The application shall set forth the particular infective agent with which the person is suspected to be infected, and the reasons why the examination is desired.

Section amended.

40. Section 26:4–52 of the Revised Statutes is amended to read as follows:

Proceedings instituted.

26:4–52. If it shall be found that any person is the carrier of the infective agent of any such disease, and that he is unable or unwilling to conduct himself in such a manner as not to expose the public to danger of infection, the State Department or local board shall institute a proceeding of a criminal nature against the person in the county court.

Section amended.

41. Section 26:4–53 of the Revised Statutes is amended to read as follows:

Warrant, trial commitment and treatment.

26:4–53. A warrant may issue, and the matter may be disposed of without a jury, but upon oral testimony. If the court finds that the person is the carrier of such infective agent, and that he neglects or is unable so to conduct himself as not to expose the public to infection, it may commit the person to a county or municipal hospital or to any other suitable place or institution for the care of persons suffering from such disease. The court may also make any order for the care or treatment of the person which may be proper.

Sundry sections repealed.

42. Section 26:4–54 of the Revised Statutes is hereby repealed.

43. Section 26:4–55 of the Revised Statutes is hereby repealed.

44. Section 26:4–56 of the Revised Statutes is hereby repealed.

Section amended.

45. Section 26:4–57 of the Revised Statutes is amended to read as follows:

Penalty.

26:4–57. Any person who shall disobey any order or judgment of the county court made pursuant to this article shall be liable to a penalty of not more than one hundred dollars ($100.00).

Section amended.

46. Section 26:4–77 of the Revised Statutes is amended to read as follows:

Penalty, recovery.

26:4–77. Any person who violates any of the provisions of this article shall be liable to a penalty of fifty dollars ($50.00) to be recovered in a civil action by the local board of the municipality in which the violation occurs.

Section amended.

47. Section 26:4–94 of the Revised Statutes is amended to read as follows:

Penalties, recovery.

26:4–94. Any person who violates any of the provisions of this article except sections 26:4–90 to 26:4–92, or any notice served thereunder, shall be liable to a penalty of five dollars ($5.00) for the first offense, and not less than five dollars ($5.00) nor more than fifty dollars ($50.00) for each subsequent offense, to be recovered in a civil action brought by and in the name of the State Department or a local board. Penalties hereunder shall be enforced and collected pursuant to sections 26:3–72, 26:3–77 and 26:3–78 of the Revised Statutes.

Section amended.

48. Section 26:4–130 of the Revised Statutes is amended to read as follows:

Procedure for recovery of penalty.

26:4–130. Except as otherwise specifically provided in this chapter, any penalty incurred for a violation of any of the provisions of this chapter shall be sued for and recovered by the State department, or by the local board of the municipality within which the violation occurred.

Every municipal court shall have jurisdiction over proceedings to enforce and collect any such penalty, if the violation has occurred within the territorial jurisdiction of the court. The proceedings shall be summary and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall be either in the nature of a summons or warrant.

The court may cause any defendant who shall fail to pay forthwith the amount of the judgment rendered against him, and all costs and charges incident thereto, to be committed to the county jail for any period not exceeding ninety days.

All moneys recovered in any such proceedings shall be paid to the plaintiff therein and applied by such plaintiff to any purpose for which it may be legally authorized to expend money.

Section amended.

49. Section two of chapter two hundred two of the laws of one thousand nine hundred and forty-five is amended to read as follows:

C. 26:6-4.2. Transportation of dead bodies into State, inquiries to be made in burial of veterans.

2. Whenever a dead body is transported from outside the State into this State for burial or other final disposition in this State, the person in charge of any premises in which the interment or cremation of such dead body is made, shall make due and diligent inquiry in order to determine whether the deceased person to be interred or cremated was a veteran of any war, and if so, the war in which said deceased veteran served. If such interment is made in a cemetery or burial ground having no person in charge thereof, then the undertaker making the interment of such dead body shall make such inquiry.

On or before the tenth day of each month the person in charge of any such premises, or if the interment is made in a cemetery or burial ground having no person in charge, then the undertaker who made any such interment, shall certify to the supervisor of veterans' interment in the county in which such interment or cremation was made, the name of each deceased veteran who has been interred or cremated in said premises during the

preceding month, together with the date and place of burial or cremation of such deceased veteran, and the war in which said deceased veteran served.

Any failure so to do on the part of the officers of any cemetery association or the undertaker shall subject the violator to a penalty of fifty dollars ($50.00) to be recovered in a civil action in the name of the supervisor of veterans' interment of any county wherein the violation occurs.

Section amended.

50. Section 26:6–5 of the Revised Statutes is amended to read as follows:

Cemeteries dangerous to public health, action for relief, injunction, costs.

26:6–5. When a cemetery or burial ground or part thereof for any reason has become dangerous to the public health and it shall be deemed inadvisable that any further interments be made therein, any municipal authority within whose limits the cemetery or burial ground is situate, or the State department or any local board, may institute an action in the Superior Court, either in the name of the State on the relation of the plaintiff or otherwise.

If the court shall determine that the cemetery or burial ground or any part thereof is dangerous to the public health for any reason, or that further interments therein would be inadvisable, the court may, by injunction or otherwise, grant such relief as may be proper and necessary for the protection of the public health.

If the court shall determine that the plaintiff is not entitled to any relief, costs shall be awarded against the plaintiff, but only if it appears to the court that no probable cause existed for bringing the action.

Section amended.

51. Section 26:6–21 of the Revised Statutes is amended to read as follows:

Emergency burial or removal permit.

26:6–21. If through the absence of the local registrar, or for other sufficient reason, it is impossible to obtain from the registrar a burial or removal permit in time for burial or removal, a judge of the county court or a magistrate of a municipal court in the county in which the death occurred, if he is satisfied that the death certificate is genuine, and

that no permit can be obtained in time for burial or removal, shall issue an emergency burial or removal permit.

52. Section 26:6–22 of the Revised Statutes is amended to read as follows: Section amended.

26:6–22. The emergency burial or removal permit shall be issued in the following form: Form of emergency permit, fee.

"It being impossible to obtain a burial or removal permit from the registrar of vital statistics on account of (state here the reason), I, a judge of the County Court of the county of ..... (or a magistrate of a municipal court of the .... of .....), do hereby grant this emergency permit for the burial or removal of ....., whose death has been duly certified to me."

The permit shall be dated and signed by the judge or magistrate and shall be given to the person delivering the certificate of death. The judge or magistrate shall, within five days thereafter, transmit the certificate to the State department. The judge or magistrate shall be entitled to fifty cents ($0.50) for the issuance of an emergency permit.

53. Section 26:6–49 of the Revised Statutes is amended to read as follows: Section amended.

26:6–49. Except as otherwise specifically provided in this chapter, any person violating any provision of this chapter, or falsifying any certificate or record established by this chapter, or failing or refusing to perform any duty required by this chapter, shall be subject to a penalty of not less than five dollars ($5.00) nor more than fifty dollars ($50.00) for each first offense, and of not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00) for each subsequent offense. Penalties, recovery.

Such penalties shall be recovered in a civil action in the name of the State department in any court of competent jurisdiction.

Section amended.

54. Section twelve of chapter two hundred fifty-six of the laws of one thousand nine hundred and fifty is amended to read as follows:

C. 26:7-22. Jurisdiction.

12. The Superior Court of this State is hereby vested with jurisdiction and discretionary power in an action in the court brought at the suit of the Attorney-General or of the State department to prevent and restrain the cremation of dead human bodies by any person who has not first obtained the license required by this act, or to prevent and restrain the violation by any person of the provisions of this act, or of any rule or regulation promulgated hereunder.

Section amended.

55. Section 26:8–38 of the Revised Statutes is amended to read as follows:

Filing certificate of unrecorded birth, form.

26:8–38. The birth of any child which has occurred or which may hereafter occur and which is not recorded in the bureau of vital statistics, as required by this chapter, may be recorded in the bureau by filing in the bureau a certificate.

a. Over the signature of the physician or midwife who attended the birth or over the signature of the father or mother of the child, or

b. When it is impossible to secure the signature of any of the persons named, the certificate may be signed by any person who has definite knowledge of the facts concerning the birth or by the person whose birth is being reported; *provided,* substantiating documentary proof is submitted and noted upon the certificate by the person before whom the affidavit is taken.

Proviso.

In every case the certificate shall be accompanied by an affidavit attesting the correctness of the information given therein, which affidavit shall be a part of the record of the birth. A copy of the affidavit shall accompany each certified copy of any record of the birth issued by the State Registrar or any local registrar.

The affidavit (1) if taken in New Jersey, shall be taken before a Superior Court judge, a judge of the County Court, a county district court judge, the State Registrar or Assistant State Registrar

of Vital Statistics, a county clerk or a deputy county clerk of the county where the birth occurred or where the person making the affidavit resides, or (2) if taken in some other State of the United States or territory thereof or in the District of Columbia shall be taken before a judge of any of the United States courts or a judge of any court of record having jurisdiction in the place where the affidavit is taken, or, (3) if taken in any foreign kingdom, State, nation or colony shall be taken before a public ambassador, minister, consul, vice-consul, consular agent, charge d'affaires or other representative of the United States for the time being, to or at any such foreign kingdom, State, nation or colony; *provided, however,* that the affidavit may be taken in New Jersey by any secretary or sergeant-at-arms of any Superior Court judge, or of any judge of the County Court, or by the clerk or deputy clerk of a county district court of the county where the birth occurred or where the person making the affidavit resides, if prior thereto, the Superior Court judge, the judge of the County Court or the county district court judge shall have filed with the State Registrar of Vital Statistics a certificate setting forth that such secretary, sergeant-at-arms, clerk, or deputy clerk, as the case may be, has been designated by him to take such affidavits, and all oaths, affirmations and affidavits required to be made or taken by this section or necessary or proper to be made or taken by this section may be made and taken before any such secretary, sergeant-at-arms, clerk, or deputy clerk, when so designated. Proviso.

The bureau or any local registrar may require proof of the correctness of the information in a certificate and may refuse to accept a certificate which appears to contain false or insufficient information.

Any person knowingly submitting a certificate pursuant to this section containing incorrect particulars regarding a birth shall be subject to a

penalty of not more than five hundred dollars ($500.00) to be recovered with costs in a summary proceeding in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.) in the name of the State department.

C. 26:8-40.3. Section repealed.

56. Section two of chapter ninety-five of the laws of one thousand nine hundred and forty-two is hereby repealed.

C. 26:8-40.4. Section amended.

57. Section three of chapter ninety-five of the laws of one thousand nine hundred and forty-two is amended to read as follows:

Application, fixing time and place of birth.

3. Upon application by or on behalf of any such person and, if he is of the supposed age of twelve years or over, upon notice to the United States Attorney for the District of New Jersey, the county court of the county in which such person was found or in which he then resides shall, if the person has not been guilty of any of the acts set forth in section four of this act, determine the probable date of the birth of the person and the place of his birth as the place where he was found in this State. Thereafter such person shall be presumed to have been born in this State at the time and the place so determined, until he shall be shown not to have been born in this State.

Section amended.

58. Section 26:8–45 of the Revised Statutes is amended to read as follows:

Cancellation of record of marriage.

26:8–45. If a marriage has been declared void by the Superior Court in an action instituted for that purpose and the court is satisfied by the proof taken before the final judgment or by affidavit or otherwise after the final judgment that a record of the marriage exists in the Bureau of Vital Statistics, it may order the record to be canceled.

It shall not be necessary to make the custodian of the record a party to the cause.

The order need only recite that there was a ceremony of marriage between parties to the cause (naming them), performed on (date) by (naming the officer) and that by a final judgment entered on (date), the marriage was declared void and may then direct that the said record be canceled.

59. Section 26:8–46 of the Revised Statutes is amended to read as follows: Section amended.

26:8–46. Upon presenting a certified copy of said order to the State Registrar, he shall indorse on the return of the marriage the following words: "This marriage declared void by the Superior Court. See order hereto annexed" and shall annex the certified copy to the return. Endorsement of record upon cancellation.

60. Section 26:8–68 of the Revised Statutes is amended to read as follows: Section amended.

26:8–68. Upon request of the State Registrar, the Attorney-General shall assist in the enforcement of the provisions of this chapter and chapter six of this Title (§ 26:6–1 et seq.), or the State Registrar may direct that local registrars institute proceedings or civil actions in the name of the State department. Such a proceeding or action may be instituted in any court of competent jurisdiction. Enforcement.

61. Section 26:8–69 of the Revised Statutes is amended to read as follows: Section amended.

26:8–69. Except as otherwise specifically provided in this chapter, any person who shall: Penalties, recovery.

a. Fail or refuse to furnish correctly any information in his possession; or

b. Willfully and knowingly furnish false information affecting any certificate or record required by this chapter; or

c. Willfully alter, otherwise than is provided by article six of this chapter (§ 26:8–48 et seq.), or willfully or knowingly falsify, any certificate or record established by this chapter; or

d. Fail to fill out and transmit any certificate or record in the manner required by this chapter; or

e. Being a local registrar, deputy registrar or subregistrar, shall fail to perform his duty as required by this chapter and by the directions of the State Registrar thereunder; or

f. Violate any of the provisions of this chapter or fail to discharge any duty required by this chapter—

Shall be subject to a penalty of not less than five dollars ($5.00) nor more than fifty dollars ($50.00) for each first offense and not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00) for each subsequent offense.

Such penalties shall be recovered in a civil action in the name of the State Department in any court of competent jurisdiction.

Section amended.

62. Section 26:10–18 of the Revised Statutes is amended to read as follows:

Penalties, recovery.

26:10–18. Any person violating any of the provisions of this article shall be liable to a penalty of not more than one hundred dollars ($100.00) for each offense, to be recovered in a civil action before a municipal court or county district court; *provided,* the violation occurs within the territorial jurisdiction of the court.

Proviso.

Section amended.

63. Section 26:11–14 of the Revised Statutes is amended to read as follows:

Service of order.

26:11–14. The service of any order, demand or notice of the county board may be made upon any person, firm, copartnership or corporation by delivering a true copy to a person or to any member of the firm or copartnership or any officer or director of the corporation, or by leaving the same at his residence or usual place of abode.

In the absence of the person, member, officer or director, service may be made by delivering a true copy at his or its place of business to any agent, manager, superintendent, bookkeeper or clerk of the same.

Nothing in this section shall be taken as limiting or affecting the time fixed for appearance to answer or respond to any order, demand or notice otherwise provided.

Section amended.

64. Section 26:11–20 of the Revised Statutes is amended to read as follows:

Restraining proceedings of county board.

26:11–20. No injunctive or other relief shall, on the application of any person, be given to stay proceedings or to prevent the county board from proceeding with the removal of any alleged nuisance, source of foulness, or cause of sickness, hazardous

to the public health, until the board has been notified to appear and be present at the hearing of the application.

Section amended.

65. Section 26:11–21 of the Revised Statutes is amended to read as follows:

Suits against board for damages.

26:11–21. The failure of the owner, tenant, or occupant to cause removal in accordance with the notice of the county board, or the refusal of any court applied to, to grant injunctive or other relief or stay of proceedings, shall not prevent the party aggrieved by the actions of the board from maintaining a civil action for the recovery of damages, if the alleged nuisance be shown to have been in no way hazardous or prejudicial to the public health. In no case shall damages be allowed or recovered unless it be shown that the county board abating the alleged nuisance had no probable cause for its action in the premises.

Section amended.

66. Section 26:11–22 of the Revised Statutes is amended to read as follows:

Recovery of expenses by board.

26:11–22. The county board may recover, in a civil action, the expenses incurred in such removal from any person who shall have caused or allowed the nuisance, source of foulness, or cause of sickness, hazardous to the public health to exist, or from any owner, tenant or occupant of premises who, after notice as provided in section 26:11–18 of this Title, shall fail to remove the nuisance, source of foulness, cause of sickness, hazardous to the public health within the time specified in the notice.

Section amended.

67. Section 26:11–25 of the Revised Statutes is amended to read as follows:

Proceedings for abatement.

26:11–25. The county board may, in its proper name, maintain an action in the Superior Court or other proceeding for the abatement of any public or private nuisance within the jurisdiction of the board, where the nuisance is such that any resident living in the neighborhood thereof and affected thereby could have maintained a like proceeding.

The court shall proceed in the same manner as in case of proceedings taken in the name of a resi-

dent specially injured in person or property by the alleged nuisance.

In case the action or proceeding is dismissed, costs shall be awarded as of course against the county board, but only in case it appears to the court that no probable cause existed for bringing the action.

Section amended.

68. Section 26:11–30 of the Revised Statutes is amended to read as follows:

Jurisdiction.

26:11–30. Every municipal court and the county district court in such county shall have jurisdiction over proceedings to enforce and collect any such penalty. The proceedings shall be summary and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall be in the nature of a summons or warrant and shall issue at the suit of the county board.

Section amended.

69. Section 26:11–31 of the Revised Statutes is amended to read as follows:

Officers authorized to serve process.

26:11–31. Members of the county board and police officers of a municipality shall have the same authority to serve and execute process as officers authorized by law in the court in which the proceeding is brought.

Section repealed.

70. Section 26:11–32 of the Revised Statutes is hereby repealed.

Section amended.

71. Section 26:11–34 of the Revised Statutes is amended to read as follows:

Commitment.

26:11–34. The court may cause any defendant who refuses or neglects to pay the amount of any judgment rendered against him and all costs and charges incident thereto, to be committed to the county jail for any period not exceeding ninety days.

Section amended.

72. Section 26:11–35 of the Revised Statutes is amended to read as follows:

Additional penalty for second conviction.

26:11–35. In case a defendant shall have been twice convicted within the space of six months of a violation of the same ordinance or code, and due proof of such fact is made, the court may, in addition to the payment of the appropriate penalty, cause the defendant to be imprisoned in the county

jail or county workhouse, with or without hard labor, for any number of days not exceeding one day for each dollar of penalty.

73. Section 26:11–36 of the Revised Statutes is amended to read as follows: Section amended.

26:11–36. All police officers, constables and health inspectors may arrest without warrant any person violating in their presence any ordinance or code of a county board and take the offender forthwith before the court. Arrest without warrant.

74. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 27

AN ACT concerning highways, and revising parts of the statutory law.

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

1. Section 27:5–1 of the Revised Statutes is amended to read as follows: Section amended.

27:5–1. Whoever shall paint or place upon, or in any manner affix to, a fence, structure, pole, rock, tree or other object which is the property of another, whether within or without the limits of a public highway, or maintain thereon any words, device, trademark, advertisement or notice not required by law to be posted thereon, without first obtaining the consent in writing of the owner or tenant of the property, or of the body having control of the highway if placed on a highway, shall, upon complaint of the owner or tenant, or of any police officer or other person, be liable to a penalty of twenty-five dollars ($25.00) upon conviction in the municipal court of the municipality wherein the violation occurred. If consent is obtained that fact shall be stated on the advertisement or notice. Advertising on highways and private property prohibited.

This chapter shall not apply to cautionary signals or signs, or directional signs or notices erected on or along a highway by the body having control thereof or by its consent.

Section amended.

2. Section 27:5–3 of the Revised Statutes is amended to read as follows:

Duties of municipal police.

27:5–3. The subordinate officers of the police force of every municipality having an organized police force, shall report to the chief of police of such municipality every violation of section 27:5–1 of this Title so far as it relates to public highways within the municipality. Thereupon the chief of police or a person designated by him, shall notify the person violating said section 27:5–1 to abate the nuisance forthwith. If the notice is not promptly complied with, a summary proceeding shall be commenced for the penalty in the name and for the use of the municipality in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.).

Section amended.

3. Section 27:7–23 of the Revised Statutes is amended to read as follows:

Acquisition of municipally owned property, procedure.

27:7–23. If the commissioner finds it necessary to acquire lands owned and used by municipalities for public uses and purposes he shall, before taking it over for highway purposes and after hearing had in the manner prescribed in section 27:7–4 of this Title, if before the time fixed for the hearing the municipality whose land is subject to be acquired shall file a notice with the commissioner setting forth that the land is necessary for the public use of the municipality, determine whether or not it is a reasonable public necessity to acquire the land in question.

If the commissioner decides that it is a reasonable public necessity to acquire such lands for the State highway system, he shall give notice of his finding by serving a copy thereof upon the clerk of the governing body of the municipality within ten days after rendering the decision.

The municipality may within twenty days after service upon it of such notice, appeal from the de-

cision of the commissioner to the Superior Court, which shall in an action hear and determine the question of whether or not the taking of the land in question in preference to some other route is a reasonable public necessity. The court may proceed in the action in a summary manner or otherwise.

Section amended.

4. Section 27:7–44.1 of the Revised Statutes is amended to read as follows:

Consents, franchises, encroachments, etc., affecting highways, penalty.

27:7–44.1. No consent, grant or franchise affecting any portion of a State highway, or of any road included in the State highway system, shall be given for the construction of a railroad or street railway thereon except upon approval of and under conditions acceptable to the commissioner; nor shall any person enter upon or construct any works in or upon any State highway, except under such conditions and regulations as the commissioner may prescribe. Whenever any encroachment may exist without warrant of law in any road when taken over as a State highway, the commissioner shall notify the Attorney-General, who shall proceed to cause the same to be removed as by law provided.

Any person guilty of any violation of this section shall be liable to a fine not exceeding one hundred dollars ($100.00) for each such day's violation, and the costs of prosecution, to be recovered by a civil action in the name of the State before any court of competent jurisdiction, by the commissioner. Said fines shall be paid into the State treasury to the credit of the funds available for construction, maintenance and repair of roads.

Any such violation may be removed from any State highway as a trespass by a civil action brought by the commissioner in the Superior Court. The court may proceed in the action in a summary manner or otherwise.

Section amended.

5. Section seven of chapter sixteen of the laws of one thousand nine hundred and fifty-two is amended to read as follows:

C. 27:12B-7. Eminent domain proceedings.

7. Upon the exercise of the power of eminent domain by the Authority, the compensation to be

paid thereunder shall be ascertained and paid in the manner provided in chapter one of Title 20 of the Revised Statutes in so far as the provisions thereof are applicable and not inconsistent with the provisions contained in this act.

Upon the filing of the complaint in the action to fix the compensation to be paid, or at any time thereafter the Authority may file with the clerk of the county in which such property is located and also with the Clerk of the Superior Court a declaration of taking, signed by the Authority, declaring that possession of one or more of the tracts or parcels of land or property described in the complaint is thereby being taken by and for the use of the Authority. The said declaration of taking shall be sufficient if it sets forth (1) a description of each tract or parcel of land or property to be so taken sufficient for the identification thereof to which there may or may not be attached a plan or map thereof; (2) a statement of the estate or interest in the said land or property being taken; (3) a statement of the sum of money estimated by the Authority by resolution to be just compensation for the taking of the estate or interest in each tract or parcel of land or property described in said declaration; and (4) that, in compliance with the provisions of this act, the Authority has established and is maintaining a trust fund as hereinafter provided.

Upon the filing of the said declaration, the Authority shall deposit with the Clerk of the Superior Court the amount of the estimated compensation stated in said declaration. In addition to the said deposits with the Clerk of the Superior Court the Authority at all times shall maintain a special trust fund on deposit with a bank or trust company doing business in this State in an amount at least equal to twice the aggregate amount deposited with the Clerk of the Superior Court as estimated compensation for all property described in declarations of taking with respect to which the compensation has not been finally determined and paid to the persons

entitled thereto or into court. Said trust fund shall consist of cash or securities readily convertible into cash constituting legal investments for trust funds under the laws of this State. Said trust fund shall be held solely to secure and may be applied to the payment of just compensation for the land or other property described in such declaration of taking. The Authority shall be entitled to withdraw from said trust fund from time to time so much as may then be in excess of twice the aggregate of the amount deposited with the Clerk of the Superior Court as estimated compensation for all property described in declarations of taking with respect to which the compensation has not been finally determined and paid to the persons entitled thereto or into court.

Upon the filing of the said declaration as aforesaid and depositing with the Clerk of the Superior Court the amount of the estimated compensation stated in said declaration, the Authority, without other process or proceedings, shall be entitled to the exclusive possession and use of each tract of land or property described in said declaration and may forthwith enter into and take possession of said land or property, it being the intent of this provision that the action to fix compensation to be paid or any other proceedings relating to the taking of said land or interest therein or other property shall not delay the taking of possession thereof and the use thereof by the Authority for the purpose or purposes for which the Authority is authorized by law to acquire or condemn such land or other property or interest therein.

The Authority shall cause notice of the filing of said declaration and the making of said deposit to be served upon each party to the action to fix the compensation to be paid, who resides in this State, either personally or by leaving a copy thereof at his residence, if known, and upon each such party who resides out of the State, by mailing a copy thereof to him at his residence, if known. In the event that the residence of any such party or the

name of such party is unknown, such notice shall be published at least once in a newspaper published or circulating in the county or counties in which the land is located. Such service, mailing or publication shall be made within ten days after filing such declaration. Upon the application of any party in interest and after notice to other parties in interest, including the Authority, the Superior Court may direct that the money deposited with the Clerk of the Superior Court or any part thereof be paid forthwith to the person or persons entitled thereto for or on account of the just compensation to be awarded in said action; *provided,* that each person shall have filed with the Clerk of the Superior Court a consent in writing that, in the event the award in the said action shall be less than the amount deposited, the court, after such notice as the court prescribes and hearing, may determine his liability, if any, for the return of such difference or any part thereof and enter judgment therefor. If the amount of the award as finally determined shall exceed the amount so deposited, the person or persons to whom the award is payable shall be entitled to recover from the Authority the difference between the amount of the deposit and the amount of the award, with interest at the rate of six per centum (6%) per annum thereon from the date of making the deposit. If the amount of the award shall be less than the amount so deposited, the Clerk of the Superior Court shall return the difference between the amount of the award and the deposit to the Authority unless the amount of the deposit or any part thereof shall have theretofore been distributed, in which event the court, on application of the Authority and notice to all persons interested in the award and affording them an opportunity to be heard, shall enter judgment in favor of the Authority for such difference against the party or parties liable for the return thereof.

Proviso.

The Authority shall not abandon any condemnation proceeding subsequent to the date upon which

it has taken possession of the land or property as herein provided.

Section amended.

6. Section 27:16–42 of the Revised Statutes is amended to read as follows:

Acquisition of real estate, condemnation.

27:16–42. If the board cannot acquire the real estate, or any interest therein, necessary for the making of any improvement authorized by this chapter by agreement with the owners thereof, the compensation to be paid therefor shall be ascertained and paid in an action in accordance with chapter one of Title 20 of the Revised Statutes except as hereinafter provided. In the action the Superior Court shall determine the benefits conferred and damages sustained by each person in interest by reason of the taking of the real estate or any interest therein. The court shall consider the condition in which each parcel will be left and the benefits that will result from the improvement to the owners thereof. The costs, fees and expenses of the action shall be paid by the county treasurer.

Sundry sections repealed.

7. Section 27:16–43 of the Revised Statutes is hereby repealed.

8. Section 27:16–44 of the Revised Statutes is hereby repealed.

9. Section 27:16–45 of the Revised Statutes is hereby repealed.

10. Section 27:16–46 of the Revised Statutes is hereby repealed.

11. Section 27:16–47 of the Revised Statutes is hereby repealed.

Section amended.

12. Section 27:16–48 of the Revised Statutes is amended to read as follows:

Right of entry before making compensation.

27:16–48. The board of chosen freeholders may enter upon and take property for any of the purposes set forth in section 27:16–1 of this Title, in advance of making compensation therefor, in any case where it cannot acquire the property by agreement with the owner. In such cases the board, upon exercising such right and entering upon and taking the property in advance of making compensation therefor, shall institute an action to fix the compensation to be paid to the owner and others

as provided in chapter one of Title 20 of the Revised Statutes.

Sundry sections repealed.

13. Section 27:16–49 of the Revised Statutes is hereby repealed.

14. Section 27:16–50 of the Revised Statutes is hereby repealed.

15. Section 27:16–51 of the Revised Statutes is hereby repealed.

16. Section 27:16–52 of the Revised Statutes is hereby repealed.

17. Section 27:16–53 of the Revised Statutes is hereby repealed.

Section amended.

18. Section 27:16–57 of the Revised Statutes is amended to read as follows:

Maps and resolutions filed.

27:16–57. Upon the conclusion of the hearing as provided in this chapter and the adoption of the resolution, the map together with a copy of the resolution duly attested by the clerk of the board of chosen freeholders shall, without delay, be filed with the highway right of way commission by the county, and notice of the pendency of the action, naming the parties interested, with description by reference to the map sufficiently to identify the plot of land of each owner to be taken, shall be filed in the office of the county clerk or register of deeds and mortgages, as the case may be, and shall be recorded in the same manner and place and for the same fees as notices of lis pendens in civil actions. In default of such recording, persons acquiring an interest in the property pending the action without notice thereof, shall not be bound thereby.

Section amended.

19. Section 27:16–64 of the Revised Statutes is amended to read as follows:

Acquisition of title to buildings, removal.

27:16–64. When a building is partly upon the land to be taken and partly upon the owner's remaining land and the commission deems it to the interest of the county and just to the owner that the title to the building be also acquired by the county for removal or destruction, it shall show in its award that the title to the necessary land and to the building, is to be acquired upon payment of the award, and in such case the county shall be

obligated at its own cost and expense to raze or remove the building from the remaining land within sixty days from the time of payment, or payment into court of the award as hereinafter provided, if no appeal therefrom is taken, and for that purpose the county shall have the right, after such payment or tender, to go upon the owner's remaining land.

Section amended.

20. Section 27:16–65 of the Revised Statutes is amended to read as follows:

Award, payment into court, appeal.

27:16–65. If an uncertainty exists as to who is entitled to the amount awarded, or if the board of chosen freeholders is unable to tender the award by reason of the incapacity or absence of any person entitled thereto, or if there exists an unsatisfied lien upon the property to be taken, or any person refuses to receive the award, or an appeal from the award is taken, it may be paid into the Superior Court and shall be distributed to the person entitled thereto according to law. Payment into the Superior Court shall operate to stop the running of interest upon an award thereafter made to the amount of the deposit.

The owner or owners or the board of chosen freeholders of the county, feeling aggrieved by an award for any real estate taken for any such improvement, may appeal to the Superior Court at any time within sixty days after the filing of the report in the office of the county clerk or register of deeds, as the case may be. The appeal shall be taken by bringing an action in the court in accordance with chapter one of the Title Eminent Domain (§ 20:1–1 et seq.) of the Revised Statutes to have the court award the damages anew. The completion of the improvement shall not be delayed thereby and the county may proceed with the improvement as though the appeal had not been taken.

Section amended.

21. Section 27:16–66 of the Revised Statutes is amended to read as follows:

Title to vest.

27:16–66. Upon the acceptance of the award, or the payment thereof into the Superior Court, title

to the real estate or right or interest therein shall vest in the county, and the board of chosen freeholders may thereupon enter upon and take possession of the real estate or right or interest therein and remove all persons therefrom.

Section amended.

22. Section 27:16–67 of the Revised Statutes is amended to read as follows:

Report as evidence of county's right to posesssion.

27:16–67. The report of the commission or a copy thereof certified by the county clerk or register of deeds and mortgages, as the case may be, or in case of an appeal, the judgment or a copy thereof certified by the clerk of the court, and proof of tender of the amount awarded, or payment thereof to the owner or into court, as the case may be, shall at all times be evidence of the right of the board of chosen freeholders to have, hold, use, occupy, possess and enjoy the real estate or interest therein for road or highway purposes.

Section amended.

23. Section 27:17–4 of the Revised Statutes is amended to read as follows:

Oath and bond filed.

27:17–4. Before entering upon the duties of his office each commissioner shall take an oath to perform well and truly the duties of his office to the best of his skill and ability, and shall give a bond to the county, conditioned upon the faithful performance of his duties, the amount of which shall be fixed and the bond approved by a judge of the County Court. The oath and bond shall be filed in the office of the county clerk.

Section amended.

24. Section 27:19–7 of the Revised Statutes is amended to read as follows:

Commission to settle disputes, appointment, powers.

27:19–7. Whenever it shall have been determined that the public convenience requires that a viaduct or bridge be constructed at the joint expense of adjoining counties, or that a viaduct or bridge being maintained at such joint expense should be repaired or rebuilt, and the boards of chosen freeholders of such counties shall be unable to agree as to the location or character of the new viaduct or bridge, or as to the materials of which it shall be constructed, or as to whether a viaduct or bridge already erected and out of repair shall be repaired

or rebuilt, or if said boards shall be unable to agree in any respect as to the manner or method of repairing or rebuilding any such viaduct or bridge, either of the boards may apply to a judge of the Superior Court, who shall appoint three commissioners who shall meet forthwith and summarily inquire into the matters in dispute. To that end the commissioners may employ one or more civil engineers and other persons.

If in the judgment of the commissioners it shall be determined that the public convenience requires that the viaduct or bridge be constructed or repaired or rebuilt, they, or a majority of them, shall make and sign a report, under their hands, determining the matters in dispute, and cause a duplicate original of the report to be filed with the clerk of each of the boards.

The commission may have plans, drawings, surveys and specifications prepared, advertise for and receive bids for the doing of the work, and award a contract or contracts for the work, and may supervise the doing of the work. The advertising and awards shall be made in accordance with the provisions of chapter twenty-five of the Title Municipalities and Counties (§ 40:25–1 et seq.). Any expense incurred by the commissioners, including the cost of construction, repair or rebuilding, shall, upon certification by them, be paid by the county treasurers of each of the counties in the same proportion as similar expenses relating to the viaduct or bridge.

The commissioners shall serve as such and render their services without compensation and shall be known as "joint bridge commissioners for .... counties."

Section amended.

25. Section 27:19–32 of the Revised Statutes is amended to read as follows:

Bonds, issuing details, disposition of proceeds, toll rates.

27:19–32. The bonds, notes or other evidences of indebtedness (hereinafter in this section called "bonds") issued by such bridge commissions shall bear interest at not more than six per centum (6%) per annum, payable semiannually, and may be sold

at either private or public sale, to any person, to the United States Government or to any governmental agency. Such commissions shall provide the form of such bonds and shall fix the denominations, place or places of payment of principal and interest, the terms and conditions and do all other things that may be necessary for the proper execution and delivery of said bonds.

The proceeds from the sale of such bonds shall be deposited by the treasurers of such bridge commissions and used as provided in any contract or agreement of the commissions relative thereto, or if not so provided, then as the commissions shall direct and solely for the payment of the cost of the bridges and approaches and costs incident thereto, to be drawn upon over the signatures of the chairmen or vice-chairmen of the commissions and the secretaries and treasurers thereof. The surplus, if any, shall be paid into the fund hereinafter provided for the payment of the principal and interest of such bonds.

The rates of tolls to be charged for the use of any bridge constructed or purchased under the provisions of this article shall be so fixed and adjusted as to comply with any contract or agreement of the commission relative thereto and, in any event provide a fund sufficient to pay the interest and principal of any bonds issued under this article, and to provide an additional fund to pay the cost of maintaining, repairing and operating such bridges.

All bonds of a bridge commission shall be authorized by resolution of the commission. Any such resolution may contain provisions, and the commission, in order to secure the payment of such bonds and in addition to its other powers, shall have power to agree by provision in such resolution with the several holders of such bonds, and to make, enter into and perform covenants and agreements, as to

a. the custody, security, use, expenditure or application of the proceeds of the bonds;

b. the construction and completion, or replacement, of all or any part of the bridge or bridges or approaches thereto;

c. the use, regulation, operation, maintenance, insurance or disposition of all or any part of the bridge or bridges or approaches thereto, or restrictions on the exercise of the powers of the commission to dispose, or to limit or regulate the use, of all or any part of the same;

d. payment of the principal of or interest on the bonds, and the sources and methods thereof, the rank or priority of any such bonds as to any lien or security, or the acceleration of the maturity of any such bonds;

e. the use and disposition of any moneys of the commission, including revenues (hereinafter in this section sometimes called "bridge revenues") derived or to be derived from the operation of all or any part of the bridge or bridges or approaches thereto, including any parts thereof theretofore constructed or acquired and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired;

f. pledging, setting aside, depositing or trusteeing all or any part of the bridge revenues or other moneys of the commission to secure the payment of the principal of or interest on the bonds, or the payment of expenses of operation or maintenance of the bridge or bridges or approaches thereto;

g. the setting aside out of the bridge revenues or other moneys of the commission of reserves and sinking funds, and the source, custody, security, regulation, application and disposition thereof;

h. determination or definition of the bridge revenues or of the expenses of operation and maintenance of the bridge or bridges or approaches thereto;

i. the rates or tolls for passage over or through or the use of the bridge or bridges or approaches thereto, including any parts thereof theretofore constructed or acquired and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired, and the fixing, establishment, collection and enforcement of the same, the amount or amounts of bridge revenues to be produced thereby, and the disposition and application of the amounts charged or collected;

j. the assumption or payment or discharge of any indebtedness, liens or other claims relating to any part of the bridge or bridges or approaches thereto or any obligations constituting or which may constitute a lien on any part of the bridge revenues;

k. limitations on the issuance of additional bonds, notes or other evidences of indebtedness or on the incurrence of indebtedness of the commission;

l. limitations on the powers of the commission to construct, acquire or operate, or permit the construction, acquisition or operation of, any structures, facilities or properties which may compete or tend to compete with the bridge or bridges or approaches thereto;

m. payment of costs or expenses incident to the enforcement of the bonds or of the provisions of such resolution or of any covenant or agreement with the holders of the bonds;

n. the procedure, if any, by which the terms of any covenant or agreement with, or duty to, the holders of bonds may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given or evidenced; or

o. any other matter or course of conduct which, by recital in such resolution, is declared to further secure the payment of the principal of or interest on the bonds.

All such provisions of said resolution and all such covenants and agreements shall constitute valid and legally binding contracts between the commission and the several holders of the bonds, regardless of the time of issuance of such bonds, and shall be enforceable by any such holder or holders by appropriate action or proceeding, including a proceeding in lieu of prerogative writ, in any court of competent jurisdiction.

Section amended.

26. Section 27:20–3 of the Revised Statutes is amended to read as follows:

Repair of bridges, participation by street railway company.

27:20–3. If any such bridge is used by a street railway company the company may undertake a part of the expense of its building, rebuilding and repair, and the board or boards of chosen freeholders and the company may enter into an agreement whereby the share of the expense to be borne by the company may be ascertained and settled.

If no agreement can be reached the boards of chosen freeholders or the company may institute an action in the Superior Court. The court may proceed in the action in a summary manner or otherwise and apportion and determine the portion of the expense to be paid by the company.

Section amended.

27. Section 27:20–4 of the Revised Statutes is amended to read as follows:

Maintenance and operation by jointly acquired roads and bridges.

27:20–4. When the road and bridge or bridges of a plank road company, included within the terms of sections 27:20–1 to 27:20–3 of this Title constitute a continuous highway in two or more counties the boards of chosen freeholders shall acquire, maintain and operate such road and bridge or bridges at joint expense, and may, by agreement, divide the expense thereof between the counties in such proportion as they may deem just, notwithstanding the share of such expense agreed to be borne by either county may be more or less than the cost of acquiring, maintaining and operating the portion of the road or bridges located within the limits of the county.

If no agreement can be reached the boards of chosen freeholders or either of them may institute

an action in the Superior Court. The court may proceed in the action in a summary manner or otherwise and apportion and determine the portion of the expense to be paid by each of the counties respectively.

Section amended.

28. Section 27:20–6 of the Revised Statutes is amended to read as follows:

Changed conditions to alter apportionment.

27:20–6. At any time after the entry of a judgment of apportionment of expense as provided in sections 27:20–4 and 27:20–5 of this Title, the boards of chosen freeholders or either of them, alleging changes in the conditions upon which the original judgment of apportionment has been based, may institute another action in the Superior Court. The court may also proceed in this action in a summary manner or otherwise and apportion and determine the portion of the expense to be thereafter paid by each of the counties respectively.

Section amended.

29. Section 27:21–3 of the Revised Statutes is amended to read as follows:

Apportionment of cost, agreement, application to court.

27:21–3. The cost of construction of a bridge or the widening of an existing bridge shall be borne by the board of chosen freeholders of the county, the canal corporation, its successors or assigns, over whose canal the bridge is constructed or widened, and the municipality in which the street or highway is located, in the amount or proportion agreed upon between them. If no agreement can be reached the board of chosen freeholders may institute an action in the Superior Court. The court may proceed in the action in a summary manner or otherwise and may apportion and determine the portion of the expense to be paid by each of the parties.

30. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 28

AN ACT concerning hotels, and revising parts of the statutory law.

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

1. Section thirty-five of chapter three hundred forty of the laws of one thousand nine hundred and forty-eight is amended to read as follows: Section amended.

35. Any person who shall violate or any person who shall be responsible for a violation of any provisions of this act shall be subject to a penalty of one hundred dollars ($100.00) for each and every violation. Any action for a penalty under this act may be brought in any court of competent jurisdiction in the county in which the violation occurred. In addition to other remedies, the authority herein designated may institute any appropriate action or proceeding to compel compliance with this act or to prevent, enjoin or restrain the use of any premises, located within the municipality, where the construction, maintenance or use of such premises is a violation of any provision of this act. C. 29:1-42. Penalty, recovery, review.

Any refusal to issue a certificate of approval and registration or any notice to conform or action in the enforcement of this act may be reviewed by a proceeding in lieu of prerogative writ in the Superior Court; and upon any such review the court may affirm, reverse, modify or make such order or judgment as shall be appropriate.

2. Section 29:3–12 of the Revised Statutes is amended to read as follows: Section amended.

29:3–12. A person aggrieved by the registration of a hotel name or designation by another person may bring an action in a County Court against such other person, and the court may direct the revocation of such registration, if it be determined that such other person has not the right to the use of such name or designation because of the prior use thereof by another. Revocation of registration by court.

Section amended.

Jurisdiction of action for penalty.

3. Section 29:3–19 of the Revised Statutes is amended to read as follows:

29:3–19. Civil actions for penalties for violations of this chapter may be brought in the county district court of the county, or the municipal court of the municipality, wherein the violations occurred, both of which courts are given jurisdiction to hear and determine such actions.

4. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 29

AN ACT concerning institutions and agencies, and revising parts of the statutory law.

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

Section amended.

Procedure to remedy improper conditions.

1. Section 30:1–16 of the Revised Statutes is amended to read as follows:

30:1–16. If it shall appear after any such investigation of any of the institutions or noninstitutional agencies enumerated in sections 30:1–14 and 30:1–15 of this Title, except institutions conducted by properly organized and accredited churches and fraternal societies organized for aid and relief of their members, that the laws relating to the construction, management and affairs of any such institution, and the care, treatment, government and discipline of its inmates or patients are being violated, or that the inmates or patients in any such institution are cruelly, negligently or improperly treated or inadequate provision is made for their sustenance, clothing, care, supervision or other condition necessary to their suitable and proper well being, the State board may institute a civil action in the County Court of the county in

which such institution is located, or in the Superior Court, against the proper superintendent, commissioner, agent, medical director, warden, manager, keeper, chief executive officer or other officer of such institution or in control thereof, or responsible for such violation or omission. The court may proceed in the action in a summary manner or otherwise and may direct him to modify any treatment or to apply such remedy, or both, or carry out the requirements of the State board or the commissioner as may be just and effectual.

Section amended.

2. Section 30:1–17 of the Revised Statutes is amended to read as follows:

Enforcement.

30:1–17. The rights and powers conferred upon the State board and the commissioner by sections 30:1–14, 30:1–15 and 30:1–16 of this Title, so far as they relate to the investigation of the institutions and noninstitutional agencies enumerated therein may be enforced by a civil action against the officer or board having charge of the institution, brought in the County Court of the county in which the institution is situated, or the Superior Court. The court may proceed in the action in a summary manner or otherwise.

If, in the opinion of the State board, any matter with regard to the management or affairs of any such institution or any inmate or person in any way connected with either required legal investigation or action of any kind, notice thereof may be given by the State board, to the county prosecutor of the county, and he shall thereupon make inquiry and take such proceedings in the premises as he may deem necessary and proper. It shall be the duty of the county prosecutor when so required to furnish such legal assistance, counsel or advice as the commissioner or the State board may require in the discharge of his or its duties.

Section amended.

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

Jurisdiction of court not affected.

30:1–18. No provision of this Title shall restrain or abridge the power and authority of the Superior Court over the persons and property of the insane.

Section amended.

4. Section 30:4–23 of the Revised Statutes is amended to read as follows:

Terms defined.

30:4–23. As used in this article: "Chief executive officer" means the chief executive and administrative officer of any institution as designated for that purpose by the board of managers.

"County counsel" includes the chief legal officer or adviser of the board of chosen freeholders of any county in this State or his duly authorized representative.

"Institution," "institution for the insane," "institution for the care and treatment of the insane" include, except as herein otherwise provided, any State or county institution for the care and treatment of the insane, the epileptic, the tuberculous, feeble-minded or the idiotic in this State, as the case may be.

"Court" means the County Court of any county in this State, or the Juvenile and Domestic Relations Court of any county.

"Medical director" means the chief medical officer in charge of the medical service in any charitable institution included within the provisions of this Title.

"Patient" includes any person or persons alleged to be insane, epileptic, tuberculous, feeble-minded or idiotic whose admission to any institution for the care and treatment of such class of persons in this State has been applied for.

Section amended.

5. Section 30:4–26.1 of the Revised Statutes is amended to read as follows:

Places for temporary confinement provided.

30:4–26.1. The board of freeholders of every county in this State shall provide some safe and convenient place or places in which lunatics or persons of unsound mind who may be considered dangerous to the public may be temporarily confined until proper inquiry can be made touching their insanity or unsoundness of mind and legal settlement as now provided by law, and shall make provision for the proper care and maintenance of such persons so confined until their lunacy and places of legal settlement shall be determined.

Where any city of the first class in any such county maintains and operates a municipal hospital containing facilities for custody and care of persons of unsound mind and the proper city authorities consent thereto, the board of freeholders of such county may designate such municipal hospital as a place for the temporary confinement of such lunatics or persons of unsound mind if they are at the time resident in such city. Such temporary confinement shall not exceed the period of ten days unless the same shall be extended as hereinafter provided. In case no order shall be made for the removal of such lunatic to a lunatic asylum within such period of ten days, such lunatic shall be discharged from such temporary confinement unless the County Court shall, by order, extend such period of confinement. The County Court shall also have power, as in its judgment it may deem proper, by written order, to transfer any such lunatic or person of unsound mind from one place of confinement to another place of confinement so designated.

All lunatics so temporarily confined shall be under the custody, control and direction of such officer as shall be designated for that purpose by the board of chosen freeholders of the several counties, except that where any such lunatic shall be thus temporarily confined in any municipal hospital as herein authorized, such lunatic shall be under the custody, control and direction of the medical director or other head officer of such institution.

The constables and police officers in the several townships, cities and other municipalities shall be authorized to apprehend any lunatic or person of unsound mind, who shall on inspection be deemed to be dangerous to the public, and they shall immediately take such person or persons so apprehended before the nearest county district court or municipal court, which shall in a summary way inquire and determine whether such person or persons is or are of unsound mind and dangerous to the public, and if so found, the said municipal

court shall forthwith commit such person or persons to the custody of the person in charge of such place of temporary confinement, until discharged or removed therefrom as herein provided.

Section amended.

6. Section 30:4–26.2 of the Revised Statutes is amended to read as follows:

Child of mother committed to institution, care, expense, disposition and custody.

30:4–26.2. If any female committed to any of the institutions referred to in section 30:1–7 of this Title, at the time of such commitment, is the mother of a nursing child in her care under two years of age, or is pregnant with child, which shall be born after such commitment, such child may accompany its mother to and, subject to the provisions of this chapter, may remain in such institution until it is two years of age and may then be removed therefrom. The name and history of such child shall be entered upon the records of the institution in the same manner as if the child had been committed or admitted to such institution as an inmate or patient.

If the mother is a State indigent patient, such child shall be maintained at the expense of the State, and if such mother is a county indigent patient, such child shall be maintained at the expense of the county chargeable with maintenance of the mother. The rate for maintenance shall be fixed by the State House Commission. The chief executive officer of the institution, as a condition precedent to charging the maintenance of such child, shall notify the Director of the Division of Budget and Accounting in the case of charging the State, and shall notify the director of the board of freeholders in the case of charging a county.

If, when such child arrives at the age of two years, it is without family or relatives able and willing to assume its support, the chief executive officer of the institution may institute a proceeding, or may designate an agent to do so for him, in the County Court of the county in which the child or its parent or parents have a settlement, setting forth the parentage of the child and its settlement, together with such other proof as may be necessary

to satisfy the court as to the settlement of the child. The court shall thereupon commit the child to the care, custody and control of the State Board of Child Welfare, and the child shall thereupon become the legal ward of such board. The court shall also direct the county to pay expenses for the care of such child, including the board, clothing, medical and surgical treatment while the child is under the guardianship of the State Board of Child Welfare. Upon the making of such commitment, as aforesaid, the State Board of Child Welfare shall thereupon become and be constituted the guardian of such juvenile dependent and shall be invested with all the powers and duties now exercised by them in the same manner and to the same effect as if such child had been committed to such board as a public charge.

If, however, at any time the chief executive officer of the institution shall certify to the commissioner that the condition of the mother or the prevailing conditions of the institution are inimical to the best interests of such child, and if after investigation the commissioner finds that such child would be benefited by removal from the institution and if it is without family or relatives able and willing to assume its support, the chief executive officer of such institution may thereupon institute a proceeding, or he may designate an agent to do so for him, and secure an order committing the child to the State Board of Child Welfare, as provided above.

Section amended.

7. Section 30:4–27 of the Revised Statutes is amended to read as follows:

Commitment, procedure.

30:4–27. A person alleged to be insane may be committed to and confined in any institution for the care and treatment of the insane in this State in an action brought by a person interested in the admission of the patient by reason of relationship or marriage, or by the person having the charge or care of such patient, or by the sheriff, or by the municipal or county director of welfare or person charged with the care and relief of the poor, or by any chief of police or police captain of any

municipality in this State where such patient may be, or by the chief executive officer of any correctional institution, or of any public or private charitable institution or hospital in which the patient may be, or by the Commissioner of Institutions and Agencies.

Section amended.

8. Section 30:4–28 of the Revised Statutes is amended to read as follows:

Forms of complaints and certificates of commitment furnished.

30:4–28. Forms of complaints and certificates for commitment to and confinement of any patient in any State, county or private institution for the care and treatment of the insane in this State must be furnished by the board of managers of such institution, by the board of chosen freeholders, or by the management of such private institution, as the case may be.

Section amended.

9. Section 30:4–29 of the Revised Statutes is amended to read as follows:

Physicians' certificate.

30:4–29. On the institution of the action for commitment to any such institution, there shall be submitted the certificate in writing of two physicians under oath. No physician is qualified to certify to the insanity of such patient for the purpose of securing his commitment to any such institution, unless the physician is a permanent resident of this State, of reputable character, duly licensed to practice medicine in this State, holds a degree of doctor of medicine or a license to practice medicine and surgery in this State issued pursuant to section 45:9–14.1 of the Revised Statutes and has been in the actual practice of medicine and surgery for at least five years.

However, where the action is brought on behalf of any person who has been granted an honorable discharge from the United States Army, Navy or Marine Corps, either or both of the two physicians executing such certificate must (a) have the qualifications set forth above or (b) be reputable physicians or surgeons holding the degree of doctor of medicine and either physicians or surgeons duly commissioned in the United States Army, Navy or Marine Corps or in the employ of the United States Veterans' Bureau.

10. Section 30:4–30 of the Revised Statutes is amended to read as follows: Section amended.

30:4–30. Every certificate shall set forth the date of the making of the personal examination of the subject of the action, which must be made in every case by the physician signing the certificate not more than ten days prior to the admission of such person to the institution, and in class A cases not more than ten days prior to the date of the commencement of the action. Each certificate shall set forth the facts and circumstances upon which the judgment of such physicians is based, and shall include a precise personal description sufficient to identify the patient, and the facts concerning hereditary taint and previous attacks if any, and shall set forth that the condition of the patient is such as to require care and treatment in an institution for the insane, and such other information as may be required to be furnished. Contents of certificate.

11. Section 30:4–31 of the Revised Statutes is amended to read as follows: Section amended.

30:4–31. A nonresident of this State may be confined in any institution for the care and treatment of the insane in this State in the same manner as residents may be admitted and committed, except that the physicians' certificates, required on the institution of the action for confinement to an institution, may be made by two physicians residents of the State from which such nonresident may be sent. The nonresident physicians must have all the qualifications required by the laws of the State from which such nonresident is sent to secure the commitment of patients resident in such State to any institution for the care and treatment of the insane located in such State. But the final hearing shall not be held unless certificates shall then be presented to the court by two resident physicians of this State, after personal examination of the nonresident person alleged to be insane, having the qualifications prescribed in, and upon compliance with all the other provisions of, this article. Confinement of nonresidents.

Section amended.

12. Section 30:4–34 of the Revised Statutes is amended to read as follows:

County adjuster, duties.

30:4–34. In each county where county counsel, county solicitor, county clerk, county physician or county probation officer, or any of their assistants is in charge and supervision of the preparation of papers relating to the commitment of the insane, such person shall be known as "county adjuster" and such duties shall continue to pertain to the office of such county counsel, county solicitor, county clerk, county physician or county probation officer or their successors in office. In all other counties the judge of the County Court, with the consent of the board of chosen freeholders, shall designate some county official or employee as county adjuster.

The county adjuster shall have charge and supervision of the preparation of papers relating to the commitment of the insane in such county, and in cases arising in other counties in which the legal settlement appears to be in his county. Classification under civil service rules shall not be affected by reason of such designation or additional duties, and additional compensation, if any, for such services may be fixed by the board of chosen freeholders and paid in the same manner as other county employees are paid. Each board of chosen freeholders shall notify the various institutions for the insane, of the name and address of the county adjuster.

Section amended.

13. Section 30:4–36 of the Revised Statutes is amended to read as follows:

Class "A."

30:4–36. The class designated "A" shall include all cases where the condition of the patient, in the judgment of the certifying physicians, is such that immediate temporary admission to an institution pending a judicial hearing and final order of commitment, is not necessary. In all cases the action shall be brought before the court of the county in which the patient resides or may be.

14. Section 30:4–37 of the Revised Statutes is amended to read as follows: Section amended.

30:4–37. The class designated "B" shall include all cases where the condition of the patient, in the judgment of the certifying physicians, is such that he should be placed under immediate restraint in an institution, and where an order of temporary commitment can be obtained prior to his admission into such institution. In all such cases a statement of such condition of the patient must appear in the certificates of the physicians certifying to the insanity of the patient. The plaintiff shall, before the patient is admitted to the institution, obtain an order of temporary commitment, instituting the inquiry, from any municipal court or court of record in the county in which such person resides or may be. The order of temporary commitment, complaint and certificates shall be filed with the chief executive officer of the institution before or at the time of the admission of the patient to such institution and shall be the warrant and authority for the admission and detention of the patient for a temporary period not exceeding twenty days from the date thereof. It shall be the duty of the chief executive officer forthwith after such application, certificates and order of temporary commitment shall have been received by him, to mail certified copies thereof under his hand and the seal of the institution to the county adjuster of the county from which the commitment of such patient is requested. It shall thereupon be the duty of the county adjuster to present forthwith such certified copies to the court of such county. Class "B."

15. Section 30:4–38 of the Revised Statutes is amended to read as follows: Section amended.

30:4–38. The class designated "C" shall include all cases where the condition of the patient, in the judgment of the certifying physicians, is such that the patient should be placed under immediate restraint and confinement in an institution, and where it is impossible to obtain an order of temporary commitment from a municipal court or court of Class "C."

record, in the county in which the patient resides or may be. A statement of such condition of the patient must appear in the certificates of the physicians. The plaintiff shall, on or before the admission of the patient to the institution, present the complaint and certificates to the chief executive officer of the institution, and such papers shall be the warrant and justification for the temporary detention of the patient at such institution. The chief executive officer shall thereupon make or cause to be made a copy of the papers so filed and shall certify them under his hand and the seal of the institution and forthwith mail such certified copies to the county adjuster of the county from which the patient shall have been admitted. It shall be the duty of the county adjuster upon receipt of the papers from the chief executive officer, to present the same to the court of the county and obtain an order of temporary commitment, which order shall approve the admission of the patient to the institution, and shall be the warrant and authority for the detention of the patient for a temporary period not exceeding twenty days from the date of his admission and it shall be the duty of the county adjuster to forward the order to the chief executive officer of the institution.

Section amended.

16. Section 30:4–39 of the Revised Statutes is amended to read as follows:

Sane patients discharged, notice to county adjuster, certificate of doubt.

30:4–39. When the chief executive officer at the time of admission to an institution of a class "B" or a class "C" patient or any time before final hearing, shall be satisfied that the patient is sane, he shall, in his discretion, discharge the patient forthwith, and at the same time mail to the county adjuster of the county whence the patient was admitted a certificate signed by him setting forth that the patient is sane, and has been discharged from the hospital to which he was presented for admission. If, however, at any time before final hearing, the medical director shall have reason to doubt the insanity of the patient, it shall be his duty to certify forthwith his reasons therefor to the chief ex-

ecutive officer, who shall forward the same to the county adjuster of the county from which the admission of such patient has been requested, and the county adjuster shall forthwith bring the certificate of doubt to the attention of the court for consideration at the final hearing.

17. Section 30:4–40 of the Revised Statutes is hereby repealed. Section repealed.

18. Section 30:4–41 of the Revised Statutes is amended to read as follows: Section amended.

30:4–41. In all cases where the patient is confined in an institution before the final hearing, the county adjuster shall serve or cause to be served personally upon the patient a written notice of the time and place of final hearing and shall give notice to the plaintiff and the patient's nearest relative. The chief executive officer shall afford the patient every opportunity to appear personally or by attorney at the hearing, and assist him in communicating with his friends, relatives or attorney. If the chief executive officer of any institution for the insane shall certify that in his opinion it would be prejudicial to the health of the patient, or unsafe to produce the patient at the inquiry, then such patient shall not be required to be produced. Notice of final hearing, service.

19. Section 30:4–42 of the Revised Statutes is amended to read as follows: Section amended.

30:4–42. The court shall hear and determine the matter in a summary way without a jury, or it may, in its discretion, call a jury to determine the question of sanity. A continuance of the final hearing, when endorsed on the complaint, or certified copy thereof, shall be sufficient warrant and authority for the detention of the patient for such period. The aggregate period of continuances shall not exceed three months from the date originally fixed for final hearing. The county adjuster in all class "B" and class "C" cases shall forthwith notify the chief executive officer of the institution in which the patient is confined, of a continuance. The court shall also have power to order the taking and transcribing of the testimony adduced at the hearing, Hearing, procedure.

the expense of which shall be paid by the board of chosen freeholders of the county in the same manner as other court expenses are paid. If the court refers the matter of the examination of witnesses to the county adjuster, the county adjuster is hereby authorized and empowered to administer oaths for this purpose. Additional compensation for the examination of witnesses by the county adjuster may be fixed by the court, subject to the approval of the board of chosen freeholders, and paid to the county adjuster in the same manner as compensation is paid to other county employees.

Section amended.

20. Section 30:4–44 of the Revised Statutes is amended to read as follows:

Inquiry as to sanity.

30:4–44. The court shall first inquire as to the sanity of the patient. If the patient shall be found to be sane, the court shall direct his discharge forthwith. If the patient shall be found to be insane, the court shall then inquire as to his indigence and legal settlement.

Section amended.

21. Section 30:4–45 of the Revised Statutes is amended to read as follows:

Insane and indigent but of another county.

30:4–45. If on final hearing the court shall determine that the patient is insane and indigent, and appears to have a legal settlement in a county other than that in which the final hearing shall be held, it shall adjourn the inquiry for two weeks, and shall cause notice to be given to the board of chosen freeholders of the county in which the patient appears to have a legal settlement. The notice shall be mailed to the county adjuster of the county or to the clerk of the board if no county adjuster shall have been designated in such county, at least one week before the date of the adjourned inquiry. The final hearing shall not be had nor final determination made in the case of such patient except upon proof being made that notice has been mailed as herein required.

Section amended.

22. Section 30:4–46 of the Revised Statutes is amended to read as follows:

Voluntary application for admission for treatment.

30:4–46. A person resident of the State believing himself about to become insane or in danger of

losing his reason, and being desirous of obtaining treatment for the betterment of his mental condition, may be admitted to any public institution for the care and treatment of the insane by filing with the chief executive officer, at or before his admission, an application in writing to be approved and furnished by the board of managers or the board of chosen freeholders, as the case may be, setting forth his name, place of residence for ten years preceding the application, and a full statement of his financial ability to support himself or the financial ability of the person or persons chargeable by law with his support, together with such other information as may be required on the approved forms. The chief executive officer shall forward forthwith a certified copy of the application to the county adjuster of the county from which the patient is admitted, who shall investigate the matter of legal settlement and indigence of the patient, and the persons chargeable with his support, and report the facts to the court in a proceeding therein. The court shall make a finding as to legal settlement and financial ability of the patient or the person chargeable with his support and may direct the payment of the whole or any part of the expense of care and maintenance of such patient as in the case of involuntary commitments. Such finding and direction shall be filed in the same manner as final judgments of commitment are filed.

Section amended.

23. Section 30:4–56 of the Revised Statutes is amended to read as follows:

Judgment of commitment, contents.

30:4–56. The final judgment of commitment shall contain a determination of the patient's legal settlement and shall provide for the payment of the expense of the care and treatment of the patient. The judgment, together with the complaint or a certified copy thereof, shall be filed in the office of the clerk of the county, who shall forward within ten days after receipt of same a certified copy of the judgment, and in all class "A" and class "E" cases a certified copy of the complaint on which the judgment is founded, to the chief executive officer

of the institution to which the patient is committed. At the time of making the final judgment, the court shall further tax a filing fee of one dollar ($1.00) to be paid to the clerk for the use of the county in each case, which fee shall be paid in all nonindigent cases by the person made chargeable in the judgment, and in all indigent cases by the county in which the action is had unless the indigent person is chargeable to another county in which case such other county shall be liable for the fee.

Section amended.

24. Section 30:4–57 of the Revised Statutes is amended to read as follows:

No legal settlement in any county.

30:4–57. If the patient shall be found to be insane and indigent, and to have no legal settlement in any county in this State, the court may commit him to an institution owned by the State.

Section amended.

25. Section 30:4–58 of the Revised Statutes is amended to read as follows:

Patient having legal settlement, commitment.

30:4–58. If the patient shall be found to be insane and indigent and to have a legal settlement in the county from which his admission was requested, the court shall by order commit him as an indigent patient to the institution owned by the county, or to an institution owned by the State.

Section amended.

26. Section 30:4–59 of the Revised Statutes is amended to read as follows:

Order of commitment to another county.

30:4–59. If the court shall find that the patient is indigent and has a legal settlement in another county as set forth in section 30:4–45 of this Title, it shall by order commit him, as an indigent patient, to an institution of such other county. If there be no such institution owned by such county, the court shall commit him as an indigent patient to an institution owned by the State. Any indigent patient may be committed or transferred by the court to any public institution for the insane owned by the State upon consent of the county chargeable with his support.

Section amended.

27. Section 30:4–60 of the Revised Statutes is amended to read as follows:

Payments by patients, determining amounts.

30:4–60. If the court shall determine that the patient is insane and has sufficient estate to pay for

his full maintenance as fixed by the board of managers or board of chosen freeholders, as the case may be, or if the person or persons legally liable for his support, as herein provided, are able to pay for his maintenance, fixed as aforesaid, the court, after determining the legal settlement of such patient may, in its discretion, commit such patient to any State or county institution for the care and treatment of the insane in this State. In the final judgment of commitment it shall direct that the care and maintenance of such patient in the institution designated in the judgment shall be paid out of the estate of the patient or by the person chargeable by law with his support, or by contract, as the case may be, and the judgment shall specify the per capita cost of maintenance as fixed from time to time by such institution, which shall be paid thereunder, and shall, in the discretion of the court, contain such direction as may seem proper concerning security to be given for such payment.

If a patient on final hearing is found unable to pay the minimum rate fixed at such institution for nonindigent patients, but such patient or his or her wife, husband, parents, grandparents, children or grandchildren, or any of them, is or are able to pay a part of the rate fixed for the maintenance of such patient, the court shall direct that such patient be committed to the institution as an indigent patient chargeable to the county or to the State, as provided in this article, and on reasonable notice to the persons to be charged, may further direct that such patient or his or her wife or husband, parents, grandparents, children or grandchildren, or any of them, pay monthly in advance to the chief executive officer of the institution in which such patient is confined in the case of State indigent patients, for the use of such institution, or to the county treasurer of the county chargeable in the case of county indigent patients, such part of the cost of the maintenance of such patient as to the court may seem just. If such county treasurer shall actually receive from such indigent patient, or his

or her chargeable relatives, as aforesaid any money in excess of that paid by the county in support of such patient, he shall pay such excess to the chief executive officer of the institution in which such patient is confined, for the use of such institution.

Section amended.

28. Section 30:4–61 of the Revised Statutes is amended to read as follows:

Costs and expenses, class "A" or "C."

30:4–61. In all class "A" or class "C" cases the court making the final or temporary judgment or order of commitment, as the case may be, may in its discretion direct that the costs and expenses of transportation of the patient to the institution shall be borne by the plaintiff or by the county from which the patient was committed, as the circumstances of the case may warrant. Boards of chosen freeholders may contract for such transportation from time to time.

Section amended.

29. Section 30:4–62 of the Revised Statutes is amended to read as follows:

Class "B" costs and expenses.

30:4–62. In all class "B" cases any court which shall sign the order of temporary commitment, in all counties where the transportation of indigent patients is not otherwise provided for, is authorized, in its discretion in indigent cases, to issue an order directing the director of welfare, or person charged with the care and relief of the poor in the municipality in which the patient resides or may be, to take and convey such patient to the institution designated in the order of temporary commitment, in which case the cost and expense of transportation shall be borne by such municipality.

Section amended.

30. Section 30:4–63 of the Revised Statutes is amended to read as follows:

Nonindigent patients.

30:4–63. The court may, after final hearing, commit any nonindigent patient to any State or county institution irrespective of the patient's legal settlement where provision is made for his care and maintenance, in an amount approved by the board of managers of the State institution or by the board of chosen freeholders, as the case may be. The patient may remain as a nonindigent patient in such institution as long as such sum shall be regu-

larly paid out of the estate of such patient, or by the person or persons chargeable by law with his care and maintenance, or under contract.

Section amended.

31. Section 30:4–65 of the Revised Statutes is amended to read as follows:

Guardian of estate, bond, discharge.

30:4–65. Where, on final hearing, it appears that the patient is possessed of real or personal property and no arrangements have been made for the payment of his maintenance, and no action has been instituted for the appointment of a guardian of his estate, an action may be brought in the County Court of the county in which the proceeding for commitment is brought, and such court shall have power to appoint some competent person, resident of this State, guardian of the estate during such commitment.

A guardian so appointed shall conserve the estate for the purpose of maintaining the patient in the institution in which he may be lawfully confined, and is authorized to pay such maintenance under the direction of the County Court. He shall furnish a bond as guardian in double the amount of the estate, conditioned for the faithful performance of his duties as guardian. If the chief executive officer of the institution, or the county treasurer of the county in which the institution is located, is appointed guardian, he shall not be required to furnish bond and the County Court is authorized to make necessary directions for payment for maintenance. The guardian shall be discharged after accounting, without advertising, upon the death or discharge of the patient from confinement.

Section amended.

32. Section 30:4–66 of the Revised Statutes is amended to read as follows:

Those liable for patient's support.

30:4–66. Every patient supported in a State charitable institution shall be personally liable for his maintenance and for all necessary expenses incurred by the institution in his behalf and the husband, father and grandfather, mother and grandmother, and the children and grandchildren, severally and respectively, being of sufficient ability, and the wife, if she is in sufficiently com-

fortable circumstances, of every patient so confined, whose estate is not sufficient for his support, shall support, and maintain the patient in the institution in such manner and to such an amount as the court shall direct. All husbands living separate and apart from their wives so confined, and all parents of illegitimate children so confined shall also be personally liable for such expense.

Section amended.

33. Section 30:4–70 of the Revised Statutes is amended to read as follows:

Collection of arrearages in patient's maintenance.

30:4–70. When any patient shall be committed to any State or county institution as an indigent patient, and it shall subsequently appear that such patient, or some person chargeable with his care and maintenance as provided for in this article, is able to pay all or any part of his care and maintenance, including arrearages, the Attorney-General or the county counsel, as the case may be, shall, as soon as he shall obtain such information, apply to the court for the reopening of the matter, and such court shall have the power at any time, in its discretion, to reopen the case, take additional testimony and inquire into the facts, and may commit such patient as a nonindigent patient if there shall be sufficient moneys to pay his full maintenance, as fixed by the management of the institution, and make such further order requiring the estate of such patient or the person or persons so chargeable by law to pay such amount for the care and maintenance of such patient as shall be specified in such order, and shall make such further order as may be necessary.

Section amended.

34. Section 30:4–71 of the Revised Statutes is amended to read as follows:

Change of status of patient.

30:4–71. When any patient shall be committed to any State or county institution as a nonindigent patient and an order has been made directing the payment of the cost of the care and maintenance of such patient out of his estate, or by the person or persons chargeable by law with his care and maintenance, and such estate shall subsequently become exhausted or such person or persons

chargeable as aforesaid shall become unable to continue such payments, or if such payments so due cannot be collected by the management of the institution, the guardian of such patient, or the person or persons chargeable as aforesaid, or the chief executive officer of such institution may apply to the court for the reopening of the matter, and such court shall have power, in its discretion, upon notice to the proper parties, to inquire into the facts, if necessary, and change the status of such patient to the indigent class, and make such further order of direction as may be necessary.

When any patient shall have been or shall be committed to any State or county institution on an order directing the payment of part of the cost of the care and maintenance of such patient out of his estate or by the person or persons chargeable by law with his care and maintenance, it shall be lawful for the court, upon application of the management of the institution or the Attorney-General or county counsel, as the case may be, upon notice to the representative of the estate or to the person or persons chargeable by law with his care and maintenance, upon proof of the ability of the estate of such patient or such person or persons legally liable, to pay the whole or a greater portion of the cost of such care and maintenance, not exceeding the per capita cost of maintenance in such institution, to enter an order directing that such new rate be paid by such estate or by such person or persons chargeable by law with the care and maintenance of such patient.

Section amended.

35. Section 30:4–73 of the Revised Statutes is amended to read as follows:

County's liability.

30:4–73. The county from which any patient is committed shall be chargeable with the cost of the care and maintenance of any such patient committed to a State institution until the court shall find as a fact and the final judgment of commitment shall set forth whether the patient is indigent and has a legal settlement in the county or has such legal settlement but is found nonindigent. If the

patient has no such legal settlement in the county then said county shall receive a credit adjustment to reimburse it for any such charges made against it for any such patient. If the judgment is made by the court of another county, certified copies of the same shall be filed with the clerk of the county charged and the county adjuster of that county. If it shall appear that the patient has a legal settlement in some other county then the cost of clothing and maintenance of any indigent patient which may have accrued prior to the determination of legal settlement in any county shall be paid by the county in which the settlement is determined to be. When a patient is admitted to an institution and dies or is removed therefrom for any cause before final hearing, the court having jurisdiction is authorized to make a judicial finding as to his admission, legal settlement and indigence for the purpose of providing for payment of maintenance and clothing during the patient's confinement.

Section amended.

36. Section three of chapter two hundred thirty-nine of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 30:4-80.3. Filing of lien, force and effect.

3. The lien shall be filed with the clerk of the county or register of deeds and mortgages, as the case may be, and shall immediately attach to and become binding upon all real property in the ownership of the patient in the county wherein said lien is filed and shall have the force and effect of a money judgment of a County Court.

If it is believed that the patient is the owner of real property within the State, but the exact location of same is not known, then said liens may be filed with the Clerk of the Superior Court and shall become binding upon all real property of the patient wherever situate within the State.

Section amended.

37. Section five of chapter two hundred thirty-nine of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 30:4-80.5. Books for indexing, recording, no fee.

5. The clerk of the county or register of deeds and mortgages, or Clerk of the Superior Court, as the case may be, shall provide suitable books in

which he shall enter the liens filed hereunder properly indexed in the name of the patient against whom the lien is claimed.

All liens and other papers incidental thereto required hereunder shall be received and recorded by the clerk of the county, register of deeds and mortgages, or Clerk of the Superior Court, as the case may be, without payment of fees by the institution claiming the lien.

Section amended.

38. Section six of chapter two hundred thirty-nine of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 30:4-80.6. Discharge of lien, compromise.

6. To discharge any lien or liens filed hereunder, the chief executive officer of the institution claiming the lien or his duly constituted agent shall file with the clerk of the county, register of deeds and mortgages or Clerk of the Superior Court, as the case may be, a duly acknowledged certificate setting forth the fact that the institution desires to discharge the lien of record.

The board of managers or board of freeholders, or a proper committee thereof, as the case may be, is hereby authorized to compromise for settlement any lien filed under the provisions of this act for the maintenance of any patient. A memorandum of the compromise and settlement shall be entered in the official minutes of the board or committee and shall be sufficient authorization for a complete discharge of the lien.

Section amended.

39. Section two of chapter three hundred six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 30:4-80.7. Review of validity of lien, deposit of cash.

2. Any person affected in any manner, whether directly or indirectly, by any lien filed hereunder, and desiring to examine into the validity thereof or the facts and circumstances surrounding the entry thereof, may do so in an action brought in the court wherein the judgment of commitment of the patient was made. In the case of a voluntary patient, an action may be brought in the County Court of the county wherein such voluntary patient last resided. The action shall be brought against

the institution claiming the lien, and the court may proceed in the action in a summary manner or otherwise and enter such judgment as it may deem appropriate.

Any person desiring to secure immediate discharge of any lien may deposit with the court cash in sufficient amount to cover the amount of the lien or post a bond in an amount and with sureties to be approved by said court. Upon proper notice of this fact being given to the institution claiming the lien, a satisfaction of said lien shall be filed forthwith with the county clerk or register of deeds and mortgages as the case may be.

Section amended.

40. Section 30:4–82 of the Revised Statutes is amended to read as follows:

Transfer of patients, procedure.

30:4–82. If any person in confinement under commitment, indictment or sentence, or under any process, shall appear to be insane, epileptic, imbecile or feeble-minded, the County Court of the county in which such person is confined, or the Superior Court, may, in an action like an action for commitment, determine the mental or physical condition and legal settlement of such person. Pending the action such person may be temporarily confined in an appropriate public institution in this State, upon an order of the court.

If the court shall determine that said person is insane, epileptic, imbecile or feeble-minded, it shall direct that such person be removed from imprisonment, and that he be confined in one of the institutions for the care and treatment of such persons owned by this State, or if it shall deem it advisable, in an institution for the care and treatment of such persons owned by one of the counties of this State, until such person is cured or removed or discharged according to law. The court shall also make a determination of such person's condition, and if it shall find that such person has no legal settlement in any county in this State, he shall be maintained in such institution at the expense of the State, and if he has a legal settlement in any county in this State he shall be maintained by such county. The

judgment shall be filed with the clerk of the county, and such clerk shall forthwith forward a certified copy of it to the sheriff or chief executive officer of the institution from which such person is to be discharged, and to the chief executive officer of the institution in which such person has been ordered confined. The court may, in its discretion, order the removal of such person so confined as aforesaid from the institution in which he is confined, and may order his confinement in another one of the institutions in this State. Such order shall be filed with the clerk of the county from which such person was originally committed, and such clerk shall forthwith forward a certified copy of the order to the chief executive officer of the institution from which such person is to be removed, and likewise to the chief executive officer of the institution in which such person is to be confined.

When, however, such person is in a condition to be discharged from the institution to which he has been removed, as cured, upon that fact being certified by the chief executive officer to the court such person shall be remanded by order of the court to the place in which he was confined under commitment, indictment or sentence, or other process as aforesaid, there to be dealt with according to law, unless the maximum period of detention fixed by sentence or operation of law, shall meanwhile have expired, in which case such inmate shall be discharged from custody when cured. This certificate, together with the order of the court, shall be filed with the clerk of the county, and such clerk shall forthwith forward a certified copy of such order to the chief executive officer of the institution from which such person is remanded.

Section amended.

41. Section 30:4–127 of the Revised Statutes is amended to read as follows:

Order of visitation.

30:4–127. An assignment judge of the Superior Court may grant, on a written application to him of a majority of the board of managers of the State Charities Aid Association of New Jersey, to such person as may be named in such application an

order enabling such person to visit, inspect and examine, in behalf of such association, any of the county, town, township or city poorhouses, prisons, jails, penitentiaries, reformatories, and lunatic or orphan asylums, located within any of the counties of which he is the assignment judge. Every such order shall specify the institutions to be visited, inspected and examined, and the name of the person by whom the visitation, inspection and examination are to be made, and shall be in force for one year from the date on which it shall have been granted, unless sooner revoked.

Section amended.

42. Section 30:4–128 of the Revised Statutes is amended to read as follows:

Keepers to permit investigation.

30:4–128. All persons in charge of an institution named in an order issued under section 30:4–127 of this Title shall admit the persons named in the order into every part of the institution and render to them every available facility to enable them to make a thorough visit, inspection and examination, which are hereby declared to be for a public purpose, and to be made with a view to public benefit.

Obedience to the order shall be enforced as orders of the Superior Court are enforced. The association shall annually make report to the Legislature.

Section amended.

43. Section 30:4–131 of the Revised Statutes is amended to read as follows:

Contempt.

30:4–131. A person refusing or failing to obey a summons issued pursuant to section 30:4–129 of this Title may, if application be made to the County Court of the county in which the hearing is to be held, be brought before such court and after summary hearing may in the discretion of the court be held in contempt of court for refusal or willful neglect to obey the summons. Such contempt may be purged on such terms as the court may impose.

Section amended.

44. Section 30:4–138 of the Revised Statutes is amended to read as follows:

Executive of prison, powers.

30:4–138. The principal keeper shall be the chief executive and administrative officer of the board of managers in charge of the State Prison. If at

any time there shall fail to be a board of managers, its powers and duties shall be exercised by the chief executive officer, except that in such case the State Parole Board shall be the sole power authorized to issue and revoke paroles.

45. Section 30:4–157.3 of the Revised Statutes is amended to read as follows: Section amended.

30:4–157.3. Any parent or guardian may make complaint to the juvenile and domestic relations court that any boy under the age of sixteen years, the son or ward of complainant, is habitually truant or habitually vagrant or disorderly or incorrigible. The court shall thereupon issue a warrant to the sheriff, constable or police officer to cause the boy to be brought before it at such time and place as it may appoint when and where it shall examine the parties, and if, in its judgment, the complaint is well founded and the boy is a fit subject for the State Home for Boys, it shall issue a warrant, with the consent of the parent or guardian indorsed thereon, to be executed by the sheriff, a constable or police officer committing the boy to the home. Complaint of truancy, etc., commitment, expenses.

Security for the payment of the expenses of the hearing upon complaint and commitment, the expenses of the transfer of the boy to the home and the expenses of his board and maintenance at the home may, in the discretion of the court, be required of the parent or guardian in cases arising under this section or section 30:4–157.1 of this Title.

46. Section 30:4–157.4 of the Revised Statutes is amended to read as follows: Section amended.

30:4–157.4. Whenever a boy or girl shall be committed to the home under the provisions of section 30:4–157.1, 30:4–157.3 or 30:4–157.9 of this Title, it shall be the duty of the court, at the time of the examination, to make inquiry as to the ability of the parent or guardian to pay the expenses of the commitment proceedings and the board of the boy or girl, and it shall indorse on the warrant of commitment a statement of its finding in that regard. Expenses of commitment and board.

Payment by the parent or guardian of these costs shall be made to the probation officer or county adjuster, whichever the court shall designate; *provided, however,* that upon collection thereof the costs of the commitment proceedings shall be paid to the county treasurer, and any amount received representing maintenance shall be forwarded to the institution wherein the inmate is confined. In the event of failure of the parent or guardian to pay the amount ordered by the court then the probation officer or county adjuster, as the case may be, shall bring the matter before the court for such further order as shall appear proper therein to compel payment.

Proviso.

Section amended.

47. Section 30:4–157.5 of the Revised Statutes is amended to read as follows:

Fees allowable.

30:4–157.5. For making copies of a complaint and commitment under sections 30:4–157.1 to 30:4–157.3 of this Title, the court or the clerk thereof shall be entitled to the same fees as are allowed by law for the original complaint and commitment.

The fee for serving process shall be the same and shall be paid in the same manner as for like services in criminal cases.

The sheriff, constable or officer executing a warrant of commitment shall be entitled to a fee of five dollars ($5.00) besides the necessary traveling expenses for himself and the boy.

Other fees shall be the same as are allowed for similar services in the County Court, and all such fees shall be paid as other fees are paid in criminal causes.

Section amended.

48. Section four of chapter one hundred eighteen of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 30:4A-4. Use of center by other agencies, persons admitted.

4. Any county court or juvenile and domestic relations court or any agency of the State, or of any county or municipal government, desiring to utilize the services of the diagnostic center prior to the disposition of the case of any individual, may do so upon application as herein provided.

Any person requiring diagnostic services, whether male, female, adult or minor, may be admitted to the center under the terms of this act.

Section amended.

49. Section seven of chapter one hundred eighteen of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 30:4A-7. Admission of unconfined persons, procedure.

7. If the person for whom the diagnosis is sought by any county or juvenile and domestic relations court or agency of the State, or of a county or municipal government, desiring to utilize the services of the diagnostic center is not under confinement or process of any nature whatsoever, then admission to the diagnostic center shall be secured upon application to the County Court or the juvenile and domestic relations court if over eighteen years of age and to the juvenile and domestic relations court if under eighteen years of age, upon forms to be provided by the Department of Institutions and Agencies. The county adjuster shall be the official in the county charged with the responsibility of assisting with processing of such applications and shall perform functions similar to those set forth in Title 30, Revised Statutes. In connection with each such application, the court shall order a hearing to be held, which may be in camera at the discretion of the court. At least ten days' notice of the time, date and place of such hearing shall be served upon the person, and if he be a minor or incompetent, upon the parent, guardian, person standing in loco parentis or person having custody and control of such minor or incompetent. At such hearing, the court shall determine whether the services of the diagnostic center shall be made available to the said person and may order the confinement of such person in the center for a period not to exceed ninety days and shall cause a copy of said order of confinement to accompany the said person to the center.

Section amended.

50. Section 30:6–3 of the Revised Statutes is amended to read as follows:

Persons eligible for relief, requirements, procedure.

30:6–3. Any person of either sex, above the age of eighteen years, who by reason of blindness is unable to earn sufficient money to provide for the necessities of life, and who has no relatives or other person able to provide and legally responsible for his maintenance, excepting that grandchildren even if able to provide shall not be legally responsible for his maintenance, and who, if not relieved, would lack adequate support, is a proper person to make application to the welfare board of the county wherein he resides for the relief granted by this article.

Any person making application under the terms of this article shall first have been a resident of this State continuously for one year immediately prior to the making of such application.

Whenever anyone deemed a proper person to make application for relief as provided for in this article shall make application to the welfare board, the welfare board shall fully investigate and establish the facts as set forth in the petition and as outlined above, as well as other facts it deems necessary, including the county of the State in which the applicant has last resided continuously for one year. Upon completion of its investigation the welfare board shall then present a recommendation, together with a copy of the application and record of its investigation, to the commission for relief for the person named in order that the commission may ameliorate the condition of the blind person named, in the manner set forth in this article; but the sum asked for or granted shall be sufficient when added to all other income and support of the individual to provide such person with a reasonable subsistence compatible with decency and health.

In determining need, the commission shall take into consideration all income and resources of the individual claiming relief, except that, in making such determination, the commission shall disregard

the first fifty dollars ($50.00) per month of earned income.

The welfare board may in its discretion order the petitioner to appear before it or its representatives appointed to act with the commission in establishing the facts set forth in the petition, or may make such further investigation as it deems necessary. Whenever the facts set forth in the petition shall have been fully established, the welfare board shall recommend relief in the amount provided by law.

The commission shall supervise the administration by the counties of the relief made available hereunder, and shall establish and enforce such rules and regulations as may appear necessary or desirable to carry out the provisions of this act. All such rules and regulations shall be binding upon the county departments.

The commission shall further establish and enforce reasonable rules and regulations governing the custody, use and preservation of the records, papers, files and communications of the department. The use of such records, papers, files and communications by any other agency or department of government to which they may be furnished shall be limited to the purpose for which they are furnished and by the provisions of the law under which they may be furnished. The commission shall have power to enter into reciprocal agreements with appropriate public agencies in other States whereby blind assistance benefits may be extended to New Jersey residents living in other States or to residents of other States living in New Jersey on a reciprocal basis, and shall have the power to waive the eligibility requirement of residence for any individual coming within the purview of any such reciprocal agreement.

All relief granted under this article is granted with the understanding that the amount is to be available only for the use of the commission, which shall expend it only on behalf of the person named in the petition and for whom the relief is granted.

Any applicant or recipient whose claim with respect to blind assistance is denied or is not acted upon with reasonable promptness by the commission or the county welfare board, may appeal to the State board or to its designated representative in the manner prescribed by the State board, and shall be afforded reasonable notice and opportunity for a fair hearing by the State board. All decisions of the State board shall be final and shall be binding upon and shall be complied with by the county welfare board.

Nothing contained herein shall be construed to affect the right of any applicant to secure relief through a proceeding in lieu of prerogative writ.

Section amended.

51. Section 30:6A–2 of the Revised Statutes is amended to read as follows:

Admission to Home for Disabled Soldiers.

30:6A–2. A person may be admitted as an inmate to the New Jersey Home for Disabled Soldiers on the certificate of a judge of the County Court upon proof made to his satisfaction by the written certificate of a reputable physician and such other proof as he may require that the applicant has been a soldier, sailor or marine in the army or navy of the United States, has been honorably discharged therefrom, is necessitous and has not the ability to procure the means sufficient for his comfortable support and necessary care and attendance.

Section amended.

52. Section 30:8–18 of the Revised Statutes is amended to read as follows:

Custody of jails in certain counties.

30:8–18. In every county of the second class or fifth class having a population of more than two hundred thousand inhabitants, the sheriff shall have the custody, keeping and charge of the county jail or jails within such county, and of all prisoners in such jail or jails.

The sheriff of any such county shall have power to appoint and employ, with the approval of the board of chosen freeholders in such county, in and for the jail or jails under his jurisdiction and control, such assistants, to be known as jailkeepers, as may be reasonably necessary for the proper maintenance and protection of such jail or jails

and the custody and keeping of the prisoners therein confined.

All employees of the sheriff of any such county who, on July fourth, one thousand nine hundred and twenty-seven, shall be engaged in the keeping of such jail or jails as jailers, keepers, jail guards or by any other title, shall retain their positions under the title of jailkeepers, and they shall have all the rights previously possessed by them and shall be given full credit for all previous services rendered in the keeping of such jail, irrespective of the title under which such services may have been rendered, as if the same had been rendered as a jailkeeper under this section.

Such jailkeepers shall be under the control of the sheriff of the county, and shall carry out his orders and instructions, and shall possess in addition to the powers and duties herein conferred upon them, the same power and authority as constables now have, and shall receive and be paid the same compensation as may now or hereafter be paid to court attendants engaged in attending the County Court of such county.

This section shall not apply to any county, the sheriff of which has or may turn over to the board of chosen freeholders of such county in the manner provided by section 30:8–24 of this Title, the custody, keeping and charge of the jail or jails within such county.

Section amended.

53. Section 30:8–28 of the Revised Statutes is amended to read as follows:

Parole, conditions, violations.

30:8–28. The County Court of any county may, in its discretion, upon recommendation of the sheriff, grant a parole in the custody of the county probation officer or any other fit person whom the court may designate, to any prisoner under sentence to confinement in the county jail, upon terms to be fixed by the court, and the earnings of such prisoner while on parole shall be paid by the employer to the designated parole agent to be disbursed by him for the benefit of such prisoner or such person or persons as may be legally dependent on such

prisoner for support as the court in granting the parole may direct. The county probation officer or parole agent may at any time return such paroled prisoner to the county jail for breach of the conditions of the parole and the sheriff or keeper of the jail shall receive the prisoner on certificate of such probation officer or parole agent stating the breach of conditions, whereupon the return and the reason therefor shall be immediately reported to the court. In no case shall the term of parole exceed the term for which the prisoner was sentenced.

Section amended.

54. Section 30:8–33 of the Revised Statutes is amended to read as follows:

Prisoners who may be sent to workhouse, procedure.

30:8–33. In each county having a workhouse every person sentenced to imprisonment at hard labor for not more than six months shall be delivered by the sheriff or other proper officer of the county in which the conviction was had to the master of the workhouse, together with a copy of the sentence of the court, certified under the hand and seal of the clerk of the court or if there be no clerk, then under the hand and seal of the magistrate or judge imposing the sentence, and shall be there received and safely kept to hard labor, agreeably to such sentence, by the master of the workhouse for the term of his sentence and for such further time as the costs of prosecution and fine, if any, shall remain unpaid, unless the prisoner be sooner discharged in due course of law.

This section shall not apply to an offender whose sentence shall be imprisonment or the payment of a fine, or imprisonment and the payment of a fine, without the addition of hard labor in either case.

Section amended.

55. Section 30:8–43 of the Revised Statutes is amended to read as follows:

Wages of prisoners, disposition.

30:8–43. When a prisoner has a wife, child or children or others legally dependent upon him, or her, for support, the earnings of such prisoner shall be disbursed through the county probation office to such dependents, or to the society or institution having the care or custody of such dependents, or any of them, as the court may direct, and

the order of the court relative to payments of such earnings may be modified at any time thereafter as the court may determine, but the court may order that the fines and costs may be first charged against and deducted from the earnings of such prisoner. The board of chosen freeholders shall make rules and regulations relative to the disposition of the earnings of all prisoners, and may designate an officer or employee of the county as the disbursing agent of such funds.

When the earnings of any such prisoner have been unclaimed for a period of one year after the discharge of any such prisoner from imprisonment, the county probation officer shall pay to the county treasurer of the county such unclaimed sums of money, for the use of the county; *provided, however,* that at any time within two years after such moneys have been turned over to the use of the county, any person or persons claiming to own the said money, in addition to any other remedy now provided by law, may make application, upon giving ten days' prior notice thereof to the county treasurer, to the County Court for an order declaring such moneys to be the property of such person or persons, and ordering the same to be returned to such person or persons by the county treasurer. Upon proof that such person or persons are entitled to said moneys, the court shall issue an order directing the county treasurer to pay such moneys over to such person, which order and payment shall be a valid and sufficient release and discharge of the county treasurer.

Proviso.

56. Section 30:9–2 of the Revised Statutes is amended to read as follows:

Section amended.

30:9–2. The erection of a county lunatic asylum shall be under the direct supervision of a competent architect who shall be appointed by the assignment judge of the Superior Court of the county. He shall prepare or approve the plans, specifications and contracts; certify to the correctness of all payments or approve them in writing before they shall be made; report in writing to the said judge and board

Appointment of architect, duties, compensation.

of chosen freeholders from time to time the progress of the work; report in writing whenever the judge or board may require it, the condition of the work or any portion thereof. The board may direct the attention of the judge to any part of the work of which complaint may be made.

The architect's compensation shall be fixed by the judge and paid by the board from time to time as the judge shall direct. He may be removed and a successor appointed at the pleasure of such assignment judge.

Section amended.

57. Section 30:9–10 of the Revised Statutes is amended to read as follows:

Disagreement as to maintenance costs, procedure.

30:9–10. In the event of a single board erecting such hospital and the two boards cannot agree as to the sum to be paid for the maintenance of such patients, as aforesaid, by the board which does not join in the work of building, either board may bring a civil action in the Superior Court against the other board. The court may proceed in the action in a summary manner or otherwise and may fix and determine the sum to be paid per week per patient by such board, as aforesaid.

Section amended.

58. Section nine of chapter thirty-four of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 30:9-12.9. Investigation of patient.

9. The board of managers shall designate an officer or employee of the institution who shall be charged with the duty, upon the admission of a patient, of investigating the patient's circumstances and his ability to pay. If upon such investigation it appears that the patient or legally responsible relatives are able to pay for his care and maintenance, an order shall be made by such officer or employee that payment shall be made to the custodian of funds, of a specified charge in proportion to the financial ability of the patient or such relative. Such designated officer or employee shall have the same power to collect the charge specified from the estate of the patient or his relatives as is possessed by an overseer of the poor or director of welfare in like circumstances, including,

but not limited to the right to create a lien against the real estate of such patient or his relatives. If the investigation shall disclose that the patient or his relatives are unable to pay, the cost shall become a charge upon the county. Should there be a dispute as to ability to pay or doubt in the mind of such officer or employee, the County Court may hear the matter and make such order as is deemed to be proper.

Section amended.

59. Section 30:9–14 of the Revised Statutes is amended to read as follows:

Board of managers.

30:9–14. The governing body of any municipality establishing and maintaining a hospital or hospitals under authority of section 30:9–13 of this Title shall have power to appoint a board to manage and operate its hospitals established pursuant to section 30:9–13 of this Title. The board shall consist of not less than five nor more than twelve persons citizens and residents of the municipality who shall serve without compensation. The chief executive of the municipality and the officer having charge of its finances shall be ex-officio members of the board.

The board or its members shall incur no expense or obligation in excess of the amount appropriated by the governing body for expenditure by them and of hospital funds subject to their disposition.

The governing body shall define by ordinance the powers and duties of the board and may remove a member for cause after public hearing which removal shall be in accordance with the civil service and tenure of office laws in municipalities operating under such laws. Such removal shall be reviewable in the Superior Court by a proceeding in lieu of prerogative writ.

Section amended.

60. Section four of chapter fifty-two of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 30:9-23.4. Clerical assistants, compensation, removal.

4. Notwithstanding anything to the contrary in any of the statutes or any provisions thereof, a medical director appointed hereunder may appoint clerical assistants, such as a secretary, stenographers and clerks, as he may deem necessary in

order to carry out his duties properly as medical director, at a compensation to be jointly agreed upon between the county and the municipality and the salaries shall be equally borne and assumed by said county and municipality. The medical director shall also have the power to suspend, try, dismiss or remove any subordinate or employee who comes under his supervision after charges have been filed by him or his assistants, in writing. All such subordinates or employees may be removed only after public hearing and provided the action is taken in accordance with the civil service and tenure of office acts and such action shall be subject to review in the Superior Court by a proceeding in lieu of prerogative writ.

Section amended.

61. Section 30:9–53 of the Revised Statutes is amended to read as follows:

Executive officer, duties.

30:9–53. The superintendent shall be chief executive officer of the hospital and, subject to the rules and regulations, and to the powers of the board of managers, board of chosen freeholders or committee, as the case may be, shall have general supervision and control of the records, accounts and buildings of the hospital, and its internal affairs, and maintain discipline, and enforce all rules and regulations; shall make such further rules, regulations and orders as he may deem necessary, not inconsistent with law or with the rules, regulations and directions of the board of managers; shall, with the consent of the board of managers, appoint such resident officers and such employees as he may think proper and necessary for the efficient performance of the business of the hospital, and prescribe their duties, and for cause stated in writing, after an opportunity to be heard, may discharge any officer or employee; shall cause proper accounts and records to be kept regularly from day to day in books and on records provided for that purpose, and cause such accounts and records to be correctly made up for the annual report to the board of freeholders, and presented to the board of managers or committee, as the case may be; shall receive into the

hospital, under the general direction of the board of managers, in the order of application, any person found to be suffering from tuberculosis in any form, who has a legal settlement in the county, or who has been an actual resident and inhabitant of the county for a period of at least one year prior to his application for admission, or any person who may be committed to the hospital by the County Court; shall cause to be kept proper accounts and records of the admission of each patient, his name, age, sex, color, marital condition, residence, occupation and place of last employment; shall cause a careful examination to be made of the physical condition of each person admitted and provide for the treatment of each patient according to his needs, and shall cause a record to be kept of the condition of each patient when admitted and from time to time thereafter; shall temporarily discharge any patient who shall willfully or habitually violate the rules or who is found not to have tuberculosis, or who is found to have recovered, or who for any other reason is no longer a suitable patient for treatment, and shall make a full report thereof at the next meeting of the board of managers or committee, as the case may be, who shall make such final disposition of the case as they may think proper; shall collect and receive all moneys due the hospital, keep an accurate account of the same, report the same at a monthly meeting of the board of managers or committee, as the case may be, and transmit the same to the county treasurer within ten days after such meeting; shall, before entering upon his duties, give a bond in such sum as the board of managers may determine to secure the faithful performance of his duties.

Section amended.

62. Section 30:9–54 of the Revised Statutes is amended to read as follows:

Admissions to hospital, procedure, regulations, supervision.

30:9–54.(a) Any resident of the county in which the hospital is situated, desiring treatment in such hospital, may apply in person to the superintendent or to any reputable physician for examination, and such physician, if he find that said person is suf-

fering from tuberculosis in any form, may apply to the superintendent of the hospital for his admission. Blank forms for such application shall be provided by the hospital, and shall be forwarded by the superintendent thereof gratuitously to any reputable physician in the county upon request. So far as practicable applications for admission to the hospital shall be made upon such forms. The superintendent of the hospital, upon receipt of such application, if it appears therefrom that the patient is suffering from tuberculosis, and if there be a vacancy in the said hospital, shall notify the person named in such application to appear in person at the hospital. If, upon personal examination of such patient, or of any patient applying in person for admission, the superintendent and the board of managers or said committee of said board of chosen freeholders as the case may be, are satisfied that such person is suffering from tuberculosis, he shall admit him to the hospital as a patient. All such applications shall state whether, in the judgment of the physician, the person is able to pay in whole or in part for his care and treatment while at the hospital; and every application shall be filed and recorded in a book kept for that purpose in the order of their receipt.

(b) The legal settlement and the financial ability of the patient or the person or persons chargeable with his or her support, shall be determined in the same way and by the same method that those facts are determined in the case of insane patients under chapter four of this Title (§ 30:4–1 et seq.). A copy of the finding of the court shall be forthwith filed in the office of the clerk of the county in which such patient is confined and a copy duly certified by the clerk of the county shall be forthwith forwarded to the superintendent of the hospital to which the patient is admitted and by him kept on file. If it appears by said finding that the patient has a legal settlement in any county of this State and is indigent, then he shall be supported in said institution at the expense of the county in which he has a legal

settlement. If it appears by said finding that the patient has no legal settlement in any county of this State, then he shall be maintained at the expense of the State. However, if said patient shall have a legal settlement in any county of this State other than the county in which he makes application for admission, and the county in which he has a legal settlement maintains an institution for the care and treatment of persons suffering from tuberculosis under sections 30:9–45 to 30:9–60 of this Title, then it shall be the duty of the superintendent of the institution to which he has been admitted to notify the superintendent of the institution of the county in which he has a legal settlement of the fact of his admission to the institution and the judicial finding as to his legal settlement and indigency; and said patient may be transferred to the institution in the county in which he has a legal settlement, by the superintendent of the institution of that county, unless the court which determines the legal settlement shall certify that, in its opinion, his removal from the county would be detrimental to the patient's health, or against the best interest of the patient's family, and in that event, he shall be maintained as aforesaid in the institution to which he has been admitted. *Provided, however,* that the county in which he has a legal settlement shall be bound for the patient's maintenance until he be transferred as aforesaid.

(c) The expense of his maintenance in any institution of any county in which the patient has not a legal settlement shall be paid by the county in which he has a legal settlement if any such there be in this State, upon bills rendered by the superintendent of the institution in which he is maintained, to the board of chosen freeholders of the county in which he has a legal settlement, and a civil action may be maintained in any court of competent jurisdiction for the collection of the same. And if the expense of maintenance of said patient is chargeable to the State under the provisions of said sections 30:9–45 to 30:9–60, then the State shall pay

for said maintenance in the same way it pays or contributes toward the support of indigent patients in any other institutions of this State according to the provisions of said chapter four.

(d) Nothing herein contained, however, shall permit the removal of the patient to the State institution for the care and treatment of tuberculosis against his will.

(e) When said hospital is completed and ready for the treatment of patients or whenever thereafter there are vacancies therein, admission to said hospital shall be made in the order in which the names of applicants shall appear upon the application book to be kept as above provided, in so far as such applicants are certified to by the superintendent to be suffering from tuberculosis. No discrimination shall be made in the accommodation, care or treatment of any patient because of the fact that the patient or his relatives contribute to the cost of his maintenance in whole or in part, and no patient shall be permitted to pay for his maintenance in such hospital a greater sum than the average per capita cost of maintenance therein, including a reasonable allowance for the interest on the cost of the hospital; and no officer or employee of such hospital shall accept from any patient thereof any fee, payment or gratuity whatsoever for his services, and any such person having been so admitted shall not be discharged without having first obtained permission of the superintendent or board of managers of such hospital, so that such person may not become a menace to the community.

(f) The board of managers or said committee of said board of chosen freeholders, as the case may be, shall have the right to hold and detain any patient admitted to said hospital when in their judgment it is for the benefit of said patient or for the community that said patient remain therein, but said patient or any person as his guardian ad litem, may apply to the County Court in a summary manner for the discharge of said patient.

(g) The medical superintendent shall have the custody and control of every person admitted as a patient to said hospital and shall properly discharge and, subject to the regulations established by the board of managers, or of said committee of said board of chosen freeholders, as the case may be, may restrain and discipline any patient in such manner as in his opinion is required for the welfare of said patient.

63. Section 30:9–57 of the Revised Statutes is amended to read as follows: Section amended.

30:9–57. A person who fails to obey the rules or regulations promulgated by the State Department of Health for the care of tubercular persons and for the prevention of the spread of tuberculosis, or who is an actual menace to the community or to children in his household, may be committed to the county hospital, or, in case there is no county hospital in the county in which the patient resides, then to a hospital, either in said county or in another county, at which the board of chosen freeholders of the county in which the patient resides makes provisions for tubercular patients, by the County Court of the county in which the person may reside, upon proof of service upon him of the rules and regulations and proof of violation thereafter, or upon proof by any health officer of the municipality in which the person may reside, or by the Director of Health of New Jersey or his authorized representative, that he is suffering from tuberculosis, and is an actual menace to the community, or to children in his household. Two days' notice of the time and place of hearing shall in all cases be served upon the person to be committed. Proof of such service shall be made at the hearing. The court may also make such order for the payment for care and treatment as may be proper. After commitment such person may be discharged by the court at any time it considers proper, or the court may, in the order of commitment or by subsequent order, authorize the superintendent of the institution to parole or discharge such patients in Commitment for failure to obey rules.

accordance with the same rules and regulations governing the parole and discharge of other patients in said institution.

Section amended.

64. Section 30:9–58 of the Revised Statutes is amended to read as follows:

Isolation of recalcitrant patients.

30:9–58. A person committed to a county tuberculosis hospital, or to any other hospital under the provisions of section 30:9–57, who fails to remain there or refuses or neglects to obey the rules and regulations of the institution shall, when in the judgment of the superintendent it becomes necessary, be isolated or separated from other persons and restrained from leaving the institution. Or in lieu thereof the superintendent of the hospital may report such failure, refusal or neglect of said person to the court by which said person was committed to the hospital and to the local health officer or to the Director of Health of New Jersey or his authorized representative, who applied to the court for the commitment of said person under the provisions of section 30:9–57. Thereupon the court shall reconsider the case and may commit said person to a hospital or institution designated by the State Department of Institutions and Agencies or the commissioner of said department for the care and custody of such person or persons. The court shall make such order for the payment for care and treatment as may be proper. The superintendent or person in charge of said hospital or institution to which such person has been transferred shall detain said person until the person is released therefrom by direction of the court by which he was committed. Before such release is granted the court shall be satisfied that the person has recovered to the extent that he will not be a menace to the community or to children in his household or that the person will so conduct himself that he will not constitute such a menace.

Section amended.

65. Section 30:9–60 of the Revised Statutes is amended to read as follows:

Enforcement.

30:9–60. Upon failure to comply with sections 30:9–45 to 30:9–59 of this Title, the State Depart-

ment of Health may institute a proceeding in lieu of prerogative writ to compel compliance.

66. Section 30:9–65 of the Revised Statutes is amended to read as follows: Section amended.

30:9–65. The superintendent shall be the chief executive officer of the hospital and subject to the rules and regulations and to the powers of the board of managers: Executive officer, duties.

Shall have general supervision and control of the records, accounts and buildings of the hospital and its internal affairs, and maintain discipline and enforce all rules and regulations and make such further rules and regulations as he may deem necessary not inconsistent with law or the rules, regulations and directions of the board of managers;

Shall with the consent of the board of managers appoint such resident officers and such employees as he may think proper and necessary for the efficient performance of the business of the hospital, and prescribe their duties, and for cause stated in writing after opportunity to be heard, discharge or suspend any officer or employee, subject to formal investigation by the board of managers;

Shall cause proper accounts and records to be kept regularly from day to day in books and on records provided for that purpose and cause such accounts and records to be correctly made up for the annual report to the board of freeholders and presented to the board of managers;

Shall receive into the hospital under the general direction of the board of managers, in the order of application any person suffering from a communicable disease who has a legal settlement in the county or who has been an actual resident and inhabitant of the county for a period of at least one year prior to his application for admission or who may be committed to the hospital by order of the County Court;

Shall cause to be kept proper accounts and records of the admission of each patient, his name, age, sex, color, marital condition, residence, occupation, and place of last employment;

Shall cause a careful examination to be made of the physical condition of all persons admitted and provide for the treatment of each patient according to his need; and shall cause a record to be kept of each patient when admitted and from time to time thereafter;

Shall temporarily discharge any patient who shall willfully or habitually violate the rules, or who is found not to have a communicable disease, or who is found to have recovered, or who for any other reason is no longer a suitable patient for hospital treatment, and shall make full report thereof at the next meeting of the board of managers, who shall make such final disposition of the case as they may think proper;

Shall collect and receive all moneys due to the hospital, keep an accurate account of the same, report the same at a monthly meeting of the board of managers and transmit the same to the county treasurer within ten days after such meeting;

Shall before entering upon the discharge of his duties, give a bond in such sum as the board of managers may determine to secure the faithful performance of his duties.

Section amended.

67. Section 30:9–66 of the Revised Statutes is amended to read as follows:

Admissions, procedure, regulations, maintenance.

30:9–66. A resident of the county desiring treatment in the county hospital established under section 30:9–61 of this Title may apply for examination to a reputable physician. Such physician if he find that the applicant is suffering from a communicable disease in any form, except tuberculosis, may apply to the superintendent for his admission.

All applications shall state whether in the judgment of the physician, the patient is able to pay in whole or in part for his care and treatment. Each application shall be filed and recorded in a book kept for that purpose in the order of its receipt.

The admission and transfer of tubercular patients, and the determination of legal settlement and liability for cost of care and maintenance of all

patients shall be in so far as practicable in accordance with sections 30:4–23 to 30:4–105 and 30:9–45 to 30:9–60 of this Title.

Tubercular patients shall be admitted in the order in which the names of applicants appear in the application book.

No discrimination shall be made in the accommodation, care or treatment of any patient because of any payment of maintenance and no officer or employee shall accept from a patient any fee, payment or gratuity for services.

When in the judgment of the board of managers the further detention of a patient is for his benefit or the benefit of the community, he may be so detained. No patient shall be discharged without first obtaining permission of the superintendent or board of managers.

The superintendent, if he shall be a physician and if not then such member of the medical staff as shall be so designated by the board of managers, shall have the custody and control of the patients and within the regulations of the board of managers may restrain and discipline a patient in such manner as in his opinion the welfare of the patient requires. He shall discharge a patient whenever cured or whenever further detention would not benefit the patient or the community.

A patient to whom discharge is refused, or any person as his guardian ad litem, may apply to the County Court in a summary manner for such discharge.

68. Section 30:9–68 of the Revised Statutes is amended to read as follows:

Section amended.

Investigation of patients' ability to pay.

30:9–68. Whenever a patient is admitted from the county in which the hospital is situated the superintendent shall cause inquiry to be made as to his circumstances. If he finds that the patient or legally responsible relatives are able to pay for his care and maintenance in whole or in part he shall order payment to the treasurer of the hospital of a specified sum per week in proportion to the financial ability of the patient or such relative, but

such sum shall not exceed the actual per capita cost of maintenance. The superintendent shall have the same power to collect such sum from the estate of the patient or relatives as is possessed by an overseer of the poor or a director of welfare in like circumstances. If the superintendent finds that the patient or his relatives are unable to pay, the cost shall become a charge upon the county. Should there be a dispute as to ability to pay or doubt in the mind of the superintendent the County Court may hear the matter in a summary manner and make such order as may be proper.

69. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 30

AN ACT concerning interest and usury, and amending sections 31:1–2, 31:1–3, 31:1–4 and 31:1–6 of the Revised Statutes.

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

Section amended.

1. Section 31:1–2 of the Revised Statutes is amended to read as follows:

Offending person examined as witness.

31:1–2. Any person violating section 31:1–1 of this Title may be compelled to answer as a witness in any action he may bring as to his agreement to receive, or the receipt by him, of any money or other personal property in violation of the provisions of said section.

Section amended.

2. Section 31:1–3 of the Revised Statutes is amended to read as follows:

Recovery, deductions from amount recovered.

31:1–3. In all actions to enforce any note, bill, bond, mortgage, contract, covenant, conveyance, or assurance, for the payment or delivery of any money, wares, merchandise, goods, or chattels lent,

and on which a higher rate of interest shall be reserved or taken than was or is allowed by the law of the place where the contract was made or is to be performed, the amount or value actually lent, without interest or costs of the action, may be recovered, and no more. If any premium or illegal interest shall have been paid to the lender, the sum or sums so paid shall be deducted from the amount that may be due as aforesaid, and recovery had for the balance only.

Section amended.

3. Section 31:1–4 of the Revised Statutes is amended to read as follows:

Borrower may compel discovery.

31:1–4. Any borrower of money or other personal property may by action in the Superior Court against the lender, or in any discovery proceeding, compel him to discover, upon oath, the money or other personal property really lent, and all agreements, devices, shifts, bargains, contracts and conveyances which shall have passed between them relative to such loan, or the repayment thereof, and the interest or consideration for the same. If thereupon it shall appear that more than lawful interest was taken or reserved the lender shall be obliged to accept his principal money, or the personal property or the value thereof, without any interest or other consideration, and to pay costs.

Section amended.

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

Corporation not to make defense of usury.

31:1–6. No corporation shall plead or set up the defense of usury to any action brought against it to recover damages or enforce a remedy on any obligation executed by said corporation.

5. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 31

AN ACT concerning interstate and port authorities and commissions, and revising parts of the statutory law.

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

Section amended.

1. Section fifteen of chapter forty-three of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 32:1-35.15. Condemnation proceedings, procedure.

15. The Port Authority may exercise the right of eminent domain or condemnation to acquire real property for air terminal purposes as set forth in this section:

(a) As used in this section, unless otherwise expressly stated or unless context or subject matter otherwise requires the following terms shall mean:

(1) "Days": Calendar days exclusive of Sundays and full legal holidays.

(2) "Owner": A person having an estate, interest or easement in the real property being acquired or a lien, charge or encumbrance thereon.

(b) Whenever the Port Authority shall determine that it is necessary to acquire real property for air terminal purposes for the public use by the exercise of the right of eminent domain or condemnation, it shall prepare three similar surveys, diagrams, maps, plans or profiles of the real property being acquired, stating thereon that the Port Authority has determined that it is necessary to acquire said property, and the amount or valuation at which each parcel of real property to be acquired has been assessed for purposes of taxation on the tax rolls for each of the three years preceding, and if the interest being taken shall be less than the fee, the estimated value of such interest; one of such

surveys, diagrams, maps, plans or profiles shall be filed in the office of the secretary of the Port Authority, the second shall be filed in the office in which instruments affecting real property are required to be recorded, in the county in which such real property is situated, and the third copy shall be filed in the office of the Clerk of the Superior Court. An action for the condemnation of such real property may be instituted in the Superior Court by the Port Authority against the owners thereof, and the court may proceed in the action in a summary manner. A notice of the pendency of the action shall be filed and recorded as provided in section 20:1–4 of Title 20, Eminent Domain, and with like effect, except that the notice shall name and be directed only to the owners of such real property or such of them as may be known to the Port Authority.

It shall be lawful for the duly authorized agents of the Port Authority, and all persons acting under its authority and by its direction, to enter in the daytime into and upon such real property which it shall be necessary so to enter, for the purpose of making such surveys, diagrams, maps or plans, or for the purpose of making such soundings or borings as the Port Authority may deem necessary.

(c) Whenever any land or other property taken for public use shall lie or be in two or more counties, all reports and other papers required to be filed in a county clerk's office shall be filed in the clerk's office of the county in which the greater part in value of the land or other property is situate and a certified copy thereof shall be filed and recorded in the clerk's office of the other county or counties.

(d) Process in the action for condemnation shall be served by the publication of a notice on one day in each of four successive weeks in a newspaper published and of general circulation in the county in which the real property to be acquired is located. The notice need not state the names of the owners of such real property, but it shall state that an

action has been commenced to have determined by the Superior Court of New Jersey the compensation which should justly be made to the respective owners of the real property proposed to be taken. Such notice shall indicate the real property to be taken by a general description and by reference to the map on file in the office of the Port Authority, in the office in which instruments affecting real property are required to be recorded, and in the office of the Clerk of the Superior Court.

(e) In addition to the provisions contained in subdivision (d) above, process shall be served upon the owners of all property affected by the action, by mailing the same to such owners at the address registered or filed with the collector of taxes for the purpose of forwarding to them bills for taxes or assessments. Failure to comply with the directions contained in this subdivision shall not invalidate or affect the action.

(f) The Port Authority shall, within ten days after the filing of the complaint and the entry of the order to show cause constituting the process in the action, cause a certified copy of the complaint and order to be recorded in the office wherein instruments affecting real property are required to be recorded, in every county in which any part of the real property affected is situated, in the same manner as deeds are recorded, and the register of deeds or county clerk with whom such certified copies shall be recorded shall index the same in the same manner as recorded deeds are indexed.

(g) The Port Authority after the entry of such order to show cause, shall cause to be published on one day in each of four successive weeks in a newspaper published and of general circulation in the county in which the real property to be acquired is located, a notice containing a general description of the real property to be acquired, a statement that such order has been filed and requiring that all owners of such real property shall, on or before such date as may be specified in the order to show cause, serve upon the Port Authority a copy of a

written claim or demand, duly verified, setting forth the real property owned by the claimant, his post-office address, and the nature of his interest in said real property. The claimant shall within the same time file in the office of the Clerk of the Superior Court the original of such verified claim.

(h) Proof of title to the real property to be acquired, where the same is undisputed, together with proof of liens or encumbrances thereon, shall be submitted by the claimant to the Port Authority. The Port Authority shall serve upon all parties or their attorneys who have served upon it copies of their verified claims, a notice of the time and place at which it will receive such proof of title. Where the title of the claimant is disputed, the action to determine the value of the property to be taken shall continue in the same manner as it would if there were no such dispute, and the award, if any, shall, with leave of court, be paid into the Superior Court, and shall there be distributed, according to law, on the application of any person interested therein.

(i) After all parties who have filed verified claims, as provided in subdivision (g) hereof, have proved their titles, or have failed to do so after being notified by the Port Authority of the time and place where such proof of title would be received, the Port Authority shall bring on before the Superior Court, as the court may direct, a hearing upon the claims so filed, or in case no claims are filed, to fix the amount to be paid for such lands.

The court shall determine without a jury, and with or without a view of the real property being acquired, the compensation which should justly be made by the Port Authority to the respective owners of such real property, and judgment shall be entered in the amount so determined.

(j) No evidence shall be admitted in the action, as against an owner of real property being acquired, of an offer made by or on behalf of such owner for the sale of his property or any part thereof to the Port Authority, or for the sale or assignment of any right and title to the award or

awards, or any part thereof, to be made for such property or any part thereof, in the action. Nor shall any evidence be received, as against the Port Authority, of any offer made to such owner, by or on its behalf, for the purchase of such property or any part thereof or for the purchase of the award or awards or any part thereof, to be made for such property, or any part thereof, in the proceeding.

(k) The Port Authority shall furnish to the court such surveys, diagrams, maps, plans and profiles as the court shall require to enable the court to hear and determine the claims of the owners of the real property affected by the action. Such surveys, diagrams, maps, plans and profiles shall distinctly indicate by separate numbers the names of the claimants to, or of the owners of the respective parcels of real property to be taken in such proceeding, so far as the same are known, and shall also specify in figures with sufficient accuracy the dimensions and bounds of such real property. Where possible, such real property shall be designated on such maps by the same ward or block and lot numbers or other designations as shall be used to designate such real property on the tax books and tax maps of the taxing agency in which it is located. The court may require the Port Authority to furnish such other surveys, diagrams, maps, plans and profiles and such other information as shall aid and assist the court in the action.

(l) The Port Authority, or any party or person affected by the action and aggrieved by the judgment made therein as to awards may appeal. If the judgment entered in the action to condemn should be reversed, such reversal shall not divest the Port Authority of title to the real property thereby affected.

(m) All damages awarded by the court, with interest thereon from the date of the entry of the judgment, or if the title to the real property acquired shall have vested in the Port Authority prior thereto, from the date of such vesting, shall be paid by the Port Authority to the respective

owners to whom the damages were awarded in the judgment, within two calendar months after the entry of the judgment, without further order of the court, or application for such payment by said owners. Property owners appearing in the action shall not be entitled to recover counsel fees, costs, disbursements or allowances. Any outstanding taxes, assessments or other liens shall be deducted from the amount of the award and no interest shall be paid by the Port Authority upon the sum or sums so deducted. Payment of an award to a person named in the judgment as the owner thereof, if not under legal disability, shall in the absence of notice in writing to the Port Authority of adverse claims thereto protect the Port Authority and shall be a full acquittance and release of all claims to said award.

In case there shall be a dispute as to title, or the party entitled to receive the amount assessed by the court shall refuse upon tender thereof to receive the same, or shall be out of the State or under any legal disability, or in case several parties being interested in the fund shall not agree as to the distribution thereof, or in case the lands or other property taken are encumbered by mortgage, judgment or other lien, or if for any other reason the Port Authority cannot safely pay the amount awarded to any person, in all such cases, with leave of court, the amount awarded may be paid into the Superior Court, and shall there be distributed according to law, on the application of any person interested therein.

(n) The Port Authority may pay to the person entitled to an award for real property acquired in an action, in advance of the final judgment, a sum to be determined by the Port Authority, not exceeding sixty per centum (60%) of the assessed value of the real property taken less the liens and encumbrances of record thereon; *provided,* that when the real property taken shall be less than the fee, then such sum shall not exceed sixty per centum (60%) of the amount estimated by the Port Authority to

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be the value of such interest, less the liens and encumbrances thereon. If the Port Authority shall make a partial payment in advance either pursuant to this subsection or pursuant to section nine hereof, interest on the sum so paid in advance shall cease to run on and after a date five days after such person shall have been notified by mail or otherwise that the Port Authority is ready to pay the same. In case the person entitled to an award at the date of the vesting of title to the real property in the Port Authority shall have transferred or assigned his claim, such transfer or assignment made by him, or by his successor in interest or legal representative, shall not become binding upon the Port Authority unless the instrument or instruments evidencing such transfer or assignment shall have been filed in the office of the Port Authority prior to any such advance payment. When any such advance payments shall have been made, the Port Authority, on paying the awards for the real property acquired, shall deduct from the total amount allowed as compensation the sum advanced plus interest thereon from the date of the payment of such advance to the date of the final judgment, and the balance shall be paid as hereinbefore provided in subdivision (m) hereof.

(o) In any action hereunder, in which title to the real property to be acquired shall have become vested in the Port Authority prior to the entry of final judgment, the Port Authority shall have power and is hereby authorized to purchase from the owners of such real property at the date of the vesting of title thereto, or their successors in interest or legal representatives, their right and title to the award or awards, or any part thereof, to be made in such action and to take an assignment thereof to the Port Authority.

(p) No pledge, sale, transfer or assignment of an award by the person entitled to receive the same by virtue of the judgment or by other order of the court, shall be valid unless the instrument evidencing such pledge, sale, transfer or assignment

shall be acknowledged or proved as instruments are required to be acknowledged or proved for the recording of transfers of real property and shall be filed in the office of the Port of New York Authority. Every such instrument not so filed shall be void as against any subsequent pledgee or assignee in good faith and for a valuable consideration from the same pledgor or assignor, his heirs, administrators or assigns, of the same award or any portion thereof, the assignment of which is first duly filed in the office of the Port Authority. The Port Authority shall maintain in its office a record of all pledges or assignments filed with it under the provisions hereof.

(q) The Board of Commissioners of the Port Authority by resolution may abandon any action as to the whole or a part of the lands to be acquired in such action, at any time before title to the real property to be thereby acquired shall have vested in the Port Authority, and may cause new actions to be instituted for the condemnation of such real property. In case of such abandonment, however, the reasonable actual cash disbursements, necessarily incurred and made in good faith by any party interested, shall be paid by the Port Authority, after the same shall have been taxed by the Superior Court, upon notice of such taxation being previously given to the Port Authority, provided the application to have such disbursements taxed shall be made and presented to the court within one year after the adoption of the resolution of the board discontinuing the action in whole or in part. For the purposes of this section, the fair and reasonable value of the services of an attorney retained by any interested party to represent his interests in said action for condemnation whether on a contingent fee basis or otherwise, if such retainer be made in good faith, shall be deemed to be an actual cash disbursement necessarily incurred by such interested party and shall be taxable in the same manner as other disbursements. The

amounts taxed as disbursements shall be due and payable thirty days after written demand for payment thereof shall have been filed with the Port Authority.

(r) The title to any piece or parcel of the real property, or any interest therein, authorized to be acquired hereunder shall be vested in the Port Authority upon the entry of the order to show cause constituting process in the action to condemn. The Port Authority, however, may direct that the title shall be vested in the Port Authority upon a specified date after the date of the entry of such order, or upon the date of the entry of the final judgment, but not later than the date of the entry of the final judgment. Upon the date when title to the real property shall have vested as herein provided, the Port Authority shall become and be seized in fee of or of an easement in, over, above, through, upon or under such real property or such other interest therein as may have been specified, the same to be held, appropriated, converted and used for the purposes for which the action was instituted. The Port Authority or any person acting under its authority shall immediately or at any time thereafter take possession of such property without action or other judicial proceedings.

(s) Where the whole of any lot or parcel of real property, under lease or other contract, shall be taken, all the covenants, contracts and engagements between landlord and tenant and other contracting parties touching the same or any part thereof, upon the vesting of title in the Port Authority, shall cease and determine and be absolutely discharged. Where a part only of any lot or parcel of real property so under lease or other contract shall be so taken all contracts and engagements respecting the same, upon such vesting of title, shall cease and determine and be absolutely discharged as to the part thereof so taken, but shall remain valid and obligatory as to the residue thereof. All tenants in possession of such premises at the time of the

vesting of title thereto in the Port Authority shall become tenants at will of the Port Authority unless within ten days after the vesting of title they shall elect to vacate and give up their respective holdings.

Section amended.

2. Section six of chapter forty-four of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 32:1-35.33. Condemnation proceedings for establishing marine terminals.

6. If for the purposes of establishing marine terminals or purposes incidental thereto, including temporary construction purposes, the Port Authority shall find it necessary or convenient to acquire any real property as herein defined, whether for immediate or future use, the Port Authority may find and determine that such property, whether a fee simple absolute or a lesser interest, is required for a public use, and upon such determination the said property shall be and shall be deemed to be required for such public use until otherwise determined by the Port Authority.

The Port Authority may acquire and is hereby authorized to acquire such property, whether a fee simple absolute or a lesser estate, by condemnation or the exercise of the right of eminent domain under and pursuant to the Revised Statutes of New Jersey, Title 20:1–1 et seq., or at the option of the Port Authority as provided in section fifteen of chapter forty-three of the laws of one thousand nine hundred and forty-seven for the condemnation of real property for air terminal purposes, or pursuant to such other and alternate procedure as may be provided by law. Nothing herein contained shall be construed to prevent the Port Authority from bringing any action to remove a cloud on title or such other actions as it may, in its discretion, deem proper and necessary, or acquiring any such property by negotiation or purchase.

In the event the Port Authority shall deem that the use by it of any real property for any purpose hereunder will be necessary either immediately or by a definite future date, it may file with any com-

plaint in any action for condemnation brought pursuant to law or at any time thereafter a notice that it requires the possession thereof, either immediately or at a date specified in such notice. In such event, the Port Authority shall cause a duplicate of such notice and an affidavit of the filing thereof to be recorded in the office in which deeds are required to be recorded in the county wherein the land involved is situated and upon such recording the Port Authority may enter upon and shall be entitled to the possession, use and occupation of such real property at the time specified in said notice without judicial proceedings; *provided,* that it shall first deposit with the court a sum equal to the assessed valuation of such real property, or in the event that the assessed valuation thereof cannot be readily ascertained such sum as in the judgment of the Port Authority shall be sufficient as compensation for the real property acquired. The sum so deposited with the court shall be applied to the satisfaction of any award thereafter made in any action for condemnation. Such filing and recording of said notice shall be conclusive evidence of the entry upon and appropriation of said property by the Port Authority, and title to said property shall vest in the Port Authority on the date specified in such notice. The power of the Port Authority to acquire real property by condemnation hereunder shall be a continuing power, and no exercise thereof shall be deemed to exhaust it.

Proviso.

Nothing herein contained shall be construed to permit the taking by the Port Authority of any property owned by any railroad or railway corporation, or by any other corporation, which is a "public utility" as defined in section 48:2–13 of the Revised Statutes, and devoted to use by such corporation in its operations, or acquired prior to the effective date of this act and held for such use, without the authority or consent of such corporation.

C. 32:1-35.34. Section repealed.

3. Section seven of chapter forty-four of the laws of one thousand nine hundred and forty-seven is hereby repealed.

Section amended.

4. Section 32:2–10 of the Revised Statutes is amended to read as follows:

Right of entry.

32:2–10. Whenever the Port Authority is authorized by specific legislative enactment to acquire title to or any interest in any real property within this State by condemnation pursuant to the provisions of chapter one of Title 20, Eminent Domain, (§ 20:1–1 et seq.), the Port Authority and its agents may enter upon all such real property for the purpose of making a map showing the real estate to be acquired.

Section amended.

5. Section 32:2–11 of the Revised Statutes is amended to read as follows:

Right of possession upon filing complaint and map.

32:2–11. Immediately after the filing of the complaint in the action for condemnation, with the map annexed, the Port Authority shall have the exclusive right to possession of the real property shown upon the map to the extent of the interests specified in the complaint, and may forthwith and without other process enter into and take possession of such real property to that extent; it being the intent of this article that no proceedings for compensation or otherwise involved in the taking of such real property or interests therein shall delay the taking thereof and their use by the Port Authority for the purpose or purposes for which the Port Authority may be authorized by law to acquire or condemn such real property or interests therein.

Section amended.

6. Section 32:2–12 of the Revised Statutes is amended to read as follows:

Deposit of assessed valuation.

32:2–12. Upon taking actual possession of the real property or any interest therein, the Port Authority shall deposit with the Clerk of the Superior Court a sum equal to the assessed valuation of the real property or interest therein, which sum shall be paid out by the clerk in accordance with the order or judgment of the court.

Should said sum be insufficient to permit such payment in full, the Port Authority shall, within twenty days after the entry of the judgment, pay to the clerk such sum as may be necessary to provide for full payment. Any surplus left in the hands of the clerk after the judgment has been entered shall be repaid to the Port Authority.

Section amended.

7. Section 32:2–13 of the Revised Statutes is amended to read as follows:

Payment when only part of property is taken.

32:2–13. If only a part of or interest in a given parcel of real property is taken and the assessed valuation thereof cannot be readily ascertained, the Port Authority shall pay to the Clerk of the Superior Court only such sum as in its judgment is sufficient to compensate for the real property or interest to be acquired or condemned.

Any payment made by the clerk as hereinbefore provided shall for all purposes be deemed to have been made by and for the account of the Port Authority.

Section repealed.

8. Section 32:2–14 of the Revised Statutes is hereby repealed.

Section amended.

9. Section 32:9–9 of the Revised Statutes is amended to read as follows:

Appeals.

32:9–9. At any time within thirty days after the filing of the report by the joint commission, any party aggrieved may apply to the Superior Court in a proceeding in lieu of prerogative writ to have the amount of the compensation and damages fixed and paid. The costs, fees and expenses of the proceeding shall be paid as the court shall direct.

Section amended.

10. Section 32:9–10 of the Revised Statutes is amended to read as follows:

Title to vest in State.

32:9–10. The final compensation awarded or adjudged shall be deemed to include all amounts payable for the acquisition of the property and all rights, franchises and easements incident thereto, and when paid to the proper parties in interest, or paid into the Superior Court, shall vest the title in fee to the property so taken in the State of New Jersey.

11. Section 32:12–16 of the Revised Statutes is amended to read as follows: Section amended.

32:12–16. Notwithstanding the agreement and consent of three or more counties, the commission shall not be authorized to take any proceedings or incur any expense or obligation until the terms and conditions of the agreement and consent shall have been reviewed and approved by three judges of the Superior Court, especially designated by the Governor for that purpose. The judges shall designate a time and place for the holding of a public hearing on the question of the approval of the terms of the agreement, at which hearing all persons interested may be heard. Review and approval of agreement.

If the agreement is approved and confirmed by the three judges, the same shall be binding upon the counties consenting to the agreement, but in no event shall the obligation to be assumed or imposed upon any county for the construction of any bridges or tunnels exceed ten million dollars ($10,000,000.00).

12. Section 32:13A–15 of the Revised Statutes is amended to read as follows: Section amended.

32:13A–15. Any holder of any such bonds, or any of the coupons attached thereto, and the trustee, if any, except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds or by the trust indenture, may, by an action, proceeding in lieu of prerogative writ, or other proceeding, protect, and enforce any and all rights granted hereunder or under such resolution or trust indenture, and may enforce and compel performance of all duties required by this chapter, or by such resolution or trust indenture, to be performed by the county or by the commission, or any officer thereof, including the fixing, charging, and collecting of tolls for the use of the tunnel. Remedies of bondholders, trustees, receiver.

The rights and remedies herein conferred upon or granted to the bondholders shall be in addition to and not in limitation of any rights and remedies lawfully granted to such bondholders by the resolution or resolutions providing for the issuance of

the bonds, or by any trust indenture securing such bonds. If the bonds shall not be secured by a trust indenture, the holder or holders of twenty-five per centum (25%) or more in principal amount of such bonds at the time outstanding may by instrument or instruments filed in the office of the county clerk of Gloucester county, and proved or acknowledged in the same manner as a deed to be recorded, appoint a trustee to represent the holders of such bonds. If such appointed trustee, if any, or the trustee under any trust indenture securing the bonds or if either such trustee shall fail or refuse to take action to enforce any of the remedies provided for herein or in such resolution or such trust indenture, after written request by the holder or holders of fifteen per centum (15%) or more in the principal amount of such bonds at the time outstanding and after tender of reasonable security or indemnification to such trustee, any holder of any such bonds may, except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds or by the trust indenture, as the case may be, by an action, proceeding in lieu of prerogative writ, or other proceeding, protect and enforce any and all rights granted herein or in such resolution or trust indenture, as the case may be, and may enforce and compel performance of all duties required by this act, or by such resolution or trust indenture to be performed by the county or by the commission, or by any officer thereof, including the fixing, charging and collecting of tolls for the use of the tunnel. In the event that the county or the commission shall default in the payment of the principal or the interest on any of the bonds as the same may become due, whether at maturity or upon call for redemption or in the event that the county or the commission or the officers, agents or employees of the county or of the commission shall fail or refuse to comply with the provisions of this act or shall default in the performance of any covenant, condition, agreement or provision contained in the bonds or in the resolution or trust

indenture or in the event that the commission shall contract with a public authority in Pennsylvania relating to the construction, operation or maintenance of the tunnel as hereinabove provided and either the commission or such public authority shall default in the performance of any covenant, condition, agreement or provision contained in such contract, the trustee appointed as hereinabove provided for by the holders of the bonds not secured by a trust indenture, or the trustee under the trust indenture, if any, or, if either such trustee shall fail or refuse to take action to enforce any of the remedies provided for herein or in such resolution or such trust indenture after written request by the holder or holders of twenty-five per centum (25%) or more of principal amount of such bonds at the time outstanding and after tender of reasonable security or indemnification to such trustee, any holder of any such bonds shall, subject to the provisions of such resolution or trust indenture, have the right to apply in any appropriate judicial proceedings to any court of competent jurisdiction for an appointment of a receiver of the tunnel, whether or not the bonds or any of them have become or have been declared due and payable and whether or not such holder or trustee is seeking to enforce any other right or to exercise any remedy in connection with such bonds. Upon such application the court may appoint a receiver of the tunnel. The receiver so appointed shall have and be entitled to exercise all the rights and powers of the commission or such public authority with respect to the tunnel and shall have and be entitled to exercise all the appropriate rights and powers of a receiver, including, but without limitation, the right and power forthwith, directly or by its agents and attorneys, to enter into and upon and take possession of the tunnel and its facilities and each and every part thereof and to have, hold, use, operate, manage and control the tunnel and its facilities and each and every part thereof and receive, collect

and disburse the revenues thereof in the name of the commission or otherwise as the receiver may deem best.

Whenever all defaults shall have been remedied, the court may in its discretion, and after such notice and hearing as it deems reasonable and proper, direct the receiver to surrender possession of the tunnel to the parties entitled thereto. The same rights to secure the appointment of a receiver shall exist upon any subsequent default as hereinabove provided.

Notwithstanding anything in this section to the contrary, such receiver shall have no power to sell, assign, mortgage or otherwise dispose of any assets of whatever kind or character constituting the tunnel or any part thereof or necessary for use in connection therewith, but the authority of any such receiver shall be limited to the operation and maintenance of the tunnel and no court shall have jurisdiction to enter any order or judgment requiring or permitting such receiver to sell, mortgage or otherwise dispose of any such assets.

Section amended.

13. Section 32:14–23 of the Revised Statutes is amended to read as follows:

Jurisdiction of police court.

32:14–23. The police court shall possess and have all the powers and jurisdiction of municipal courts in this State, with respect to crimes, disorderly conduct and violations of the motor vehicle and traffic or other laws of this State, committed, occurring or happening within the portion of the Palisades Interstate Park lying within this State. The court shall also have jurisdiction of prosecutions for violations of any of the rules and regulations of the Palisades Interstate Park Commission as authorized and provided for in section 32:14–20 of this Title.

Section amended.

14. Section 32:14–24 of the Revised Statutes is amended to read as follows:

Places of holding court.

32:14–24. The police court may be held in any portion of the Palisades Interstate Park lying within this State, or in any municipality of the county of Bergen in which any part of the park may lie.

15. Section 32:14–25 of the Revised Statutes is amended to read as follows: Section amended.

32:14–25. The Governor, with the advice and consent of the Senate, shall appoint a judge or judges, not exceeding three, of the police court, which court shall have all the powers, privileges and duties of municipal courts of this State. The term of such judge or judges shall be for three years; *provided, however,* that nothing herein shall be construed to extend any shorter term for which any judge may already have been appointed. Judges, appointment, term. Proviso.

16. Section 32:14–26 of the Revised Statutes is amended to read as follows: Section amended.

32:14–26. The Palisades Interstate Park Commission shall pay the judge or judges of the police court a per diem compensation not exceeding twenty-five dollars ($25.00) per day. Compensation.

17. Section 32:16–5 of the Revised Statutes is amended to read as follows: Section amended.

32:16–5. The Palisades Interstate Park Commission may take by condemnation, within the limits specified in section 32:16–1 of this Title, a fee simple or lesser estate or right in all the necessary lands and rights in lands, upon ascertainment and payment of compensation as prescribed by law. The proceedings for such condemnation shall be under chapter one of Title 20, Eminent Domain, (§ 20:1–1 et seq.). Condemnation procedure.

18. Section 32:16–6 of the Revised Statutes is amended to read as follows: Section amended.

32:16–6. When the lands or rights in lands which the Palisades Interstate Park Commission seeks to obtain for the parkway cannot be acquired by agreement with the owner thereof, because of a disagreement as to the price to be paid, the legal incapacity or absence of the owner, or his inability to convey valid title thereto, or for any other cause, the commission may enter upon and take any of such property in advance of making compensation therefor. In any such case, the commission, upon exercising this right and entering upon and taking Right of entry in advance of condemnation.

lands shall proceed without undue delay to condemn the lands so entered upon in the manner prescribed by section 32:16–5 of this Title; and, in any such case the amount of the judgment in the action shall bear interest from the date of the entry by the commission to the date of the payment of the award to the owner or into the court, as the case may be.

Section amended.

19. Section 32:19–4 of the Revised Statutes is amended to read as follows:

Injunctive relief.

32:19–4. Whenever the Interstate Sanitation Commission shall be of the opinion that any person, association or corporation, municipal or otherwise, within the district is failing or omitting, or about to fail or omit to do anything required of it by its order or by the laws governing the control or elimination of pollution of the waters of the district, or is doing or is about to do anything or permitting or about to permit anything to be done contrary to or in violation of such orders or such laws or the provisions of the compact, it may direct its legal representative to commence an action or a proceeding in lieu of prerogative writ in the name of the Interstate Sanitation Commission in the Superior Court for the purpose of preventing the continuance of such violations or threatened violations either by injunctive or other relief. The court shall have jurisdiction to hear and determine such action or proceeding upon the merits and grant such relief as may be appropriate.

20. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 32

AN ACT concerning intoxicating liquors, and revising parts of the statutory law.

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

1. Section 33:1–1 of the Revised Statutes is amended to read as follows: Section amended.

33:1–1. For the purpose of this chapter, the following words and terms shall be deemed to have the meanings herein given to them: Terms defined.

a. "Alcohol." Ethyl alcohol, hydrated oxide of ethyl or neutral spirits from whatever source or by whatever process produced.

b. "Alcoholic beverage." Any fluid or solid capable of being converted into a fluid, suitable for human consumption, and having an alcoholic content of more than one-half of one per centum (½ of 1%) by volume, including alcohol, beer, lager beer, ale, porter, naturally fermented wine, treated wine, blended wine, fortified wine, sparkling wine, distilled liquors, blended distilled liquors and any brewed, fermented or distilled liquors fit for use for beverage purposes or any mixture of the same, and fruit juices.

c. "Building." A structure of which licensed premises are or may be a part, including all rooms, cellars, outbuildings, passageways, closets, vaults, yards, attics, and every part of the structure of which the licensed premises are a part, and of any other structure to which there is a common means of access, and any other appurtenances.

d. "Commissioner." The Director of the Division of Alcoholic Beverage Control.

e. "Container." Any glass, can, bottle, vessel or receptacle of any material whatsoever used for holding alcoholic beverages, which container is covered, corked or sealed in any manner whatsoever.

f. "Eligible." The status of a person who is a citizen of the United States, a resident of this State, of good moral character and repute, and of legal age.

g. "Governing board or body." The board or body which governs a municipality, including a board of aldermen in municipalities so governed; but in every municipality having a board of public works which exercises general licensing powers such board shall be considered as the governing board or body.

h. "Importing." The act of bringing or causing to be brought any alcoholic beverage into this State.

i. "Illicit beverage." Any alcoholic beverage manufactured, distributed, bought, sold, bottled, rectified, blended, treated, fortified, mixed, processed, warehoused, possessed or transported in violation of this chapter, or on which any Federal tax or tax imposed by the laws of this State has not been paid; and any alcoholic beverage possessed, kept, stored, owned or imported with intent to manufacture, sell, distribute, bottle, rectify, blend, treat, fortify, mix, process, warehouse or transport in violation of the provisions of this chapter.

j. "Licensed building." Any building containing licensed premises.

k. "Licensed premises." Any premises for which a license under this chapter is in force and effect.

l. "Magistrate." Any County Court, criminal judicial district court, municipal court or county district court.

m. "Manufacturer." Any person who, directly or indirectly, personally or through any agency whatsoever, engages in the making or other processing whatsoever of alcoholic beverages.

n. "Municipality." Any city, town, township, village, or borough, including a municipality governed by a board of commissioners or improvement commission, but excluding a county.

o. "Municipal board." The municipal board of alcoholic beverage control as established by this chapter.

p. "Officer." Any sheriff, deputy sheriff, constable, police officer, member of the department of State police, or any other person having the power to execute a warrant for arrest, or any inspector or investigator of the Division of Alcoholic Beverage Control.

q. "Original container." Any container in which an alcoholic beverage has been delivered to a retail licensee.

r. "Person." Any natural person or association of natural persons, association, trust company, partnership, corporation, organization, or the manager, agent, servant, officer, or employee of any of them.

s. "Premises." The physical place at which a licensee is or may be licensed to conduct and carry on the manufacture, distribution or sale of alcoholic beverages, but not including vehicular transportation.

t. "Restaurant." An establishment regularly and principally used for the purpose of providing meals to the public, having an adequate kitchen and dining room equipped for the preparing, cooking and serving of foods for its customers and in which no other business, except such as is incidental to such establishment, is conducted.

u. "Retailer." Any person who sells alcoholic beverages to consumers.

v. "Rules and regulations." The rules and regulations established from time to time by the director.

w. "Sale." Every delivery of an alcoholic beverage otherwise than by purely gratuitous title, including deliveries from without this State and deliveries by any person without this State intended for shipment by carrier or otherwise into this State and brought within this State, or the solicitation or acceptance of an order for an alcoholic beverage, and including exchange, barter, traffic in, keeping and exposing for sale, serving with meals, delivering for value, peddling, possessing with intent to sell, and the gratuitous delivery or gift of any alcoholic beverage by any licensee.

x. "Unlawful alcoholic beverage activity." The manufacture, sale, distribution, bottling, rectifying, blending, treating, fortifying, mixing, processing, warehousing or transportation of any alcoholic beverage in violation of this chapter, or the importing, owning, possessing, keeping or storing in this State of alcoholic beverages with intent to manufacture, sell, distribute, bottle, rectify, blend, treat, fortify, mix, process, warehouse or transport alcoholic beverages in violation of this chapter, or the owning, possessing, keeping or storing in this State of any implement or paraphernalia for the manufacture, sale, distribution, bottling, rectifying, blending, treating, fortifying, mixing, processing, warehousing or transportation of alcoholic beverages with intent to use the same in the manufacture, sale, distribution, bottling, rectifying, blending, treating, fortifying, mixing, processing, warehousing or transportation of alcoholic beverages in violation of this chapter, or to aid or abet another in the manufacture, sale, distribution, bottling, rectifying, blending, treating, fortifying, mixing, processing, warehousing or transportation of alcoholic beverages in violation of this chapter, or the aiding or abetting of another in any of the foregoing activities.

y. "Unlawful property." All illicit beverages and all implements, vehicles, vessels, airplanes, and paraphernalia for the manufacture, sale, distribution, bottling, rectifying, blending, treating, fortifying, mixing, processing, warehousing or transportation of illicit beverages used in the manufacture, sale, distribution, bottling, rectifying, blending, treating, fortifying, mixing, processing, warehousing or transportation of illicit beverages or owned, possessed, kept or stored with intent to use the same in the manufacture, sale, distribution, bottling, rectifying, blending, treating, fortifying, mixing, processing, warehousing or transportation of illicit beverages, whether such use be by the person owning, possessing, keeping, or storing the same, or by another with the consent of such per-

son; and all alcoholic beverages, fixtures and personal property located in or upon any premises, building, yard or inclosure connected with a building, in which an illicit beverage is found, possessed, stored or kept.

z. "Wholesaler." Any person who sells an alcoholic beverage for the purpose of resale either to a licensed wholesaler or to a licensed retailer, or both.

Any definition herein contained shall apply to the same word in any form. Thus "sell" means to make a "sale" as above defined.

2. Section 33:1–35 of the Revised Statutes is amended to read as follows:

Section amended.

Investigations, searches, examination of records and witnesses, procedure.

33:1–35. The Director of the Division of Alcoholic Beverage Control and each other issuing authority may make, or cause to be made, such investigations as he or it shall deem proper in the administration of this chapter and of any and all other laws now or which may hereafter be in force and effect concerning alcoholic beverages, or the manufacture, distribution or sale thereof, or the collection of taxes thereon, including the inspection and search of premises for which the license is sought or has been issued, of any building containing the same, of licensed buildings, examination of the books, records, accounts, documents and papers of the licensees or on the licensed premises.

Every applicant for a license, and every licensee, and every director, officer, agent and employee of every licensee, shall, on demand, exhibit to the director or other issuing authority, as the case may be, or to his or its deputies or investigators, or inspectors or agents all of the matters and things which the director of the division or other issuing authority, as the case may be, is hereby authorized or empowered to investigate, inspect or examine, and to facilitate, as far as may be in their power so to do, in any such investigation, examination or inspection, and they shall not in any way hinder or delay or cause the hindrance or delay of same, in any manner whatsoever. Investigations, in-

spections and searches of licensed premises may be made without search warrant by the director, his deputies, inspectors or investigators, by each other issuing authority and by any officer.

For the purpose of any investigation, examination or inspection, revocation, rule to show cause and every other proceeding authorized under this chapter or appropriate for its enforcement, the director, his deputy directors, attorneys and legal assistants designated to act on his behalf, and each other issuing authority may examine, under oath, any and all persons whatsoever and compel by subpœna the attendance of witnesses and the production of books, records, accounts, papers and documents of any person or persons and the director, his deputy directors, inspectors and investigators and each other issuing authority may take any oath or affirmation of any person to any deposition, statement, report or application required in the administration of this chapter, or of any and all other laws now or which may hereafter be in force and effect concerning alcoholic beverages, or the manufacture, distribution and the sale thereof, or the collection of taxes thereon.

The fees of witnesses required to attend before the director or other issuing authority shall be the same as those allowed to witnesses in the Superior Court.

The above enumerations of purposes and powers shall not be construed as exclusive and shall not limit such power to investigate, examine and subpœna for any purpose consonant with the administration and enforcement of this chapter.

If a person subpœnaed to attend any hearing refuses or fails to appear or to be examined, or to answer any question or to produce any books, records, accounts, papers and documents when ordered so to do by the director, the director or other issuing authority, as the case may be, may apply to the Superior Court to compel the person to comply forthwith with the subpœna, direction or order of the director or the other issuing authority, as the case may be.

Each deputy director shall have and exercise all the powers conferred by this chapter upon the director to the extent that the same shall be delegated to him by the director by rules and regulations.

One of such deputy directors shall be designated by the director with power to perform all of the duties of the director in case of his absence or inability to act for any cause and who shall also have authority to so act in the event of the death of the director until a successor has been appointed and qualified.

3. Section 33:1–66 of the Revised Statutes is amended to read as follows: Section amended.

33:1–66. a. Any officer knowing, or having reasonable cause to believe, that any person is engaged in unlawful alcoholic beverage activity, it shall be his duty to investigate, under proper search warrant when necessary, which it shall be his further duty to apply for, and to seize all property which he shall know, or have reasonable ground to believe is unlawful property, including in the case of illicit alcoholic beverages within any vehicle, the vehicle containing the same, and to arrest all persons whom he shall know, or have reasonable ground to believe, are committing, or have committed, a misdemeanor under this chapter and to make complaint against such persons as in other cases of misdemeanors. All property when seized shall be under the jurisdiction of the Director of the Division of Alcoholic Beverage Control subject to this chapter. Seizure of unlawful property, procedure.

Any seized property shall be returned to any person claiming the same upon execution and delivery by him to the director of a bond in a form and with sureties satisfactory to the director in a sum double the retail value of the property, as appraised by the director, conditioned, (1) to pay to the director for the use of the State the full retail value of such property in case the same shall appear to have been unlawful property, and (2) in case it shall appear that said property was not unlawful property, to pay such part of the retail

value thereof as may represent the value of the outstanding right, title, interest, lien or claim of any other person, to such other person, which bond shall be enforceable, as other obligations for payment of money, by civil action in any court of competent jurisdiction, first by the director, to be instituted within one year from the date thereof, and, secondly, by such other person as third party beneficiaries, at any time after final judgment in such action by the director, or after the expiration of said year in case no such action shall have been instituted by the director in the meantime.

In lieu of such bond, the claimant to the seized property may pay to the director for the use of the State the retail value thereof in cash, as appraised by the director, under protest, subject to the right of the person making the payment to recover such sum upon establishing that the property was not unlawful property by an action to be commenced within one year from the date of such payment, and not thereafter, in any court of competent jurisdiction.

Such claimant may, in lieu of either remedy, bring an action for the replevin of the property against the director in any court of competent jurisdiction according to the forms and procedure including the delivery of a bond, of such court, such action to be commenced within thirty days from the seizure of such property and not thereafter.

If the director shall be satisfied that property seized was not unlawful property he may return the same to the person from whom or the place from which the same was taken. If any seized property shall not be reclaimed within thirty days, after determination by him that such property is unlawful property, and subject to rules and regulations, the director shall forfeit such property and may, in his discretion, order that the seized property in whole or in part be sold, destroyed or retained for the use of hospitals and State, county and municipal institutions. The forfeiture of any

seized property shall terminate all property interests therein and in any proceeds therefrom, including the interests of the owner, any conditional vendor, chattel mortgagee or other lienor and all other persons.

No such forfeiture, sale, destruction or retention for use of hospitals and State, county and municipal institutions shall be had except after hearing, of which notice, of not less than fifteen nor more than thirty days, shall be given by mail to all persons known or believed by the director to have an interest in the seized property and by publication twice in a newspaper to be designated by the director and circulating in the county where the property was seized, once in each of the two consecutive calendar weeks preceding such hearing. After such hearing, the director shall file his determination in the form of an order which shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

All moneys received by the director hereunder shall be reserved during the time allowed any person an opportunity of establishing a right thereto and shall immediately thereafter be accounted for by the director as in the case of license fees received hereunder.

All sales by the director shall convey the director's right, title and interest which shall be that of sole and absolute ownership, free and clear of all outstanding title, rights, interest and liens.

Property seized and released shall thereafter be subject to further seizure because of ownership, possession or use thereof in connection with further unlawful alcoholic beverage activities.

b. All alcoholic beverages, fixtures and personal property located in or upon any premises, building, yard or inclosure connected with a building, in which an illicit beverage is found, possessed, stored or kept, are hereby declared unlawful property and shall be seized, forfeited and disposed of in the same manner as other unlawful property seized under this section.

c. All alcoholic beverages manufactured, sold, imported or transported in violation of rules and regulations, together with any vehicle containing the same, are hereby declared unlawful property and shall be seized, forfeited and disposed of in the same manner as other unlawful property seized under this section.

d. Any contrivance, preparation, compound, tablet, substance or recipe advertised, designed or intended for use in the manufacture of alcoholic beverages for personal consumption or otherwise in violation of this chapter is hereby declared unlawful property and shall be seized, forfeited and disposed of in the same manner as other unlawful property seized under this section. Any person who shall advertise, manufacture, sell or possess for sale, or cause to be advertised, manufactured, sold or possessed for sale property declared unlawful under this paragraph, shall be guilty of a misdemeanor and punished by a fine of not less than one hundred dollars ($100.00) and not more than five hundred dollars ($500.00), or imprisonment for not less than thirty days and not more than six months, or both.

e. The director upon being satisfied that a person whose property has been seized or forfeited pursuant to the provisions of this section has acted in good faith and has unknowingly violated the provisions thereof, may order that such property be returned upon payment of the reasonable costs incurred in connection with the seizure, such costs to be determined by the director.

The director may, upon being satisfied that a common carrier, whose vehicle has been seized under the provisions of this chapter, has acted in good faith and had no knowledge at the time of the seizure, that the vehicle contained illicit alcoholic beverages, order that the seized vehicle be returned to the common carrier.

f. The director, upon being satisfied that a person having a bona fide and valid lien upon or in-

terest in property seized or forfeited pursuant to the provisions of this section has acted in good faith and had no knowledge of the unlawful use to which the property was put or of such facts as would have led a person of ordinary prudence to discover such use, may, in his discretion and subject to rules and regulations, recognize the validity and priority of such claim or interest. Where the validity and priority of a lien or interest have been so recognized by the director, he may (1) order, where it appears that the amount or value of such lien or interest exceeds the value of the property plus costs, that the property be returned to the innocent claimant upon payment of the reasonable costs incurred in connection with the seizure, such costs to be determined by the director, or (2) order that the property be sold and that the amount of the lien or value of the interest, which amount or value shall be established to the satisfaction of the director, be paid out of the proceeds of sale after having deducted therefrom the reasonable costs incurred in connection with the seizure, such costs to be determined by the director.

Section amended.

4. Section 33:1–81 of the Revised Statutes is amended to read as follows:

33:1–81. It shall be unlawful for

Misrepresenting age, penalty.

(a) a minor to enter any premises licensed for the retail sale of alcoholic beverages for the purpose of purchasing, or having served or delivered to him or her, any alcoholic beverage; or

(b) a minor to consume any alcoholic beverage on premises licensed for the retail sale of alcoholic beverages, or to purchase, attempt to purchase or have another purchase for him or her any alcoholic beverage; or

(c) any person to misrepresent or misstate his or her age, or the age of any other person for the purpose of inducing any licensee or any employee of any licensee, to sell, serve or deliver any alcoholic beverage to a minor.

Any person who shall violate any of the provisions of this section shall be deemed and adjudged to be a disorderly person, and upon conviction thereof, shall be punished by a fine not exceeding fifty dollars ($50.00).

Section amended.

5. Section 33:2–6 of the Revised Statutes is amended to read as follows:

Commissioner's determination, review.

33:2–6. The determination of the director shall be in the form of an order which shall be subject to review by the Superior Court by a proceeding in lieu of prerogative writ.

Section amended.

6. Section 33:3–10 of the Revised Statutes is amended to read as follows:

Sale, etc., of poisonous liquor, penalty, certain laws unaffected.

33:3–10. Any person, corporation, partnership or member of any association or any agent, servant or employee of any person, corporation, partnership or member of any association who shall have sold, bartered, given away, furnished or otherwise disposed of to any person whatsoever any alcohol for internal consumption, whiskey, gin, brandy, wine or any other alcoholic beverage of any nature whatsoever containing any poisonous chemical or chemicals or any poisonous ingredients of any description whatsoever which shall have caused serious injury to the health or bodily condition of any person or shall have caused the death of any person shall be guilty of a high misdemeanor and shall be punishable by a fine of not exceeding two thousand dollars ($2,000.00), or imprisonment at hard labor or otherwise not exceeding ten years, or both.

Nothing in this section is intended to diminish, alter or in anywise change or in anywise affect the provisions of sections 2A:113–1 to 2A:113–5 of the New Jersey Statutes.

7. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 33

AN ACT concerning labor and workmen's compensation, and revising parts of the statutory law.

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

1. Section 34:1–70 of the Revised Statutes is amended to read as follows: Section amended.

34:1–70. Except as otherwise in this Title specifically provided, a proceeding for the recovery of a penalty for the violation of any provision of this Title shall be by a civil action in the name of the commissioner, to be instituted in the county district court of the county, or a municipal court of the municipality, where the offense was committed. Recovery of penalties, procedure.

If a corporation violates the provisions of this Title and if, according to the practice of the court in which the action is brought, service of process cannot be made upon it in the county where the offense was committed, then such service may be made upon the manager, superintendent, foreman or person in charge of the business where such offense was committed. If an individual violating the provisions of this Title is the owner or operator of the business wherein the offense was committed, and if he does not reside in the county where such offense was committed, service of process against him may be made upon the manager, superintendent, foreman or person in charge of the business. If an individual is committed under execution against his body, he shall not be discharged under the insolvent debtors law of the State, but shall only be discharged by the court issuing the execution, or by the Superior Court, when it is satisfied that further confinement will not result in the payment of the judgment and costs.

Sections repealed.

2. Section 34:3–21 of the Revised Statutes is hereby repealed.

3. Section 34:3–22 of the Revised Statutes is hereby repealed.

Section amended.

4. Section three of chapter two hundred seventy-four of the laws of one thousand nine hundred and forty-nine is amended to read as follows:

C. 34:3A-3. Penalty, recovery.

3. Any person who shall violate any of the provisions of this act shall be liable to a penalty of not less than ten dollars ($10.00) nor more than two hundred dollars ($200.00) in the discretion of the court. The penalties herein provided for shall be sued for and recovered by, and in the name of, the Commissioner of Labor and Industry, in summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.), in the county district court or municipal court of the county or municipality, where the offense was committed.

Section amended.

5. Section 34:4–5 of the Revised Statutes is amended to read as follows:

Action for penalty, jurisdiction.

34:4–5. All proceedings brought under the provisions of this chapter shall be by a civil action in the name of the commissioner or building inspector, to be instituted in any county district court of the county, or municipal court of the municipality, where the offense occurs.

Section amended.

6. Section 34:4–6 of the Revised Statutes is amended to read as follows:

Process, service.

34:4–6. Service shall be made on the owner or owners, person or persons or any of them, owning the place or operating the business wherein the offense is committed, if he or they reside in the county where such offense is committed; and if he or they do not reside therein, then on the superintendent, foreman or person in charge of such business or place, or in case of a building, upon the agent in charge of the building, or if there be no such agent, by affixing a copy thereof to the main outer door of such building.

If a corporation commits an offense and no officer or director thereof resides in the county where such offense is committed, service may be made upon the

superintendent, foreman or person in charge of the business or place where the offense was committed.

Sections repealed.

7. Section 34:4–7 of the Revised Statutes is hereby repealed.

8. Section 34:4–8 of the Revised Statutes is hereby repealed.

Section amended.

9. Section 34:5–162 of the Revised Statutes is amended to read as follows:

Jurisdiction.

34:5–162. The county district court of the county, and the municipal court in a municipality, where a violation of any of the provisions of this chapter shall be committed, shall have jurisdiction to try and punish the offender.

Sundry sections repealed.

10. Section 34:5–163 of the Revised Statutes is hereby repealed.

11. Section 34:6–56 of the Revised Statutes is hereby repealed.

12. Section 34:6–57 of the Revised Statutes is hereby repealed.

13. Section 34:6–117 of the Revised Statutes is hereby repealed.

14. Section 34:6–118 of the Revised Statutes is hereby repealed.

Section amended.

15. Section 34:6–119 of the Revised Statutes is amended to read as follows:

Injunction.

34:6–119. Whenever any person shall violate any of the provisions of this article it shall be lawful for the commissioner, either before or after the institution of proceedings for the collection of a penalty, to institute a civil action in the Superior Court in the name of the State, at the relation of the commissioner for injunctive relief to restrain such violation and for such other or further relief in the premises as the court shall deem proper, but the institution of such action, and any of the proceedings thereon, shall not relieve any party to the proceedings from the penalties prescribed for the violation.

Section amended.

16. Section 34:6–136 of the Revised Statutes is amended to read as follows:

Recovery of penalties, disposition.

34:6–136. Any penalty for a violation of this article shall be recovered in a civil action brought in the name of the commissioner in the County Court or county district court of the county, or municipal court of the municipality, where the offense is committed.

A penalty recovered shall be transmitted by the clerk of the court or the magistrate to the commissioner and by him paid into the treasury of this State.

Section amended.

17. Section eighteen of chapter three hundred eight of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 34:6-136.18. Injunction.

18. The commissioner shall have the power to institute a civil action in the Superior Court for injunctive relief, and such court shall have the power to restrain any employer from violating any of the provisions of this act. The court may proceed in the action in a summary manner or otherwise.

Section amended.

18. Section 34:7–7 of the Revised Statutes is amended to read as follows:

Jurisdiction.

34:7–7. Every county district court and municipal court shall have jurisdiction of proceedings for the collection and enforcement of a penalty imposed because of the violation of any provision of this article. The proceedings shall be summary and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.) and may be brought in the county or municipality where the offense was committed, or where the offender may be summoned or arrested, or where he resides.

Section amended.

19. Section 34:7–8 of the Revised Statutes is amended to read as follows:

Proceedings, form of process.

34:7–8. All proceedings brought for a violation of this article shall be brought in the name of the commissioner as plaintiff. Process shall be either a summons or warrant and shall issue only at the instance of the commissioner, or a member of the

bureau of engineers' and firemen's licenses or an employee of the department.

20. Section 34:7–9 of the Revised Statutes is amended to read as follows: Section amended.

34:7–9. Any process under the provisions of this article shall be served by the commissioner or a member of the engineers' and firemen's license bureau or by any officer authorized to serve process in county district courts or municipal courts. Service of process.

21. Section 34:7–10 of the Revised Statutes is hereby repealed. Sections repealed.

22. Section 34:7–11 of the Revised Statutes is hereby repealed.

23. Section 34:7–12 of the Revised Statutes is amended to read as follows: Section amended.

34:7–12. If after issuance of execution against any person convicted of violating this article, sufficient goods and chattels be not found to satisfy the execution, the court shall commit the defendant to the common jail of the county where the conviction is had for a period not exceeding thirty days. Commitment upon failure to satisfy execution.

24. Section 34:7–13 of the Revised Statutes is hereby repealed. Section repealed.

25. Section 34:7–26 of the Revised Statutes is amended to read as follows: Section amended.

34:7–26. Except as provided by sections 34:7–23 and 34:7–23.1 of this Title, any owner, lessee or operator of any steam boiler or refrigerating plant who shall use or allow to be used such steam boiler or refrigerating plant in violation of any provision of this article shall be liable to a penalty of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00), to be collected by a civil action or compromise. All such actions shall be brought by the commissioner as plaintiff, and may be brought before any county district court of the county, or municipal court of the municipality, wherein such violation shall occur. Penalties, recovery.

26. Section 34:8–19 of the Revised Statutes is amended to read as follows: Section amended.

34:8–19. Penalties for violation of this chapter committed before January first, one thousand nine Recovery of penalties, jurisdiction.

hundred and fifty-two shall be sued for and recovered by and in the name of the commissioner in summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Every county district court and municipal court, within the limits of its jurisdiction, shall have jurisdiction over such proceedings. Process shall be either in the nature of a summons or warrant.

Section amended.

27. Section 34:8–20 of the Revised Statutes is amended to read as follows:

Commitment upon failure to pay penalty.

34:8–20. The court shall cause any defendant who refuses or neglects to pay forthwith the amount of a judgment rendered against him with all costs and charges incident thereto, to be committed to the county jail for any period not exceeding one hundred days.

Sundry sections repealed.

28. Section 34:8–21 of the Revised Statutes is hereby repealed.

29. Section 34:8–22 of the Revised Statutes is hereby repealed.

30. Section 34:8–23 of the Revised Statutes is hereby repealed.

Section amended.

31. Section 34:11–7 of the Revised Statutes is amended to read as follows:

Jurisdiction, form of proceedings.

34:11–7. The county district court of the county, and the municipal court of the municipality, wherein a violation of section 34:11–6 of this Title has occurred, shall have jurisdiction of proceedings for the collection and enforcement of the penalty imposed because of the violation. The proceedings shall be summary and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). They shall be brought at the suit of the Department of Labor and Industry of New Jersey as plaintiff by any person authorized by the commissioner, and process shall be either in the nature of a summons or warrant.

Sundry sections repealed.

32. Section 34:11–8 of the Revised Statutes is hereby repealed.

33. Section 34:11–9 of the Revised Statutes is hereby repealed.

34. Section 34:11–11 of the Revised Statutes is hereby repealed.

35. Section 34:11–12 of the Revised Statutes is hereby repealed.

36. Section 34:11–13 of the Revised Statutes is hereby repealed.

37. Section 34:11–33 of the Revised Statutes is amended to read as follows: Section amended.

34:11–33. Whenever personal property of a manufacturer, distiller, brewer or producer of manufactured articles shall come into the possession of a receiver, any employee who has bestowed labor or services upon any of such personal property for which there is then due and owing to him wages, may apply to the court appointing such receiver for the payment of such wages. The court may proceed in a summary manner or otherwise, and shall determine the amount of wages that are due and unpaid, and direct the receiver forthwith to sell so much of such personal property as may be necessary to pay such wages to such employees in preference to any other creditors and without delay. Wages for services on property in hands of receiver.

38. Section 34:11–41 of the Revised Statutes is amended to read as follows: Section amended.

34:11–41. A wage board shall have power to administer oaths and to require by subpœna the attendance and testimony of witnesses, the production of all books, records, and other evidence relative to matters under investigation. Such subpœnas shall be signed and issued by a member of the wage board and shall be served and have the same effect, and the witnesses shall be subject to the same fines and penalties, as if the subpœnas were issued out of the Superior Court. Failure of a person to obey the subpœna or to answer a proper question shall be punishable by the Superior Court in the same manner as a similar failure is punishable in an action pending in the court. A wage board shall have power to cause depositions of witnesses residing within or without the State to be taken in like Powers of wage board.

manner as is prescribed for depositions in civil actions in the Superior Court.

Section amended.

39. Section 34:11–53 of the Revised Statutes is amended to read as follows:

Review.

34:11–53. Any ruling or holding included or embodied in any decision or order of the commissioner or the director made under this article may be reviewed by the Superior Court by a proceeding in lieu of prerogative writ.

Section amended.

40. Section 34:11–58 of the Revised Statutes is amended to read as follows:

Investigation of wage claims, procedure.

34:11–58. The commissioner is authorized and empowered to investigate and hear any claim for wages due an employee and in such investigation may summon the defendant, subpœna witnesses, administer oaths, take testimony and shall upon such hearing make a determination or award where the sum in controversy, exclusive of costs, does not exceed two hundred dollars ($200.00).

Such determination or award shall be a judgment when a certified copy thereof is filed with the County Court, law division, of the county where defendant resides.

Such judgment shall be entered in the same manner and have the same effect and be subject to the same proceedings as are judgments rendered in actions duly heard and determined by courts of competent jurisdiction.

Section amended.

41. Section 34:11–63 of the Revised Statutes is amended to read as follows:

Appeals, procedure.

34:11–63. From any judgment which may be obtained in the wage collection division, except such as shall be given by confession, either party may, upon filing a notice of appeal with the wage collection division within twenty days after judgment shall be given, appeal to the County Court of the county. The appellant shall give a bond in every case, except where the judgment appealed from is partially in his favor and no set-off against his demand has been allowed by the division, or where the court otherwise orders. The bond shall be secured by one sufficient surety, either a freeholder in

the county or a surety company authorized to do business in New Jersey, and shall be in double the amount of such judgment or of any offset allowed by the division, conditioned that the appellant shall prosecute his appeal in the County Court, stand to and abide the judgment of the court, and pay such costs as shall be taxed against him if the judgment be affirmed. The wage collection division shall then prepare a transcript of the record to be filed in the County Court.

Section amended.

42. Section 34:11–64 of the Revised Statutes is amended to read as follows:

Summary hearing on appeal.

34:11–64. The County Courts shall hear and determine all such appeals without a jury in a summary manner.

Section amended.

43. Section 34:11–66 of the Revised Statutes is amended to read as follows:

Jury trial, procedure.

34:11–66. Nothing in this article shall prevent the claimant from instituting an action for his claim in any court of competent jurisdiction or be construed to deny or limit the right of the plaintiff or defendant to a trial by jury. Where either party demands a trial by jury, he shall pay, at least two days before the return date or the adjourned date of hearing of his cause, the statutory jury fee to the wage collection division and thereupon the wage collection division of the department shall file the entire record, in the cause, in a county district court, for trial by jury of the issues presented by the claimant and defendant. The jury fee so received shall be paid to the county district court wherein the cause is to be tried by the judge and jury. The judgment shall be docketed in the County Court as are other judgments of the wage collection division.

Section amended.

44. Section 34:11–67 of the Revised Statutes is amended to read as follows:

Fees and costs.

34:11–67. No filing fee shall be charged by the wage collection division, for accepting a wage claim, and no advance fees shall be charged by constables making service of process on wage claims of the wage collection division, nor shall any fee

be charged by any county clerk for filing of any award or determination of the wage collection division or sheriff for execution and levy but the collection of any wage claim either by execution or otherwise shall carry taxed costs of service, filing, recording fees, executions, and similar items, in accordance with the schedule of costs as prescribed for county district courts. The balance of all moneys received by way of taxed costs shall be retained by the wage collection division and at the end of each calendar year shall be paid into the State treasury for the use of the State.

Section amended.

45. Section 34:13–4 of the Revised Statutes is amended to read as follows:

Subpœnas for production of books, penalty.

34:13–4. It shall be lawful for the clerk of any court of record within the county wherein such board of arbitrators may be, to issue subpœnas for the production of books and papers and for the attendance of witnesses before the board. If any such witness, when so subpœnaed, shall not appear in accordance with the command of such writ, or, if appearing, shall refuse to be sworn and give evidence, he shall be liable to the same fines and penalties as he would be had such default or refusal been committed in a court of record in this State.

Section amended.

46. Section five of chapter forty-seven of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 34:13B-21. Hearing, powers, procedure.

5. The Board of Arbitration shall promptly proceed to arbitrate the matters submitted to it. It shall promptly hold hearings and shall have the power to administer oaths and compel by subpœna the attendance of witnesses and the furnishing and production by any person of such information, books, records, papers and documents as may be necessary to a determination of the issue or issues in dispute. If a person subpœnaed to attend any hearing refuses or fails to appear or to be examined, or to answer any question or to produce any books, records, papers and documents when ordered so to do by the Board of Arbitration, such board may apply to the Superior

Court to compel the person to comply forthwith with the subpœna, direction or order of the board. Both parties to the dispute shall be afforded an opportunity to be present at the hearing, both personally and by counsel, and to present such oral and documentary evidence as the Board of Arbitration shall deem relevant to the issue or issues in controversy.

Section amended.

47. Section seven of chapter forty-seven of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 34:13B-23. Effect of findings and order.

7. The findings, decision and order of the Board of Arbitration shall, unless modified or reversed on appeal, be conclusive and binding upon all of the parties to the dispute and such order of such board shall be complied with by the parties in accordance with the terms thereof. The order of the Board of Arbitration shall remain in effect for a period of one year from the date thereof unless the board shall fix a lesser period therefor after having given due consideration to the duration of any prior contract between the public utility and the employees thereof, and any practice with respect to the duration of such contract existing in the same or similar industries. The Board of Arbitration may, in its discretion, with respect to any labor dispute existing at the effective date of this act, provide that any award made by it shall be retroactive to the day of the return to work by the employees or, with respect to any labor dispute occurring after the effective date of this act, to the day of the taking of possession pursuant to the provisions of section thirteen of the act which this act supplements, or to the day of the return to work by the employees, or to the day of the termination of any contract between the public utility and its employees.

Within thirty days after the board of Arbitration had filed with the Governor such findings, decision and order, any party to the dispute aggrieved thereby may secure judicial review thereof by appeal therefrom to the Appellate Division of the

Superior Court. A copy of the notice of appeal shall be served upon the chairman of the Board of Arbitration and upon the other party to the dispute or its attorney. In any such appeal the findings of the Board of Arbitration upon the facts, if supported by any evidence, shall be conclusive. The filing of such notice of appeal shall not supersede or stay the order of the Board of Arbitration unless the Appellate Division shall so direct.

Section amended.

48. Section eleven of chapter seventy-five of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 34:13B-26. Injunction.

11. Notwithstanding the provisions of any other law to the contrary:

The commissioner, director or other chief administrative officer of any department or agency of the Government of the State of New Jersey through which the power and authority of the Governor in the use and operation of the plant, equipment or facility of any public utility is exercised pursuant to the provisions of section thirteen of chapter thirty-eight of the laws of one thousand nine hundred and forty-six, or the Attorney-General, may institute an action in the Superior Court in the name of this State, on the relation of said commissioner, director or other chief administrative officer, or Attorney-General, as the case may be, for injunctive relief to prohibit any violation of any of the provisions of this act, or of any provision of any act which this act supplements or amends, or for any declaratory and other relief. The court shall have power and authority to grant such relief and make or render such orders and judgments as it shall determine to be equitable and just in the premises.

Section amended.

49. Section 34:15–4 of the Revised Statutes is amended to read as follows:

Death of employee.

34:15–4. The provisions of this article shall apply to any claim for the death of an employee arising under sections 2A:31–1 to 2A:31–6 of the New Jersey Statutes.

50. Section 34:15–6 of the Revised Statutes is amended to read as follows: Section amended.

34:15–6. No claim for legal services or disbursements pertaining to any demand or suit under this chapter shall be an enforceable lien against the amount paid as compensation, unless approved in writing by the court in which the claim is sued upon, or in case of settlement without trial, by the County Court of the county in which such issue arose, unless notice in writing be given the defendant of such claim, in which event the same shall be a lien against the amount paid as compensation, subject to determination of the amount and approval hereinbefore provided. Lien for legal services.

51. Section 34:15–25 of the Revised Statutes is amended to read as follows: Section amended.

34:15–25. Compensation may be commuted by the bureau at its present value, when discounted at five per centum (5%) simple interest, upon application of either party, with due notice to the other, if it appears that such commutation will be for the best interest of the employees or the dependents of the deceased employee, or that it will avoid undue expense or undue hardship to either party, or that the employee or dependent has removed or is about to remove from the United States, or that the employer has sold or otherwise disposed of the greater part of his business or assets. Commutation of award.

Unless so approved, no compensation payments shall be commuted.

In determining whether commutation will be for the best interest of the employee or the dependents of the deceased employee, or that it will avoid undue expense or undue hardship to either party, the bureau and the County Court will regard the intention of this chapter that compensation payments are in lieu of wages, and are to be received by the injured employee or his dependents in the same manner in which wages are ordinarily paid. Commutation is to be allowed only when it clearly appears that an unusual circumstance warrants a

departure from the normal manner of payment and not to enable the injured employee or dependents of a deceased employee to satisfy a debt, or to make payment to physicians, lawyers or others.

Section amended.

52. Section 34:15–26 of the Revised Statutes is amended to read as follows:

Counsel fees.

34:15–26. When any proceedings have been taken under the provisions of article two of this chapter, the bureau or the County Court shall, as a part of the determination and order, either for payment or for commutation of payment, settle and determine the amount of compensation to be paid by the injured employee or his dependents, on behalf of whom such proceedings are instituted, to his legal advisers, and it shall be unlawful for any lawyer, or other person acting in that behalf, to ask for, contract for or receive any larger sum than the amount so fixed. In the order determining weekly payments where no commutation is made, the bureau or the court shall also determine the amount to be paid per week from the compensation payment on account of the legal fee thus awarded, and it shall be unlawful for the legal adviser, or other person acting in that behalf, to ask for, contract for or receive a larger sum per week than the allowance thus determined.

Section amended.

53. Section 34:15–45 of the Revised Statutes is amended to read as follows:

Guardian's powers.

34:15–45. In any case where a person under the age of twenty-one years shall be entitled to receive any compensation or distributive share under this chapter any duly authorized guardian of the person and property of such person appointed by the surrogate or the County Court of the county in which such person resides, or by the Superior Court, shall be authorized and empowered to act for such person to the same extent as a duly appointed guardian ad litem appointed by any court of this State and shall have the right and authority to compromise and make composition in behalf of such person of any disputed claim for compensa-

tion arising under this chapter; 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 the bureau, before the same shall become effective.

Section amended.

54. Section 34:15–46 of the Revised Statutes is amended to read as follows:

Parents to act as guardians.

34:15–46. In case a person under the age of twenty-one years shall be entitled to receive a sum or sums amounting, in the aggregate, to not more than two hundred fifty dollars ($250.00) as compensation for injuries, or as a distributive share under this chapter, the father, mother or natural guardian upon whom said person shall be dependent for support shall be authorized and empowered to receive and receipt for such moneys to the same extent as a guardian of the person and property of such person duly appointed by the surrogate or County Court of the county in which such person resides. The release or discharge of such father, mother or natural guardian shall be a full and complete discharge of all claims or demands of the said person thereunder.

Section amended.

55. Section 34:15–60 of the Revised Statutes is amended to read as follows:

Subpœnas, fees, contempt.

34:15–60. The director, each deputy director and each of the referees shall have the same power as the County Court to issue subpœnas to compel the attendance of witnesses and the production of books and papers. The fees for the attendance of witnesses shall be such as are now provided for the attendance of witnesses in other civil cases, and shall be paid by the party arranging for the attendance of such witnesses. The subpœnas shall be authenticated by the seal of the department, and either party to any such proceeding may, without charge, secure subpœnas from the director, a deputy director or any referee. Misconduct on the part of any person attending a hearing, or the failure of any witness, when duly subpœnaed to attend or give testimony shall be punishable by

the director, each deputy director and each of the referees, in the same manner as such failure is punishable by the County Court in a case therein pending.

Section amended.

56. Section 34:15–65 of the Revised Statutes is amended to read as follows:

Deposition of absent witness.

34:15–65. The deposition of a witness whose attendance before said bureau cannot be secured by reason of his absence from the State, or by reason of his physical inability to attend the hearing may be taken upon order of the official to whom said cause has been referred. In any such case the procedure for taking such depositions shall conform as nearly as practicable with the procedure for taking depositions in the Superior Court.

Section amended.

57. Section 34:15–66 of the Revised Statutes is amended to read as follows:

Appeal, procedure.

34:15–66. Either party may appeal from the judgment of the director, deputy director, or referee, to the County Court of the county in which the accident occurred or, if the accident occurred out of the State, then of the county wherein the hearing was had, by filing with the secretary of the division, and with the clerk of such county, a notice of appeal. Such notice shall be filed within thirty days after the judgment has been rendered. The judgment entered in the County Court on any such appeal shall be conclusive and binding, and proceedings thereon shall only be for the recovery of moneys thereby determined to be due. Costs may be awarded by the court in its discretion, and when so awarded the same costs shall be allowed, taxed and collected as are allowed, taxed and collected for like services in the County Court. In case the respondent, in said appeal, is unable to pay counsel, the court shall assign counsel to represent him. Nothing herein contained shall be construed as limiting the jurisdiction of the Superior Court to review any matter through a proceeding in lieu of prerogative writ or as limiting the jurisdiction of the Supreme Court.

58. Section 34:15–66.1 of the Revised Statutes is amended to read as follows: Section amended.

34:15–66.1. Any judgment entered in a County Court pursuant to the provisions of section 34:15–66 of this Title may be docketed in the Superior Court and thenceforward operate as a judgment recovered in that court. Upon failure to comply with the original order for compensation the court may order that the entire amount of compensation shall become due immediately, and execution may issue upon proof of such failure for the entire amount of compensation, without discount or commutation. Supplementary proceedings in aid of execution may be resorted to upon a judgment so docketed and becoming due in whole, as in any other case. Judgment docketed, effect, supplementary proceedings.

59. Section 34:15–67 of the Revised Statutes is hereby repealed. Section repealed.

60. Section 34:15–69 of the Revised Statutes is amended to read as follows: Section amended.

34:15–69. Whenever any judgment is entered in a County Court upon any matter arising under the provisions of this chapter the clerk of the law division of said court shall forthwith forward to the director a copy of the judgment, which need not be certified and for which no charge shall be made. Copy of order filed with director.

61. Section 34:15–84 of the Revised Statutes is amended to read as follows: Section amended.

34:15–84. Every such contract shall further provide, or be construed to provide, that any injured employee or his dependents may enforce the provisions thereof to his or their benefit, either by agreement with the employer and the insurance carrier, in event that compensation be settled by agreement, or by joining the insurance carrier with the employer in his petition filed for the purpose of enforcing his claim for compensation, or by subsequent application to the County Court, upon the failure of the employer, for any reason, to make adequate and continuous compensation payments. Enforcement of provisions.

62. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 34

AN ACT concerning marriages and married persons, and revising parts of the statutory law.

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

Section amended.

1. Section 37:1–4 of the Revised Statutes is amended to read as follows:

Interval between application and issuance, proviso.

37:1–4. Except as provided in sections 37:1–5 and 37:1–6 of this Title, the license shall not be issued by a licensing officer sooner than seventy-two hours after the application therefor has been made; *provided, however,* that the County Court of the county may, by order, waive all or any part of said seventy-two hour period in cases of emergency, upon satisfactory proof being shown to it. Said order shall be filed with the licensing officer and attached to the application for the license.

A license, when properly issued as provided in this article, shall be good and valid only for thirty days after the date of the issuance thereof.

Section amended.

2. Section 37:1–6 of the Revised Statutes is amended to read as follows:

Consent of parents or guardians.

37:1–6. A marriage license shall not be issued to a minor under the age of twenty-one years, if a male, or under the age of eighteen years, if a female, unless the parents or guardian of the minor, if there be any, first certify under their hands and seals, in the presence of two reputable witnesses, their consent thereto, which consent shall be delivered to the licensing officer issuing the license. If the parents, or either of them, or guardian of any such minor shall be of unsound mind, the consent of such parent or guardian to the proposed marriage shall not be required.

When a minor, if a male, is under the age of eighteen years, or if a female, is under the age of sixteen years, the consent required by this section

must be approved in writing by any judge of the County Court of the county or any judge of the juvenile and domestic relations court of the county. Said approval shall be filed with the licensing officer.

The licensing officer shall transmit to the State Bureau of Vital Statistics all such consents, orders, and approvals so received by him in the same manner and subject to the same penalty as in the case of certificates of marriage and marriage licenses.

If any such male applicant for a license to marry shall be a minor under the age of twenty-one years, and shall have been arrested on the charge of sexual intercourse with a single, widowed or divorced female of good repute for chastity who has thereby become pregnant, a license to marry the female may be immediately issued by any licensing officer to the minor upon his application therefor, without the consent or approval required by this section.

Section amended.

3. Section 37:1–13 of the Revised Statutes is amended to read as follows:

Persons authorized to solemnize marriage.

37:1–13. Each judge of a County Court, judge of a county district court, or magistrate of a municipal court, and mayor of this State, and every minister of every religion, and judges of the criminal judicial district courts in counties wherein such courts are or may be established, and judges of the juvenile and domestic relations courts in counties in which such courts are or may be established, are hereby authorized to solemnize marriage 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 such society, institution or organization, or when one of such persons is a member of such society, institution or organization, according to the rules and customs of the society, institution or organization to which they or either of them belong.

Section amended.

4. Section 37:2–9 of the Revised Statutes is amended to read as follows:

Action by married women for torts without joining husband, construction.

37:2–9. Any married woman may maintain an action in her own name, without joining her husband therein, for all torts committed against her, or her separate property, in the same manner as she lawfully might if a feme sole, and the nonjoinder of the husband shall not be pleaded in any such action. In any such action the husband may join his claim for any damages he may have sustained in connection with or growing out of the injury for which his wife brings her action; but his failure to join shall not prevent him from maintaining a separate action for such damages.

This section shall not be so construed as to interfere with or take away any right of action provided by law for the torts mentioned herein.

Section amended.

5. Section 37:2–11 of the Revised Statutes is amended to read as follows:

Judgments against married women, valid.

37:2–11. Any judgment obtained against a married woman by virtue of this chapter shall be valid and effectual, and all property, real or personal, sold under an execution issued thereon, executed according to law, shall become vested in the purchaser as fully and effectually as if the judgment and execution were against an unmarried person; but no judgment against a married woman shall affect any estate, interest or right of her husband in her real property.

Section amended.

6. Section 37:2–16 of the Revised Statutes is amended to read as follows:

Contracts by married women legal and obligatory.

37:2–16. Any married woman shall have the right to bind herself by contract in the same manner and to the same extent as though she were unmarried, which contract shall be legal and obligatory, and may be enforced by and against such married woman in her own name and apart from her husband. Any contract relating to or affecting her estate, interest or right in her real property or that of her husband shall be valid without the joinder therein or consent thereto of her husband,

but shall not affect any estate, interest or right of her husband in such real estate.

Section amended.

7. Section one of chapter one hundred thirty of the laws of one thousand nine hundred and forty-five is amended to read as follows:

C. 37:2-16.1. Partnership contracts by married women.

1. Any married woman may contract with her husband alone or with her husband and any other person or persons for the formation of a partnership, a limited partnership or a partnership association, between or among them and may engage in, and carry on, business, as a general, or as a limited or special, partner, of any general or limited partnership or as a member of any partnership association, so formed, in the same manner and to the same extent as though she were unmarried, and may enter into contracts as such partner and shall be bound by contracts entered into by the other members of such partnership, limited partnership or partnership association, in the same manner and to the same extent as though she were unmarried. Any such contracts shall be legal and obligatory and may be enforced by and against such married woman, as though she were unmarried.

Section amended.

8. Section two of chapter one hundred thirty of the laws of one thousand nine hundred and forty-five is amended to read as follows:

C. 37:2-16.2. Prior contracts enforceable.

2. Any contract heretofore made by, or on behalf of, any married woman as a partner with her husband alone or with her husband and any other person or persons shall be legal and obligatory and may be enforced by or against such married woman as though she were unmarried.

Section amended.

9. Section 37:2–18 of the Revised Statutes is amended to read as follows:

Conveyances between husband and wife.

37:2–18. A married man may convey real estate or any interest therein directly to his wife, and a married woman may convey real estate or any interest therein directly to her husband. Every such conveyance of real estate or any interest therein, located in this State, heretofore or hereafter made, shall be valid and effective to convey the grantor's title and interest therein and thereto, whether both

the grantor and grantee or either, respectively, shall have resided at the time of such conveyance within or without this State, and notwithstanding the wife or the husband, respectively, did not or does not join therein and acknowledge the same as prescribed by law. Any such conveyance heretofore or hereafter made shall convey the entire estate and interest of a married man or married woman in lands held by such husband and wife as tenants by the entirety, including the right of survivorship; and any conveyance heretofore or hereafter made by a married man or married woman to himself or herself and spouse of any real estate held in fee in severalty by such married man or married woman shall be construed to vest an estate by the entirety in such husband and wife, in fee. Any such conveyance shall also release the inchoate or possible future estate by the curtesy or in dower of the husband or wife, as the case may be, in the lands conveyed to the grantee, if so provided in such conveyance.

Section amended.

10. Section 37:2–21 of the Revised Statutes is amended to read as follows:

Payment to married women living separate from husband of proceeds of sale.

37:2–21. Any married woman, whose interest in real estate acquired by descent, gift or devise, has been or may be sold by order or judgment of the Superior Court in any partition or other proceedings, and the proceeds of such sale have been or shall be placed in the custody of any court of this State, or of any officer thereof, and who shall be living in a state of separation from her husband, continued for three or more years, may apply to the Superior Court for an order directing the clerk of the court, or the person having the custody of such proceeds, to pay the same to her free and discharged of any right of curtesy or of any right, title or interest of her husband therein. The court, upon receiving satisfactory proof that such real estate was acquired as aforesaid, and that the applicant has been living separate and apart from her husband for three or more years next preceding such application, and notice of such application

first having been given to the husband, as in the case of absent defendants or such other notice as the court may, by order, direct, may direct the clerk of the court or the person having the custody of such proceeds to pay the same, together with any accumulated interest thereon, directly to the applicant, free and discharged of any right, title or interest of her husband.

Section amended.

11. Section 37:2–22 of the Revised Statutes is amended to read as follows:

May bind married woman's interest.

37:2–22. Notwithstanding that a married woman is restrained from anticipation, the Superior Court may, if it thinks fit and it appears to the court to be for her benefit, by order or judgment and with her consent, bind her interest in any property or authorize her or her trustees to assign or convey the same.

Section amended.

12. Section 37:2–23 of the Revised Statutes is amended to read as follows:

Married woman legally separated may convey property.

37:2–23. Any married woman who is living in a state of separation from her husband, under and by virtue of the final judgment of any court, when such judgment is founded upon her application for such separation, may, at any time during the continuance of such separation, convey, mortgage and lease or devise any interest, estate or right that she may have in any real property, except such as came to her by gift, through or from her said husband, in the same manner and with the like effect as if she were sole and unmarried.

Section amended.

13. Section 37:2–24 of the Revised Statutes is amended to read as follows:

Husband legally separated, power to convey.

37:2–24. Any married man who is living in a state of separation from his wife under and by virtue of the final judgment of any court, when such judgment is founded upon his application for such separation, may, at any time during the continuance of such separation, convey, mortgage, and lease, or devise any interest, estate or right that he may have in any real property, except such as came to him by gift through or from his said wife, in the

same manner, and with like effect as if he were sole and unmarried.

Section amended.

14. Section 37:2–25 of the Revised Statutes is amended to read as follows:

Husband incompetent, conveyances by wife.

37:2–25. In case any married woman owning lands situate within this State, shall desire to convey the same, but shall not be able to do so by reason of the lunacy or other mental incapacity of her husband to join with her in the execution of proper deeds of conveyance therefor, it shall be lawful for the Superior Court, in an action brought for that purpose, to direct that such married woman may convey the said lands by deed or deeds executed by herself, without the concurrence of her husband, which deed or deeds of conveyance shall convey the said lands free from any claim, estate or right of the husband of such married woman, and shall be an absolute bar to any right of curtesy therein, in case he shall survive her. The court may proceed in the action in a summary manner or otherwise.

Section amended.

15. Section 37:2–26 of the Revised Statutes is amended to read as follows:

Procedure for married woman to convey, disposition of proceeds.

37:2–26. If in such an action, the court shall direct that such married woman may convey her lands as aforesaid, it shall ascertain the actual money value of the estate or interest of the husband in such lands, if any, by a calculation based upon the actual cash value of said lands, and upon the expectancy of life of the said husband and wife, in the manner and according to the rules now or hereafter in use in said court. The court shall direct that the value thereof shall be paid out of the purchase-money of the said lands by the purchaser to the committee or guardian of said lunatic or incapacitated husband, duly appointed by any competent court of this State or elsewhere, to be held by him as part of the estate of such husband, or if there be no such guardian or committee, then such payment shall be made to the clerk of the court. The court shall specifically direct how much money shall

be so paid and to whom such payment shall be made by said purchaser.

16. Section 37:2–27 of the Revised Statutes is amended to read as follows: Section amended.

37:2–27. The word "convey" in sections 37:2–25 and 37:2–26 of this Title shall be so construed as to include the right to mortgage, and any decree, judgment or order of the Court of Chancery or of the Superior Court made after April eighth, one thousand nine hundred and three, pursuant to the provisions of said sections 37:2–25 and 37:2–26, and directing that a married woman may convey her land without the concurrence of her husband because of his lunacy or other mental incapacity, shall be so construed as to include the right to mortgage said premises. Term defined.

17. Section 37:2–28 of the Revised Statutes is amended to read as follows: Section amended.

37:2–28. In case any married woman owning lands situate within this State has sold or shall be desirous of selling the same, or any part thereof, for the purpose of investing the proceeds thereof in other lands in this State, or has exchanged or shall be desirous of exchanging the same, or any part thereof, for other lands of equal value in this State, but shall not be able to convey her said lands so sold or exchanged, or intended so to be, by reason of the inability of her husband, through lunacy or other mental incapacity, to join with her in the execution of proper deeds of conveyance therefor, it shall and may be lawful for the Superior Court in an action brought for that purpose to confirm or authorize such sale or exchange, and direct that such married woman may convey her lands so sold or exchanged by deed or deeds executed by herself, without the concurrence of her husband, which deed or deeds of conveyance shall convey her said lands free from any claim, estate or right of the husband of such married woman, and shall be an absolute bar to any right of curtesy therein in case he shall survive her. The court may proceed in the action in a summary manner or otherwise. Confirming or authorizing sale, etc., when husband incompetent.

Section amended.

Terms and conditions of order or judgment.

18. Section 37:2–29 of the Revised Statutes is amended to read as follows:

37:2–29. Upon making an order or judgment in the action mentioned in section 37:2–28 of this Title it shall not be necessary for said court to ascertain the actual money value of the estate or interest of the husband in such lands, if any, or to direct any sum to be paid out of the purchase-money of the said lands by the purchaser to the committee or guardian of said lunatic or incapacitated husband, or to the clerk of the court, as required by section 37:2–26 of this Title; but in making such order or judgment the court may impose such terms or conditions as it shall deem advisable.

19. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 35

AN ACT concerning militia—soldiers, sailors and marines, and revising parts of the statutory law.

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

Section amended.

1. Section 38:9–7 of the Revised Statutes is amended to read as follows:

Action for return of military property.

38:9–7. The Quartermaster General or any military or naval officer of the State charged with the care and responsibility of public property may bring an action before the County Court against any resident of the county who detains any arm, article of clothing or equipment, or any military or naval stores of supplies, being the property of the United States or of this State. The court may proceed in the action in a summary manner or otherwise, with a jury if a jury be demanded by the defendant. The court may require the defendant to deliver up such property to the plaintiff.

Sections repealed.

2. Section 38:9–8 of the Revised Statutes is hereby repealed.

3. Section 38:9–9 of the Revised Statutes is hereby repealed.

Section amended.

4. Section 38:9–11 of the Revised Statutes is amended to read as follows:

Issuance of warrant.

38:9–11. Any municipal court or other criminal court, on complaint or oath made by the Quartermaster General or any such commanding officer, that any such military or naval property is unlawfully withheld from him by any person within the jurisdiction of such court, and that the same is believed to be in a particular place specified in the complaint, shall issue to any sheriff, police officer, member of the State Police or constable, a warrant in the nature of a search warrant.

Section amended.

5. Section 38:9–12 of the Revised Statutes is amended to read as follows:

Execution of warrant.

38:9–12. The officer to whom such warrant is directed shall have the same power in executing the warrant that he would have in executing a search warrant. On finding such property, the court issuing such warrant, shall order the property to be delivered to the officer making the complaint.

6. This act shall take effect immediately.

Approved March 19, 1953.

New Jersey State Library

CHAPTER 36

AN ACT concerning motor vehicles and traffic regulations, and revising parts of the statutory law.

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

Section amended.

1. Section 39:1–1 of the Revised Statutes is amended to read as follows:

Terms defined.

39:1–1. As used in this subtitle, unless other meaning is clearly apparent from the language or context, or unless inconsistent with the manifest intention of the Legislature:

"Alley" means a public highway wherein the roadway does not exceed twelve feet in width.

"Authorized emergency vehicles" means vehicles of the fire department, police vehicles and such ambulances and other vehicles as are approved by the Director of the Division of Motor Vehicles in the Department of Law and Public Safety when operated in response to an emergency call.

"Automobile" includes all motor vehicles except motor cycles.

"Berm" means that portion of the highway exclusive of roadway and shoulder, bordering the shoulder but not to be used for vehicular travel.

"Business district" means that portion of a highway and the territory contiguous thereto, where within any six hundred feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, office buildings, railroad stations, and public buildings which occupy at least three hundred feet of frontage on one side or three hundred feet collectively on both sides of the roadway.

"Commercial motor vehicle" includes every type of motor-driven vehicle used for commercial purposes on the highways, such as the transportation of goods, wares and merchandise, excepting such

vehicles as are run only upon rails or tracks and vehicles of the passenger car type used for touring purposes or the carrying of farm products and milk, as the case may be.

"Commissioner" means the Director of the Division of Motor Vehicles in the Department of Law and Public Safety of this State.

"Crosswalk" means that part of a highway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the shoulder or, if none, from the edges of the roadway; also, any portion of a highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

"Dealer" includes every person actively engaged in the business of buying, selling or exchanging motor vehicles or motor cycles and who has an established place of business.

"Department" means the Division of Motor Vehicles in the Department of Law and Public Safety of this State acting directly or through its duly authorized officers or agents.

"Deputy commissioners" means deputy director of the Division of Motor Vehicles in the Department of Law and Public Safety.

"Deputy director" means the deputy director of the Division of Motor Vehicles in the Department of Law and Public Safety.

"Director" means the Director of the Division of Motor Vehicles in the Department of Law and Public Safety.

"Division" means the Division of Motor Vehicles in the Department of Law and Public Safety acting directly or through its duly authorized officers or agents.

"Driver" means the rider or driver of a horse, bicycle or motor cycle or the driver or operator of a motor vehicle, unless otherwise specified.

"Explosives" means any chemical compound or mechanical mixture that is commonly used or in-

tended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

"Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

"Flammable liquid" means any liquid having a flash point below two hundred degrees Fahrenheit, and a vapor pressure not exceeding forty pounds.

"Gross weight" means the combined weight of a vehicle and any load thereon.

"Highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

"Horse" includes mules and all other domestic animals used as draught animals or beasts of burden.

"Inside lane" means the lane nearest the center line of the roadway.

"Intersection" means 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.

"Laned roadway" means a roadway which is divided into two or more clearly marked lanes for vehicular traffic.

"Limited-access highway" means every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having

jurisdiction over such highway, street, or roadway; and includes any highway designated as a "freeway" or "parkway" by authority of law.

"Local authorities" means every county, municipal and other local board or body having authority to adopt local police regulations under the constitution and laws of this State, including every county board of chosen freeholders with relation to county roads.

"Magistrate" means any municipal court, county district court, criminal judicial district court, County Court and the Superior Court, and any officer having the powers of a committing magistrate and the Director of the Division of Motor Vehicles in the Department of Law and Public Safety.

"Manufacturer" means a person engaged in the business of manufacturing or assembling motor vehicles, who will, under normal business conditions during the year, manufacture or assemble at least ten new motor vehicles.

"Metal tire" means every tire the surface of which in contact with the highway is wholly or partly of metal or other hard nonresilient material.

"Motor cycle" includes all motor operated vehicles of the bicycle or tricycle type, whether the motive power be a part thereof or attached thereto, and having a saddle or seat with driver sitting astride or upon it, or a platform on which the driver stands.

"Motor-drawn vehicle" includes trailers, semitrailers, or any other type of vehicle drawn by a motor-driven vehicle.

"Motor vehicle" includes all vehicles propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks.

"Official traffic control devices" means all signs, signals, markings, and devices not inconsistent with this subtitle placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating warning, or guiding traffic.

"Omnibus" includes all motor vehicles used for the transportation of passengers for hire, except school buses if the same are not otherwise used in the transportation of passengers for hire.

"Operator" means a person who is in actual physical control of a vehicle or street car.

"Outside lane" means the lane nearest the curb or outer edge of the roadway.

"Owner" means a person who holds the legal title of a vehicle, or if 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 if a mortgagor of a vehicle is entitled to possession, then the conditional vendee, lessee or mortgagor shall be deemed the owner for the purpose of this subtitle.

"Parking" means the standing or waiting on a street, road or highway of a vehicle not actually engaged in receiving or discharging passengers or merchandise, unless in obedience to traffic regulations or traffic signs or signals.

"Pedestrian" means a person afoot.

"Person" includes natural persons, firms, copartnerships, associations, and corporations.

"Pneumatic tire" means every tire in which compressed air is designed to support the load.

"Pole trailer" means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

"Private road or driveway" means every road or driveway not open to the use of the public for purposes of vehicular travel.

"Railroad train" means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street cars.

"Residence district" means that portion of a highway and the territory contiguous thereto, not comprising a business district, where within any six hundred feet along such highway there are buildings in use for business or residential purposes which occupy three hundred feet or more of frontage on at least one side of the highway.

"Right of way" means the privilege of the immediate use of the highway.

"Road tractor" means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

"Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately, but not to all such roadways collectively.

"Safety zone" means the area or space officially set aside within a highway for the exclusive use of pedestrians, 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.

"School bus" means every motor vehicle owned by a public or governmental agency, or religious or other charitable organization or corporation, and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school.

"School zone" means that portion of a highway which is contiguous to territory occupied by a school building upon which are maintained appropriate "school signs" in accordance with specifications adopted by the director and in accordance with law.

"Semitrailer" means every vehicle with or without motive power, other than a pole trailer, de-

signed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

"Shoulder" means that portion of the highway, exclusive of and bordering the roadway, designed for emergency use but not ordinarily to be used for vehicular travel.

"Sidewalk" means that portion of a highway intended for the use of pedestrians, between the curb line or the lateral line of a shoulder, or, if none, the lateral line of the roadway, and the adjacent right of way line.

"Sign." See "official traffic control devices."

"Slow moving vehicle" means a vehicle run at a speed less than the maximum speed then and there permissible.

"Solid tire" means every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

"Street" means the same as a highway.

"Street car" means a car other than a railroad train for transporting persons or property and operated upon rails principally within a municipality.

"Stop," when required, means complete cessation from movement.

"Stopping or standing," when prohibited, means any cessation of movement of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

"Through highway" means every highway or portion thereof at the entrances to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this chapter.

"Trackless trolley" means every motor vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.

"Traffic" means pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances either singly, or together, while using any highway for purposes of travel.

"Traffic control signal" means a device whether manually, electrically, mechanically, or otherwise controlled by which traffic is alternately directed to stop and to proceed.

"Trailer" means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

"Truck" means every motor vehicle designed, used, or maintained primarily for the transportation of property.

"Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

"Vehicle" means every device in, upon or by which a 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.

Section amended.

2. Section 39:2–2 of the Revised Statutes is amended to read as follows:

Director of motor vehicles, appointment, term, salary, bond, oath, vacancies.

39:2–2. The department shall be administered by the director of the Division of Motor Vehicles.

The director shall be appointed by the Governor by and with the advice and consent of the Senate for a term of four years but he shall continue in office after the expiration of his term until his successor shall be appointed and shall qualify.

The salary of the director shall be ten thousand dollars ($10,000.00) per annum, to be paid semimonthly by the State Treasurer on the warrant of the Comptroller.

The director shall give bond, conditioned for the faithful discharge of his duties, in the sum of fifty thousand dollars ($50,000.00), which bond shall be

approved by a justice of the Supreme Court or a judge of the Superior Court, and shall be filed with the State Treasurer.

The director shall take an oath before one of the Supreme Court justices or Superior Court judges, in form similar to that now required by the State Treasurer, which oath shall be filed with the Secretary of State.

Vacancies in the office of the director shall be filled by the Governor by and with the advice and consent of the Senate for the unexpired term only.

Section amended.

3. Section 39:2–4 of the Revised Statutes is amended to read as follows:

Deputy director.

39:2–4. The director shall appoint a deputy director for a term to correspond with his term of office. He shall assist the director in the administration and enforcement of this subtitle and have all the powers of the director when deputized by the director in the performance of such duties as the director may assign to him. The deputy director's salary shall be five thousand five hundred dollars ($5,500.00) per annum, payable in semi-monthly installments.

The deputy director shall give bond, conditioned for the faithful discharge of his duties, in the sum of fifty thousand dollars ($50,000.00), which bond shall be approved by a judge of the Superior Court and filed with the State Treasurer. He shall also take an oath of office before a judge of the Superior Court, in form similar to that now required of the State Treasurer, which oath shall be filed with the Secretary of State.

Section amended.

4. Section 39:4–31 of the Revised Statutes is amended to read as follows:

Violations, fine, disposition of fine.

39:4–31. A person violating a provision of this article shall, upon conviction thereof, pay such fine as may be imposed by the court, not exceeding one hundred dollars ($100.00) for each violation. In default of the payment thereof, the court imposing the fine may cause him to be imprisoned in the county jail of the county for a term not exceeding ninety days.

The fine shall be paid over to the board or body charged with the maintenance of the road or highway upon which the violation occurs.

Section amended.

5. Section 39:5–2 of the Revised Statutes is amended to read as follows:

Judicial powers of director.

39:5–2. The director shall have the same powers as are conferred by this subtitle on a magistrate.

In considering violations of this subtitle, the director may hold court in any municipality in the State, upon five days' notice given to the defendants summoned to appear before him and shall conduct the proceedings in compliance with, insofar as they are applicable, the rules of the Supreme Court governing local criminal courts. The fees and costs shall be the same as in a municipal court. Appeals from a court held by the director shall, in the manner provided for an appeal from a municipal court, be taken to the County Court of the county in which the proceeding shall have taken place.

Section amended.

6. Section 39:5–3 of the Revised Statutes is amended to read as follows:

Issue of process upon complaint, proceedings.

39:5–3. When a person has violated a provision of this subtitle, the magistrate may, within thirty days after the commission of the offense, issue process directed to a constable, police officer, an inspector of motor vehicles or the director for the appearance or arrest of the person so charged. A complaint may be made to a magistrate for a violation of sections 39:3–12, 39:3–34, 39:3–37, 39:4–129 or 39:10–24 of this Title, at any time within one year after the commission of the offense.

All proceedings shall be brought before a magistrate having jurisdiction in the municipality in which it is alleged that the violation occurred but when a violation occurs on a street through which the boundary line of two or more municipalities runs or crosses, then the proceeding may be brought before the magistrate having jurisdiction in any one of the municipalities divided by said boundary line, and in the event there shall be no such magistrate or should no magistrate having

such jurisdiction be available for the acceptance of bail and disposition of the case, or should the magistrates having such jurisdiction be disqualified because of personal interest in the proceedings, or for any other legal cause, said proceeding shall be brought before a magistrate having jurisdiction in the nearest municipality to the one in which it is alleged such a violation occurred, except in those counties where there is a county traffic court. In such case, the proceeding may be brought before a magistrate as aforesaid or in the county traffic court, which court shall have concurrent jurisdiction.

Section repealed.

7. Section 39:5–4 of the Revised Statutes is hereby repealed.

Section amended.

8. Section 39:5–5 of the Revised Statutes is amended to read as follows:

Proceedings, bond.

39:5–5. All proceedings for the violation of this subtitle shall be brought in the name of the State, with the director, a motor vehicle inspector, police officer, peace officer, constable or any other person who institutes the proceedings as prosecutor. A magistrate may, at his discretion, refuse to issue a warrant on the complaint of a person other than the director, a motor vehicle inspector or a police officer, until a sufficient bond to secure costs has been executed and delivered to the magistrate.

Section amended.

9. Section 39:5–7 of the Revised Statutes is amended to read as follows:

Suspension of sentence, probation.

39:5–7. In any proceeding instituted pursuant to the provisions of this subtitle, except where a mandatory penalty is fixed herein, the magistrate may suspend the imposition or execution of sentence, and may also place the defendant on probation under the supervision of the chief probation officer of the county for a period of not less than six months nor more than one year. The probation shall be effected and administered pursuant to the provisions of sections 2A:168–1 to 2A:168–13 of the New Jersey Statutes.

Section repealed.

10. Section 39:5–8 of the Revised Statutes is hereby repealed.

11. Section 39:5–9 of the Revised Statutes is amended to read as follows:

Section amended.

39:5–9. A bail bond, if forfeited, may be enforced by the director, and any cash deposit in lieu of bond, if forfeited, shall be paid to the director by the magistrate with whom it was deposited; *provided,* that such forfeiture is in a proceeding instituted by the director, or a member of his staff, or by the State Police, or an inspector of the Public Utility Commission, or a law enforcement officer of any other State agency. The director shall dispose of the proceeds of said forfeiture in the manner provided by section 39:5–40 of this Title. The proceeds of forfeitures in a proceeding instituted by a local officer shall be forwarded by the magistrate to the proper financial officer of the county, wherein they were collected, to be used by the county as a fund for road repairs therein.

Forfeiture of bond, etc., proviso.

12. Section 39:5–10 of the Revised Statutes is hereby repealed.

Section repealed.

13. Section 39:5–11 of the Revised Statutes is amended to read as follows:

Section amended.

39:5–11. If the defendant appeals to the County Court, the appeal shall operate as a consent to an amendment of the complaint in that court so as to substitute a new or different charge growing out of the act or acts complained of or the circumstances surrounding such acts; and any provision of law limiting the time within which any such charge may be brought or proceedings taken in the prosecution thereof shall not operate and shall be deemed to have been waived by the appeal.

Appeals to County Court, procedure.

14. Section 39:5–12 of the Revised Statutes is hereby repealed.

Sundry sections repealed.

15. Section 39:5–13 of the Revised Statutes is hereby repealed.

16. Section 39:5–14 of the Revised Statutes is hereby repealed.

17. Section 39:5–15 of the Revised Statutes is hereby repealed.

18. Section 39:5–16 of the Revised Statutes is hereby repealed.

19. Section 39:5–17 of the Revised Statutes is hereby repealed.

20. Section 39:5–18 of the Revised Statutes is hereby repealed.

21. Section 39:5–19 of the Revised Statutes is hereby repealed.

Section amended.

22. Section 39:5–20 of the Revised Statutes is amended to read as follows:

Counsel for complainant.

39:5–20. On an appeal by the defendant in any proceeding instituted under this subtitle, the county prosecutor of the county wherein the alleged violation was committed shall represent the complainant; but where the complaint is made by a motor vehicle inspector or a member of the State Police, the Attorney-General, and not the prosecutor, shall represent the complainant, and where there is a violation of a municipal ordinance relating to traffic regulations and the proceeding was instituted by a municipal officer, the municipal attorney shall represent the complainant. The county prosecutor, charged with the enforcement of this subtitle, may request the Attorney-General to attend personally, or by such assistant or assistants as he shall designate, to aid in the prosecution of the appeal.

Section repealed.

23. Section 39:5–21 of the Revised Statutes is hereby repealed.

Section amended.

24. Section 39:5–22 of the Revised Statutes is amended to read as follows:

Revoked license not restored by appeal.

39:5–22. Where a license has been revoked for a violation of section 39:4–50 of this Title, and an appeal has been taken from the judgment, the appeal shall not operate to restore the license during the pendency of the appeal.

Section repealed.

25. Section 39:5–23 of the Revised Statutes is hereby repealed.

Section amended.

26. Section 39:5–25 of the Revised Statutes is amended to read as follows:

Arrest without warrant, exemptions, detention, summons.

39:5–25. Any constable, police officer, peace officer, motor vehicle inspector or the director may, without a warrant, arrest any person violating in his presence any provision of chapter three of this

Title (39:3–1 et seq.), or 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 his presence any provision of chapter four of this Title (39:4–1 et seq.). The exemption from arrest of a motorman or person having control of a street car or auto bus, as conferred herein, shall not operate to prevent his arrest, however, for a violation of section 39:4–50 of this Title. The arresting officer shall bring any person so arrested before any magistrate of the county wherein the offense is committed, or before the director at any place designated as his office. If the arrest is for a violation of section 39:4–50 of this Title, the arresting officer may, if no magistrate, clerk or deputy clerk is available, detain the person arrested either in any police station, lockup or other place maintained by any municipality for the detention of offenders or in the common jail of the county, for such reasonable time as will permit the arresting officer to obtain a warrant for the offender's further detention, which temporary detention shall not exceed twenty-four hours from the time of the arrest. If the arrest is for a violation of any other provision of this subtitle, the person arrested shall be detained in the police station or office of the magistrate until the arresting officer makes a complaint and a warrant issues.

Any constable, police officer, motor vehicle inspector or the director may, instead of arresting an offender as herein provided, serve upon him a summons.

Section repealed.

27. Section 39:5–26 of the Revised Statutes is hereby repealed.

Section amended.

28. Section 39:5–28 of the Revised Statutes is amended to read as follows:

Validity of summons or warrant, service.

39:5–28. A summons or warrant issued by a magistrate under this chapter shall be valid throughout the State. An officer who may serve the summons or warrant and make arrest on the warrant in the county in which it was issued may

also serve the summons or warrant and make arrest on the warrant in any county of the State.

Section repealed.

29. Section 39:5–29 of the Revised Statutes is hereby repealed.

Section amended.

30. Section 39:5–31 of the Revised Statutes is amended to read as follows:

Revocation of driver's license.

39:5–31. The director or any magistrate before whom any hearing under this subtitle is had may revoke the license of any person to drive a motor vehicle, when such person shall have been guilty of such willful violation of any of the provisions of this subtitle as shall, in the discretion of the magistrate, justify such revocation.

Sections repealed.

31. Section 39:5–37 of the Revised Statutes is hereby repealed.

32. Section 39:5–38 of the Revised Statutes is hereby repealed.

Section amended.

33. Section 39:5–44 of the Revised Statutes is amended to read as follows:

Court to keep records.

39:5–44. Every court having jurisdiction to hear complaints for violations of the provisions of this Title shall keep a record of the disposition of all complaints under this subtitle, for which a fine may be imposed and to which any county is entitled, on forms to be prepared and furnished by the board of chosen freeholders of such county, which record shall be open to inspection by the treasurer or auditor of such county or his duly authorized representative, or by the director or his duly authorized representative.

Section amended.

34. Section 39:7–3 of the Revised Statutes is amended to read as follows:

Service of process, fees.

39:7–3. Service of process upon the director shall be made by leaving the original and a copy of the summons and two copies of the complaint, with a fee of two dollars ($2.00), in the hands of the director, or someone designated by him in his office, or, in the following actions, by serving the same, as follows: (a) if the action is commenced in the County Court of any county other than Mercer county, then the sheriff or other authorized person, or (b) if the action is commenced in the county dis-

trict court of any county other than Mercer county, then the clerk of the court may serve the director by mailing such papers to him by registered mail, with the said fee. Such service shall be sufficient service upon the nonresident chauffeur, operator or owner, if

a. Notice of such service and a copy of the summons with a copy of the complaint are forthwith sent by registered mail to the defendant by the director, or someone designated by him in his office; and

b. Defendant's return receipt and the affidavit of the director, or such person in his office acting for him, of the compliance herewith, including a statement of the date of such mailing and of the receipt of the return card, are appended to the original of the summons and the other copy of the complaint and filed in the office of the clerk of the court wherein the action may be pending; or

c. Notice of such service with a copy thereof and the original and a copy of the summons and two copies of the complaint are forthwith sent by registered mail by the director, or the person in his office acting for him, to the sheriff or other process server in the jurisdiction in which the defendant resides, with directions that such sheriff or process server, or someone acting for such sheriff or process server, shall serve the same upon the defendant in the same manner that service is legally effected in that jurisdiction, and the return of such sheriff or process server, or the person acting for such sheriff or process server in such jurisdiction, shall be appended to or indorsed upon the original summons and a copy of the complaint and returned to the director, and thereafter filed in the office of the clerk of the court wherein the action may be pending in this State; or

d. Notice of such service and a copy of the summons and complaint may be served on the defendant personally by any official or private individual wherever such service may be made, and, upon service being so made, an affidavit shall be made

by the person effecting such service, showing the person served and the time and place of such service, which affidavit shall be appended to the original summons and one copy of the complaint and returned to the director, and be thereafter filed in the office of the clerk of the court wherein the action may be pending in this State; or

e. Notice of such service and a copy of the summons and complaint may be served on the defendant in any other manner that the court in which the cause is pending shall deem sufficient and expedient.

If, by direction of plaintiff, notice of service is given as provided by paragraph "c" of this section, plaintiff shall, in addition to the fee of two dollars ($2.00) required by the first paragraph of this section, deposit with the director sufficient money to effectuate the same.

Upon giving notice to the defendant of the service of process as required by this chapter where service of process is made upon the director, he shall file with the clerk of the court his certificate of the notice given.

If notice of service is given as provided by paragraph "d" of this section, plaintiff shall pay the cost thereof.

Section amended.

35. Section 39:10–20 of the Revised Statutes is amended to read as follows:

Suspension or revocation of dealer's license.

39:10–20. The director may suspend for a period less than the unexpired term of a license or revoke a license, after hearing, for a violation of any provision of this chapter, or upon the final conviction of the licensee of a crime, arising out of fraud or misrepresentation in the sale or financing of a motor vehicle, or upon proof of the failure of a licensee to make payment of the amount of any final judgment, rendered by a court of competent jurisdiction against such licensee and founded upon a claim arising out of fraud or misrepresentation in the sale of a motor vehicle, within ninety days after the same is finally entered. The clerk of the court in which any conviction is rendered, or the court

where it has no clerk, shall forward to the director, immediately upon the entry thereof, a certified copy of the conviction or a transcript thereof. The clerk of the court in which any judgment founded upon fraud or misrepresentation is rendered, or the court where it has no clerk, shall forward to the director, immediately after the expiration of the ninety days, a certified copy of the judgment, or a transcript thereof, showing it to have been unsatisfied more than ninety days after it became final. The director shall, before suspending or revoking the license, and at least ten days prior to the date set for the hearing, notify the holder of the license, in writing, of any charges made, and shall afford him an opportunity to be heard in person or by counsel. The written notice may be served either personally or by registered mail addressed to the last-known address of the licensee. The director may subpœna and bring before him any person in this State, or take testimony by deposition, in the same manner as prescribed by law in judicial proceedings in the courts of this State, and shall also issue and deliver to the dealer such subpœnas as are requested by him. The Appellate Division of the Superior Court shall have power to review, by an appeal in lieu of prerogative writ taken by an aggrieved person, a final determination of the director.

Section amended.

36. Section 39:11–10 of the Revised Statutes is amended to read as follows:

Review in Superior Court.

39:11–10. A person aggrieved by the action of the governing body or zoning commission of a municipality under this chapter, or a person aggrieved by an action of the director or his authorized representative under this chapter, may obtain a review in the Superior Court by a proceeding in lieu of prerogative writ.

38. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 37

AN ACT concerning municipalities and counties, supplementing chapter twenty-one of Title 40 of the Revised Statutes, and revising parts of the statutory law.

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

Section amended.

1. Section 40:2–55 of the Revised Statutes is amended to read as follows:

Hearings and investigations, enforcement.

40:2–55. For the purposes of this chapter the director may hold hearings and make such investigations as may be appropriate to the exercise of his powers, in accordance with law.

A final order of the director shall be binding upon the governing body and shall be complied with. The Superior Court may enforce the order in a proceeding in lieu of prerogative writ, instituted by the director.

If a governing body fails or refuses to comply with a final order of the director, the members of a governing body who willfully fail or refuse to comply shall each be subject to a personal penalty of twenty-five dollars ($25.00) for each day after the date fixed for final action, that failure or refusal to comply continues. The amount of the penalty may be recovered by the director in the name of the State as a personal debt of the member of the governing body, and shall be paid, upon receipt, into the State treasury.

Section amended.

2. Section 40:4–9 of the Revised Statutes is amended to read as follows:

Cancellation of licenses, review.

40:4–9. Upon proof that any accountant so registered shall have knowingly omitted to report any error, omission, irregularity, violation of law or discrepancy found in the books or accounts, or shall have issued false reports of his audit of any municipality or county; that is to say, shall have is-

sued audits of such a nature as not to show an accurate, intelligent and complete statement of the financial condition of the municipality or county, or of such a nature as not to comply with the requirements of the Director of the Division of Local Government, or if such auditor or accountant shall fail to file such report and recommendations as herein directed, or neglect or refuse to carry out any agreement or contract for audit, his registration license may be canceled by the State Board of Public Accountants.

Upon cancellation or refusal of a license pursuant to this section, a person aggrieved thereby shall have the right to a review by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

3. Section 40:6–1 of the Revised Statutes is amended to read as follows:

Summary investigation into affairs, procedure.

40:6–1. A judge of the Superior Court may, in his discretion, make a summary investigation into the affairs of any county or municipality, whenever

(a) A petition for such investigation shall be presented to him signed by twenty-five freeholders who have paid taxes on real estate within one year, of the county or municipality, as the case may be, and such petition sworn to and subscribed by them sets forth that they have cause to believe that the moneys of such municipality or county are being, or have been, unlawfully or corruptly expended; or

(b) Upon resolution of the board of chosen freeholders of any county or the legislative body of any municipality, requesting such investigation.

If the judge proceeds upon the application of twenty-five freeholders, as above, at least ten days' notice of the hearing thereon shall be given to the disbursing officer and the legislative body of the municipality or county, as the case may be.

Section amended.

4. Section 40:6–2 of the Revised Statutes is amended to read as follows:

Applicants' bond for costs.

40:6–2. The judge may, if he deems it advisable, require the applicants to furnish a bond to be filed with the county clerk in such sum as he may deem necessary for the payment of the costs and expenditures of the investigation.

The costs incurred in the investigation shall be taxed by the judge, and upon his order be paid by the disbursing officers of the county or municipality whose expenditures may have been investigated.

The officers and legislative body of such county or municipality shall obey any orders of such judge for facilitating the investigation and any refusal or failure to obey such orders may be punished by the judge as for contempt.

The judge may, in his discretion, appoint experts to prosecute such investigation, and may cause the results thereof to be published in such manner as he may deem proper.

Section amended.

5. Section 40:6–3 of the Revised Statutes is amended to read as follows:

Judge's powers in making investigation.

40:6–3. A judge of the Superior Court during the making of a summary investigation into the affairs of any municipality or county, pursuant to this chapter, in his discretion, may:

(a) exercise the subpœna powers of and out of the Superior Court, upon his own motion or upon application of such attorney as may have been designated by the judge to conduct such investigation or to prepare and present the evidence on the part of the applying freeholders; and may enforce such subpœnas in similar manner as in civil actions in the Superior Court;

(b) take or order the obtaining of evidence and the taking of testimony, by deposition or otherwise, in similar manner as in civil actions generally.

Any person who shall willfully and corruptly testify falsely to any material matter upon oath administered by the judge or the person designated by him, upon the investigation, shall be guilty of perjury.

Section amended.

6. Section 40:6–6 of the Revised Statutes is amended to read as follows:

Report, filing.

40:6–6. Whenever an investigation shall have been had pursuant to sections 40:6–1 to 40:6–4 of this Title, the expert or experts appointed by the judge to prosecute such investigation shall file the results or report of the investigation in the office

of the Clerk of the Superior Court within ten days after the making or finding thereof.

Section amended.

7. Section 40:11–1 of the Revised Statutes is amended to read as follows:

Qualifications of county and municipal officers, office not transferable, penalty.

40:11–1. Except as otherwise provided by law, every person holding an office, the authority and duties of which relate to a county only, shall reside within the county, and every person holding an office, the authority and duties of which relate to a municipality, shall reside within the municipality.

If any person holding any such office shall at any time attempt to let, farm out or transfer such office, or any part thereof, to another, he shall forfeit the sum of fifteen hundred dollars ($1,500.00), to be recovered with costs by any person who will sue therefor, one-half to the prosecutor, and the other half to the treasurer, for the use of the State.

No person shall be appointed to, or hold any office in any county or municipality, who has not the requisite qualifications for personally performing the duties of such office in cases where scientific engineering skill is necessary to the performance of the duties thereof.

Any person holding or attempting to hold any office in violation of this section, may be ousted in a proceeding in lieu of prerogative writ brought by any officer of the county or municipality respectively of which the offending person is claiming to be an officer.

Nothing in this section shall require a county prosecutor to reside within any county wherein a nonresident prosecutor may lawfully be appointed.

Section amended.

8. Section 40:11–2 of the Revised Statutes is amended to read as follows:

Notice of death, filing, writ of election.

40:11–2. Upon the death of an officer holding an office which is to be filled by the Governor and Senate, or by election by the people of any county or the State, the county judge or if there be more than one county judge then the county judge living nearest to the residence of the deceased, of the county of which the deceased officer was resident at the time of his death, shall forthwith give notice

and information, in writing, to the Governor, of the death of such officer and the time thereof, according to the best of the knowledge and belief of the judge. The notice shall be filed by the Governor in the office of the Secretary of State.

The Governor shall communicate to the Legislature at the earliest opportunity, notice of the death of every officer by reason of which either house of the Legislature is authorized to issue writs of election for supplying vacancies.

Section repealed.

9. Section 40:11–3 of the Revised Statutes is hereby repealed.

Section amended.

10. Section thirteen of chapter one hundred ninety-eight of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 40:11A-13. Rights of obligees.

13. An obligee of an authority shall have the right in addition to all other rights which may be conferred on such obligee, subject only to any contractual restrictions binding upon such obligee;

(a) By action or proceeding in lieu of prerogative writ, to compel said authority and the commissioners, officers, agents or employees thereof to perform each and every term, provision and covenant contained in any contract of said authority with or for the benefit of such obligee, and to require the carrying out of any or all such covenants and agreements of said authority and the fulfillment of all duties imposed upon said authority by this act.

(b) By action to enjoin any acts or things which may be unlawful, or the violation of any of the rights of such obligee of said authority.

Section amended.

11. Section seventeen of chapter one hundred thirty-eight of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 40:14A-17. Series of bonds, default, trustees.

17. (a) The provisions of this section shall be applicable to a series of bonds authorized or issued under this act only if the bond resolution of the sewerage authority authorizing or providing for the issuance of such bonds shall provide in substance that the holders of the bonds of such series

shall be entitled to the benefits, and be subject to the provisions, of this section.

(b) In the event that there shall be a default in the payment of principal of or interest on any bonds of such series after the same shall become due, whether at maturity or upon call for redemption, and such default shall continue for a period of thirty days, or in the event that the sewerage authority shall fail or refuse to comply with the provisions of this act or shall fail or refuse to carry out and perform the terms of any contract with the holders of any of such bonds, and such failure or refusal shall continue for a period of thirty days after written notice to the sewerage authority of its existence and nature, the holders of twenty-five per centum (25%) in aggregate principal amount of the bonds of such series then outstanding, by instrument or instruments filed in the office of the Secretary of State and proved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of the bonds of such series for the purposes provided in this section.

(c) Such trustee may and upon written request of the holders of twenty-five per centum (25%) in aggregate principal amount of the bonds of such series then outstanding shall, in his or its own name:

(1) By any action, writ, proceeding in lieu of prerogative writ, or other proceeding, enforce all rights of the holders of such bonds, including the right to require the sewerage authority to charge and collect service charges adequate to carry out any contract as to, or pledge of, system revenues, and to require the sewerage authority to carry out and perform the terms of any contract with the holders of such bonds or its duties under this act;

(2) Bring an action upon all or any part of such bonds or interest coupons or claims appurtenant thereto;

(3) By action, require the sewerage authority to account as if it were the trustee of an express trust for the holders of such bonds;

(4) By action, enjoin any acts or things which may be unlawful or in violation of the rights of the holders of such bonds; or

(5) Declare all such bonds due and payable, whether or not in advance of maturity, upon thirty days' prior notice in writing to the sewerage authority and, if all defaults shall be made good, then with the consent of the holders of twenty-five per centum (25%) of the principal amount of such bonds then outstanding, annul such declaration and its consequences.

(d) Such trustee shall, in addition to the foregoing, have and possess all of the powers necessary or appropriate for the exercise of the functions specifically set forth herein or incident to the general representation of the holders of bonds of such series in the enforcement and protection of their rights.

(e) In any action or proceeding by such trustee, the fees, counsel fees and expenses of the trustee and of the receiver, if any, appointed pursuant to this act, shall constitute taxable costs and disbursements, and all costs and disbursements, allowed by the court, shall be a first charge upon any service charges and system revenues of the sewerage authority pledged for the payment or security of bonds of such series.

Section amended.

12. Section twenty-eight of chapter one hundred thirty-eight of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 40:14A-28. Pollution prohibited, proviso, injunction.

28. (a) No county, municipality or person shall discharge, or suffer to be discharged, directly or indirectly into any waters in or bordering a district any sewage which may or will cause or contribute to the pollution of such waters; *provided,* that this prohibition shall be applicable only to such part or parts of such waters as are in an area of

the district bounded and described in a notice, inserted at least once in a newspaper published in the district, to the effect that the sewerage authority has provided facilities reasonably sufficient in its opinion for the treatment and disposal of sewage which by discharge into such waters might cause or contribute to pollution of such waters, and that pollution of such waters is forbidden by law. Such a notice shall constitute prima facie evidence of the existence of facilities sufficient for the treatment and disposal of all such sewage.

(b) No county, municipality or person shall discharge or suffer to be discharged directly or indirectly into the sewerage system of any sewerage authority any matter or thing which is or may be injurious or deleterious to such sewerage system, or to its efficient operation.

(c) Any county, municipality or person may be restrained, enjoined or otherwise prevented from violating or continuing the violation of any provision of this section in a proceeding in lieu of prerogative writ, or other appropriate proceeding, or in an action for injunctive or other relief instituted by a sewerage authority or by any county prosecutor.

(d) No violation of any provision of this section shall be deemed to have occurred by reason of the discharge of sewage from any boat or vessel while afloat or on a marine railway or in drydock.

Section amended.

13. Section 40:18–6 of the Revised Statutes is amended to read as follows:

Boundary commissioners, appointment.

40:18–6. Where the division lines between counties have not been actually surveyed, ascertained and distinctly marked in whole or in part, or where a dispute shall arise respecting the same, the board of chosen freeholders of either county, on thirty days' notice in writing, signed by the director of the board, to the director of the board of chosen freeholders of the other county, may make application to the Superior Court for the appointment of commissioners to survey, ascertain and mark the boundaries.

Section amended.

14. Section 40:18–7 of the Revised Statutes is amended to read as follows:

Appointment by Superior Court.

40:18–7. Upon such application the Superior Court shall appoint three commissioners, not inhabitants of either county, to run, survey, ascertain and mark the line or lines of division, or any part thereof in conformity with the laws creating such counties, or describing their boundaries.

Section amended.

15. Section 40:18–9 of the Revised Statutes is amended to read as follows:

Vacancies.

40:18–9. If any commissioner shall die, refuse to serve, or resign, the Superior Court shall appoint another in his place.

Section amended.

16. Section 40:18–12 of the Revised Statutes is amended to read as follows:

Surveyed lines declared boundaries, expenses.

40:18–12. The line so surveyed, marked, ascertained and certified, shall be the boundary and line of division between those counties, and all charges and expenses of executing the duties of the appointment, including the recording and filing of the commission, oath of office and survey, shall be fixed by the Superior Court, and paid by both counties, equally.

Section amended.

17. Section 40:18–14 of the Revised Statutes is amended to read as follows:

Boundary commissioners, appointment.

40:18–14. When the board of chosen freeholders of a county shall deem it necessary to ascertain the division line, or any part thereof, between any municipalities in the county, it may apply to a judge of the County Court of the county, on thirty days' notice in writing, signed by the director of the board, to the governing body of each of the municipalities involved, for the appointment of commissioners to survey, ascertain and mark the boundaries.

Section amended.

18. Section 40:18–19 of the Revised Statutes is amended to read as follows:

Surveys.

40:18–19. The commissioners, or any two of them, shall cause the line, or such part of it as shall be specified in or become necessary by their appointment, to be run, surveyed, ascertained and marked in conformity, as near as may be, to the charters, settlements and laws relative thereto.

The survey, certified under their hands, or the hands of any two of them, shall be annexed to their commission or appointment and oath of office, and delivered to the county clerk for recording and filing.

19. Section 40:18–20 of the Revised Statutes is amended to read as follows: Section amended.

40:18–20. The line so surveyed, ascertained, marked and certified shall be the boundary, or line of division between those municipalities and all charges and expenses attending the same shall be fixed by the judge of the County Court and paid by the municipalities, equally. Surveyed lines declared boundaries, expenses.

20. Section 40:18–30 of the Revised Statutes is amended to read as follows: Section amended.

40:18–30. All officers of the county living in the territory annexed to another county shall continue in office until the expiration of their respective terms, and all constables resident within the annexed territory shall continue to hold their offices until the expiration of their terms. Continuation of officers.

21. Section 40:18–32 of the Revised Statutes is amended to read as follows: Section amended.

40:18–32. All actions, appeals, prosecutions and other legal proceedings pending in a court or before any tribunal having jurisdiction within the county from which the annexed territory is taken shall not be affected by the annexation, but may be prosecuted in the county from which the territory is taken, in the same manner and before the same courts and tribunals and with like effect as if the annexation had not occurred, and judgments obtained or which may be obtained therein shall have the same effect. Legal proceedings not affected.

22. Section 40:19–8 of the Revised Statutes is amended to read as follows: Section amended.

40:19–8. After the acquisition and furnishing of such buildings, the courts of the county and all the county officers shall be established therein. Courts and county officers established.

Section amended.

23. Section 40:20–10 of the Revised Statutes is amended to read as follows:

Judge to resolve doubt on right to vote, procedure.

40:20–10. If any voter is not entitled or doubts his right to vote under sections 40:20–2 to 40:20–19 of this Title he may apply to a judge of the County Court of the county for a certificate entitling him to vote.

The judge shall hear the matter in a summary manner and if he finds that the applicant is a legal voter of the county, he shall issue a certificate under his hand, addressed to the board of registry and election of the election district in which the voter resides, directing it to permit the applicant to vote hereunder.

The certificate shall be returned by the board with its other returns.

Section amended.

24. Section 40:20–43 of the Revised Statutes is amended to read as follows:

Voting for freeholder.

40:20–43. Where a borough not entitled to a freeholder embraces within its territorial limits parts of more than one township the legal voters of the borough shall be entitled to vote within the borough for the chosen freeholder to be elected for the township in which a majority of such legal voters resided at the time of the incorporation of the borough.

If any doubt exists as to which township contained the residence of a majority of the legal voters of any such borough, the council of the borough or the township committee of any township interested, may apply to the County Court of the county wherein the borough is situated, which shall proceed in a summary way on such notice as it may direct, to ascertain in which township the greater part of the legal voters of the borough resided at the time of incorporation, and its adjudication in writing duly filed in the office of the county clerk shall be final and conclusive evidence thereof.

Section amended.

25. Section 40:20–75 of the Revised Statutes is amended to read as follows:

Annual stated meetings.

40:20–75. The stated annual meeting of the boards of chosen freeholders shall be held at the place of

holding the County Court in and for the respective counties at twelve o'clock noon on either the first or second day of January, annually, as the board, by resolution passed before said meeting, may determine. If the date so fixed shall fall upon a Sunday the meeting shall be held the following day.

Section amended.

26. Section 40:20–83 of the Revised Statutes is amended to read as follows:

Subpœna by board of chosen freeholders, enforcing.

40:20–83. The board of chosen freeholders and any committee thereof may subpœna witnesses and take testimony with respect to any lawful matter of inquiry by such board or committee. Any such subpœna shall be enforceable, and misconduct of a witness may be dealt with, in the manner provided by the County and Municipal Investigations Law (1952).

Section amended.

27. Section 40:21–7 of the Revised Statutes is amended to read as follows:

Vacancies, filling.

40:21–7. Upon the death or expiration of the term of office of a member of the board of chosen freeholders or of an officer elected or appointed by the board, all the minutes, papers, deeds, writings, documents, books, money or property in his possession belonging to the county shall, on demand, be delivered to such person as the board of chosen freeholders may direct, or to the board, if no person is designated, by such officer or member, or, in case of death, by his executor or administrator. A person failing to comply herewith shall forfeit and pay the sum of one hundred dollars ($100.00), to be recovered by the county in a civil action in any court of competent jurisdiction.

Section amended.

28. Section 40:21–12 of the Revised Statutes is amended to read as follows:

Conditions of bond broken, investigation, action.

40:21–12. Upon application to the County Court of a county by a citizen and taxpayer thereof, alleging that the condition of the bond of any officer, member of committee or employee of the county has been broken, the court shall make such investigation regarding the truth of the allegations as it shall deem proper, and in its discretion may order an action to be brought upon the bond in the name

of the county or otherwise, for the benefit of the county.

Section amended.

29. Section 40:21–24 of the Revised Statutes is amended to read as follows:

Powers and duties.

40:21–24. In all cases of death in prison, and all violent, sudden or casual deaths within the county, the county physician or his deputy shall view the body, and make all proper inquiries respecting the cause and manner of the death, for the purpose of ascertaining whether an inquest should be held. If upon such view and inquiry he shall be of the opinion that there is cause to suspect that the person, whose body he has been called to view, came to his death by murder or manslaughter, or by the contrivance, aiding, procuring or other misconduct of any person, he shall call upon one of the coroners of the county, and request him in writing, to issue a precept for the summoning of a jury of inquisition, to consist of not more than fifteen nor less than nine, and hold an inquest and make return thereof according to law. Any post-mortem examination or other medical service required upon the inquest shall be performed by the county physician, or his deputy.

Section amended.

30. Section 40:21–25 of the Revised Statutes is amended to read as follows:

Exclusive power to make views and inquiries.

40:21–25. If a county physician shall have been elected and qualified, and is fulfilling his office, he shall have exclusive right and power to make all views and inquiries heretofore made by coroners and justices of the peace. No precept for the summoning of a jury of inquest shall be issued by any coroner of any county in such cases except by the written request of the county physician, and the written request of the county physician shall be annexed to the inquest made and returned by the coroner.

Section amended.

31. Section 40:21–28 of the Revised Statutes is amended to read as follows:

Vacancy, coroner to act.

40:21–28. If the office of county physician is vacant or unfilled for any reason the coroners in the county shall perform the duties and exercise the powers of his office.

32. Section eleven of chapter one hundred eighty-two of the laws of one thousand nine hundred and forty-four is amended to read as follows: Section amended.

11. In any county having a chief medical examiner, the Superior Court or the County Court may, upon application and without notice, order the disinterment of any body under the direction and supervision of the chief medical examiner, and authorize the removal by the chief medical examiner of the body to the public morgue for the purpose of examination or autopsy. C. 40:21-30.11. Disinterment of bodies, procedure.

33. Section 40:21–32 of the Revised Statutes is amended to read as follows: Section amended.

40:21–32. The county judge, or if there is more than one, the county judges of each county, except in counties of the first class having a chief medical examiner and in counties of the second, third and fifth classes having morgue keepers appointed by the board of chosen freeholders, may designate not more than four places of proper character and furnished with sufficient accommodations and appliances, as a county public morgue or morgues. In designating such place or places the judge or judges, as the case may be, shall first select the city or cities within the county, and afterwards such other place or places as may be necessary. Designation of morgues by county judge.

This section shall apply only to counties having within their limits a city or cities of more than four thousand inhabitants.

34. Section 40:21–33 of the Revised Statutes is amended to read as follows: Section amended.

40:21–33. The county judge, or if there is more than one, the county judges of each county, may appoint a keeper or keepers for the morgue or morgues designated as provided in section 40:21–32 of this Title for a term of three years from the date of their appointment, and define their respective districts. Such keepers shall be required to take in charge the unknown dead in their respective districts, to furnish, free of charge, suitable rooms for the holding of inquests when necessary, and to make such disposal of the bodies as the proper authorities may direct. Morgue keepers appointed by county judge.

The said county judge, or judges, at any time in his or their discretion, may remove such morgue keeper or keepers and appoint a keeper or keepers for the term specified in this section in the place of the keeper or keepers so removed.

Section amended.

35. Section 40:21–52 of the Revised Statutes is amended to read as follows:

Issuance of subpœnas.

40:21–52. In connection with the powers provided for in section 40:21–51 of this Title the county supervisor shall have power to take testimony and by subpœna to compel the attendance of witnesses and the production of books and records in the county pertinent to such investigations. Such powers shall be enforced, and any misconduct of a witness may be dealt with, pursuant to the County and Municipal Investigations Law (1952).

Section repealed.

36. Section 40:21–53 of the Revised Statutes is hereby repealed.

Section amended.

37. Section 40:21–71 of the Revised Statutes is amended to read as follows:

Disinterment of bodies.

40:21–71. In any county having a chief medical examiner, the Superior Court or the County Court may, upon application and without notice, order the disinterment of any body under the direction and supervision of the chief medical examiner, and authorize the removal by the chief medical examiner of the body to the public morgue for the purpose of examination or autopsy.

C. 1. County officers generally.

38. Any county officer desirous of resigning shall send his resignation, in writing, to the Governor. All such resignations shall be filed in the office of the Secretary of State. No resignation made in any other way or pretended to be made, shall be valid.

Resignation.

Section amended.

39. Section 40:22–5 of the Revised Statutes is amended to read as follows:

Powers to enforce.

40:22–5. The persons so appointed shall have all the powers to enforce all the provisions of chapter one hundred seventy-one of Title 2A of the New Jersey Statutes, and all the provisions of Title 39 of the Revised Statutes, and to arrest for the commission of any crime in any part of the county in which they are appointed.

Section amended.

40. Section 40:23–11 of the Revised Statutes is amended to read as follows:

Judiciary fund.

40:23–11. The board of chosen freeholders shall provide in its annual budget of appropriations, a "judiciary fund" from which shall be paid the salary or compensation of clerks assigned by the county clerk for service in the courts held in the county, not exceeding one clerk to each judge holding said courts, and the probate clerks employed in the surrogate's office of the county. The compensation for the probate clerks shall be recommended by the surrogate and fixed by the board of chosen freeholders.

Section amended.

41. Section 40:24–4 of the Revised Statutes is amended to read as follows:

Nature of proceedings.

40:24–4. Proceedings against any person violating any such resolution of the board of chosen freeholders shall be as in the case of disorderly persons.

Section amended.

42. Section 40:24–5 of the Revised Statutes is amended to read as follows:

Who may serve process.

40:24–5. Any constable or police officer may serve any warrant or other process issuing out of the court, to apprehend any person for the violation of any such resolution.

Section amended.

43. Section 40:24–6 of the Revised Statutes is amended to read as follows:

Arrest without warrant.

40:24–6. Every police officer shall, and any other person may, apprehend without warrant or other process any person violating in his presence or view any of the provisions of any such resolution, and shall take the offender before a court of the county where apprehended.

Section amended.

44. Section 40:24–7 of the Revised Statutes is amended to read as follows:

Conviction, fine, imprisonment in default of fine.

40:24–7. The court before which any violator of any such resolution is convicted may impose any fine or term of imprisonment not exceeding the maximum fixed in the resolution. In default of the payment of the fine imposed thereunder, a person convicted of a violation of any such resolution may, in the discretion of the court in which he was convicted, be imprisoned in the county jail for a term not exceeding ninety days.

Section amended.

45. Section 40:24–9 of the Revised Statutes is amended to read as follows:

Court defined.

40:24–9. The word "court" as used in this chapter means and includes any county district court or criminal judicial district court, municipal court and any judge having the powers of a committing magistrate; and jurisdiction for the purpose mentioned herein is hereby conferred upon said courts and judges respectively.

Section amended.

46. Section 40:25–19 of the Revised Statutes is amended to read as follows:

Board of review upon classification, members.

40:25–19. There is hereby established a board of review upon classification and reclassification of bidders. This board shall consist of the county official concerned, or one member of any board, commission, committee, department or other branch of the county government concerned, such member to be designated by the board, commission, committee, department or other branch of the county government concerned, a judge of the County Court of the county and a citizen thereof to be designated by the Superior Court assignment judge of the county. In all counties having a county supervisor, he shall be a member of the board of review instead of the citizen. The county clerk shall be the secretary of the board of review and shall keep a complete record of proceedings and decisions before it. The members of the board shall serve without compensation.

Section amended.

47. Section five of chapter four hundred fifty-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 40:26A-5. Proceeding.

5. Thereafter the board of chosen freeholders shall bring an action in the Superior Court, upon the information contained in such lists, to obtain an adjudication that the several county officers of the county having custody or control of such unclaimed moneys pay the amounts thereof to the treasurer of the county for the use of the county in accordance with the provisions of this act. The court may proceed in the action in a summary manner or otherwise, and all persons having any inter-

est in the unclaimed moneys shall be joined as defendants.

48. Section six of chapter four hundred fifty-six of the laws of one thousand nine hundred and forty-eight is hereby repealed. C. 40:26A-6. Section repealed.

49. Section seven of chapter four hundred fifty-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows: Section amended.

7. The process and complaint in the action may be served by posting a copy thereof for at least thirty days before any further proceedings in the action, in each of the following places: the office of the clerk of the court in which the action is instituted, the offices of the county clerk, the sheriff and the surrogate of the county, and the office of each other county officer having custody or control of any item of such unclaimed moneys. C. 40:26A-7. Posting process and complaint.

Such posting shall be deemed to be notice to all interested persons.

50. Section eight of chapter four hundred fifty-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows: Section amended.

8. The court shall hear all persons making claim to any of said unclaimed moneys and determine the validity of said claims and if it shall be determined that any such claimant is entitled to any such unclaimed moneys the court shall order payment thereof to be made to the claimant. The court, upon being satisfied that any of the unclaimed moneys described in the complaint have remained uncalled for or unclaimed for a period of ten years, shall order such unclaimed moneys paid to the county treasurer for the use of the county, in accordance with the provisions of this act, and thereupon it shall be the duty of such county officers to make payment thereof to the county treasurer as provided in such order. C. 40:26A-8. Hearing on claims.

Section amended.

51. Section nine of chapter four hundred fifty-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 40:26A-9. Claims to unclaimed moneys paid to county treasurer, procedure.

9. At any time after any unclaimed moneys shall have been paid to any county treasurer, any person claiming an interest in and a right to any such unclaimed moneys or any part thereof, may bring an action in the Superior Court to obtain payment by the county treasurer such amount as the court shall determine the claimant is entitled to, which in no case shall include interest on such deposit from the date of payment to the county treasurer. The court may proceed in the action in a summary manner or otherwise, and shall order the county treasurer to pay the said amount to the claimant. The county treasurer, upon receipt of a certified copy of the judgment or order in the action, shall be authorized and required to pay the amount directed from any available funds in his hands and if there are no available funds he shall report the fact to the board of chosen freeholders of the county and an appropriate item for the payment thereof shall be included in the next annual county budget.

C. 40:26A-10. Section repealed.

52. Section ten of chapter four hundred fifty-six of the laws of one thousand nine hundred and forty-eight is hereby repealed.

Section amended.

53. Section 40:27–6 of the Revised Statutes is amended to read as follows:

Permit to build in bed of highway, permit, hearing, record of proceedings, penalty.

40:27–6. No building shall be erected in the bed of any highway adopted and shown as a part of the official county map unless a permit therefor is issued by the board of chosen freeholders. For such purpose such board is hereby created a discretionary administrative body, and shall when so acting be deemed an independent statutory body and all its transactions when so acting shall be separately recorded in minutes independent of the minutes of the board of chosen freeholders when acting as a legislative body. When so acting it shall have power by a vote of a majority of all its members to grant or withhold such a permit.

In such a meeting the board shall have power in considering the application for a permit for a specific building, by a vote of a majority of all its members, to grant a permit for a building in such a highway, which will as little as practicable increase the cost of opening such highway, or tend to cause a change of such official map, and such board shall impose reasonable requirements as a condition of granting such permit, which requirements shall be designed to promote the health, convenience, safety and general welfare of the public and shall inure to the benefit of the county. Before taking such action the board shall give a public hearing at which parties in interest and others shall have an opportunity to be heard. At least ten days' notice of the time and place of such hearing shall be published in a newspaper of general circulation in the county. The board shall refuse a permit where the land of the applicant within the mapped highway is already earning a fair return, or where he is in no way injured by placing his building outside of the mapped highway.

Whoever shall construct or begin the construction of such a building without a permit shall forfeit and pay a penalty of not more than one hundred dollars ($100.00) for each day that work on such structure continues. The county may bring an action to enjoin such construction and may also recover the penalty by a civil action in any court of competent jurisdiction.

Section amended.

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

Petition for construction of drainage works, appoint engineer.

40:30–1. If a petition, stating that any particular place or district, described by metes and bounds, in a county, is in a condition detrimental to the public health by reason of insufficient drainage, and signed by at least one hundred freeholders who are residents of such county and the assessed value of whose real estate, exclusive of that described in the petition, is certified by the officer, board or commission charged with the assessment of taxes to aggregate more than one million dollars

($1,000,000.00), is presented to the Superior Court assignment judge of the county, the judge may appoint a civil engineer to make plans and specifications for the building of a sewer or sewers, the erection and construction of pumps, dykes, dams, tide banks and such other works and such filling and excavating as may be necessary to secure a sufficient and proper drainage of such particular place or district required to be drained. The judge may remove a civil engineer so appointed and appoint another in his stead.

Section amended.

55. Section 40:30–2 of the Revised Statutes is amended to read as follows:

Compensation of engineer.

40:30–2. Upon receipt of a report from the civil engineer on the proposed drainage works, the judge shall certify to the board of freeholders of the county in which said area is located the compensation which the engineer, in his judgment, is entitled to receive for the services rendered, and the board shall pay the same.

Section amended.

56. Section 40:30–3 of the Revised Statutes is amended to read as follows:

Drainage commission, duties.

40:30–3. Upon receipt of the report, the judge also shall appoint three freeholders of the county who shall, with the civil engineer, constitute a commission to supervise and direct the carrying out of the plans for the drainage works.

Section amended.

57. Section 40:30–7 of the Revised Statutes is amended to read as follows:

Commissioners of assessment, duties.

40:30–7. Upon the completion of the drainage works, the commissioners who supervised and directed the construction thereof shall report the fact of the completion to the said judge, who shall appoint three discreet freeholders of the county, whose lands are not subject to assessment for special benefits resulting from such drainage works, to act as commissioners of assessment, and shall fix their compensation. The commissioners of assessment shall assess the costs and expenes of the drainage works on the lands especially benefited thereby in proportion to the benefit received.

58. Section 40:30–10 of the Revised Statutes is amended to read as follows: Section amended.

40:30–10. If the owner of any land so assessed shall fail to pay the assessment, with interest, for the period of a year, the board of freeholders may sell the land for the least number of years that any person will take the same and pay the assessment, with costs and interest thereon. Sale of land to pay assessment.

The time, place and manner of any such sale and the notice to resident and nonresident owners of the lands to be sold shall be fixed and designated by the said judge.

59. Section 40:30–16 of the Revised Statutes is amended to read as follows: Section amended.

40:30–16. Whenever it is necessary, in the course of carrying out the plans of said drainage works, to give notice, for any purpose whatsoever, to property owners or others, the form and manner of service of such notice shall be prescribed and fixed by the said judge. Form of notice to property owners.

60. Section 40:32–4 of the Revised Statutes is amended to read as follows: Section amended.

40:32–4. When a building has or shall have been erected for county purposes on land belonging to the county, and a grand jury sitting in the county shall have presented to the court that there is evidence of failure to fulfill specifications as to quantity and quality of material or workmanship in its construction and the board of chosen freeholders shall present to a judge of the Superior Court a request to make a summary investigation into the construction of the building, he may in his discretion make such investigation. The said judge may in his discretion appoint experts to prosecute the investigation and cause the result to be published in such manner as he may deem proper. Summary investigation, county buildings.

All members, officers and agents of the board, commission, committee or other body erecting such building, shall obey the orders of such judge for facilitating the investigation, and any refusal or

failure to obey such orders may be punished by the judge as for contempt.

The costs incurred under this section shall be fixed by the judge, and upon his order be paid by the disbursing officers of the board, commission, committee or other body whose expenditures have been investigated.

Section amended.

61. Section 40:33–14 of the Revised Statutes is amended to read as follows:

Law library, maintenance, limitation on annual expenditure.

40:33–14. The board of chosen freeholders may maintain at the courthouse a law library for the use of the courts held in the county, and for that purpose shall purchase such reports and statutes of the United States, the State of New Jersey and other states and countries and such textbooks as may be designated by the judge of the County Court or, in counties where there are two or more county judges, by all or a majority thereof. The amount so expended shall not exceed the sum of two thousand dollars ($2,000.00) in any one year.

Section amended.

62. Section fifty-eight of chapter one hundred twenty-three of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 40:36A-58. Enforcement of obligations, procedure.

58. Every obligation imposed upon any municipality, private sewer company or industry, by this act, and every obligation assumed by any municipality, private sewer company or industry, under any contract authorized hereby, shall be enforceable by a proceeding in lieu of prerogative writ or other appropriate action or proceeding instituted by an authority.

Section amended.

63. Section 40:37–7 of the Revised Statutes is amended to read as follows:

Courts of jurisdiction

40:37–7. Any court within the county having jurisdiction over proceedings for the violation of municipal ordinances in any municipality within the county, shall have jurisdiction in proceedings for the violation of the rules and regulations prescribed by the commission, which shall be enforceable in the same manner as ordinances of the municipality in which the proceeding is instituted.

64. Section 40:37–8 of the Revised Statutes is amended to read as follows: Section amended.

40:37–8. A copy of any rule or regulation of the shade tree commission, certified to under the hand of the secretary or president, shall be taken in all courts as full and legal proof of the existence of the rule or regulation, and of compliance with the requirements of law in relation to the making and approval thereof, unless the contrary be shown. Copies of regulations as evidence.

65. Section 40:37–18 of the Revised Statutes is amended to read as follows: Section amended.

40:37–18. Whenever by virtue of section 40:37–17 of this Title any park commission or other body has or shall have established any public park which is partly in another county, all ordinances, rules and regulations duly established by the park commission or body and applicable to the park shall be effective to the same extent in all portions of the park regardless of the county line. Every park police officer or other official empowered to make arrests in the county in which the park is controlled shall have the same powers of arrest in all parts of the park without regard to the county line. Proceedings against any person arrested therein shall be before a court of the county or municipality having local criminal jurisdiction, in which the offense was committed. Ordinances, rules and regulations, effective throughout park, power of arrest.

66. Section 40:37–21 of the Revised Statutes is amended to read as follows: Section amended.

40:37–21. In any county having a population of more than two hundred thousand, the Superior Court assignment judge of the county may appoint five persons to be known as the ..... county park commissioners, who shall hold their office for two years from the date of their appointment, and shall serve without compensation. Vacancies may be filled by the judge for the unexpired terms only. County park commissioners, terms, powers and duties, report.

The commissioners shall consider the advisability of laying out ample open spaces for the use of the public in the county, and may make maps and plans

of such spaces and collect such other information in relation thereto as the board may deem expedient.

As soon as is conveniently possible within their terms the commissioners shall make a report in writing of a comprehensive plan for laying out, acquiring and maintaining such open spaces.

Section amended.

67. Section 40:37–22 of the Revised Statutes is amended to read as follows:

Assistants, compensation and expenses.

40:37–22. The commissioners may employ such assistants as they deem necessary and expend such sums therefor and in the discharge of their duties, including the actual traveling expenses of the members, as they may deem expedient, not exceeding the sum of ten thousand dollars ($10,000.00).

All expenditures shall, from time to time, be certified by the commissioners to the said judge who, if satisfied of the correctness thereof, shall order the payment thereof by the board of chosen freeholders, and the county treasurer shall pay the same out of the funds appropriated or to be appropriated for the maintenance of highways and bridges in the county or out of any unexpended balance.

Section amended.

68. Section 40:37–41 of the Revised Statutes is amended to read as follows:

Condemnation for roads, procedure.

40:37–41. Whenever the said commission shall determine to open and lay out a boulevard, parkway or roadway, or make any improvement thereof which shall require the condemnation of real estate or any right or interest therein, it shall give notice by publication, at least ten days, in one or more of the newspapers circulating in the county wherein the real estate to be condemned is situate, of its intention to apply to a judge of the Superior Court in that county for the appointment of three disinterested commissioners to:

a. Make an appraisement of the value of the real estate which in their judgment is necessary to be taken for the opening and laying out of any boulevard or roadway, or for the improvement thereof;

b. Ascertain, fix and determine the amount of the damages occasioned thereby;

c. Ascertain, fix and determine the amount of the special benefits which the laying out of such street or the improvement thereof will confer upon the owner of property benefited thereby.

69. Section 40:37–42 of the Revised Statutes is amended to read as follows: Section amended.

Appointment of commissioners, duties, oaths.

40:37–42. At the time and place specified in the notice provided for in section 40:37–41 of this Title the judge of the Superior Court shall appoint three disinterested freeholders resident in the county to:

a. Make a just and true appraisement of the value of the real estate to be condemned and taken by the county park commission for the purposes specified in the notice;

b. Ascertain, fix and determine the amount of damages occasioned thereby;

c. Make a just and true estimate and appraisement of the special or peculiar benefits which the opening of any such boulevard, parkway or roadway, or the improvements thereof, may confer upon any owner of property benefited thereby, in proportion as nearly as may be to the benefit which each owner may be deemed to acquire. The commissioners so appointed shall forthwith take and subscribe an oath that they will faithfully and impartially perform their duties, and their oaths shall be filed in the office of the county clerk.

70. Section 40:37–45 of the Revised Statutes is amended to read as follows: Section amended.

Rules and regulations of procedure before Superior Court.

40:37–45. The Supreme Court may make such rules for the regulation of the practice and procedure under sections 40:37–24 to 40:37–71 of this Title as it shall deem appropriate.

71. Section 40:37–46 of the Revised Statutes is amended to read as follows: Section amended.

Compensation and expenses of commissioners.

40:37–46. The judge shall, upon application by the county park commissioners or on its behalf, fix and determine the compensation to be paid the commissioners so appointed, and allow any other expense necessarily incurred in making any such

assessment, all of which shall be paid by the county park commissioners. The cost and expense of making any assessment for benefits, including the fees of commissioners, may be included in making up the cost for the purpose of the assessment.

Section amended.

72. Section 40:37–48 of the Revised Statutes is amended to read as follows:

Proceedings to collect award.

40:37–48. Any person to whom an award shall be made may, subject to the deduction of benefits assessed, sue for and collect or obtain payment of the award after it shall have been confirmed, in an action or by a proceeding in lieu of prerogative writ against the county park commissioners in the Superior Court or any court of competent jurisdiction. A certified copy of the award so made shall be presumptive evidence of the claim.

Section amended.

73. Section 40:37–49 of the Revised Statutes is amended to read as follows:

Assessments, collection, lien.

40:37–49. The county park commission may collect the assessments for benefits either by a civil action in the name of the commission against the person from whom it is due, together with the costs of making the same and interest at the rate of six per centum (6%) per annum from the date of confirmation, or by a sale of the property benefited, or by both of these remedies, which are to be cumulative.

Every assessment shall be a first lien upon the property benefited as ascertained by the commissioners, to the amount of the assessment, with the interest and costs from the date of confirmation thereof.

Section amended.

74. Section 40:37–50 of the Revised Statutes is amended to read as follows:

Assessments for improvements to existing roadways, etc.

40:37–50. Whenever the county park commission shall determine to make any improvement of any parkway, boulevard or part thereof, theretofore laid out or opened by it, which improvement may consist of grading, paving, or surface construction, or of planting trees or shrubbery, or one or more, or all of the items of construction or improvement which are or may be authorized by law, it may, in

the manner provided by section 40:37–41 of this Title, apply to a judge of the Superior Court for the appointment of commissioners to ascertain, fix and determine the amount of special benefits which the improvement may confer upon any owner of property benefited thereby.

The commissioners shall be appner provided by sections 40:37–41 to 40:37–46 of this Title and all of the provisions of those sections, so far as they relate to assessments for benefits, shall apply to assessments for benefits in connection with the improvements authorized by this section.

Section amended.

75. Section 40:37–65 of the Revised Statutes is amended to read as follows:

Rules and regulations, violations, penalty, recovery.

40:37–65. The commission may make rules and regulations for the government and use of the parks, open spaces, boulevards, parkways and roadways and enforce the same by fixing for the violation thereof penalties, not exceeding fifty dollars ($50.00) for each offense. All rules and regulations shall be plainly printed and posted within the parks and public places or on the boulevards and other highways. The commission may sue for and recover the penalties so fixed in a civil action in any court of competent jurisdiction. All fines and penalties recovered shall be used by the commission for the same purposes and in the same manner as its other funds.

Section amended.

76. Section 40:37–83 of the Revised Statutes is amended to read as follows:

Rules and regulations governing parks, penalties for violations, recovery.

40:37–83. The commission may 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 may prescribe fines and penalties for the violation of such rules and regulations and fix the amount thereof not exceeding fifty dollars ($50.00) for each offense. The commission may sue for and recover the penalties so fixed in a civil action in any court of competent jurisdiction. Such rules

and regulations shall not take effect until ten days after their adoption by the commission and after their publication once a week for two weeks in at least five newspapers circulating in the county.

Section amended.

77. Section 40:37–85 of the Revised Statutes is amended to read as follows:

Arrest without warrant.

40:37–85. The members and officers of the park police may arrest on view and without warrant, and take before a court having local criminal jurisdiction, of the municipality in which the arrest is made, or of a neighboring municipality, any person found violating the rules and regulations enacted by the commission for the protection, preservation, regulation and control of the park, parkways, playgrounds and recreation places and all property therein. Such members and officers shall have all the powers conferred by law on police officers or constables in the enforcement of the laws of this State and the apprehension of violators thereof.

Section amended.

78. Section twenty-one of chapter two hundred seventy-six of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 40:37-95.21. Rules and regulations, penalties, disposition of penalties.

21. The commission may make, alter, amend and repeal rules and regulations for the protection, regulation and control of such parks, and the roads, driveways, sidewalks, paths, lakes, pools, fountains, trees, flowers, shrubs, statuary, buildings and other things contained therein, and may prescribe penalties for the violation thereof. Any such penalty shall not be more than one hundred dollars ($100.00) or less than two dollars ($2.00) but it need not be for a specific amount; and the commission may provide that the penalty shall be in such amount, not less than one given sum nor greater than another given sum, as may be fixed by the court in its discretion. The commission may sue for and collect the penalty so fixed in a civil action in any court of competent jurisdiction. All fines and penalties recovered shall be used by the commission for the same purposes and in the same manner as its other funds. Such rules and regulations shall not take effect until ten days after their

adoption by the commission and after their publication once a week for two weeks in at least five newspapers circulating in the county.

Section amended.

79. Section 40:37–97 of the Revised Statutes is amended to read as follows:

County park commission, members.

40:37–97. In any county having a population of more than two hundred thousand, which is governed by sections 40:37–96 to 40:37–174 of this Title, the Superior Court assignment judge of the county shall appoint five persons a board of commissioners to be known as "the..... county park commission" (inserting name of county).

Section amended.

80. Section 40:37–98 of the Revised Statutes is amended to read as follows:

Commissioners, terms, vacancies.

40:37–98. The commissioners first appointed in any county shall hold office for the term of one, two, three, four and five years respectively, as indicated and fixed in their orders of appointment. Thereafter all commissioners shall hold office for the full term of five years and vacancies shall be filled by the said judge by appointment for the unexpired term only.

Section amended.

81. Section one of chapter one hundred thirty-three of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

C. 40:37-101.1. Appropriation for park maintenance.

1. In any county having a population of more than two hundred thousand and having a county park commission, the members of which shall be appointed, or shall have been appointed under the provisions of section 40:37–97 of the Revised Statutes; and having established a county park system and having acquired the funds for the establishment of such county park system by public bond issue approved by the voters of said county; and said park commission shall not have funds for the maintenance of said county park system and the voters of said county shall have rejected the adoption of sections 40:37–12, 40:37–13, 40:37–14 and 40:37–15 of the Revised Statutes; the board of chosen freeholders in said county, upon the written request of the county park commission, signed by

its president, vice-president and secretary, for funds for the maintenance of said county park system, after a public hearing on said request, and after determining in their discretion that funds for the maintenance of said county park system are necessary, may hereafter annually appropriate funds for the maintenance of said county park system; *provided, however,* that the funds raised and appropriated shall not exceed one-half of one mill on the dollar on the assessed valution on the total ratables and taxables in said county, the minimum authorized by section 40:37–14 of the Revised Statutes.

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Section amended.

82. Section 40:37–109 of the Revised Statutes is amended to read as follows:

Condemnation, notice, commissioners, duties.

40:37–109. Whenever the commission shall determine to open and lay out a boulevard, parkway or roadway, or make any improvement thereof which shall require the condemnation of real estate or any right or interest therein, it shall give notice by publication, at least ten days, in one or more of the newspapers circulating in the county wherein the real estate to be condemned is situate of its intention to apply to a judge of the Superior Court in that county for the appointment of three disinterested commissioners to:

a. Make an appraisement of the value of the real estate which in their judgment is necessary to be taken for the opening and laying out of any boulevards or roadways, or for the improvement thereof;

b. Ascertain, fix and determine the amount of the damages occasioned thereby;

c. Ascertain, fix and determine the amount of the special benefits which the laying out of the street or the improvement thereof will confer upon any owner of property benefited thereby.

Section amended.

83. Section 40:37–110 of the Revised Statutes is amended to read as follows:

Commissioners, appointment, duties, oath.

40:37–110. At the time and place specified in the notice provided for in section 40:37–109 of this Title the judge shall appoint three disinterested freeholders resident in the county to:

a. Make a just and true appraisement of the value of the real estate to be condemned and taken by the county park commission for the purposes specified in the notice;

b. Ascertain, fix and determine the amount of damages occasioned thereby;

c. Make a just and true estimate and appraisement of the special or peculiar benefits which the opening of any such boulevard, parkway or roadway, or the improvement thereof, may confer upon any owner of property benefited thereby, in proportion as nearly as may be to the benefit which each owner may be deemed to acquire. The commissioners so appointed shall forthwith take and subscribe an oath that they will faithfully and impartially perform their duties, and their oaths shall be filed in the office of the county clerk.

Section amended.

84. Section 40:37–113 of the Revised Statutes is amended to read as follows:

Rules of procedure before Supreme Court.

40:37–113. The Supreme Court may make such rules for the regulation of the practice and procedure under sections 40:37–96 to 40:37–174 of this Title as it shall deem appropriate.

Section amended.

85. Section 40:37–116 of the Revised Statutes is amended to read as follows:

Proceedings to collect award.

40:37–116. Any person to whom an award shall be made may, subject to the deduction of benefits assessed, sue for and collect or obtain payment of the award after it shall have been confirmed in an action or by a proceeding in lieu of prerogative writ against the county park commission in the Superior Court or any court of competent jurisdiction, and a certified copy of the awards so made shall be presumptive evidence of the claim.

Section amended.

86. Section 40:37–117 of the Revised Statutes is amended to read as follows:

Assessments, collection, lien.

40:37–117. The county park commissioners may collect the assessments for benefits either by a civil action in the name of the commission against the person from whom it is due, together with the costs of making the same and interest at the rate of six per centum (6%) per annum from the date of con-

firmation, or by a sale of the property benefited, or by both of these remedies, which are to be cumulative.

Every assessment shall be a first lien upon the property benefited as ascertained by the commissioners, to the amount of the assessment with the interest and costs from the date of the confirmation thereof.

Section amended.

87. Section 40:37–118 of the Revised Statutes is amended to read as follows:

Assessments for improvements to existing parkways, etc.

40:37–118. Whenever the county park commission shall determine to make any improvement of any parkway, boulevard or part thereof, theretofore laid out or opened by it, which improvement may consist of grading, paving or surface construction, or of planting trees or shrubbery, or any one or more, or all of the items of construction or improvement which are or may be authorized by law, it may, in the manner provided by section 40:37–109 of this Title, apply to a judge of the Superior Court for the appointment of commissioners to ascertain, fix and determine the amount of special benefits which the improvement may confer upon any owner of property benefited thereby.

The commissioners shall be appointed and shall proceed to make their assessment for benefits in the manner provided by sections 40:37–109 to 40:37–114 of this Title, and all of the provisions of those sections, so far as they relate to assessments for benefits, shall apply to assessments for benefits in connection with the improvements authorized by this section.

Section amended.

88. Section 40:37–153 of the Revised Statutes is amended to read as follows:

Enforcement of rules and regulations.

40:37–153. The rules and regulations provided for in section 40:37–152 of this Title shall be enforced in the same manner as municipal ordinances, in the county district court or a municipal court of any municipality in the county. On the conviction of the offender, in default of the payment of the penalty imposed, the court may commit him to the county jail for a term not exceeding ten days.

89. Section 40:37–155 of the Revised Statutes is amended to read as follows: Section amended.

40:37–155. The members and officers of the park police may arrest on view and without warrant, and take before a court having local criminal jurisdictions of the municipality in which the arrest is made, or of a neighboring municipality, any person found violating the rules and regulations enacted by the commission for the protection, preservation, regulation and control of the parks and parkways, and all property and other things therein. Such members and officers shall have all the powers conferred by law on police officers or constables in the enforcement of the laws of this State and the apprehension of violators thereof. Arrest without warrant.

90. Section 40:37–156a of the Revised Statutes, added by chapter forty-four of the laws of one thousand nine hundred and thirty-nine, is amended to read as follows: Section amended.

40:37–156a. Any member or officer of any such police force or police department not operating under the provisions of subtitle three of Title 11 of the Revised Statutes who has been convicted of any violation of any of the rules or regulations of such department by the official or board empowered to try members of such police department may obtain a review of such conviction in the County Court of the county in which such county park is situated. Such review shall be obtained by giving written notice of an application for review to the officer or board convicting the member of such department within ten days after notice of such conviction is given to the member convicted. The officer or board making such conviction shall send to the court a copy of the record of such conviction, including the rule or regulation violated and the charge or charges upon which the applicant was tried. Such court shall retry such charge or charges de novo and either affirm or reverse such conviction. The court may order or adjudge that the applicant be returned to any office or position from which he may have been removed under such conviction and Review of conviction.

that he be restored to all things he may have lost thereby, and may make such other order or judgment as it shall deem proper under the circumstances.

Section amended.

91. Section 40:37–173 of the Revised Statutes is amended to read as follows:

Certified copy of statement delivered to Superior Court.

40:37–173. If the provisions of sections 40:37–96 to 40:37–174 of this Title shall have been adopted at such election the county clerk shall within five days after the filing of his tabulated statement and certificate, deliver a certified copy thereof to the Superior Court assignment judge of such county, and within ten days thereafter such judge shall appoint the park commissioners herein provided for.

Section amended.

92. Section 40:37–174 of the Revised Statutes is amended to read as follows:

Payment of election expenses.

40:37–174. All expenses incident to the election, properly certified by the county judge or if there are two or more county judges by all or a majority of them, of the county shall be paid by the county wherein the election is held in the same manner as other election expenses therein are paid.

Section amended.

93. Section 40:37–211 of the Revised Statutes is amended to read as follows:

Condemnation for roadways, etc., procedure.

40:37–211. Whenever the commission shall determine to open and lay out a boulevard, parkway or roadway, or make any improvement thereof which shall require the condemnation of real estate or any right or interest therein, it shall give notice by publication, at least ten days, in one or more of the newspapers circulating in the county wherein the real estate to be condemned is situate of its intention to apply to a judge of the Superior Court for the appointment of three disinterested commissioners to:

a. Make an appraisement of the value of the real estate which in their judgment is necessary to be taken for the opening and laying out of any boulevard or roadway, or for the improvement thereof;

b. Ascertain, fix and determine the amount of the damages occasioned thereby;

c. Ascertain, fix and determine the amount of the special benefits which the laying out of the street or the improvement thereof will confer upon any owner of property benefited thereby.

94. Section 40:37–212 of the Revised Statutes is amended to read as follows: Section amended.

40:37–212. At the time and place specified in the notice provided for in section 40:37–211 of this Title the judge shall appoint three disinterested freeholders resident in the county to: Commissioners, appointment, duties, oath.

a. Make a just and true appraisement of the value of the real estate to be condemned and taken by the county park commission for the purposes specified in the notice;

b. Ascertain, fix and determine the amount of damages occasioned thereby;

c. Make a just and true estimate and appraisement of the special or peculiar benefits which the opening of any such boulevard, parkway or roadway, or the improvement thereof, may confer upon any owner of property benefited thereby, in proportion as nearly as may be to the benefit which each owner may be deemed to acquire. The commissioners so appointed shall forthwith take and subscribe an oath that they will faithfully and impartially perform their duties, and their oaths shall be filed in the office of the county clerk.

95. Section 40:37–215 of the Revised Statutes is amended to read as follows: Section amended.

40:37–215. The Supreme Court may make such rules for the regulation of the practice and procedure under sections 40:37–195 to 40:37–247 of this Title as it shall deem appropriate. Rules of procedure before Supreme Court.

96. Section 40:37–240 of the Revised Statutes is amended to read as follows: Section amended.

40:37–240. The commission may make rules and regulations for the government and use of the parks, open spaces, boulevards, parkways and roadways, and enforce the same by prescribing and fixing for the violation thereof suitable penalties, not exceeding fifty dollars ($50.00) for each offense. All rules and regulations shall be plainly printed Rules and regulations, penalties, recovery.

and posted within the parks and public places or on the boulevards and other highways. The commission may sue for and collect the penalties prescribed and fixed for any violation of the rules and regulations so made in a civil action in any court of competent jurisdiction. All fines and penalties recovered shall be used by the commission for the same purposes and in the same manner as its other funds.

Section amended.

97. Section 40:37–247 of the Revised Statutes is amended to read as follows:

Payment of election expenses.

40:37–247. All expenses incident to the election, properly certified by the county judge or if there are two or more county judges by all or a majority of them, of the county shall be paid by the county wherein the election is held in the same manner as other election expenses therein are paid.

Section amended.

98. Section 40:38–1 of the Revised Statutes is amended to read as follows:

Oath, bond, approval, filing.

40:38–1. Every person who shall be elected clerk of a county shall, before he enters on the execution of his office or is admitted to take the oath prescribed by law, enter into bond to the State of New Jersey and to the county of ..... as their interest may appear, with sufficient corporate surety and approved of by the judge of the County Court of the county having but one judge of such court and, in counties having more than one judge, the judge senior in point of service, in the sum of fifteen thousand dollars ($15,000.00) or in such greater sum not exceeding fifty thousand dollars ($50,000.00) as the judge may order; *provided,* that should there be no judge of the County Court appointed for the county having but one judge of such court, or the judge is not able to serve, then the duty herein prescribed for the judge shall be performed by a judge of the Superior Court assigned to such county or if the senior judge for counties having more than one judge of the County Court is not able to serve, then the county judge next senior in service shall perform such duties. The bond shall be conditioned that

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he will well and truly execute the office of clerk of the county of ....., and justly, faithfully and impartially perform and execute all duties pertaining to such office, as well with respect to all persons concerned, as to the said county and as to the State of New Jersey, account for all money received in such office according to law, and at the expiration of his term of office deliver to his successor in office all the things, books, papers, records and writings in his office or appertaining thereto.

The bond, approved by the judge, together with the oath of office, shall be filed and recorded in the office of the Secretary of State of New Jersey and a duplicate filed with the clerk of the board of chosen freeholders of such county.

Section amended.

99. Section 40:38–2 of the Revised Statutes is amended to read as follows:

Penalty for acting before giving bond.

40:38–2. If any person elected county clerk shall perform any of the duties of that office, before giving bond as provided in section 40:38–1 of this Title he shall, for every such offense, forfeit and pay for the use of this State one hundred dollars ($100.00), to be sued for and recovered by the board of chosen freeholders of the county in which the offense shall be committed, in a civil action, with costs, in the name of this State.

Section amended.

100. Section 40:38–4 of the Revised Statutes is amended to read as follows:

Not to act as municipal magistrate, penalty.

40:38–4. The county clerk shall not hold or exercise the office of a municipal magistrate.

If a county clerk violates this section, he shall be liable to a penalty of fifty dollars ($50.00) for each offense, to be recovered in a civil action, by any person who shall sue for the same, in any court of competent jurisdiction. He shall also be liable to be removed from office by impeachment.

Section amended.

101. Section 40:38–7 of the Revised Statutes is amended to read as follows:

Duties for Superior Court.

40:38–7. The clerks of the respective counties shall perform such duties for the Superior Court appertaining to the holding of such court in said

counties as shall be prescribed by law and the rules for the administration of the courts.

Section amended.

102. Section 40:38–8 of the Revised Statutes is amended to read as follows:

Attendance on courts, duties.

40:38–8. The county clerk shall attend the daily sessions of the court of which he is the clerk, and of the Superior Court held in the county, either in person or by deputy, or by a competent person, whose duty it shall be, under the direction and control of a judge thereof, to keep minutes of the proceedings of the court. The public shall have access to the minutes at all proper and reasonable hours, and the county clerk shall receive no extra compensation therefor.

Section amended.

103. Section 40:38–10 of the Revised Statutes is amended to read as follows:

Liability of clerks for moneys received.

40:38–10. The clerk of each county shall be liable for all moneys paid into his hands as such official or as clerk of the court, and for such care, custody and liability shall retain out of the moneys so paid into his hands the same fees as the Clerk of the Superior Court is authorized to retain from the moneys paid to him as clerk. Any fees so retained shall be accounted for by the county clerk to the treasurer of the county. The clerk shall not use such moneys so deposited with him for his own benefit while in his care.

Section amended.

104. Section 40:38–11 of the Revised Statutes is amended to read as follows:

Depositories, designation.

40:38–11. The Superior Court assignment judge of each county shall, in writing, designate the bank or trust company in this State, in which the county clerk shall deposit all moneys paid to him officially, subject to the rules and regulations applicable to him as clerk of a court, and prescribe the manner in which the same may be withdrawn, and the clerk shall be released from personal liability for the safe-keeping of moneys so deposited.

105. Section 40:38–16 of the Revised Statutes is amended to read as follows: Section amended.

40:38–16. The clerk of every county as clerk of a court shall, within ten days after any session of the court, make out a true abstract from the minutes of all fines and amercements awarded, and the amount of all judgments entered or recognizances forfeited for the use of the State during the session, and on or before July first annually, shall transmit it to the State Treasurer. Report to State Treasurer, contents.

The abstract shall contain the names of the persons fined and amerced, and against whom any such judgment has been entered and the names of the sheriff and treasurer of the county for the time being.

106. Section 40:38–17 of the Revised Statutes is amended to read as follows: Section amended.

40:38–17. If any clerk shall refuse or neglect to transmit such abstract to the treasurer, at or before the time specified in section 40:38–16 of this Title he shall, for every offense, forfeit and pay one hundred dollars ($100.00), to be recovered by a civil action, with costs, in the name of and for the use of the State. Penalty for failure to make report.

The State Treasurer shall, on or before July third annually, make out and return the name of every delinquent clerk to the Attorney-General who, upon receipt thereof, shall institute an action for the recovery of the penalty.

107. Section 40:38–18 of the Revised Statutes is hereby repealed. Sections repealed.

108. Section 40:38–22 of the Revised Statutes is hereby repealed.

109. Section 40:38–23 of the Revised Statutes is amended to read as follows: Section amended.

40:38–23. Upon the expiration of his term of office, the county clerk shall, in the presence of a judge of the County Court, deliver to his successor in office the books, papers, records, writings and documents appertaining to the office, and transfer all moneys on deposit with him as clerk to such Delivery of records and moneys to successor, death of clerk.

successor. The judge shall certify under his hand and seal such delivery and payment, which certificate, together with the receipt from the successor in office, shall be transmitted by the former clerk to the Secretary of State, to be by him filed in his office.

If a county clerk shall die during his term of office, his executors or administrators shall deliver to the successor in office, all the books, papers, records, writings and documents appertaining to the office, transfer all moneys on deposit with the clerk which may come to their hands or under their control to such successor, and transmit the certificate of the judge and the receipt of the successor to the Secretary of State, to be by him filed in his office.

Section amended.

110. Section 40:38–24 of the Revised Statutes is amended to read as follows:

Successor to give receipt.

40:38–24. Every person elected clerk of a county shall, on receiving any books, papers, records or moneys from his predecessor, or the executor or administrator of his predecessor, sign and acknowledge a receipt therefor before a judge of the County Court, who shall deliver the receipt to the Secretary of State, to be by him filed in his office.

Section amended.

111. Section 40:38–25 of the Revised Statutes is amended to read as follows:

Deputy clerks, appointment, terms, duties, compensation.

40:38–25. The clerk of each county may appoint under his hand and seal an assistant to be known as his first assistant or "deputy clerk," who shall hold office during the pleasure of the clerk, but no longer than the term for which the clerk is elected, subject to the provisions of section 40:38–26 of this Title.

Before he enters upon the duties of his office the deputy clerk shall take and subscribe, before a judge of the County Court, an oath of like form and character as that required to be taken by the county clerk. The appointment, with the certificate of the oath indorsed thereon and attested by the judge, shall be filed in the office of the county clerk.

During the absence or inability of the clerk, the deputy clerk shall have the same powers and perform all the duties conferred by law upon the county clerk but no additional compensation shall be paid such deputy by the county, except as provided by law.

Section amended.

112. Section 40:38–27 of the Revised Statutes is amended to read as follows:

Special deputy clerks.

40:38–27. The clerk of each county may appoint under his hand and seal, from among the employees in his office, as many competent persons as he may need, to be known as "special deputy clerk," who shall hold office during the pleasure of the clerk, but no longer than the term for which the clerk has or shall have been elected.

Before he enters upon the duties of his office, the special deputy clerk shall take and subscribe, before a judge of the County Court, an oath of like form and character as that required to be taken by the county clerk. The appointment, with the certificate of the oath or affirmation indorsed thereupon and attested by the judge, shall be filed in the office of the county clerk.

During the absence or inability of the clerk and the deputy clerk, the special deputy clerk shall have the same powers and perform all the duties conferred by law upon county clerks and deputy clerks. No additional compensation shall be paid the special deputy by the county except as provided by law for the payment of compensation to the employees of the clerks' offices.

Section amended.

113. Section 40:39–8 of the Revised Statutes is amended to read as follows:

Transfer of records.

40:39–8. All records of deeds, mortgages, assignments of mortgages, letters of attorney to convey lands, and other instruments of writing relating to the title to real estate, and all books, papers, indexes and other things pertaining to the business and duties herein devolved upon the register of deeds and mortgages, which may be in the custody of the county clerk when the office of register is

established in any county and a register elected therein shall be by him at that time placed in the custody of the register who shall sign a receipt therefor according to law.

Section amended.

114. Section 40:39–10 of the Revised Statutes is amended to read as follows:

Oath, bond.

40:39–10. The register shall take and subscribe the same oath, give the same bond, enjoy the same rights and privileges and be subject to the same penalties as are provided by law in the case of the county clerk, with reference to the discharge of the duties herein devolved upon the register.

Section amended.

115. Section 40:39–14 of the Revised Statutes is amended to read as follows:

Accommodations, books, etc., provided, public records.

40:39–14. The board of chosen freeholders shall, without unnecessary delay, provide a suitable fireproof place, separate and distinct from the office of the county clerk, in which the register may keep the records and papers of his office, and furnish the same with proper bookcases and furniture. All the necessary books and stationery for the business of the office shall be furnished by the county, shall be the property of the county and be public records, to which all persons shall have access at all reasonable hours.

Section amended.

116. Section 40:39–15 of the Revised Statutes is amended to read as follows:

Duties of register of deeds and mortgages.

40:39–15. The register of deeds and mortgages shall record, register or file in his office all deeds, mortgages, assignments of mortgages, letters of attorney to convey lands, all instruments of writing relating to the title to real estate and all other instruments of writing required or permitted by law to be recorded, registered or filed in his office, and perform all the duties required of the county clerk pertaining to the recording, registering, filing and indexing of all such deeds and other instruments of writing in the county in which he is elected.

117. Section 40:39–16 of the Revised Statutes is amended to read as follows: Section amended.

40:39–16. All laws relating to the county clerk shall apply to the register of deeds and mortgages so far as they may be applicable to the business and duties of his office, and his records and transcripts therefrom shall have the same force and effect as they have when made by the county clerk. Laws applicable.

118. Section 40:39–18 of the Revised Statutes is amended to read as follows: Section amended.

40:39–18. Before entering upon the duties of his appointment, the deputy register shall take and subscribe, before a judge of the County Court of the county, an oath that he will truly, faithfully and impartially execute the duties of his office to the best of his skill and understanding. Oath of deputy register, filing.

The judge shall transmit the oath to the Secretary of State, who shall file it among his public papers.

119. Section 40:40–5 of the Revised Statutes is hereby repealed. Section repealed.

120. Section 40:40–6 of the Revised Statutes is amended to read as follows: Section amended.

40:40–6. On being informed of the happening of any of the events enumerated in section 40:40–4 of this Title, the coroner shall immediately view the body and make proper inquiry respecting the cause and manner of death. If, from such inquiry, the said coroner shall be satisfied that no person has been guilty of causing or procuring the death, and that there are no suspicious circumstances, he shall, without further proceedings therein, deliver the body to the friends thereof for interment. If there are no friends who will take charge of and bury the body, and if the deceased does not leave property sufficient to pay the expenses of the burial, the coroner shall bury the body. Inquest, duties of coroner.

121. Section 40:40–7 of the Revised Statutes is amended to read as follows: Section amended.

40:40–7. When the coroner shall determine that an inquest is unnecessary he shall make a certifi- Certificate when inquest unnecessary.

cate, under his hand and seal, substantially as follows:

"I, ..., one of the coroners, of the county of ....., having notice of the death of ....., and having viewed the dead body of said ....., and made inquiry respecting his, or her, death, do hereby certify, that I am satisfied no guilt attaches to any person by reason of said death and that an inquest is unnecessary."

When it shall have become necessary for the coroner to bury the dead body, the certificate shall continue substantially as follows:

"That the deceased has no friends who appear to take charge of, and bury his, or her, body, nor, as I can ascertain, has he, or she, left property sufficient and within reach of the directors of welfare, to defray the expenses thereof, and I have therefore buried the same."

The certificate shall be filed with and accompany the taxed bill of costs.

Section amended.

122. Section 40:40–8 of the Revised Statutes is amended to read as follows:

Inquests, jury, form of precept.

40:40–8. If after view and inquiry the coroner shall have reason to suspect that the deceased came to his death by murder, manslaughter, or the contrivance, aiding, procuring or other misconduct of any person, and in counties having a county physician, upon the written request of such county physician, he shall forthwith issue a precept, directed to any constable of the county where the dead body is found or lying, requiring him to summon a jury of six good and lawful men of the county, to appear before him at the time and place stated in the precept, which shall be in form following:

"..... county, to wit: The State of New Jersey to any of the constables of said county: You are required immediately upon sight hereof, to summon ..... good and lawful men of the county of ..... to appear before me, A. B., one of the coroners of the county aforesaid

at ....., in said county on the ..... day of ....., at the hour of ..... in the ..... noon, then and there to inquire of, do and execute all such things as on behalf of the State, shall be lawfully given them in charge touching the death of C. D. (or a person unknown, as the case may be). And be you then there present to certify what you shall have done in the premises, and further to do and execute what, in behalf of the State, shall be then and there enjoined upon you. Given under my hand and seal, at ....., in said county, the ..... day of ....., in the year of our Lord ....."

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

40:40–9. The constable to whom the precept shall be directed and delivered shall execute it forthwith, and repair to the place at the time stated therein, and make return of the precept with his proceedings thereon to the coroner who issued it. Execution of precept.

124. Section 40:40–10 of the Revised Statutes is amended to read as follows: Section amended.

40:40–10. The coroner issuing the precept shall certify and return every constable who neglects or refuses to perform the services and duties prescribed by this chapter and every person who shall be summoned as a juror and shall not appear, to the County Court in that county, which court, unless a reasonable excuse be shown, shall impose a fine upon the constable or juror so offending as it shall deem reasonable, not exceeding fifty dollars ($50.00). Penalty for neglect of constable or juror.

125. Section 40:40–11 of the Revised Statutes is amended to read as follows: Section amended.

40:40–11. The coroner shall swear or affirm six jurors, and shall administer to the foreman of the inquest an oath, upon view of the body, in form following: Jury oath.

"You, as foreman of this inquest, shall diligently inquire and true presentment make, on behalf of the State of New Jersey, how and in what manner C. D. (or a person unknown, as the case may be),

here lying dead, came to his death, and of such other matters relating to the same, as shall be lawfully required of you, according to the evidence."

The coroner shall swear or affirm the rest of the jurors, in form following:

"Such oath as the foreman of this inquest hath taken on his part, you and each of you, shall well and truly observe and keep on your part."

Section amended.

126. Section 40:40–12 of the Revised Statutes is amended to read as follows:

Charge to jury, facts required to be found.

40:40–12. When the jurors are sworn the coroner shall charge them to declare upon their oaths the following things:

a. Whether the deceased died by murder, manslaughter, accident or otherwise;

b. When, where, by what means and in what manner the death occurred;

c. If by murder, who were the prinicipals and who were the accessories;

d. If by manslaughter, who were the perpetrators;

e. If by accident or otherwise, whether by act of God or man, and whether by injury, fall, stroke, drowning or other cause;

f. If by the act of man, what instrument was used, and what were the circumstances surrounding the death;

g. Who was present at the death;

h. Who were the finders of the body;

i. Whether deceased died in the place where the body was found, or if elsewhere, by whom and how he was brought thence;

j. Whence the deceased came, who he was and who are his relatives or neighbors;

k. If deceased died in prison, whether from ill treatment, and if so how and by whom;

l. If deceased took his own life, how and under what circumstances; and

m. All other facts and circumstances attending the death.

127. Section 40:40–13 of the Revised Statutes is amended to read as follows: Section amended.

40:40–13. The coroner may summon witnesses, commanding them to come before him to be examined, and to declare their knowledge concerning the matter in question, and shall administer to every witness an oath in form following: Witnesses, oath.

"You solemnly swear that the evidence which you shall give to this inquest, on behalf of the State, touching the death of C. D. (or a person unknown, as the case may be), shall be the truth, the whole truth, and nothing but the truth."

128. Section 40:40–14 of the Revised Statutes is amended to read as follows: Section amended.

40:40–14. Every coroner, upon any inquisition before him wherein any person shall be indicted for murder or manslaughter, or as accessory to the crime of murder, either before or after the commission thereof, shall put in writing the effect of so much of the evidence given to the jury before him, as shall be material, and shall bind all witnesses by recognizance who give evidence material to prove the murder or manslaughter, or to prove any person to be accessory to the murder, to appear before the court where the trial thereof shall be, then and there to give evidence against the offender, at the time of trial. Testimony reduced to writing, binding material witnesses.

The coroner shall certify the recognizance and the evidence together with the inquisition or indictment taken and found before him, to the court at or before the time of the trial of the person so indicted.

If the party charged with the offense by the inquest be not in custody, the coroner may issue process for his apprehension, and may take his examination, and commit him for trial, in the same manner as a committing magistrate in similar criminal matters.

129. Section 40:40–15 of the Revised Statutes is amended to read as follows: Section amended.

40:40–15. If the coroner shall deem it necessary to have a post-mortem examination made, he shall Post-mortem examinations.

obtain the services of one or more licensed physicians or surgeons of this State, for that purpose.

The board of chosen freeholders of the county where the dead body was found shall pay each of the physicians or surgeons a reasonable compensation for the services so rendered, upon receipt of a certificate from the coroner.

In counties having a county physician the post-mortem examination shall be made by him.

Section amended.

130. Section 40:40–16 of the Revised Statutes is amended to read as follows:

Chemical analysis.

40:40–16. If the coroner deems it necessary to have a chemical analysis made by a skilled person, of any substance which it is suspected has occasioned the death of the person whose body is found, he shall so report to a judge of the Superior Court, who may in his discretion, order the analysis to be made, and shall certify the expense thereof under his hand, and when so certified it shall be paid in the same manner as the expenses of holding the inquest.

Section amended.

131. Section 40:40–17 of the Revised Statutes is amended to read as follows:

Return of inquisitions.

40:40–17. All coroners shall deliver their inquisitions to the County Court in their respective counties, which court shall thereupon direct the taking of proceedings against the offenders.

Section amended.

132. Section 40:40–19 of the Revised Statutes is amended to read as follows:

Penalty for neglect of duty.

40:40–19. If a coroner fails to hold an inquisition in a proper case, or fails to make the certificate or perform any of the duties required by this chapter, he shall, for each offense, be subject to a fine not exceeding five hundred dollars ($500.00), to be fixed by the County Court upon proof of the offense by examination before it.

Section amended.

133. Section 40:40–21 of the Revised Statutes is amended to read as follows:

Fees, taxed bill of costs, verification.

40:40–21. The bill for fees of the coroner or other person acting in his stead, shall be taxed by the county clerk, who before proceeding to tax bills of costs of inquests of death or bills of costs for the

performance of the duties required by this chapter shall require of, and administer to all officers presenting such bills of cost for taxing, an oath that there are included therein only services actually rendered or duties performed and that the amount charged in the bill for jurors' and witnesses' services, has been paid to them, respectively. The clerk shall indorse the oath on some convenient part of the taxed bill of costs, and cause it to be subscribed by the coroner.

Section amended.

134. Section 40:41–2 of the Revised Statutes is amended to read as follows:

Bond, approval.

40:41–2. The bond of the sheriff of any county shall be fixed and approved by the judge of the County Court of the county or in counties for which there are more than one judge of such court, the judge senior in point of service, or if the senior judge is not able to serve, then the judge next senior in service, or if there be no judge appointed for the court or no judge able to serve, then the Superior Court assignment judge of the county. Such judge shall attend at the court house of such county on the first Tuesday after the general election for the purpose of fixing and approving the bond.

Section amended.

135. Section 40:41–3 of the Revised Statutes is amended to read as follows:

Bond, execution, amount, approval.

40:41–3. The sheriff for the time being, or sheriff-elect, as the case may be, shall attend before the judge designated in section 40:41–2 of this Title with the certificate of his election, and shall then and there enter into bond to the State of New Jersey and to the county of ..... as their interest may appear, with sufficient corporate surety to be approved by the judge in the sum of fifteen thousand dollars ($15,000.00) or in such greater sum not exceeding fifty thousand dollars ($50,000.00) as the judge may order. The bond shall be conditioned that he will well and truly execute the office of sheriff of the county of ...., and justly, faithfully and impartially perform and execute all duties pertaining to such office, as well with respect to all persons concerned,

as to the said county and as to the State of New Jersey, account for all money received in such office according to law, and at the expiration of his term of office deliver to his successor in office all the things, books, papers, records and writings in his office or appertaining thereto. The bond, approved by the judge shall be filed in the office of the Secretary of State of New Jersey and a duplicate filed with the clerk of the board of chosen freeholders of such county.

Section amended.

136. Section one of chapter eighty-seven of the laws of one thousand nine hundred and forty is amended to read as follows:

Validates renewal of bond.

1. In case the sheriff for the time being of any county shall heretofore have failed to renew his bond annually, in the manner set forth in sections 40:41–2 and 40:41–3 of the Revised Statutes, any judge of the County Court of the county in which such sheriff shall have been elected to office shall have power, in his discretion, to accept from said sheriff a bond dating from the date when said sheriff's bond should have been renewed, and conforming in all other respects to the provisions of section 40:41–3 of the Revised Statutes, save as to the time of execution and filing only, and the acceptance and approval of such bond by said judge shall be held and taken to be a renewal of said sheriff's bond in full compliance with the Constitution of this State and to have the same force and effect as if said sheriff's bond had been renewed in the manner now required by law.

Section amended.

137. Section 40:41–4 of the Revised Statutes is amended to read as follows:

Oath, form, filing.

40:41–4. Every sheriff-elect after having entered into bond shall take and subscribe before the judge designated in section 40:41–2 of this Title, an oath in the words following:

"I do solemnly swear, that I will well and truly serve the State of New Jersey in the office of sheriff of the county of .....; that I will in no case knowingly use or exercise the office of sheriff

illegally, corruptly or unjustly; that I will neither directly nor indirectly by any means or device, or under any color or pretense whatsoever, accept, receive, take, use or enjoy or consent to the accepting, receiving, taking, using or enjoying, any fee or reward of or from any person, for summoning, impaneling or returning any inquest, jury or tales, other than such fees or rewards as are or shall be allowed by law; that I will not directly or indirectly exact, demand, or receive any manner of fee or reward from any person for serving, executing, or returning any writ, precept, process, or execution, or for performing any other service, act, or duty in my office, other than such fees or reward as are or shall be allowed by law; that I will not neglect, refuse, or delay to serve and return any writ, precept, or execution, to me directed and delivered, and to make sale of property by me levied upon and seized by virtue of any writ or execution, for any gift, promise, reward, or favor; that I will do no wrong to any person, for any gift, reward or promise, nor for favor or hatred; that I will do right to all persons in all things belonging to my office; that I will truly, faithfully and impartially and with all convenient speed, summon, impanel and return, or cause to be summoned, impaneled and returned, good and lawful men for jurors, able and sufficient and not suspected or procured, as is or shall be directed by law; that I will to the utmost of my power duly, faithfully, and with all convenient speed, execute, or cause to be executed all writs, processes, precepts, and executions to me directed, and which shall come to my hands, and will faithfully and truly return the same, according to the best of my skill and understanding; and that I will truly and honestly, without fraud or deceit, do, execute, and perform all services, acts, and duties of my office, according to the best of my judgment, skill and power."

The oath in writing subscribed by the sheriff-elect and attested by the judge aforesaid, shall be filed in the office of the county clerk.

Section amended.

138. Section 40:41–5 of the Revised Statutes is amended to read as follows:

Certificate of approval transmitted to Governor.

40:41–5. After having taken the bond and administered the oath of office, the judge designated in section 40:41–2 of this Title shall deliver to the sheriff-elect a certificate thereof, under his hand and seal, directed to the Governor, in the form following:

"This day personally appeared before me the subscriber, judge of the County Court of the county of ..... (or Superior Court assignment judge of the county of .....), A. B., and executed a bond to the State of New Jersey, with sufficient surety by me approved, for the faithful execution of the office of sheriff of the county of ....., and subscribed the oath of office, in due form of law; given under my hand and seal, the .....day of ....., in the year of our Lord ....."

The certificate shall be annexed to the certificate of election and delivered to the sheriff-elect, to be by him transmitted to the Governor, that he may be commissioned.

Section amended.

139. Section 40:41–14 of the Revised Statutes is amended to read as follows:

Vacancies, filling.

40:41–14. If, before the expiration of his term of office, the sheriff shall die or remove out of the jurisdiction of the State, or otherwise become disabled by law to execute the office, and in all other cases of vacancies in the office of sheriff, the judge designated in section 40:41–2 of this Title, shall forthwith, as soon as may be after receipt of information or knowledge of the happening of such death, removal, disability or vacancy, direct the county clerk to certify such fact to the Governor. The clerk shall immediately certify such fact under his hand and the seal of the court to the Governor, who shall forthwith, upon receipt of the certificate, fill the vacancy by appointment, with the advice and consent of the Senate, from the members of the same political party as that of the previous incumbent of the office. The commission of the per-

son so appointed shall expire when a successor is elected and qualified, and the successor shall be elected, at the next ensuing general election for the full term of three years unless such vacancy shall happen within thirty-seven days preceding such election, in which case it shall be filled at the second succeeding general election.

Section amended.

140. Section 40:41–15 of the Revised Statutes is amended to read as follows:

Appointment filling vacancy.

40:41–15. Every person appointed by the Governor to fill a vacancy in the office of sheriff, pursuant to section 40:41–14 of this Title shall, before proceeding to execute his office, give the bond and take and subscribe the oath in the manner and form prescribed for a sheriff-elect. Upon receiving information from the Governor of his appointment, he shall give notice thereof to the judge designated in section 40:41–2 of this Title, fixing a time, not less than three days from the giving of the notice, when he will be ready to qualify for the office. The judge shall attend at the county court house, at the time so fixed.

The person so appointed shall in all respects comply with the provisions and requirements of this article and be subject to all regulations and restrictions herein prescribed, and be subject to the same penalties, suits and amercements for any violation thereof, or for any neglect of duty, as he would have been had he been elected to the office of sheriff.

Section amended.

141. Section 40:41–21 of the Revised Statutes is amended to read as follows:

Amercement by sheriff or coroner.

40:41–21. If a sheriff or coroner neglects or refuses to execute any writ of execution directed to him, and coming to his hands, or neglects to file, as required by law, a just and true inventory of the property so taken in execution, unless he make a return that he has levied to the value of the debt or damages and costs, or shall voluntarily or negligently fail for the space of two months to render to the plaintiff, his representative or attorney, the money which he shall have received from

the sale of the real and personal property of the defendant or otherwise, he shall be amerced in the value of the debt or damages and costs to and for the use of the plaintiff.

Such amercement may be made by the court issuing the execution in the action wherein the execution was issued or in an action brought for the purpose. The court may proceed in a summary manner or otherwise. The delinquent sheriff or coroner shall also be subject to attachment.

Section amended.

142. Section 40:41–25 of the Revised Statutes is amended to read as follows:

Discharge of bonds of record, effect.

40:41–25. When the condition of any bond, mentioned in section 40:41–23 of this Title, has or shall have been fully complied with, the sheriff to whom it has or shall have been given, whether his term of office shall have expired or not, or his personal representative if the sheriff be dead, shall cancel the record of such bond, or give to the clerk of the county where it is recorded a warrant for the cancellation of the record of such bond, which shall be duly acknowledged before a person authorized to take acknowledgments of deeds.

If the sheriff or ex-sheriff, or the personal representative of any deceased sheriff, shall neglect or refuse to cancel the record of any such bond, in a proper case, the Superior Court in a proceeding in lieu of prerogative writ may direct the cancellation.

When the record is canceled under this section, it shall no longer have the force and effect of a recognizance and shall not operate as a lien upon real estate, but the bond shall continue to have the same force and effect as if it had never been recorded.

Section amended.

143. Section 40:41–27 of the Revised Statutes is amended to read as follows:

Removal for permitting lynching, petition for reinstatement.

40:41–27. If any person shall be taken from the hands of a sheriff or his deputy having such person in custody and shall be lynched, it shall be prima facie evidence of failure on the part of the sheriff to do his duty, and upon the fact being made to appear to the Governor, he shall publish a procla-

mation declaring the office of sheriff vacant. The sheriff shall not thereafter be eligible to either election or reappointment to the office of sheriff.

Such former sheriff whose office has been declared vacant may, within ten days after the publication of the Governor's proclamation, file with the Governor his petition for reinstatement to the office of sheriff, and shall give ten days' notice of the filing of such petition to the county prosecutor of the county in which the lynching occurred, and to the Attorney-General.

If the Governor, upon hearing the evidence and argument, if any presented, shall find that the former sheriff had done all in his power to protect the life of the prisoner and performed the duties required of him by law respecting the protection of prisoners, he may reinstate him and thereupon issue to him a certificate of reinstatement, to be effective immediately. The decision of the Governor shall be final.

Section amended.

144. Section 40:41–28 of the Revised Statutes is amended to read as follows:

Undersheriff, appointment, oath.

40:41–28. The appointment of an undersheriff shall be by writing under the hand and seal of the sheriff. Every undersheriff, before he assumes his office, shall take and subscribe before a judge of the County Court of the county, an oath that he will well and faithfully execute the office of undersheriff, according to the best of his skill and judgment. He shall file his appointment, with the certificate of his oath indorsed thereon and attested by the judge, in the office of the county clerk. Nothing in this section contained shall prevent the sheriff from removing an undersheriff at pleasure.

Section amended.

145. Section 40:41–42 of the Revised Statutes is amended to read as follows:

Actions on bonds, jurisdiction.

40:41–42. Actions on constables' bonds may be prosecuted in the Superior Court or a County Court and shall be prosecuted as in the case of sheriffs' bonds. Applications may be made to the Superior Court or County Court, after judgment, by any other aggrieved person, as provided in sec-

tion 2A:27–2 of the New Jersey Statutes; and the bond shall have the effect provided in section 2A:27–3 thereof.

Section amended.

146. Section 40:41–43 of the Revised Statutes is amended to read as follows:

Trial by jury.

40:41–43. Actions and applications after judgment, under section 40:41–42 of this Title shall be tried with a jury, upon demand of any party interested.

Section amended.

147. Section 40:41–44 of the Revised Statutes is amended to read as follows:

Municipality not liable for costs.

40:41–44. In actions under article two of this chapter a municipality shall not be liable for costs.

Section repealed.

148. Section 40:41–45 of the Revised Statutes is hereby repealed.

Section amended.

149. Section 40:41–46 of the Revised Statutes is amended to read as follows:

Recovery on bond.

40:41–46. If a constable absconds, or becomes insolvent or incapable of performing the duties of his office, the County Court of the county may, on application, authorize his surety or sureties for the time being to bring an action to recover any moneys which the constable could or might lawfully demand, levy and receive by virtue of any process in his official capacity, and all moneys in the hands of any person collected by the constable on any execution or process, which at the time of his absconding, insolvency or incapacity were not paid over to the plaintiff or person entitled thereto.

Section repealed.

150. Section 40:41–47 of the Revised Statutes is hereby repealed.

Section amended.

151. Section 40:43–20 of the Revised Statutes is amended to read as follows:

Powers of joint committee.

40:43–20. The joint committee shall have power to take testimony, issue subpœnas, compel the attendance of any of the officers of any of the municipalities affected, compel the production of all books and papers relating to the subject matter under consideration, and to administer oaths to any person appearing before the committee to testify. Its subpœnas, shall be enforceable, and misconduct of a witness may be dealt with, in the

manner provided by the County and Municipal Investigations Law (1952).

Section amended.

152. Section 40:43–21 of the Revised Statutes is amended to read as follows:

Commissioners appointed where no agreement reached.

40:43–21. If the joint committee shall be unable to agree upon a division of the assets or debts of said municipalities, or in case any of the municipalities desires to have such allotment and division made by commissioners, the governing body of any of the municipalities may apply to a judge of the County Court of the county for the appointment of three disinterested persons as commissioners, who shall make the above appraisal and apportionment in the manner hereinbefore provided; and their determination in writing, signed by any two of them, shall be binding and conclusive upon each of the municipalities. The commissioners shall receive such compensation for their services as the judge shall by order determine, to be paid by the municipalities equally.

Section amended.

153. Section 40:43–23 of the Revised Statutes is amended to read as follows:

Officers of old municipality in new, effect.

40:43–23. If a newly created municipality shall include a part of another municipality, any officer thereof residing within the limits of the newly created municipality shall hold his office and perform the duties thereof until the next general election is held for the election of officers within the old municipality, at which time some other person residing in the remaining part of said municipality shall be elected in his place whether the term of office for which he was originally elected has expired or not.

Section amended.

154. Section 40:43–35 of the Revised Statutes is amended to read as follows:

Failure to make report, procedure.

40:43–35. If the report is not made and filed within the time fixed in section 40:43–34 of this Title, the municipality to which the territory is annexed shall forthwith apply to the Superior Court assignment judge of the county in which the municipality is located, applying for an order appointing three commissioners to take the place of

and perform the work of the committees, and the judge shall by order designate such commissioners, who shall perform the work and who shall make their report within thirty days from the date of their appointment, unless otherwise ordered by the judge.

The report of the commissioners, or a majority of them, shall be made in duplicate and filed with the clerk of each of the municipalities, and shall have the same force and effect, and be as binding as if a report had been made and filed by the committees.

The commissioners shall be paid for their services by the municipality applying for their appointment and by the municipality of which the territory formerly was a part.

The judge shall, upon application of the commissioners, and after they have filed their report, fix the amount to be paid to each commissioner, and the part thereof to be paid by each municipality, and for which said respective amounts said respective municipalities shall be liable.

Section amended.

155. Section 40:43–36 of the Revised Statutes is amended to read as follows:

Officers of annexed territory, how affected.

40:43–36. All constables, resident within the territory annexed, shall continue to hold their respective offices until the expiration of their respective terms; and all police officers of any such annexed territory shall continue to hold their offices and to exercise the functions and powers thereof as provided by the ordinances, rules and regulations of the municipality to which the territory shall be annexed, and under the marshal or chief of police thereof, until their successors shall be regularly appointed by the proper authority of such municipality. Until their successors shall be chosen, and while they shall remain in such positions, they shall receive from such municipality the same pay they would have received from the municipality to which they were officers before annexation.

Section amended.

156. Section three of chapter three hundred forty-three of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

C. 40:43-66.3. Terms defined.

3. For the purposes of this act:

"State board" means the Local Government Board of New Jersey.

"Governing body" means the local governing body of a municipality.

"Type of municipality" means the statutory classification such as city, town, township, borough.

"Form of government" means any form, such as city manager, commission, mayor-council, available under any law.

"Class" means the statutory classification of municipalities by population.

"Joint committee," or "committee," means a joint consolidation committee.

"Qualified voters" means persons legally qualified to vote at the next preceding general election held in a municipality proposed for consolidation pursuant to this act.

Section amended.

157. Section eight of chapter three hundred forty-three of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

C. 40:43-66.8. Powers of subpœna.

8. A joint committee shall have the power to take testimony and issue subpœnas; to compel the attendance of officers and employees of the municipalities concerned; to compel the production of all books, documents and other papers of the municipalities proposed for consolidation, and to administer oaths to persons appearing before it to testify. Any such subpœna shall be enforceable, and misconduct of a witness may be dealt with, in the manner provided by the County and Municipal Investigations Law (1952).

Section amended.

158. Section twenty-seven of chapter three hundred forty-three of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

C. 40:43-66.22. Term of office and appointments, effect.

27. The terms of office and appointments of all local officers and employees elected or appointed by, in, or for municipalities consolidating under this act, and by, in, or for any special district or ad hoc public authority functioning within the boundaries thereof, shall, except as otherwise pro-

vided in this act, terminate on the date of consolidation. Where the consolidating municipalities have established, or have participated with other municipalities in the establishment of, a joint municipal court, such court shall continue as the court of the consolidated municipality, and the magistrate thereof shall continue in office notwithstanding the consolidation.

Section amended.

159. Section thirty-three of chapter three hundred forty-three of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

C. 40:43-66.28. Succession in school districts.

33. From and after the date of consolidation the school districts of the consolidated municipalities shall be a single school district which shall be administered pursuant to Title 18 of the Revised Statutes, subject to the following provisions:

(1) If the members of the board of education shall be appointed pursuant to chapter six, Title 18, of the Revised Statutes, the first appointments shall be made on the date of consolidation, to expire on the next succeeding February first (or, in the case of a city of the first class, on the next succeeding July first).

(2) If the consolidated municipality is an incorporated town in which the mayor or other chief executive officer has power to appoint the members of the board of education pursuant to chapter seven of Title 18 of the Revised Statutes, the members of the school board shall be appointed pursuant to such sections, but the first appointments shall be made on the date of consolidation, to expire on the next succeeding February first.

(3) If the members of the board of education shall be elected pursuant to the provisions of chapter seven, Title 18, of the Revised Statutes, the first members of such board shall be selected and shall serve in the manner and with the powers and duties provided for the first members of boards of education of such consolidated districts by chapter five of Title 18 of the Revised Statutes.

(4) Upon the qualification and taking office of the members of the new school board, pursuant to

the provisions of this section, the school districts and school boards as they existed prior to the date of consolidation shall be abolished.

Section amended.

160. Section 40:43–67 of the Revised Statutes is amended to read as follows:

Commissioners to determine boundaries.

40:43–67. When there is a dispute or uncertainty concerning the true boundary line between any two adjoining municipalities, the governing body of either municipality, upon fourteen days' notice in writing, served upon the mayor or other chief executive officer and upon the clerk of the adjoining municipality, may make application to a judge of the County Court of the county wherein the disputed boundary line is located, for the appointment of three commissioners to fix, determine and monument the boundary line between the municipalities, which line, when finally fixed, determined and monumented, shall remain inviolate. The judge shall thereupon, unless good reason be presented for his not doing so, appoint three commissioners who shall be freeholders in the county, one to be appointed from each municipality, and one who shall not reside in either municipality.

Section amended.

161. Section 40:43–70 of the Revised Statutes is amended to read as follows:

Powers and duties, report.

40:43–70. The commissioners may, in discharge of their duties, examine witnesses under oath to be administered by any one of the commissioners. They may employ surveyors, and shall cause a map and survey to be made of the boundary line as fixed by them, which map and survey showing the boundary line, certified under their hands or the hands of any two of them, shall be annexed to their report, to which shall also be annexed their commission or appointment, and their oath of office. Their report, with the papers and map and survey thereto annexed, which shall form part of the report, shall be delivered to the clerk of the county who shall record and file the same.

A report signed by any two of the commissioners shall be considered as and shall be the report of the commissioners.

Section amended.

162. Section 40:43–71 of the Revised Statutes is amended to read as follows:

Expenses.

40:43–71. All the charges and expenses of executing the duties of their appointment, including the fees of the commissioners and the fees for filing and recording their report, shall be fixed by the judge of the County Court of the county, and one-half of the whole amount so fixed shall be paid by each municipality.

Section amended.

163. Section 40:44–2 of the Revised Statutes is amended to read as follows:

Commissioners, appointment, oath.

40:44–2. When such ordinance shall have become effective, the mayor or other chief executive officer of the municipality shall appoint four commissioners, who shall be residents and legal voters of the municipality, not more than two of whom shall be of the same political party, to fix and define the lines and boundaries of such wards. The commissioners shall, within ten days after their appointment, take and subscribe an oath that they will faithfully and impartially perform the duties imposed upon them.

In municipalities having no mayor or other chief executive officer, the commissioners shall be appointed by the governing body by resolution.

If the mayor or other chief executive officer, or governing body, shall not appoint the commissioners, as hereinabove provided, the Superior Court assignment judge of the county in which the municipality is located, shall, upon application, appoint them.

Section amended.

164. Section 40:46–6 of the Revised Statutes is amended to read as follows:

Terms of office.

40:46–6. Except as otherwise provided by law, the terms of office of all officers elected in any municipality shall commence at twelve o'clock noon on January first next succeeding their election, and continue for the respective terms of years fixed by law, except the office of assessor which shall commence on July first next following his election or appointment and continue for the number of years fixed by law.

The terms of office of all officers appointed or chosen by the mayor or other chief executive officer, or by the governing body of any municipality, except to fill vacancies, shall commence on January first of the year in which they are appointed, and continue for the respective terms fixed by law, when the term is for a definite period.

No appointment of any officer shall be made by the governing body of any municipality for a term of office to commence after the expiration of the term of any member of the governing body, or by the mayor or other chief executive officer of any municipality for a term of office to commence after the expiration of the term of the mayor.

Section amended.

165. Section four of chapter three hundred fifty of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 40:46-6.17. Court order directing submission of question.

4. If the clerk refuses or neglects to comply with the provisions of this act within the time or times prescribed herein, then any citizen taxpayer of the municipality may apply to a judge of the County Court of the county wherein such municipality is located, for an order directing and compelling the submission of the question involved in the petition as required under this act. Such judge shall hear the matter summarily and may examine witnesses under oath and shall determine whether the petition in question has been filed in accordance with the provisions of this act.

Section amended.

166. Section 40:46–22 of the Revised Statutes is amended to read as follows:

Breach of conditions of bond, investigation.

40:46–22. Upon application in writing to a judge of the County Court of the county wherein the municipality is situated, by a citizen and taxpayer thereof, alleging that the condition of the bond of any officer or employee of the municipality has been broken, the judge shall make such investigation as he shall think proper and may in his discretion, order an action to be brought upon such bond in the name of the municipality, or otherwise, for the benefit of such municipality, or any officer, board or department thereof.

Section amended.

167. Section 40:47–9 of the Revised Statutes is amended to read as follows:

Review by firemen of removal from office, trial de novo.

40:47–9. If any person shall be removed from office or employment in any such fire department, or from the fire department of any municipality not operating under the provisions of subtitle three of the Title 11 of the Revised Statutes such person may obtain a review of such removal by the County Court of the county in which the municipality is situated. Such review shall be applied for by giving notice thereof to the body or officer removing such person within ten days after notice of such removal is given to such person. The court shall hear the matter de novo, and may order such person reinstated in his office or employment if the court should find that such person was not guilty of the charges upon which he was removed, or may make such other order as the court may decide is proper and just under the circumstances.

Section amended.

168. Section 40:47–10 of the Revised Statutes is amended to read as follows:

Review of conviction.

40:47–10. Any member of any police department or fire department in any municipality in this State not operating under the provisions of subtitle three of Title 11 of the Revised Statutes who has been convicted of any violation of any of the rules or regulations of such departments by the official or board empowered to try members of such police department or fire department in such municipality, may obtain a review of such conviction by the County Court of the county in which such municipality is situated. Such review shall be obtained by giving written notice of an application therefor to the officer or board convicting the member of the police department or fire department within ten days after notice of such conviction is given to the member convicted. The officer or board making such conviction shall send to the court a copy of the record of such conviction, including the rule or regulation violated and the charge or charges upon which the applicant was tried. The court

shall retry such charge or charges de novo and either affirm or reverse such conviction. The court may order or adjudge that the applicant be returned to any office or position from which he may have been removed under such conviction and that he be restored to all things he may have lost thereby, and may make such other order or judgment as the court shall deem proper under the circumstances.

Section amended.

169. Section 40:47–23 of the Revised Statutes is amended to read as follows:

Fire patrol, powers and duties.

40:47–23. The fire patrol shall be present at all fires within the limits of such fire department, and take charge of all goods and chattels, that may be removed from buildings in consequence of the fire, and keep them under their care and protection until they can be delivered to the owner. The members of the fire patrol shall, during the continuance of the fire, and until the goods so removed can be delivered to the owner, have the powers of constables, and may arrest, without warrant, any person interfering therewith, and take him before a court having local criminal jurisdiction in the county where apprehended, to be dealt with according to law.

Section amended.

170. Section 40:47–24 of the Revised Statutes is amended to read as follows:

Fire patrol, privileges and exemptions.

40:47–24. The members of the patrol shall have the same privileges as the members of the fire department, including the right to vote for officers of the fire department, and shall be exempt from militia duty to the same extent as firemen.

Section amended.

171. Section three of chapter one hundred twelve of the laws of one thousand nine hundred and forty-two is amended to read as follows:

C. 40:48-2.5. Ordinance authorized, as to repair, closing, demolition, etc.

3. Upon the adoption of a resolution finding that dwelling conditions of the character described in section one hereof exist within a municipality, the governing body of such municipality is hereby authorized to adopt an ordinance relating to dwellings within such municipality which are unfit for

human habitation. Such ordinance shall include the following provisions:

(a) That a public officer be designated or appointed to exercise the powers prescribed by the ordinance.

(b) That whenever a petition is filed with the public officer by a public authority or by at least five residents of the municipality charging that any dwelling is unfit for human habitation or whenever it appears to the public officer (on his own motion) that any dwelling is unfit for human habitation, the public officer shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such dwelling a complaint stating the charges in that respect and containing a notice that a hearing will be held before the public officer (or his designated agent) at a place therein fixed not less than ten days nor more than thirty days after the serving of said complaint; that the owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in the courts shall not be controlling in hearings before the public officer.

(c) That if, after such notice and hearing, the public officer determines that the dwelling under consideration is unfit for human habitation he shall state in writing his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof and parties in interest an order:

(1) if the repair, alteration or improvement of the said dwelling can be made at a reasonable cost in relation to the value of the dwelling (the ordinance of the municipality may fix a certain percentage of such cost as being reasonable for such purpose), requiring the owner (to the extent and within the time specified in

the order) to repair, alter or improve the said dwelling to render it fit for human habitation or, at the option of the owner, to vacate and close the dwelling as a human habitation; or,

(2) if the repair, alteration or improvement of the said dwelling cannot be made at a reasonable cost in relation to the value of the dwelling (the ordinance of the municipality may fix a certain percentage of such cost as being reasonable for such purpose), requiring the owner (within the time specified in the order) to remove or demolish such dwelling.

(d) That, if the owner fails to comply with an order to repair, alter or improve or, at the option of the owner, to vacate and close the dwelling, the public officer may cause such dwelling to be repaired, altered or improved, or to be vacated and closed; that the public officer may cause to be posted on the main entrance of any dwelling so closed, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."

(e) That, if the owner fails to comply with an order to remove or demolish the dwelling, the public officer may cause such dwelling to be removed or demolished.

(f) That the amount of such cost of such repairs, alterations or improvements, or vacating and closing, or removal or demolition shall be a municipal lien against the real property upon which such cost was incurred. If the dwelling is removed or demolished by the public officer, he shall sell the materials of such dwelling and shall credit the proceeds of such sale against the cost of the removal or demolition and any balance remaining shall be deposited in the Superior Court by the public officer, shall be secured in such manner as may be directed by such court, and shall be disbursed according to the order or judgment of the court to the persons found to be entitled thereto by final

order or judgment of such court; *provided, however,* that nothing in this section shall be construed to impair or limit in any way the power of the municipality to define and declare nuisances and to cause their removal or abatement, by summary proceedings or otherwise.

Section amended.

172. Section six of chapter one hundred twelve of the laws of one thousand nine hundred and forty-two is amended to read as follows:

C. 40:48-2.8. Remedies, injunction.

6. Any person aggrieved by an order issued by a public officer under this act may, within sixty days after the posting and service of such order, bring an action for injunctive relief to restrain the public officer from carry- out the provisions of the order and for any other appropriate relief. The court may proceed in the action in a summary manner or otherwise. The remedy herein provided shall be exclusive, and no person affected by an order of the public officer shall be entitled to recover any damages for action taken pursuant thereto, or because of noncompliance by any person with any order of the public officer.

Section amended.

173. Section 40:48–26 of the Revised Statutes is amended to read as follows:

Refusal of witness to testify, procedure.

40:48–26. If any person subpœnaed shall fail to obey the subpœna, or to give testimony, or to answer a proper question, or to produce any books, papers or documents as required or shall be guilty of misconduct at the hearing, such failure or misconduct shall be punishable by the Superior Court in similar manner as such a failure or misconduct would be punishable by that court in an action or proceeding therein.

Section repealed.

174. Section 40:48–27 of the Revised Statutes is hereby repealed.

Section amended.

175. Section 40:49–5 of the Revised Statutes is amended to read as follows:

Penalties.

40:49–5. The governing body may prescribe penalties for the violation of ordinances it may have authority to pass, either by imprisonment in the county jail or in any place provided by the municipality for the detention of prisoners, for any

term not exceeding ninety days, or by a fine not exceeding two hundred dollars ($200.00), or both. The court before which any person is convicted of violating any ordinance of a municipality, shall have power to impose any fine or term of imprisonment not exceeding the maximum fixed in such ordinance.

Any person convicted of the violation of any ordinance may, in the discretion of the court by which he was convicted, and in default of the payment of any fine imposed therefor, be imprisoned in the county jail or place of detention provided by the municipality, for any term not exceeding ninety days.

176. Section 40:49–8 of the Revised Statutes is amended to read as follows: Section amended.

40:49–8. The person or persons filing such objections may, however, within ten days after the passage of such ordinance, obtain a review of the determination of the governing body as to the public necessity of such improvement, by a judge of the Superior Court, in the county, by a notice in writing, filed with the municipal clerk. The matter may be brought on by either party on five days' notice or such notice as the judge shall direct, and the determination of the judge as to the public necessity of the improvement shall be final. Review, notice.

177. Section 40:49–25 of the Revised Statutes is amended to read as follows: Section amended.

40:49–25. Within ten days after the final passage of such ordinance the persons filing the objection provided in section 40:49–24 of this Title may obtain a review of the determination of the governing body, as to the public necessity of such improvement, by a judge of the Superior Court by a notice in writing, filed with the municipal clerk. The matter may be brought on by either party on five days' notice or such notice as the judge shall direct and the determination of the judge as to the public necessity of the improvement shall be final. Review.

178. Section 40:55–20 of the Revised Statutes is hereby repealed. Section repealed.

Section amended.

179. Section 40:55–37 of the Revised Statutes is amended to read as follows:

Rules, subpœnas.

40:55–37. The board of adjustment shall adopt rules in accordance with the provisions of any ordinance adopted or in force pursuant to this article.

The 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 and take testimony, and the provisions of the County and Municipal Investigations Law (1952) shall apply.

Section amended.

180. Section 40:55–43 of the Revised Statutes is amended to read as follows:

Appeal stays proceedings.

40:55–43. An appeal stays all proceedings in furtherance of the action in respect of which the decision appealed from was made unless the officer from whose action 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 Superior Court on application on notice to the officer from whom the appeal is taken and on due cause shown.

Section repealed.

181. Section 40:55–46 of the Revised Statutes is hereby repealed.

Section amended.

182. Section 40:56–9 of the Revised Statutes is amended to read as follows:

Condemnation, ordinance and map filed, payment into court.

40:56–9. Except as provided in article four of this chapter (§ 40:56–58 et seq.), as to cities of the first class, when an improvement ordinance shall require the taking of real estate, or any interest therein, the ordinance when introduced shall state the location and character of the improvement proposed to be made and the real estate or interest therein proposed to be taken therefor, sufficiently described so as to be readily identified and located, and the ordinance as introduced shall be accom-

panied by a map showing in detail the location and dimensions of the real estate proposed to be taken, or in which rights and interests are to be taken.

After the passage of the ordinance the map together with a copy of the ordinance attested by the municipal clerk shall be filed by him with the officer or board charged with the duty of making assessments for benefits in the municipality, or with the commissioners appointed to make the assessments for benefits for the particular improvement, and said officer or board or commissioners shall proceed to make an award for the real estate, or interest therein to be taken for such improvement, to the owner or owners thereof, after hearings held, and upon notice thereof given in the way and manner provided in section 40:56–25 and 40:56–26 of this Title in the case of assessments for benefits and awards for incidental damages where no real estate or rights therein are to be taken, and shall certify and report the same to the governing body in the manner provided in section 40:56–30 of this Title. Said governing body shall proceed and act upon the report in the manner provided in said section 40:56–30. If for any reason, such as that the aggregate awards for damages are so large as to make the improvement unwise in the judgment of the governing body, nothing herein shall be construed to deprive it of power to abandon the proposed improvement and repeal the improvement ordinance, at any time before confirmation of any award for real estate to be taken thereunder.

When an award for damages for real estate or any interest therein taken for any local improvement is confirmed by the governing body, or the court, as the case may be, the amount thereof shall, after such confirmation, be tendered to the person or persons entitled thereto promptly and before the commencement of the work. If it is uncertain as to who is entitled thereto or if the municipality is unable to tender such award by reason of the incapacity or absence of any person entitled

thereto, or otherwise, or if any person or persons refuse to accept or receive such award the same may be paid into the Superior Court to be distributed to the person or persons entitled thereto according to law.

Section amended.

183. Section 40:56–10 of the Revised Statutes is amended to read as follows:

Title to vest upon payment.

40:56–10. Except as provided in article four of this chapter (§ 40:56–58 et seq.), as to cities of the first class, upon the acceptance of any such award or payment thereof into the Superior Court, title to the real estate or interest therein shall vest in the municipality, which may thereupon enter upon and take possession of such real estate or interest therein and remove all persons therefrom, and a duplicate original of the award as confirmed or a copy thereof certified by the municipal clerk as a true copy of the award as confirmed by the governing body shall be recorded in the county in which the municipality is situated in the record of deeds for such county. The officer in charge of such office shall cause the names of the owner or owners of the property taken as shown by such award to be indexed under "grantors" in the index of deeds for such county, and the names of mortgages named in such award under "releasors" in the index of releases of mortgages for such county. A copy of the map shall be filed in the same office.

Section amended.

184. Section 40:56–20 of the Revised Statutes is amended to read as follows:

Abandonment of improvement, payment.

40:56–20. When a municipality shall abandon a proposed improvement, or repeal the improvement ordinance, it shall make payment to owners and other parties who appeared in the proceedings, of their reasonable costs, expenses and counsel fees to be fixed by a judge of the Superior Court.

Section amended.

185. Section 40:56–20.1 of the Revised Statutes is amended to read as follows:

Limitation on proceedings.

40:56–20.1. No action or proceeding for injunctive or other relief shall be commenced to restrain or review an ordinance for any improvement after the contract therefor shall have been awarded.

186. Section 40:56–29 of the Revised Statutes is amended to read as follows: Section amended.

40:56–29. When the owners of any property have been or shall have been awarded damages as incidental to any improvement, as distinguished from damages for land taken, under this subtitle, and such award has been or shall have been duly confirmed, the amount thereof shall be tendered to the person or persons entitled thereto. If there is uncertainty as to the person entitled to receive the award or if the party entitled to receive the amount awarded shall refuse upon tender thereof to receive the same, or shall be out of the State or under any legal disability, or if several parties interested in the fund shall not agree as to the distribution thereof, or the lands damaged are encumbered by any mortgage, judgment or other lien, or if for any other reason the municipality cannot safely pay the amount awarded to any person, in all such cases the amount awarded may, with leave of the Superior Court, be paid into said court, and shall there be distributed according to law, on the application of any person interested therein. Incidental damages, award tendered, payment into court.

187. Section 40:56–40 of the Revised Statutes is amended to read as follows: Section amended.

40:56–40. No action or proceeding for injunctive or other relief shall be commenced to restrain or review an assessment or award made for any improvement, after thirty days shall have elapsed from the date of the confirmation of such assessment or award. Limitation on proceedings.

188. Section 40:56–45 of the Revised Statutes is amended to read as follows: Section amended.

40:56–45. When any award made under sections 40:56–43 to 40:56–47 of this Title is confirmed by the governing body the amount thereof, less deductions for assessments, as ascertained in section 40:56–44 of this Title shall promptly after such confirmation be tendered to the person or persons entitled thereto before the commencement of the work. If it is uncertain who is entitled thereto, Payment of award, payment in court.

or if the municipality is unable to tender any such award by reason of the incapacity or absence of any person entitled thereto, or otherwise, or if any person or persons refuse to accept or receive such award it may, with leave of the Superior Court, be paid into said court and shall be distributed to the persons entitled thereto according to law.

Section amended.

189. Section 40:56–46 of the Revised Statutes is amended to read as follows:

Title to vest, copy of map filed.

40:56–46. Upon the acceptance of any such award or payment of the same into the Superior Court, title to such real estate or interest therein shall vest in the municipality, which may thereupon enter upon and take possession of such real estate 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 situated, in the records of deeds for such county. 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.

Section amended.

190. Section 40:56–47 of the Revised Statutes is amended to read as follows:

Appeal from award, procedure.

40:56–47. Any owner or owners of real estate taken for such improvement, or of any interest in such real estate, may appeal, from the amount awarded, to the Superior Court, 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 40:56–56 of this Title, and the matter shall be proceeded with as provided in sections 40:56–56 and 40:56–57 of this Title.

191. Section 40:56–54 of the Revised Statutes is amended to read as follows: Section amended.

40:56–54. Except as provided in article four of this chapter (§ 40:56–58 et seq.) as to cities of the first class, the owner of any property assessed for benefits or awarded damages incidental to the improvements as distinguished from damages for real estate to be taken under this chapter, may within thirty days after confirmation of such assessment or award appeal from the same to the Superior Court by serving written notice of such appeal within such thirty days upon the tax collector and a duplicate upon the clerk of the governing body, either personally or by leaving the same at his office or place of abode. The appeal shall be determined by a trial and, upon the demand of any party thereto, with a jury. The determination shall be by order or judgment subject to the provisions of section 40:56–57 of this Title. Incidental damages, award tendered.

The court shall determine whether or not the assessment or award of damages appealed from is a just and fair assessment or award, and if not shall make an order correcting the same or if the assessment or award is sustained shall so order.

The determination of the court as to all such appeals in the case of any one improvement shall be embodied in the same order or judgment, and a certified copy thereof shall be served upon the tax collector and the clerk of the municipality.

192. Section 40:56–55 of the Revised Statutes is amended to read as follows: Section amended.

40:56–55. Except as provided in article four of this chapter (§ 40:56–58 et seq.) as to cities of the first class the tax collector shall, upon receiving the certified copy of such order or judgment, note in his books any corrections or changes made thereby and report the same to the chief financial officer of the municipality. The governing body even after confirming any assessment may upon due proof by affidavit of any manifest error order by resolution the correction of such error in any assessment for benefits from which no appeal has Corrections made.

been taken, and upon the adoption of such resolution the tax collector shall note and report such correction in the same manner.

Section amended.

193. Section 40:56–56 of the Revised Statutes is amended to read as follows:

Appeal from award, procedure.

40:56–56. Except as provided in article four of this chapter (§ 40:56–58 et seq.) as to cities of the first class, the owner of any real estate or interest therein taken for any improvement mentioned in this chapter may appeal to the Superior Court from the award of damages made for the taking of such property as distinguished from the award for damages incidental to this improvement. The appeal shall be taken within thirty days after confirmation of the assessment or award appealed from by serving a written notice thereof within said thirty days upon the clerk or the chief executive officer of the municipality, either personally, or by leaving the same at his office or place of abode.

Section amended.

194. Section 40:56–57 of the Revised Statutes is amended to read as follows:

Condemnation appeal, procedure.

40:56–57. Except as provided in article four of this chapter (§ 40:56–58 et seq.) as to cities of the first class, the court to which the appeal is taken pursuant to section 40:56–56 of this Title shall assess such damages anew in the manner provided for condemnation by chapter one of Title 20 of the Revised Statutes.

The order or judgment entered on any such appeal or on an appeal pursuant to section 40:56–54 of this Title shall be for the amount recovered by the appellant and may be enforced in an appropriate manner. The order or judgment shall not be enforced until thirty days after final entry, and the order or judgment shall be discharged, except as to costs, and the land freed from the award, if within such thirty days, a certified copy of an ordinance repealing the improvement ordinance is filed with the court. If the order or judgment of the Superior Court be appealed from or otherwise reviewed by an appellate court the words "final

order or judgment'' as used in this section shall be construed to mean the final judgment of the highest appellate court to which the case shall be taken. The municipality may proceed with the prosecution and completion of the improvement notwithstanding any such appeal, trial or review.

Section amended.

195. Section 40:56–58 of the Revised Statutes is amended to read as follows:

Condemnation, ordinance and map filed, payment into court.

40:56–58. In cities of the first class when an improvement ordinance shall require the taking of real estate or any right or interest therein, the ordinance for that purpose, when introduced, shall state the location and character of the improvement proposed to be made, the real estate to be taken therefor sufficiently described so as to be readily identified, and the ordinance shall be accompanied by a map prepared under the direction of the governing body, showing in detail the location and dimensions of the real estate proposed to be taken.

After the passage of the ordinance the map, together with a copy of the ordinance duly attested by the clerk of the governing body, shall be filed with the officer or board charged with the assessment for benefits in such city of the first class. Such officer or board, or a majority of such board, shall make an award for the real estate or right or interest therein to be taken, to the owners thereof after hearings are held, upon notice, in the manner provided in sections 40:56–25 and 40:56–26 of this Title, in the case of assessments for benefits and awards for incidental damages where no real estate is to be taken and shall apply to the Superior Court for confirmation in the manner provided in section 40:56–62 of this Title in the case of assessments for benefits and incidental damages where no real estate is taken. However, if for any reason, such as that the aggregate awards of damages is so large as to render the making of the proposed improvement unwise in the judgment of the governing body, nothing in this article shall be construed to deprive it of power to abandon the proposed improvement and repeal the improve-

ment ordinance at any time prior to confirmation of any award for lands to be taken thereunder.

When any award made under this section is confirmed by the court the amount thereof shall promptly after confirmation be tendered to the person or persons entitled thereto and before the commencement of the work. If it is uncertain as to who is entitled thereto or if the city is unable to tender the 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 it may, with leave of the Superior Court, be paid into said court and shall there be distributed to the person or persons entitled thereto according to law.

Section amended.

196. Section 40:56–59 of the Revised Statutes is amended to read as follows:

Title to vest upon payment of award.

40:56–59. Upon the acceptance of any such award, or payment thereof into the Superior Court, title to the real estate or right or interest therein shall vest in the city, which may thereupon enter upon and take possession of such real estate or right or interest therein and remove all persons therefrom. A duplicate original of the award as confirmed, or a copy thereof certified by the clerk of the court as a true copy of the award as confirmed by the court shall be recorded in the office in which deeds are recorded in the county in which the city is situated in the records of deeds for such county. The officer in charge of such office shall cause the names of the owner or owners of the property taken as shown by such award to be indexed under "grantors" in the index of deeds for such county, and the names of mortgagees named in such award under "releasors" in the index of releases of mortgages for such county. A copy of the map shall be filed in the same office.

Section amended.

197. Section 40:56–60 of the Revised Statutes is amended to read as follows:

Award, collection.

40:56–60. The report as confirmed by the Superior Court shall fix the amount to be recovered by the owner, and the awards may be enforced by

the court in such manner as it deems appropriate. The confirmed award shall not be enforceable against the city until thirty days after the order or judgment of confirmation is entered; and the award shall be discharged and the land freed from the awards if within such thirty days, a certified copy of an ordinance repealing the improvement ordinance is filed in the court. If the award of the court is appealed to or otherwise reviewed by an appellate court, the words "order or judgment of confirmation" as used in this section, mean the final judgment of the highest appellate court to which the case will be taken.

Section amended.

198. Section 40:56–61 of the Revised Statutes is amended to read as follows:

Incidental damages, determining, payment into court.

40:56–61. On the making of assessments for benefits, the officer or board, or majority of such board, shall also at the same time fix and determine the amount, if any, that any property is damaged incidentally to the making of the improvement, but exclusive of damages for real estate taken. The amount of such incidental damages accruing to any parcel of real estate shall be deducted from the amount of any benefits assessed thereon.

If the amount of such damages as confirmed by the Superior Court shall exceed the benefits assessed upon any parcel of real estate, or if no benefits shall accrue thereto, the excess or the amount of such damages may be raised or appropriated as provided by law, and shall be paid by such city of the first class to the owner of any such parcel of real estate so damaged. If it is uncertain as to who is to receive any award of such damages, the amount thereof may, with leave of the Superior Court, be paid into said court and shall there be distributed according to law to the person or persons entitled thereto.

Section amended.

199. Section 40:56–62 of the Revised Statutes is amended to read as follows:

Assessments and awards, confirmation, report.

40:56–62. Upon the making of any assessments for benefits and awards for incidental damages, the officer or board charged with the duty of making

the same, shall apply to the Superior Court for confirmation. The application shall be accompanied by a report in writing signed by said officer or, if made by a board, by at least a majority of their number, and also accompanied by a map showing the real estate taken, damaged or benefited by the improvement, and for which damages or benefits have been assessed.

The court shall either confirm the report, or refer it to the officer or board for revision or correction, and the officer or board shall return to the court the same corrected and revised, or a new report, without unnecessary delay. On being returned it shall be confirmed or again referred by the court in manner aforesaid, as right and justice shall require and so, from time to time, until report shall be made or returned which the court shall confirm. The same report, when so confirmed, shall be final and conclusive, upon the city of the first class and upon the owners of the real estate affected thereby. The court shall thereupon cause a certified copy of the final report and the order or judgment confirming it, to be transmitted to and filed with the tax collecting officer of the city.

Section amended.

200. Section 40:56–63 of the Revised Statutes is amended to read as follows:

Collection of assessments.

40:56–63. Immediately after the delivery to the tax collecting officer of the city of a certified copy of the report and order or judgment, the assessment shall be payable immediately. The said officer shall immediately after delivery of the same to him, send out by mail or deliver bills for such assessment to the owners of property affected thereby. The collector shall enter the date and amount of each payment on his duplicate in the proper column opposite the item of the assessment on account of which payment is made, and shall also enter the same in a proper cash book credited to the taxpayer, and shall also enter therein a designation of the property on which the tax was paid, the total amount of the assessment and the interest and pen-

alty charged. The cash book shall be provided by the collector at the expense of the taxing district, and shall be the property of the taxing district, and be open at all reasonable times for public inspection. The body controlling the finances may make additional regulations for recording, accounting for and collecting assessments.

Section amended.

201. Section 40:56–64 of the Revised Statutes is amended to read as follows:

Assessments a lien.

40:56–64. Every assessment for local improvements of any kind, together with interest thereon and all costs and charges connected therewith, shall upon confirmation thereof by the Superior Court be a first lien upon the real estate described in the assessment, paramount to all prior or subsequent alienations and descents thereof or encumbrances thereon, except subsequent taxes or assessments, notwithstanding any mistake in the name of the owner or any omission to name any owner who is unknown, and notwithstanding any lack of form therein or in any other proceeding which does not impair the substantial rights of the owner or other person having a lien upon or interest in any such real estate. All assessments for local improvements shall be presumed to have been regularly assessed and confirmed, and every assessment or proceeding preliminary thereto shall be presumed to have been regularly made or conducted until the contrary be shown.

Section amended

202. Section five of chapter eighty of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 40:60-25.37. Proceedings where church, etc., controlling cemetery refuses or is unable to convey.

5. In case the application is made by the board of health, as provided in section two, and the church or other corporation controlling such burying ground or cemetery shall refuse or neglect to execute such deed, or is unable to convey the whole or any part of such burying ground or cemetery by reason of having conveyed lots or plots or some interest therein to private persons, then it shall be lawful for the said board or body having charge or control of the finances of such municipality or the

said board of education to bring an action in the Superior Court to obtain permission for said municipality or the board of education thereof to take possession of said burying ground or cemetery and to cause the bodies in said burying ground or cemetery to be disinterred and to be removed to some suitable place either within or without the limits of said municipality. The court may proceed in the action in a summary manner or otherwise.

C. 40:60-25.38. Section repealed.

203. Section six of chapter eighty of the laws of one thousand nine hundred and forty-eight is hereby repealed.

Section amended.

204. Section seven of chapter eighty of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 40:60-25.39. Bodies disinterred.

7. Upon good cause shown, the court may adjudge that the said burying ground or cemetery has become a public nuisance or is a detriment to the health or morals of the people of said municipality, and that the bodies therein should be disinterred and removed to a more suitable place.

Section amended.

205. Section eight of chapter eighty of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 40:60-25.40. Removal of bodies and reburial, records and maps.

8. Upon the execution of the deed referred to in section four or upon the making of the said adjudication, it shall be lawful for the said board or body having charge or control of the finances or the board of education, as the case may be, to cause the bodies buried in said burying ground or cemetery to be disinterred and to be removed and reburied in another cemetery or in some other suitable place, and for that purpose it may enter into a contract with any cemetery company or church organization owning or controlling any cemetery or with any other person to take up and remove the said bodies and to inter the same in any other cemetery or suitable place, and to remove from such abandoned burying ground or cemeteries any tombs, headstones or markers and replace the same in the new place and to provide for the proper care of such new place. The said board or body having

control of the finances or said board of education, as the case may be, shall cause records and maps to be prepared and filed in the office of the municipal clerk, on which shall be recorded, as nearly as can be ascertained, the names of all bodies disinterred and the lots or plots from which they were taken in any such old burying ground or cemetery, and the cemetery or place to which they have been taken, and the lot or plots in which they may be reinterred.

Section amended.

206. Section ten of chapter eighty of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 40:60-25.42. Commissioners to appraise land.

10. In case of the neglect or refusal or inability of such church or other corporation to convey such burying ground or cemetery in whole or in part and free of outstanding interests therein, to such municipality or board of education, and after the making of the adjudication referred to in section seven hereof, the board or body having charge or control of the finances or the said board of education shall then apply to the Superior Court for the appointment of three commissioners to appraise the value of the said burying ground or cemetery and the rights of any person owning any lot or plot therein. Upon the appointment of the said three commissioners they shall give notice in such manner as such court shall designate which may be in whole or in part by publication and may be addressed generally to such persons as have or may have any interest in the said premises to present their claims to the said commissioners, who shall give a public hearing to all persons interested who may present themselves. The said commissioners shall appraise the value of each separate lot or plot and other land included within said burying ground or cemetery.

Section amended.

207. Section twelve of chapter eighty of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 40:60-25.44. Report, hearing.

12. The said commissioners shall report to said court the appraised value of each of said lots or

plots and other lands within said burying ground or cemetery, and the amounts charged against each of said lots or plots for the removal of said bodies and the reinterment thereof. The report may be confirmed or corrected by said court, which shall fix a day and place for the hearing of objections thereto, and public notice thereof by such advertisement as shall be directed shall be given.

Section amended.

208. Section thirteen of chapter eighty of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 40:60-25.45. Hearing of objections to report.

13. In case the owner of any lot or plot or other lands within said burying ground or cemetery shall feel aggrieved by the report of said commissioners he may object thereto to the court in the proceeding or by action within twenty days after the confirmation of such report. The court may hear any such objection or proceed in the action in a summary manner or otherwise and with a struck jury if any party demands a jury.

Section amended.

209. Section 40:61–13 of the Revised Statutes is amended to read as follows:

Agreement with trustees for sale.

40:61–13. When a park or public place, the title of which is in trustees, is within the corporate limits of a municipality, the governing body of such municipality may enter into an agreement with such trustees, as a consideration in whole or in part for a conveyance of the park to the municipality, providing for the expenditure of not less than a designated sum annually for the maintenance, upkeep and improvement thereof, to be specified in such agreement, as arranged upon between the parties, and thereupon accept a conveyance of such park subject to the conditions under which such trustees hold the same, provided such trustees have power to make such conveyance.

After the making of such conveyance the agreement shall continue to be binding upon the municipality and may be enforced by appropriate civil action or proceeding in lieu of prerogative writ instituted by any of the grantors in the deed, or

their heirs or legal representatives or of any taxpayer resident in the municipality.

Section amended.

210. Section 40:62–12 of the Revised Statutes is amended to read as follows:

Municipality plants, establishment, consent of other municipalities.

40:62–12. Any municipality may purchase, condemn, take, have and hold all real or personal property, within or without the corporate limits of the municipality, necessary for the manufacture, generation, accumulation, storage, transmission and distribution of gas, electricity, steam or other product, or all of them, for supplying light, heat or power, or any two or all of them, for its own public purposes, and for the purpose of selling and supplying the same to its own inhabitants or to any other municipality, or both.

Any municipality may purchase, condemn, take, construct, maintain and operate a plant or plants for producing and distributing, or either, gas, electricity, steam, or other product, or all of them, for supplying light, heat or power, or any two or all of them, and all buildings, stations, machinery, apparatus, wires, poles, pipes, subways or conduits and appurtenances of every kind that may be necessary and useful for such purposes, with full power and authority to erect and maintain poles and string wires for the transmission of electric currents on any and all streets, avenues and highways of the municipality, or any other municipality.

Any municipality may string electric wires or lay gas or steam pipes, or other heat, light or power conductors therein, but one municipality shall not erect poles, string wires, lay pipes or other heat, light or power conductors in any other municipality until the governing body of such other municipality shall, by resolution, consent thereto, or until an order is made as hereinafter in this article provided. If the governing body of such other municipality shall refuse or neglect to give such consent, the Superior Court in an action by the municipality so applying for such consent may direct the terms on which such poles may be erected, wires strung,

pipes or other heat, light or power conductors may be laid. The court may proceed in the action in a summary manner or otherwise. Upon the entry of the order or judgment of the court the municipality may in accordance therewith proceed with the work in the other municipality.

Section amended.

211. Section 40:62–48 of the Revised Statutes is amended to read as follows:

Municipality to have exclusive rights.

40:62–48. No person shall supply water to any other person by means of water pipes or conduits conveying water from without the limits of any municipality operating a public water supply for use within the limits of such municipality, without consent of the board or authority having charge of the public water supply. No person within the limits of any such municipality shall obtain water by means of pipes or conduits from any source outside the limits of the municipality for use or consumption therein, without the consent of said board or authority. Any such municipality may maintain an action in the Superior Court to enjoin any violation of this section.

This section shall apply whether or not the supply of water furnished by the municipality is obtained by contract or from a plant owned and controlled by the municipality.

Section amended.

212. Section 40:62–65 of the Revised Statutes is amended to read as follows:

Laying pipes, use of streets in other municipalities, consent required.

40:62–65. Every municipality providing for the supply of water in one or more of the methods provided in sections 40:62–47 to 40:62–105 of this Title may lay and maintain pipes and mains in and under the streets, highways, alleys and public places of such municipality and through private property therein; and for the purpose of connecting its waterworks with the pipes and mains so laid or to be laid, it may lay and maintain pipes and mains in and under any and all streets, highways, alleys and public places in any other municipality; but no pipes or mains shall be laid in or under the public streets, highways, alleys or public places in any other municipality until the govern-

ing body thereof shall, by resolution, consent thereto, or until an order is made as hereinafter provided.

If the governing body of such other municipality shall refuse or neglect to give its consent, the Superior Court may, in an action by the municipality desiring such consent, direct the terms upon which such water pipes and mains may be laid and relaid. The court may proceed in the action in a summary manner or otherwise. Upon the entry of the judgment or order of the court, the municipality may proceed with the laying or relaying of such water pipes or mains in or under any street, highway, alley or public place named in such judgment or order, in accordance with the terms thereof.

Section amended.

213. Section 40:62–73 of the Revised Statutes is amended to read as follows:

Residents must use sewers.

40:62–73. Every person owning or occupying premises within the district shall use the facilities afforded for drainage and sewerage, and cease using any other method for the disposal of house drainage, sewage or other polluting matter; and the State Department of Health is hereby authorized and directed to enforce the provisions of sections 40:62–47 to 40:62–105 of this Title in this respect by appropriate action or proceedings.

Section amended.

214. Section 40:62–109 of the Revised Statutes is amended to read as follows:

To acquire water system, notice.

40:62–109. The governing body of two or more municipalities in which water is supplied for domestic and public use by privately owned waterworks, whether such waterworks are owned by one or more persons, may make application to the Superior Court for the appointment of a commission to acquire by purchase or condemnation such waterworks with all rights and franchises relating thereto, and the rights and franchises to obtain an additional supply of water, and any or all other property of the owner of such waterworks as may be necessary to maintain, operate, enlarge or extend the waterworks so acquired, and to enlarge,

extend, maintain and operate the same to supply water in the municipalities acquiring such waterworks as aforesaid and all other municipalities theretofore supplied with water by said waterworks.

All of the municipalities so supplied with water shall be notified in writing of such application at least sixty days before it is made, and may join therein.

Section amended.

215. Section 40:62–110 of the Revised Statutes is amended to read as follows:

Commission, members, organization.

40:62–110. Every commission appointed in pursuance of section 40:62–109 of this Title shall consist of not more than five persons, residents of the municipalities making the application for their appointment and joining therein. The commission shall organize as soon as practicable by electing one of its number as president, shall appoint a secretary and a treasurer, who need not be members of the commission, and adopt a seal and a name whereby it may sue and be sued.

The secretary shall keep correct minutes of the meetings and transactions of the commission, and perform such other duties as may be required of him. The treasurer shall give bond for the faithful performance of his duties in such amount as the commission shall prescribe. The offices of secretary and treasurer may be held by the same person. The members of the commission shall receive for their services compensation to be fixed by agreement with municipalities having at least two-thirds of the population of all of the municipalities making the application for their appointment and joining therein, or, in case of failure to agree, by the Superior Court. The secretary and the treasurer shall each receive such compensation as the commission may determine.

Section amended.

216. Section 40:62–111 of the Revised Statutes is amended to read as follows:

Vacancies.

40:62–111. Any vacancy in the commission shall be filled by appointment as hereinbefore provided, and upon such notice as the Superior Court shall

direct, and inability of any member of the commission to serve shall be treated as a vacancy. The application to appoint the commission or to fill any vacancy may be continued from time to time by the Superior Court to whom the same is made.

Section amended.

217. Section 40:62–114 of the Revised Statutes is amended to read as follows:

Condemnation.

40:62–114. If the commission and the owner of the waterworks cannot agree on terms for the sale thereof, or if such proposed contract shall not become binding as herein provided, the commission may bring an action to condemn the waterworks pursuant to chapter one of Title 20 of the Revised Statutes. The commission may also invoke and exercise in the manner prescribed in said chapter for the purpose aforesaid, either in its own name, or in the name of any or all of the municipalities so supplied with water, all of the powers of such municipalities, or any of them, to acquire property for public use.

Section amended.

218. Section 40:62–115 of the Revised Statutes is amended to read as follows:

Withdrawal of municipality, procedure.

40:62–115. Any municipality, by the adoption of an ordinance in the manner provided by law and upon giving the water commission and said owner or owners five days' notice in writing of the adoption of the ordinance, may, if the water commission shall not have taken possession of the waterworks, withdraw from the condemnation proceedings at any time within forty days after the entry of the judgment of the court in the action. Any municipality so withdrawing shall be liable for its proportion of the expenses paid or debts incurred by or on behalf of the municipalities in the proceedings to acquire such waterworks up to the date of withdrawal. After the withdrawal of one or more municipalities, the water commission shall continue the action on behalf of such two or more municipalities as shall not have so withdrawn. If all the municipalities joining in such condemnation shall withdraw from the same, the action for condemnation shall be abandoned by the commission

within eighty days after the entry of such judgment, upon payment to the owners and other parties who have appeared before the commissioners or the jury, of their reasonable costs, expenses and counsel fees to be determined by the Superior Court and upon filing a discharge of the notice of lis pendens. In the event of such abandonment such costs, expenses and counsel fees shall be the joint and several obligations of all of the municipalities in behalf of which the condemnation action was instituted, but the municipalities shall be liable as among themselves for the payment of such sum in the proportion set forth in section 40:62–121 of this Title.

If the water commission, pursuant to chapter one of Title 20 of the Revised Statutes, and after the passage and taking effect in each municipality in the manner provided by law, of ordinances authorizing the issuance of bonds as provided in section 40:62–121 of this Title, shall enter upon and take possession of said waterworks, no one or more of said municipalities shall thereafter have the right to withdraw from the condemnation action, nor shall the condemnation action thereafter be abandoned by the water commission.

Section amended.

219. Section 40:62–119 of the Revised Statutes is amended to read as follows:

After acquired property, supplemental condemnation.

40:62–119. If the commission and the owner cannot agree upon the price to be paid for all the additional property, rights and franchises, including betterments, additions and extensions as aforesaid, prior to taking possession thereof, then within thirty days after taking possession, the fair value thereof as part of the waterworks condemned at the time possession thereof is taken by the commission shall upon the application of either the owner or the commission be determined pursuant to the provisions of chapter one of Title 20 of the Revised Statutes, except that the supplemental condemnation covering the after acquired property shall not be abandoned without the written consent thereto of the owner. The amount so determined as the price to be paid by the commission for the

additional property, rights and franchises shall be a lien upon all the waterworks, rights and franchises so acquired by the commission until paid.

Section amended.

220. Section 40:62–120 of the Revised Statutes is amended to read as follows:

Removal of encumbrances, determining value, payment.

40:62–120. Whenever, pursuant to sections 40:62–108 to 40:62–150 of this Title, the commission shall condemn any waterworks free and clear of the lien of any mortgage or mortgages thereon, then upon the taking of possession by the commission of the waterworks and the payment of the award therefor into the court no further interest shall accrue upon such mortgage or mortgages.

Upon the application of either the owner of the waterworks condemned or of the holder of any such mortgage or mortgages or of any debt secured thereby, the Superior Court shall determine the value of the debt secured by each such mortgage as of the date of such payment into court. In making its determination the court shall give due regard to the date of maturity of any such debt, the rate of interest provided to be paid thereon and such other factors as shall properly determine the value of such debt as of the date of such payment into the court. The sum or sums so determined shall upon such determination be paid out of the moneys so paid into the Superior Court to the persons found by the court to be entitled thereto.

Section amended.

221. Section 40:63–11 of the Revised Statutes is amended to read as follows:

Ordinances operative.

40:63–11. When any injunctive or other order or judgment shall have been made by the Superior Court directing any municipality to cease from polluting any of the potable waters of this State, all ordinances adopted by such municipality for the purpose of obeying such injunctive or other order or judgment, and providing for the construction, reconstruction, enlargement, alteration, operation or maintenance of a system of works for the sanitary disposal of sewage or drainage, and for the necessary sewers or drains in connection therewith, shall become operative immediately upon the final passage thereof.

Section amended.

222. Section 40:63–12 of the Revised Statutes is amended to read as follows:

Municipality financially unable to comply with order, time extension.

40:63–12. When a judgment or order has been or shall be entered in the Superior Court or where a decree of the former Court of Chancery is still in effect, to compel a municipality to install and maintain a sewage disposal plant, and it shall be represented to the Superior Court by the municipality that it is unable to meet its financial obligations and unable to borrow money for the purpose of installing and maintaining such sewage disposal plant, such municipality may apply to the said court requesting an extension of time within which to comply with the terms of the judgment or order. The court, after examining into the matter, shall grant an extension of time to the municipality to commence the work of such installation and maintenance as the court shall deem just and proper.

Section amended.

223. Section 40:63–65 of the Revised Statutes is amended to read as follows:

Negligence of adjoining municipality to keep drains open, committee.

40:63–65. If any land, or any public street, road or highway in any municipality shall be injured by a flow of water occasioned by the neglect or refusal of the proper officers of an adjoining municipality to open and keep open therein, cleanse, or keep in repair, gutters, drains or ditches, properly to dispose of such flow of water, the owner of the land injured, or the governing body of the municipality wherein the street, road or highway so injured is situated, may present to the County Court of the county in which the adjoining municipality is situated, an application setting forth the facts. The court, thereupon, shall appoint three freeholders of the county, not residents of either municipality, who, having first taken an oath faithfully and impartially to act in the premises, shall proceed to inquire into the alleged injury on their own view, or by the testimony of witnesses.

Section amended.

224. Section 40:63–67 of the Revised Statutes is amended to read as follows:

Review of committee's report.

40:63–67. Any person or persons or municipality may, within sixty days after the filing of said re-

port, have the decision of said freeholders reviewed by the County Court, of said county. Such review may be taken in the proceeding wherein said freeholders were appointed or in an action, and the court shall finally determine the matter. Reasonable costs and expenses, including proper fees for said freeholders, against the municipality originally in default in the premises may be allowed.

Section amended.

225. Section 40:63–93 of the Revised Statutes is amended to read as follows:

Right of entry.

40:63–93. Where a condemnation action is commenced as provided in section 40:63–92 of this Title, the contracting municipalities, their officers, servants and agents, may immediately upon the appointment of the commissioners, enter upon, take and use such lands and real estate, and rights and interest therein and appurtenances.

Section amended.

226. Section 40:63–102 of the Revised Statutes is amended to read as follows:

Agreement as to terms, procedure where parties cannot agree.

40:63–102. All such work carried on in such other municipality shall be done upon such terms as may be agreed upon by such jointly contracting municipalities and such other municipality through the streets of which it is proposed to construct such improvement or works, and all such municipalities may authorize and enter into any such contract.

If no agreement can be reached as to such terms the Superior Court shall, upon application by either party or parties, and after notice of the time and place of making such application, published at least ten days previous thereto, in a newspaper circulating in all municipalities affected, appoint three disinterested commissioners to fix the terms upon which such jointly contracting municipalities may use and occupy the streets of such other municipality, and the report of such commissioners when confirmed by the court shall be binding upon all of the parties to such proceedings.

Section amended.

227. Section 40:63–117 of the Revised Statutes is amended to read as follows:

Apportioning of costs, commissioners.

40:63–117. Immediately upon the completion of the work, or of a definite part thereof, the govern-

ing bodies or boards of the municipalities jointly contracting for the public improvement or works shall meet in joint meeting as in this article provided, and shall, by resolution, ascertain and declare the whole amount of the costs, damages and expenses of such public improvement or works, or any part thereof so completed, and of all appurtenances or connections of the same, and of all matters or things connected therewith so far as completed; and of the several amounts thereof to be apportioned to the contracting municipalities respectively, pursuant to the contract and ordinance authorizing the same.

Each of the municipalities jointly contracting as aforesaid shall, without delay, severally apply to the Superior Court for the appointment of three disinterested commissioners to make a just and equitable assessment of the whole amount of the costs, damages and expenses of such improvement apportioned to it as ascertained and declared as hereinbefore provided, upon all the owners of lands and real estate in such municipality fronting on such improvement, which are peculiarly benefited by such public improvement or works, in proportion as nearly as may be to and not in excess of the advantages each shall be deemed to acquire. The application shall be in writing, and after notice of the time and place of making such application, published at least ten days previous thereto in some newspaper published or circulating in the municipality wherein such lands and real estate are situated, and at the time fixed in the notice, or at such time to which the application may be from time to time adjourned, the court shall appoint three disinterested commissioners to make such assessment for benefits as aforesaid, who may summon and examine witnesses and view the premises for the purpose of making such assessments. In case of death, resignation, refusal to serve, or disability of any commissioner so appointed, the vacancy shall be filled by the court as soon as may be.

228. Section 40:63–119 of the Revised Statutes is amended to read as follows: Section amended.

40:63–119. The commissioners before they enter upon the execution of their duties shall severally take and subscribe an oath that they will make such assessment fairly and impartially, according to the best of their skill and judgment, and thereupon shall at once proceed to perform the duties hereby imposed upon them. They shall, within sixty days, unless the court shall, before or after its expiration, extend the time, make a just and equitable assessment of the costs, damages and expenses of the improvements, or any part thereof, upon the lands and real estate located in any of the territory of such municipality fronting on the improvement or works which are peculiarly benefited thereby, in proportion to and not in excess of the advantage each shall be deemed to acquire. Oaths and duties of commissioners.

If the costs, damages, and expenses shall exceed the amount of the benefits, the excess shall be assessed upon and paid by the municipalities respectively so jointly contracting in accordance with the provisions in the joint contract for the apportionment or percentages of costs, damages and expenses among the jointly contracting municipalities.

229. Section 40:63–122 of the Revised Statutes is amended to read as follows: Section amended.

40:63–122. The commissioners shall make a report, in writing, of their assessment, signed by them, or any two of them, to the Superior Court and apply to it for confirmation thereof. The court shall either confirm the report or refer it to the same commissioners for revision or correction, or to new commissioners to be appointed by it, or it may itself, upon a hearing had before it, modify or alter the report, and any assessment of benefits made therein, in such manner as to it may seem just. The commissioners to whom the report may be so referred shall return it corrected and revised, or make a new report, and the same on being so returned shall be confirmed or again referred, or may Report.

be modified or altered by the court as aforesaid, and so from time to time until a report shall be made or returned which the court shall, with or without alteration, confirm. The report when confirmed shall be final and conclusive upon the municipality and upon the owner or owners of any land affected thereby.

Section amended.

230. Section 40:63–123 of the Revised Statutes is amended to read as follows:

Compensation of commissioners.

40:63–123. The Superior Court shall settle and determine the compensation to be paid to the commissioners and the costs and expenses of the application, report and proceedings, and the municipality shall immediately pay such costs and expenses.

Section repealed.

231. Section 40:63–139 of the Revised Statutes is hereby repealed.

Section amended.

232. Section fourteen of chapter three hundred forty-eight of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 40:66A-14. Provisions of bond resolutions.

14. Any bond resolution of an incinerator authority providing for or authorizing the issuance of any bonds may contain provisions, and such incinerator authority, in order to secure the payment of such bonds and in addition to its other powers, shall have power by provision in the bond resolution to covenant and agree with the several holders of such bonds, as to:

(1) The custody, security, use, expenditure or application of the proceeds of the bonds;

(2) The construction and completion, or replacement, of all or any part of the garbage disposal system;

(3) The use, regulation, operation, maintenance, insurance or disposition of all or any part of the garbage disposal system, or restrictions on the exercise of the powers of the incinerator authority to dispose, or to limit or regulate the use, of all or any part of the garbage disposal system;

(4) Payment of the principal of or interest on the bonds, or any other obligations, and the sources and methods thereof, the rank or priority of any

such bonds as obligations as to any lien or security, or the acceleration of the maturity of any such bonds or obligations.

(5) The use and disposition of any moneys of the incinerator authority, including revenues (in this act sometimes called "system revenues") derived or to be derived from the operation of all or any part of the garbage disposal system, including any parts thereof theretofore constructed or acquired;

(6) Pledging, setting aside, depositing or trusteeing all or any part of the system revenues or other moneys of the incinerator authority to secure the payment of the principal of or interest on the bonds or any other obligations, or the payment of expenses of operation or maintenance of the garbage disposal system, and the powers and duties of any trustee with regard thereto;

(7) The setting aside out of the system revenues or other moneys of the incinerator authority of reserves and sinking funds, and the source, custody, security, regulation, application and disposition thereof;

(8) Determination or definition of the system revenues or of the expenses of operation and maintenance of the garbage disposal system;

(9) The rents, rates, fees, or other charges for the use of the services and facilities of the garbage disposal system, including any parts thereof theretofore constructed or acquired and any parts, extension, replacements or improvements thereof thereafter constructed or acquired, and the fixing, establishment, collection and enforcement of the same, the amount or amounts of system revenues to be produced thereby, and the disposition and application of the amounts charged or collected;

(10) The assumption or payment or discharge of any indebtedness, liens or other claims relating to any part of the garbage disposal system or any obligations having or which may have a lien on any part of the system revenue;

(11) Limitations on the issuance of additional bonds or any other obligations or on the incurrence of indebtedness of the incinerator authority;

(12) Limitations on the powers of the incinerator authority to construct, acquire or operate, or permit the construction, acquisition, or operation of, any plants, structures, facilities or properties which may compete or tend to compete with the garbage disposal system;

(13) Vesting in a trustee or trustees such property, rights, powers and duties in trust as the incinerator authority may determine which may include any or all of the rights, powers and duties of the trustee appointed by the holders of bonds pursuant to section seventeen of this act, and limiting or abrogating the right of such holders to appoint a trustee pursuant to section fifteen of this act or limiting the rights, duties and powers of such trustee;

(14) Payment of costs or expenses incident to the enforcement of the bonds or of the provision of the bond resolution or of any covenant or contract with the holders of bonds;

(15) The procedure, if any, by which the terms of any covenant or contract with, or duty to, the holders of bonds may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given or evidenced; or

(16) Any other matter or course of conduct which by recital in the bond resolution, is declared to further secure the payment of the principle of or interest on the bonds.

All such provisions of the bond resolution and all such covenants and agreements shall constitute valid and legally binding contracts between the incinerator authority and the several holders of the bonds, regardless of the time of issuance of such bonds, and shall be enforceable by any such holder or holders by appropriate action or proceeding in any court of competent jurisdiction.

233. Section fifteen of chapter three hundred forty-eight of the laws of one thousand nine hundred and forty-eight is amended to read as follows: Section amended.

C. 40:66A-15. Default in payment, trustee, powers, receiver.

15. In the event that there shall be a default in the payment of principal of or interest on any bonds after the same shall become due, whether at maturity or upon call for redemption, and such default shall continue for a period of thirty days, or in the event that the incinerator authority shall fail or refuse to comply with the provisions of this act or shall fail or refuse to carry out and perform the terms of any contract with the holders of any of such bonds, and such failure or refusal shall continue for a period of thirty days after written notice to the incinerator authority of its existence and nature, the holders of twenty-five per centum (25%) in aggregate principal amount of the bonds of such series then outstanding, by instruments or instrument filed in the office of the Secretary of State and proved and acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of the bonds of such series for the purposes in this section, and to have the powers provided in this section.

(a) Such trustee may and upon written request of the holders of twenty-five per centum (25%) in aggregate principal amount of the bonds of such series then outstanding shall, in his or its own name:

(1) By an action or proceeding in a court of competent jurisdiction, enforce all rights of the holders of such bonds, including the right to require the incinerator authority to charge and collect service charges adequate to carry out any contract as to, or pledge of, system revenues, and to require the incinerator authority to carry out and perform the terms of any contract with the holders of such bonds or its duties under this act;

(2) Bring an action upon all or any part of such bonds or interest coupons or claims appurtenant thereto;

(3) By an action require the incinerator authority to account as if it were the trustee of an express trust for the holders of such bonds;

(4) By an action enjoin any acts or things which may be unlawful or in violation of the rights of the holders of such bonds; or

(5) Declare all such bonds due and payable, whether or not in advance of maturity, upon thirty days' prior notice in writing to the incinerator authority and, if all defaults shall be made good, then with the consent of the holders of twenty-five per centum (25%) of the principal amount of such bonds then outstanding, annul such declaration and its consequences.

(b) Such trustee shall, in addition to the foregoing, have and possess all of the powers necessary or appropriate for the exercise of the functions specifically set forth herein or incident to the general representation of the holders of bonds of such series in the enforcement and protection of their rights.

(c) In any action or proceeding by such trustee, the fees, counsel fees and expenses of the trustee and of the receiver, if any, appointed pursuant to this act, may be allowed by the court as taxable costs and disbursements or otherwise, when so allowed, shall be a first charge upon any service charges and system revenues of the incinerator authority pledged for the payment or security of bonds of such series.

(d) Such trustee, upon such default referred to in this section, whether or not all of the bonds of such series shall have been declared due and payable, shall be entitled as of right to the appointment of a receiver of the garbage disposal system, and such receiver may enter upon and take possession of all moneys and other property derived from or applicable to the acquisition, construction, operation, maintenance or reconstruction of the garbage disposal system and proceed with such acquisition, construction, operation, maintenance or reconstruc-

tion which the incinerator authority is under any obligation to do, and operate, maintain and reconstruct the garbage disposal system and fix, charge, collect, enforce and receive the service charges and all system revenues thereafter arising subject to any pledge thereof or contract with the holders of such bonds relating thereto and perform the public duties and carry out the contracts and obligations of the incinerator authority in the same manner as the incinerator authority itself might do and under the direction of the court.

234. Section 40:67–12.2 of the Revised Statutes is amended to read as follows: Section amended.

40:67–12.2. In fixing the compensation for any property taken in pursuance of section 40:67–12.1, the value of such property shall be fixed as of the date of the entry thereon by the municipality and the owner shall be entitled to interest upon the value of such property from the date of such entry to the date of payment of such compensation to the owner or into the court. Time of fixing value of property.

235. Section 40:68–15 of the Revised Statutes is amended to read as follows: Section amended.

40:68–15. Any person aggrieved by any decision of the governing body, either granting or refusing in whole or in part application for a license as provided in section 40:68–12 of this Title, may, within thirty days thereafter, obtain a review thereof by instituting an action in the County Court of the county in which the municipality is located, joining as parties defendant all persons legally interested therein. The court shall proceed in the action in a summary manner or otherwise. The judgment of the court thereon shall be final and conclusive. Review, procedure.

236. Section fifteen of chapter three hundred forty-nine of the laws of one thousand nine hundred and forty-eight is amended to read as follows: Section amended.

15. In the event that there shall be a default in the payment of principal of or interest on any bonds after the same shall become due, whether at maturity or upon call for redemption, and such de- C. 40:68A-15. Default in payment, trustee, powers, receiver.

fault shall continue for a period of thirty days, or in the event that the Port Authority shall fail or refuse to comply with the provisions of this act or shall fail or refuse to carry out and perform the terms of any contract with the holders of any of such bonds, and such failure or refusal shall continue for a period of thirty days after written notice to the Port Authority of its existence and nature, the holders of twenty-five per centum (25%) in aggregate principal amount of the bonds of such series then outstanding, by instrument or instruments filed in the office of the Secretary of State and proved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of the bonds of such series for the purposes provided in this section, and to have the powers provided in this section.

(a) Such trustee may and upon written request of the holders of twenty-five per centum (25%) in aggregate principal amount of the bonds of such series then outstanding shall, in his or its own name:

(1) By an action or proceeding in a court of competent jurisdiction, enforce all rights of the holders of such bonds, including the right to require the Port Authority to charge and collect service charges adequate to carry out any contract as to, or pledge of, revenues, and to require the Port Authority to carry out and perform the terms of any contract with the holders of such bonds or its duties under this act;

(2) Bring an action upon all or any part of such bonds or interest coupons or claims appurtenant thereto;

(3) By an action require the Port Authority to account as if it were the trustee of an express trust for the holders of such bonds.

(4) By an action enjoin any acts or things which may be unlawful or in violation of the rights of the holders of such bonds; or

(5) Declare all such bonds due and payable whether or not in advance of maturity, upon thirty days' prior notice in writing to the Port Authority, and if all defaults shall be made good, then with consent of the holders of twenty-five per centum (25%) of the principal amount of such bonds then outstanding, annul such declaration and its consequences.

(b) Such trustee shall, in addition to the foregoing, have and possess all of the powers necessary or appropriate for the exercise of the functions specifically set forth herein or incident to the general representation of the holders of bonds of such series in the enforcement and protection of their rights.

(c) In any action or proceeding by such trustee, the fees, counsel fees and expenses of the trustee and of the receiver, if any, appointed pursuant to this act, may be allowed by the court as taxable costs and disbursements or otherwise and all costs and disbursements, when so allowed, shall be a first charge upon any service charges and revenues of the Port Authority pledged for the payment or security of bonds of such series.

(d) Such trustee, upon such default referred to in this section, whether or not all of the bonds of such series shall have been declared due and payable, shall be entitled as of right to the appointment of a receiver of the port facilities, and such receiver may enter upon and take possession of the port facilities and, subject to any pledge or contract with the holders of such bonds, shall take possession of all moneys and other property derived from or applicable to the acquisition, construction, operation, maintenance or reconstruction of the port facilities and proceed with such acquisition, construction, operation, maintenance or reconstruction which the Port Authority is under any obligation to do, and operate, maintain and reconstruct the port facilities and fix, charge, collect, enforce and receive the service charges and all

revenues thereafter arising subject to any pledge thereof or contract with the holders of such bonds relating thereto and perform the public duties and carry out the contracts and obligations of the Port Authority in the same manner as the Port Authority itself might do and under the direction of the court.

Section amended.

237. Section 40:71–9 of the Revised Statutes is amended to read as follows:

Elective and appointive officers' terms cease, boards abolished, exception, construction.

40:71–9. Upon the adoption of chapters seventy to seventy-six of this Title, and the organization of the commissioners first elected, the governing body or bodies and all other boards and bodies whether State or local municipal agencies then existing in the municipality, except the board of education and any municipal court, shall be ipso facto abolished and the terms of all councilmen, aldermen and all other officers, whether elective or appointive, shall immediately cease and determine, and all the powers and duties devolved by law upon such boards and bodies shall pass to, vest in and be performed by the board of commissioners elected under the provisions of said chapters seventy to seventy-six, but nothing in this section contained shall prohibit the creation of subordinate boards authorized by section 40:72–7 of this Title.

The board of commissioners shall have and exercise all the powers granted or to be granted to the boards and bodies supplanted by it, by laws enacted subsequent to the organization of said board, unless such power is expressly withheld.

Nothing herein contained shall be construed to affect in any way the term of office of any policeman, fireman, or other employee of any police or fire department, veteran of any war, or other official or employee now protected by any tenure of office act. Wherever a municipality is operating under the provisions of subtitle three of Title 11 of the Revised Statutes, at the time of the adoption of the provisions of chapters seventy to seventy-six of this Title, then nothing herein contained relative

to the termination of his term, dismissal or discharge shall apply to any person holding any position or office coming within the classified service of the Civil Service law.

238. Section 40:71–10 of the Revised Statutes is amended to read as follows: Section amended.

40:71–10. Immediately after the election and organization of the commissioners as provided herein, all laws and parts of laws then existing, whether general or special, in anywise affecting the government of such municipality which are contrary to or inconsistent with the provisions of chapters seventy to seventy-six of this Title, shall be repealed and abrogated, but said chapters seventy to seventy-six shall not abrogate, repeal or annul the provisions of chapter eight of Title 2A of the New Jersey Statutes. Inconsistent laws inapplicable.

239. Section 40:72–7 of the Revised Statutes is amended to read as follows: Section amended.

40:72–7. The board of commissioners shall at the first meeting or as soon as may be after organization, create such subordinate boards and appoint such officers as it may deem necessary for the proper and efficient conduct of the affairs of the municipality. Subordinate boards, officers.

Any board created may be abolished, or any officer or employee appointed by the board of commissioners may be removed from office by it, at any time for cause, after public hearing, provided its action shall be taken in accordance with the civil service and tenure of office laws in municipalities where such laws have been adopted or are applicable and such action shall be subject to review by a proceeding in lieu of prerogative writ.

240. Section one of chapter two hundred thirty-six of the laws of one thousand nine hundred and forty-four is hereby repealed. C. 40:72-20.1. Section repealed.

241. Section 40:75–19 of the Revised Statutes is amended to read as follows: Section amended.

40:75–19. As soon as the polls are closed the election officers shall immediately open the ballot boxes, take therefrom singly and count the ballots Counting ballots, procedure.

in public view, and enter the total number thereof on the tally sheet provided therefor by the municipal clerk. They shall also carefully enter the number of votes for each candidate on the said tally sheet and make immediate return thereof to the municipal clerk. Only one vote shall be counted for any candidate on any one ballot. If a ballot contains votes in excess of the number of offices to be filled such ballot shall be declared void.

On the day following the election the municipal clerk shall determine the successful candidates, in the manner hereinafter in this section provided, and shall immediately make and file the result thereof in his office. The canvass by the clerk shall be publicly made in the manner following:

a. Candidates equal in number to the number of offices to be filled receiving the highest number of votes shall be elected;

b. A tie between two or more candidates shall be decided by the municipal clerk who shall write the names of the tied candidates each on a separate card of equal size and thickness, place them in a closed receptacle which shall be thoroughly shaken and turned over, and shall thereupon place his hand in the receptacle and withdraw the cards one by one therefrom. The drawing shall be held in the presence of the Superior Court assignment judge of the county in which the municipality is located. The candidate's card first withdrawn shall be declared elected. If more than two are tied, the successful candidates shall be in the order drawn.

Section amended.

242. Section 40:75–39 of the Revised Statutes is amended to read as follows:

Adding names to registry list.

40:75–39. A judge of the County Court shall sit in a public place in the municipality where the recall election is to be held on at least one day in the week prior to the day of the election. He may by order grant transfers and place upon the registry books the names of legal voters whose names were not upon the registry books of the last general election, but who would be entitled to be registered if the recall election was in fact a general election.

There shall be no other registration day nor shall there be any primary election for the nomination of candidates, before the recall election.

Section amended.

243. Section 40:75–44 of the Revised Statutes is amended to read as follows:

Clerk to present objections to petition to Superior Court.

40:75–44. Whenever the municipal clerk shall believe any petition for recall, petition for nomination, incumbent's petition, or other petition, to be defective, he shall, before returning the petition as provided herein, present his objections in writing to the Superior Court assignment judge of the county in which the municipality is located. The judge shall proceed summarily to examine the clerk's objections, and shall forthwith make an order sustaining or overruling any or all of the objections. Such order shall be final and binding on all parties concerned.

Section amended.

244. Section 40:75–45 of the Revised Statutes is amended to read as follows:

Procedure to insure fair election.

40:75–45. In order to more fully carry out the spirit of this article and to prevent the failure of the recall election by reason of any conflict of laws, inadequacy of law, dispute, misunderstandings, or other cause, the Superior Court assignment judge of the county in which the municipality is located shall have power upon an application by the agent, municipal clerk, incumbent or nominee, to make any order or regulation which in his judgment is necessary or convenient to enable a fair and impartial recall election to be held and such order or regulation shall be final.

Such applications shall be heard in a summary manner and without notice. On the day of the recall election the said assignment judge shall attend in some public place in the municipality, and then and there make any such additional order as may be necessary to carry out the recall election.

Section amended.

245. Section 40:76–7 of the Revised Statutes is amended to read as follows:

Determination of validity of clerk's objections.

40:76–7. The agent who filed the petition may, however, within ten days after service upon him of the municipal clerk's objections as provided in

section 40:76–6 of this Title, apply to a judge of the Superior Court for a determination of the validity of the clerk's objections to the petition.

Section amended.

246. Section 40:76–8 of the Revised Statutes is amended to read as follows:

To call special election.

40:76–8. The judge of the Superior Court shall hear and determine, in a summary manner, the question as to the legality of the clerk's objections, and if he shall determine that the petition as filed with the clerk conforms to the provisions of this chapter, he shall order that the petition be filed in the office of the clerk of the municipality, and the clerk shall forthwith proceed to call a special election as herein provided.

Section amended.

247. Section 40:76–11 of the Revised Statutes is amended to read as follows:

Amended petition, examination, procedure.

40:76–11. The municipal clerk shall make a similar examination of the amended or supplemented petition, as is provided for in section 40:76–5 of this Title when the petition was originally filed. If this examination shows that the petition as amended or supplemented, does not conform to the provisions of this chapter, he shall again within ten days from the date of its being filed with him, as amended or supplemented, personally serve his written objections upon the agent as is provided in section 40:76–6 of this Title and the agent may apply to the judge of the Superior Court for review of the clerk's determination, in the same manner as is provided in section 40:76–7 of this Title. The same procedure shall be followed by the court as is provided in sections 40:76–8 and 40:76–9 of this Title. This shall be without prejudice to the filing with the clerk, of further amended or supplemented petitions to which the same procedure shall apply, as is provided for when an original petition is filed with the municipal clerk.

Section amended.

248. Section 40:76–12 of the Revised Statutes is amended to read as follows:

Special election.

40:76–12. When it has been determined, by either the municipal clerk or a judge of the Superior Court, that the petition conforms to the provisions

of this chapter, the clerk shall forthwith call a special election, to be held not later than August fifteenth, in any year, for the submission of the question of the abandonment of the commission form of government, to the legal voters of the municipality by proceeding in the manner hereinafter in this chapter provided.

Section amended.

249. Section 40:76–24 of the Revised Statutes is amended to read as follows:

Effect of chapter.

40:76–24. Nothing in this chapter shall be construed to affect the application of chapter eight of Title 2A of the New Jersey Statutes, nor shall anything herein be construed to impair the operation of chapter three of this Title.

Section amended.

250. Section 40:80–12 of the Revised Statutes is amended to read as follows:

Inconsistent laws inapplicable.

40:80–12. No law, general or special, or any provision thereof, affecting the government of any municipality governed by this subtitle and contrary to or inconsistent with the provisions hereof, shall apply to such municipality, but the adoption of this subtitle shall not affect the application of chapter eight of Title 2A of the New Jersey Statutes.

Section repealed.

251. Section 40:81–12 of the Revised Statutes is hereby repealed.

Section amended.

252. Section 40:87–1 of the Revised Statutes is amended to read as follows:

Elective officers.

40:87–1. The elective officers of every borough shall be a mayor, six councilmen, a collector and, except where such office has been abolished, an assessor.

Sundry sections repealed.

253. Section 40:87–32 of the Revised Statutes is hereby repealed.

254. Section 40:87–33 of the Revised Statutes is hereby repealed.

255. Section 40:87–34 of the Revised Statutes is hereby repealed.

256. Section 40:87–35 of the Revised Statutes is hereby repealed.

257. Section 40:87–36 of the Revised Statutes is hereby repealed.

258. Section 40:87–37 of the Revised Statutes is hereby repealed.

259. Section 40:87–38 of the Revised Statutes is hereby repealed.

260. Section 40:87–39 of the Revised Statutes is hereby repealed.

261. Section 40:87–40 of the Revised Statutes is hereby repealed.

262. Section 40:87–41 of the Revised Statutes is hereby repealed.

263. Section 40:87–42 of the Revised Statutes is hereby repealed.

264. Section 40:87–43 of the Revised Statutes is hereby repealed.

265. Section 40:87–44 of the Revised Statutes is hereby repealed.

266. Section 40:87–45 of the Revised Statutes is hereby repealed.

Section amended.

267. Section 40:87–56 of the Revised Statutes is amended to read as follows:

Poundkeepers, powers and duties.

40:87–56. The poundkeepers, in addition to the powers and duties conferred upon them by this subtitle, shall respectively possess such powers and discharge such duties as by law are or may be conferred or imposed upon similar officers in townships, and as may be consistent with this subtitle.

Section amended.

268. Section 40:87–57 of the Revised Statutes is amended to read as follows:

Marshals, powers and duties.

40:87–57. The marshals shall have all the powers and authority of constables in criminal matters, and in the service and execution of all writs and process, both civil and criminal, issued out of any court of this State, and in the performance of all other duties to be hereafter performed by said constables, and shall receive therefor the same fees as are received by said constables for the same service. They shall have power to arrest upon view without warrant and bring before the municipal court or county district court, any person whom they may see committing a breach of the peace or violating any law of the State or ordinance of the borough, to be dealt with according to law.

C. 40:87-57.1. Section repealed.

269. Section one of chapter three hundred six of the laws of one thousand nine hundred and thirty-nine is hereby repealed.

270. Section 40:95–2 of the Revised Statutes is amended to read as follows: Section amended.

40:95–2. The corporate authorities of any such incorporated camp meeting association, or seaside resort, may prescribe a penalty or penalties for the violation of any ordinances, rules, regulations or by-laws, which it has authority to pass for any purpose, either by imprisonment in the county jail not exceeding ten days, or by fine not exceeding twenty dollars ($20.00). Any such ordinance, rule, regulation or by-law shall be enforceable in the same manner as municipal ordinances. Violations, penalty.

271. Section 40:95–3 of the Revised Statutes is amended to read as follows: Section amended.

40:95–3. Within the limits of any incorporated camp meeting association or seaside resort the grounds belonging to which are located outside the corporate limits of any city or borough possessing a special charter, the corporate authorities may by ordinance or otherwise regulate and restrain the running of any railroad train, locomotive or cars upon any railroad track within said premises on Sunday, and if any person shall, without the written consent of said corporate authorities, run, operate or cause to be run or operated over any railroad track within said premises, any railroad train, locomotive or cars whether operated by steam, horse or other power on Sunday, such person so offending shall forfeit and pay to the said corporate authorities, for each and every of said acts the sum of five hundred dollars ($500.00) to be recovered with costs by the said corporate authorities, in a civil action. One-half of any penalty thus collected shall, after deducting costs of collection, be paid to the director of welfare of the county or municipality wherein such act was committed. This section shall not prevent the running of any railroad train, locomotive or cars through said premises to any other terminal point, and nothing in this section contained shall be construed to prevent the running of any railroad train, locomotive or cars at any time Regulating running of trains on Sunday.

over any railroad heretofore or hereafter constructed or located.

Section amended.

272. Section 40:95–5 of the Revised Statutes is amended to read as follows:

Recovery of penalty.

40:95–5. The corporate authorities shall sue for the penalties prescribed in section 40:95–4 of this Title for the use of the corporation in a municipal court or county district court in summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). If a defendant fails to pay a judgment rendered against him, the court may sentence him to the county jail for a term not exceeding twenty days.

Section amended.

273. Section 40:96–10 of the Revised Statutes is amended to read as follows:

Cleaning, etc., cesspools, notice, penalty.

40:96–10. Whenever any cesspool, drain, privy, water-closet or accumulation of water or sewage matter shall be, in the judgment of said board or committee thereof duly authorized for that purpose, prejudicial or injurious to the public health, or likely to become so, it may, by notice in writing, direct the owner thereof, or the occupant of the premises on which the same is located, or to which it belongs, to drain or empty the same and to make such other alterations and improvements as in its judgment may be necessary or expedient for sanitary purposes. In case of the neglect or refusal of such owner or occupant to comply with such directions within a reasonable time to be prescribed in such notice, but not less than three days, then the said board or committee may cause such draining or emptying to be done and such alterations and improvements to be made, and assess the cost thereof and all expenses attendant thereon on the lands on which such cesspool, drain, privy, water-closet or accumulation of water or sewage matter is located or to which they belong, and may fine said owner and said occupant notified as aforesaid not exceeding ten dollars ($10.00) each for refusing or neglecting to comply with the requirements of said notice, and said cost and expenses, and the fine or fines imposed upon any owner shall be a lien

upon said lands. The payment of any fine may be enforced by a civil action in any court of competent jurisdiction and sale of the same or of any interest of said owner therein, under execution issued upon any judgment obtained against said owner; and fines imposed upon said occupant other than an owner may be enforced by execution against his personal property.

Section amended.

274. Section 40:97–4 of the Revised Statutes is amended to read as follows:

Jurisdiction to maintain order.

40:97–4. The trustees, directors or managers of every such association or corporation shall, within the limits of the lands owned or controlled by it, have exclusive jurisdiction to maintain and preserve order, abate and prohibit nuisances detrimental to the public health, and make and enforce rules and regulations to promote and protect the public health. They may establish, by ordinance or ordinances, a municipal court in the same manner as in municipalities, which shall possess, within such limits, the jurisdiction, functions, powers and duties that may be given to municipalities by law.

Section amended.

275. Section 40:97–8 of the Revised Statutes is amended to read as follows:

Ordinances, violations certified, effect.

40:97–8. Any ordinance, rule, regulation or by-law which shall have been lawfully passed by said board for any purpose shall be enforceable in the same manner and in the same courts as municipal ordinances.

A copy of the ordinance or section of the ordinance, rule, regulation or by-law alleged to have been violated, certified under the hand of the secretary or clerk of the board, shall be taken as full and legal proof of the existence of such ordinance, rule, regulation or by-law, and that all the requirements of law in addition to the ordaining, publishing and making thereof so as to make the same legal and binding have been complied with, unless the contrary be shown.

Section amended.

276. Section 40:99–1 of the Revised Statutes is amended to read as follows:

Peace officers, appointment, powers and duties.

40:99–1. The Governor, upon the application in writing of the board of trustees of any camp meeting association duly incorporated under the laws of this State or of any other incorporated association for the maintenance of public worship in the open air, may commission one or more persons whom such trustees shall designate and request, not exceeding six in number, as peace officers, for the purpose of keeping order on the camp grounds and premises of such incorporated association. Such officers shall have, when on duty, the same power, authority and immunities which constables and other peace officers under the laws of this State possess and enjoy, and shall hold their offices from year to year. They shall also have power to enforce obedience, on said grounds and premises, to any rule or regulation of said trustees for the preservation of quiet and good order, and also to enforce the provisions of chapter one hundred seventy-one of Title 2A of the New Jersey Statutes, and to arrest for the commission of any crime in all respects.

Section repealed.

277. Section 40:99–2 of the Revised Statutes is hereby repealed.

Section amended.

278. Section 40:99–3 of the Revised Statutes is amended to read as follows:

Compensation.

40:99–3. Such peace officers shall be entitled to have for their services such fees as constables are entitled to receive for like services.

Section repealed.

279. Section 40:99–4 of the Revised Statutes is hereby repealed.

Section amended.

280. Section 40:114–8 of the Revised Statutes is amended to read as follows:

Mayor, powers and duties.

40:114–8. The mayor shall be the chief executive officer of the municipality. He shall cause its laws and ordinances to be enforced. He shall exercise supervision over the conduct of all subordinate officers, examine all complaints preferred against them for violation or neglect of duty and report to the board any dereliction. He shall recommend

to the board from time to time such measures as he may deem necessary or expedient for the welfare of the municipality and perform all other duties required of him by law or ordinance. For the purpose of quelling any insurrection, riot, disturbance or disorderly assemblage, he shall have control of the police force of the municipality. He shall from time to time take such measures as he may deem necessary for the preservation of the peace and good order and the enforcement of the laws and ordinances of the municipality.

Section amended.

281. Section 40:125–1 of the Revised Statutes is amended to read as follows:

Council, how composed.

40:125–1. The town and ward officers shall be a council, consisting of two councilmen from each ward and one councilman-at-large who shall be designated and voted for as mayor, a clerk, a collector, a treasurer, an attorney, an assessor except where such office has been abolished by law, one or more surveyors, one or more poundkeepers, a chief of police, and a chief engineer of the fire department.

Section amended.

282. Section 40:125–11 of the Revised Statutes is amended to read as follows:

Clerk, duties, fees, disposition of fees.

40:125–11. The clerk, in addition to the other duties required of him by law, shall have charge of all the records, books and documents of the town, except when the council shall otherwise direct. He shall keep a record of the proceedings of the council, and engross all ordinances in a book to be provided for that purpose which shall be deemed a public record of such ordinances. Every ordinance shall be signed in said book by the mayor and said clerk. Copies of all papers duly filed in the office of the town clerk and transcripts thereof and of the records and proceedings of the council and copies of ordinances certified by said clerk under the corporate seal of the town, shall be evidence in all courts and places. The clerk shall pay over to the treasurer, without delay, all moneys received by him for the use of the town. His office shall be at the town hall and he shall keep the same open for

the transaction of public business during such hours as the council shall by ordinance prescribe. He may charge and receive for the use of the town, at the rate of ten cents ($0.10) per folio, for copies of all official papers and records and the return made by him in any proceeding in lieu of prerogative writ.

Section amended.

283. Section 40:144–7 of the Revised Statutes is amended to read as follows:

Commissioners, appointment, oath, compensation.

40:144–7. Upon the adoption of such proposition the township committee shall forthwith, by resolution, appoint a board of three commissioners to make the division into wards. Such commissioners shall be residents and legal voters of the township, not more than two of whom shall be of the same political party. Such commissioners shall, within ten days after their appointment, take and subscribe an oath before some officer duly authorized to administer the same, faithfully and impartially to perform the duties imposed upon them. If the township committee shall not appoint such commissioners as above provided, the Superior Court assignment judge of the county in which the township is located shall, upon application, appoint said three commissioners.

The commissioners shall receive for their services such compensation as the township committee or the said judge, as the case may be, shall determine. The money therefor shall be paid by the township and shall be raised by taxation therein.

Section amended.

284. Section 40:145–1 of the Revised Statutes is amended to read as follows:

Office deemed vacant, filling vacancy.

40:145–1. If two or more persons at any township election have an equal number of votes for the same office, or there be a failure to elect any officer, or a refusal by any person elected or appointed to any office to accept the same, or if any person shall die or resign from office, or shall remove out of the township except in the case of the township attorney, engineer or building inspector, or become incapable of serving, or fail to take or subscribe the oath prescribed by law for his office, or shall

fail to file such oath with the township clerk within the time prescribed by law, or shall not give such security as may be by law required within the time prescribed by law, then such office shall be deemed to be vacant and the township committee shall forthwith, by resolution, fill such vacancy.

If the township committee shall be unable to agree, by resolution, who shall fill such vacancy then any member of the township committee or any taxpayer of the township may apply to a judge of the Superior Court, who is hereby empowered to appoint any person over the age of twenty-one years, who shall be a taxpayer and resident in said township, to fill such vacancy.

Section amended.

285. Section 40:147–2 of the Revised Statutes is amended to read as follows:

Limitation on time for injunctive relief.

40:147–2. No action for injunctive relief, and no action or proceeding for other relief shall be commenced to set aside any ordinance or resolution for any public improvement in any township or to restrain action thereunder after thirty days shall have elapsed from the date of the adoption of such ordinance or resolution.

Section amended.

286. Section 40:149–1 of the Revised Statutes is amended to read as follows:

Police department, power and duties of members.

40:149–1. The township committee may by ordinance establish a police department and provide for the regulation, control and management of a police force, and may, by resolution, appoint such members and officers of such police force as they may deem necessary. The members and officers of such police force shall, within the township, have all the powers of constables for the purpose of preserving the peace and are authorized and empowered upon view, without warrant, to apprehend and arrest any disorderly person or any person committing a breach of the peace within the township and to bring said person before the municipal court or any other court of competent jurisdiction to be dealt with according to law.

Section repealed.

287. Section 40:149–3 of the Revised Statutes is hereby repealed.

Section amended.

288. Section 40:151–53 of the Revised Statutes is amended to read as follows:

Commissioners appointed upon failure to agree.

40:151–53. If the joint committee herein provided for should be unable to agree upon a division of the assets or debts of said fire districts, or if either of said fire districts desires to have such allotment and division made by commissioners appointed by the County Court, then the commissioners of either of said fire districts may apply to the County Court of the county in which such districts are situated for the appointment of three disinterested persons as commissioners, who shall make the above appraisement and apportionment in the manner hereinbefore provided. Their determination in writing, signed by any two of them, shall be binding and conclusive upon each of said districts. Such commissioners shall receive for their services such compensation as the court may think proper, to be paid for by said fire districts equally.

Section amended.

289. Section 40:153–17 of the Revised Statutes is amended to read as follows:

Confirmation of assessment, map filed.

40:153–17. The board shall thereafter reconsider said assessment, make any alterations therein it may deem just, confirm said assessment, and within ten days after such confirmation file a map of the improvement as finally determined together with its written decision and said assessment so confirmed and award so made, in the office of the clerk of the county in which such township is located. The board shall give notice of such filing by publication in a newspaper printed and published in the township, if there be one, and if not then in one printed in the county in which said township is located and circulating in said township, once a week for four weeks, and the determination of the board shall be final and conclusive in the premises, unless an application for a review by the County Court in and for such county is made within the time and manner hereinafter in section 40:153–22 of this Title provided, or in case of a proposed new road, a petition against the making of the same shall be presented to the board within twenty days

after its determination in the matter, signed by the owners of a majority of lineal feet fronting on the proposed new road.

290. Section 40:153–22 of the Revised Statutes is amended to read as follows: Section amended.

40:153–22. Any person feeling aggrieved by the action of the road board under sections 40:153–14 to 40:153–17 or sections 40:153–19 or 40:153–21 of this Title may, within twenty days from the filing of the decision of the board in the office of the clerk of the county in which said township is located, apply to the County Court of such county for a review of such action. Such review may be had upon notice to the road board as the court shall direct and the court shall have full power, with or without a jury, to hear, determine and review the proceedings of the board in the premises de novo, and to confirm, modify, or set aside in whole or in part for errors either of fact or law. The determination of said court shall be final and conclusive in the premises. The said court may, until such determination, stay all proceedings in the matter in reference to which the review is pending until such final determination. Review.

291. Section 40:153–23 of the Revised Statutes is amended to read as follows: Section amended.

40:153–23. If no review is applied for within the time and in the manner prescribed in section 40:153–22 of this Title the action of the board shall take effect and said board may proceed to carry out the same, and any assessment made by virtue hereof shall be a lien on the real estate against which it is made, and said commissioners shall procure a certified copy of their award and the judgment of the County Court, if any, to be placed in the hands of the collector of taxes of such township. The collector shall collect such assessment within sixty days from the time of placing such copy in his hands and pay the same over to the president of the road board. The collector shall, in the collection of the assessment, be liable to the same penalties and entitled to the same fees as in Collection of assessment.

the collection of the annual township taxes, the said fees being reserved by him out of the amount so collected.

The collector shall annually, before proceeding hereunder, enter into bond to said board with such sureties and in such sums as said board shall approve, conditioned for the faithful performance of his duties hereunder, and said president, before receiving any money from said collector, shall enter into bond to the inhabitants of such township in their corporate name, with such sureties and in such sums as said board shall approve, conditioned for the faithful performance of his duties as president.

Section amended.

292. Section thirteen of chapter three hundred thirty-two of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 40:156A-13. District commissioners, oath.

13. If the certificate of the county board of election pursuant to section thirty shows this act to have been adopted, the Superior Court assignment judge of the county shall forthwith appoint five persons resident in the township as ward and election district commissioners.

The commissioners so appointed shall forthwith, having first taken and subscribed an oath to faithfully and impartially perform the duties imposed upon them, proceed to divide the township into wards. The division shall be made subject and pursuant to the provisions of sections fourteen to nineteen of this act, inclusive.

Section amended.

293. Section seventeen of chapter three hundred thirty-two of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 40:156A-17. Report, filing.

17. Within thirty days after their appointment, the ward commissioners shall fix and determine the township ward lines and shall make their report and certificate over at least three of their signatures. They shall file the same in the office of the clerk of the county, and a copy thereof with the Secretary of State and the judge who appointed them.

The report, so certified, shall set forth and properly describe the ward lines fixed by the commissioners and shall contain a map with the ward lines clearly set out thereon.

Section amended.

294. Section thirty of chapter three hundred thirty-two of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 40:156A-30 Canvass, certificate of result.

30. The county board of election shall forthwith canvass the returns of the referendum election and shall certify the result of its canvass to the clerk of each of the two political subdivisions. The certificates shall show distinctly the total number of votes cast for and against the proposition in each of the political subdivisions voting on the question. The proposition shall be certified as having been adopted whenever the canvass results in a favorable majority vote in each of such political subdivisions.

The county board of election shall file true copies of its certificate in the offices of the county clerk, the Secretary of State, and the said judge.

Section amended.

295. Section 40:157–2 of the Revised Statutes is amended to read as follows:

Proceedings for formation of a village.

40:157–2. The proceedings for the formation of such village shall be commenced by an application in writing for an election to be held as hereinafter provided, to the County Court of the county wherein the proposed village is situate.

The application shall set forth the name and boundaries of the proposed village and shall be signed by persons owning at least one-fifth in value of the taxable real estate in the limits of the proposed village as the same appears upon the assessor's duplicate for the last preceding annual tax levy. The application shall be filed with the county clerk and be open to the inspection of all persons interested.

Section amended.

296. Section 40:157–17 of the Revised Statutes is amended to read as follows:

Adoption of provision of chapters 157 to 159 of Title 40.

40:157–17. Any village heretofore incorporated by virtue of any special or general law may adopt the provisions of chapters one hundred fifty-seven

to one hundred fifty-nine of this Title, and thereafter shall be governed by the same, in lieu of the law under which such village was originally incorporated. The question of such adoption shall be submitted to the legal voters of said village by the governing body thereof at a general or special election held for the purpose and be approved by a majority of the votes cast on such proposition at such election. The result of the election shall be thereupon submitted to the County Court of the county wherein said village is situate and the court shall examine the proceedings and the result of the election and shall have the same powers and duties in respect thereto as are hereinbefore provided in respect to the result of an election for incorporation as a village, and shall file its determination thereof as hereinbefore provided.

297. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 38

AN ACT concerning counties and municipalities in relation to certain investigations and providing that it shall be known as the "County and Municipal Investigations Law."

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

C. 2A:67A-1. Investigating proceedings authorized.

1. Whenever a municipal or county governing body, any committee thereof, any board, commission, officer or body of any county, municipality, school district, or other special district or ad hoc local authority, is authorized or required by law to conduct any hearing or investigation, take testimony or make any determination affecting the rights, property, or obligations of any person, it

may proceed in accordance with this act which shall be construed as in addition to and not in lieu of any other procedure provided by law.

C. 2A:67A-2. Perjury.

2. Whenever the officer, board, commission, committee or body is authorized to take testimony, such officer and each of the members of the board, commission, committee or body shall have power to administer oaths and to examine witnesses subject to the penalties, provisions and limitations of chapter eighty-one of Title 2A of the New Jersey Statutes. Any person who shall willfully give false testimony under oath in the course of such examination shall be guilty of perjury.

C. 2A:67A-3. Power of subpœna.

3. Any such officer, board, commission, committee or body authorized by law to exercise the power of subpœna may by its subpœna compel the attendance and testimony of witnesses and the production of books, papers, documents or tangible things related to any matter or subject within his or its powers of inquiry. If a person under such subpœna shall refuse or fail to appear or refuse to be examined, or to answer any proper question, or to produce any books, papers, documents or tangible things, in accordance with the subpœna, the authority issuing the subpœna may apply to the Superior Court for an order to compel him to do so. If the person under subpœna shall engage in contemptuous conduct at any such hearing, investigation or inquiry, the said authority may apply to the court to compel him to refrain therefrom.

C. 2A:67A-4. Short title.

4. This act shall be known as the "County and Municipal Investigations Law."

5. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 39

AN ACT concerning oaths and affidavits, and revising parts of the statutory law.

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

Section amended.

1. Section 41:2–1 of the Revised Statutes is amended to read as follows:

Oaths, affirmations and affidavits, before whom taken.

41:2–1. All oaths, affirmations and affidavits required to be made or taken by law of this State, or necessary or proper to be made, taken or used in any court of this State, or for any lawful purpose whatever, may be made and taken before any one of the following officers:

The Chief Justice of the Supreme Court or any of the justices or judges of courts of record of this State;

Masters of the Superior Court;

Municipal magistrates;

Mayors or aldermen of cities, towns or boroughs or commissioners of commissioned-governed municipalities;

Surrogates, registers of deeds and mortgages, county clerks and their deputies;

City clerks;

Clerks of all courts;

Notaries public;

Commissioners of deeds;

Attorneys-at-law of this State;

This section shall not apply to official oaths required to be made or taken by any of the officers of this State, nor to oaths or affidavits required to be made and taken in open court.

2. Section one of chapter two hundred seventy-six of the laws of one thousand nine hundred and thirty-nine is amended to read as follows: Section amended.

1. County detectives and investigators attached to the office of the county prosecutor in the several counties of this State are hereby authorized and empowered to administer oaths; *provided, however,* that such oaths are administered only in relation to a matter involving a violation or an attempted violation of the criminal laws of this State. C. 41:2-3.1. County detectives and investigators authorized to administer oaths, proviso.

3. Section 41:2–5 of the Revised Statutes is amended to read as follows: Section amended.

41:2–5. It shall be lawful for every court, body corporate, judge, magistrate, any commissioned officer of the United States Army, Navy or Marine Corps or other person, before whom it is or shall be incumbent for any person, elected or appointed to office, to take his official oath, to administer at the same time the oath of allegiance to such person, if he is or shall be required by law to take the same; *provided,* that when said official oath shall be taken before a commissioned officer there shall be a recital that he is such commissioned officer including a recital of his rank and official designation as such and that the person taking such oath is in the military or naval service of the United States. Oath of allegiance, when required. Proviso.

4. Section 41:2–6 of the Revised Statutes is amended to read as follows: Section amended.

41:2–6. Except as otherwise provided, where the oath of allegiance is or shall be required by law, without any official or other oath, the same may be administered by any justice, judge or magistrate of any court of this State, who shall administer the oath of allegiance to any person who shall apply to take the same. Oath of allegiance, when not required.

5. Section 41:2–7 of the Revised Statutes is amended to read as follows: Section amended.

41:2–7. The Chief Justice, or any associate justice of the Supreme Court, or any member of the Senate, shall be and is hereby authorized to administer the oaths of office and allegiance to the Governor, elect or acting, which oaths, if the Legis- Oath of office and allegiance of Governor.

lature be in session, shall be administered in the presence of the Senate and General Assembly at such place as they may designate.

Section amended.

6. Section 41:2–10 of the Revised Statutes is amended to read as follows:

Oath of office and allegiance of State officials.

41:2–10. The Chief Justice of the Supreme Court, any associate justice thereof or any judge of the Superior Court may administer the oaths of office and of allegiance to any person appointed to the office of Clerk of the Supreme Court, Clerk of the Superior Court, Secretary of State or Attorney-General or to any other office as to which no other provision is made by law.

Section amended.

7. Section 41:2–11 of the Revised Statutes is amended to read as follows:

Oath of office and allegiance of coroner.

41:2–11. The county clerk of each county or any commissioned officer of the United States Army, Navy or Marine Corps may administer the oaths of office and allegiance to every person chosen or appointed as a coroner, in or for said county; *provided,* that when said oaths of office and allegiance have been administered by a commissioned officer there shall be a recital that he is such commissioned officer including a recital of his rank and official designation as such and that the person taking such oath is in the military or naval service of the United States.

Section amended.

8. Section 41:2–12 of the Revised Statutes is amended to read as follows:

Enrolment of names by county clerk.

41:2–12. The county clerk shall enroll the name of every person to whom he shall administer the oaths mentioned in section 41:2–11 of this Title, together with the time of administering the same, to be by him filed in his office, and shall transmit, within twenty days after administering such oath, a copy of the enrollment to the Secretary of State to be by him filed in his office.

Section amended.

9. Section 41:2–13 of the Revised Statutes is amended to read as follows:

Judge to act in absence of county clerk.

41:2–13. If the county clerk be absent, removed or dead, then any judge of the County Court may administer the oaths of office and allegiance to the

persons, or any of them, required to take the same in and by section 41:2–11 of this Title. The judge shall report the name of the person to whom said oaths were administered, and the date thereof, to the said clerk or his successor, who shall enroll the same and transmit a copy of such enrollment to the Secretary of State, as is directed by section 41:2–12 of this Title.

Section amended.

10. Section 41:2–14 of the Revised Statutes is amended to read as follows:

Oath of office of notaries, etc.

41:2–14. In case of the absence, removal, death, or any other disability of the county clerk of any county, any judge of the County Court may administer the oaths of office and allegiance to commissioners of deeds, notaries public or other persons required to take the same before such clerk, and any official's oath so administered shall be as effectual in law as if taken in the manner prescribed by law.

Section amended.

11. Section 41:2–15 of the Revised Statutes is amended to read as follows:

Oath of office and allegiance of county clerks

41:2–15. Any judge of the County Court or any commissioned officer of the United States Army, Navy or Marine Corps may administer the oaths of office and allegiance to the person who shall be elected or appointed county clerk; and the clerk shall thereupon enroll his own name and the time of his being sworn into office, and transmit a copy of such enrollment to the Secretary of State to be by him filed in his office; *provided,* that when said oaths of office and allegiance have been administered by a commissioned officer there shall be a recital that he is such commissioned officer including a recital of his rank and official designation as such and that the person taking such oath is in the military or naval service of the United States.

Proviso.

Section repealed.

12. Section 41:2–16 of the Revised Statutes is hereby repealed.

C. 41:2A-2. Section repealed.

13. Section two of chapter three hundred thirty-five of the laws of one thousand nine hundred and forty-eight is hereby repealed.

Section amended.

14. Section three of chapter three hundred thirty-five of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 41:2A-3. Administering oaths to certain judicial officers.

3. Any justice of the Supreme Court may administer the oaths to a person appointed Chief Justice of the Supreme Court, associate justice of the Supreme Court or judge of the Superior Court, and any justice of the Supreme Court or judge of the Superior Court may administer the oaths to a person appointed a judge of the County Court. Any judge of any County Court may administer the oaths to a person appointed a judge of any juvenile and domestic relations court, county district court or criminal judicial district court or the judge or magistrate of any other court, and any surrogate, deputy surrogate or special deputy surrogate.

15. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 40

AN ACT concerning partnerships, and revising parts of the statutory law.

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

Section amended.

1. Section 42:1–31 of the Revised Statutes is amended to read as follows:

42:1–31. Dissolution is caused:

Causes of dissolution.

1. Without violation of the agreement between the partners,

a. By the termination of the definite term or particular undertaking specified in the agreement;

b. By the express will of any partner when no definite term or particular undertaking is specified;

c. By the express will of all the partners who have not assigned their interests or suffered them to be charged for their separate debts, either before or after the termination of any specified term or particular undertaking;

d. By the expulsion of any partner from the business bona fide in accordance with such a power conferred by the agreement between the partners;

2. In contravention of the agreement between the partners, where the circumstances do not permit a dissolution under any other provision of this section, by the express will of any partner at any time;

3. By any event which makes it unlawful for the business of the partnership to be carried on or for the members to carry it on in partnership;

4. By the death of any partner;

5. By the bankruptcy of any partner or the partnership;

6. By a judgment of court under section 42:1–32 of this Title.

2. Section 42:1–32 of the Revised Statutes is amended to read as follows: Section amended.

42:1–32. The court shall enter judgment of dissolution: Dissolution by judgment of court.

1. On application by or for a partner whenever

a. A partner has been declared a lunatic in any judicial proceeding or is shown to be of unsound mind;

b. A partner becomes in any other way incapable of performing his part of the partnership contract;

c. A partner has been guilty of such conduct as tends to affect prejudicially the carrying on of the business;

d. A partner willfully or persistently commits a breach of the partnership agreement, or

otherwise so conducts himself in matters relating to the partnership business that it is not reasonably practicable to carry on the business in partnership with him;

e. The business of the partnership can only be carried on at a loss;

f. Other circumstances render a dissolution equitable.

2. On application of the purchaser of a partner's interest under sections 42:1–28 or 42:1–29 of this Title,

a. After the termination of the specified term or particular undertaking;

b. At any time if the partnership was a partnership at will when the interest was assigned or when the charging order was issued.

Section amended.

3. Section 42:2–14 of the Revised Statutes is amended to read as follows:

Rights of limited partner.

42:2–14. 1. A limited partner shall have the same rights as a general partner to

a. Have the partnership books kept at the principal place of business of the partnership, and at all times to inspect and copy any of them,

b. Have on demand true and full information of all things affecting the partnership, and a formal account of partnership affairs whenever circumstances render it just and reasonable, and

c. Have dissolution and winding up by judgment of court.

2. A limited partner shall have the right to receive a share of the profits or other compensation by way of income, and to the return of his contribution as provided in sections 42:2–19 and 42:2–20 of this Title.

4. Section 42:2–29 of the Revised Statutes is amended to read as follows: Section amended.

42:2–29. 1. The writing to amend a certificate shall Requirements for amending or cancelling certificate.

a. Conform to the requirements of paragraph "1a" of section 42:2–6 of this Title as far as necessary to set forth clearly the change in the certificate which it is desired to make, and

b. Be signed and sworn to by all members, and an amendment substituting a limited partner or adding a limited or general partner shall be signed also by the member to be substituted or added, and when a limited partner is to be substituted, the amendment shall also be signed by the assigning limited partner.

2. The writing to cancel a certificate shall be signed by all members.

3. A person desiring the cancellation or amendment of a certificate, if any person designated in paragraphs "1" and "2" of this section as a person who must execute the writing refuses to do so, may bring an action in the Superior Court to direct a cancellation or amendment thereof. The court may proceed in the action in a summary manner or otherwise.

4. If the court finds that the plaintiff has a right to have the writing executed by a person who refuses to do so, it shall direct the county clerk in the office where the certificate is recorded to record the cancellation or amendment of the certificate; and where the certificate is to be amended, the court shall also cause to be filed for the record in said office a certified copy of its order or judgment setting forth the amendment.

5. A certificate is amended or canceled when there is filed for record in the office of the clerk of the county where the certificate is recorded

a. A writing in accordance with the provisions of paragraph "1," or "2," or

b. A certified copy of the order or judgment of court in accordance with the provisions of paragraph "4" of this section.

6. After the certificate is duly amended in accordance with this section, the amended certificate shall thereafter be for all purposes the certificate provided for by this chapter.

Section amended.

5. Section 42:3–6 of the Revised Statutes is amended to read as follows:

Real estate purchase and disposition.

42:3–6. A limited partnership association may purchase and hold real estate and dispose of the same in fee simple, or less estate, the title thereof to be in the name adopted by the association, and shall be as valid and effectual as if the same were held in the individual names of the partners of the association.

The title to any real estate acquired by any such association prior to March twenty-third, one thousand eight hundred and eighty-three, and held in the association name on that date, shall be as valid as if the same had been acquired under this section.

Section amended.

6. Section 42:3–9 of the Revised Statutes is amended to read as follows:

Liability of members.

42:3–9. The members of any limited partnership association shall not be liable under any judgment or order obtained against the association, or for any debt or engagement of the association, except that, if any execution, sequestration or other process in the nature of execution be issued against the property or effects of the association, and if there cannot be found sufficient thereof on which to levy or enforce such process, such execution, sequestration or other process may be issued against any of the members to the extent of the portions of their subscriptions respectively, in the capital of the association not then paid up.

Section amended.

7. Section 42:3–11 of the Revised Statutes is amended to read as follows:

Interests, deemed personal, transfer.

42:3–11. Interests in a limited partnership association shall be personal estate, and may be transferred under such rules and regulations as the

association may prescribe. No transferee of any interest, or the representative of any decedent member or of any insolvent member shall be entitled thereafter to any participation in the subsequent business of the association, unless he be elected thereto by a vote of the majority of the members in number and value of their interests. Any change of ownership in the property of the association, whether by sale, death, bankruptcy or otherwise, which shall not be followed by election to the association, shall entitle the owner only to his interest in the association at a price and upon terms to be mutually agreed upon, and in default of such agreement the price and terms shall be fixed by an appraiser appointed by the County Court of the proper county, subject to the approval of the court.

Section amended.

8. Section 42:3–16 of the Revised Statutes is amended to read as follows:

Surviving manager as trustee, powers.

42:3–16. The managers of any expired or dissolved limited partnership associations, or, where a vacancy exists at the time of or occurs subsequent to the expiration or dissolution, the surviving managers or manager shall be the trustees or trustee thereof, as the case may be.

The trustees or trustee shall have full power to settle the affairs of the association, collect the outstanding debts, sell and convey the property and assets of all kinds, real and personal, and divide the moneys and other property among the members, after paying its debts, as far as such money and property shall enable them.

The trustees shall have power to meet and act under regulations made by a majority of them. They or the survivor of them shall have power to prescribe the terms and conditions of sale of such property and may sell all or any part for cash, or partly on credit, or take mortgages and bonds for part of the purchase price for all or any part of such property. They may in their discretion compound and settle with any debtor or creditor of the association, or with persons having possession of

its property, or in any way responsible to the association at the time of the expiration or dissolution thereof, or afterwards, upon such terms and in such manner as they shall deem just and beneficial to the association. The trustees or trustee may, in case of mutual dealings between the association and any person, allow just set-offs in favor of such person in all cases in which the same ought to be allowed, and they shall have full power to perform all such other acts as shall be necessary to carry out the provisions of this article.

Section amended.

9. Section 42:3–19 of the Revised Statutes is amended to read as follows:

Receiver of expired association, procedure.

42:3–19. Any creditor or member of any limited partnership association which has expired by its own limitation, or been otherwise dissolved, or which shall so expire or be dissolved may, at any time after such expiration or dissolution in an action apply to the Superior Court for the appointment of a receiver or receivers for the association. The court upon such notice as it may direct, may proceed in a summary manner or otherwise.

Section amended.

10. Section 42:3–20 of the Revised Statutes is amended to read as follows:

Appointment of receivers.

42:3–20. If, in the action under section 42:3–19 of this Title, it shall appear to the court that such association has so expired or been dissolved, it may either continue the managers acting as such at the expiration or dissolution of the association, or the surviving managers or manager, trustees or trustee as provided by section 42:3–16 of this Title, or appoint one or more persons to be receivers of such association, and the creditors and members thereof.

Section amended.

11. Section 42:3–21 of the Revised Statutes is amended to read as follows:

Powers of receivers.

42:3–21. The receivers appointed under authority of section 42:3–20 of this Title, shall have full power and authority to demand, sue for, collect, receive and take into their possession all the property, both real and personal of every description, belonging to the association, and to sue for the recovery of any estate, property, damages or demands existing in favor of the association.

The receivers may, in their discretion, compound and settle with any debtor or creditor of the association, or with persons having possession of its property or responsible to the association at the time of its expiration or dissolution or afterwards, upon such terms as such receivers shall deem just and beneficial to the association.

The receivers may, in the case of mutual dealings between the association and any person, allow just set-offs in favor of such person where the same ought to be allowed.

The receivers shall also have power and authority to do all other acts which might be done by the association if in being, and that may be necessary for the final settlement of the unfinished business of the association.

12. Section 42:3–22 of the Revised Statutes is amended to read as follows: Section amended.

42:3–22. The receivers appointed under authority of section 42:3–20 of this Title shall have power to sell, convey and assign all of the estates, property, rights and interests of the association, and shall hold and dispose of the proceeds of any such sale under the direction of the Superior Court. Sale of property.

The title of the grantees or purchasers to the lands and property thus conveyed and assigned by said receivers shall be the same as if the property had been sold, conveyed and assigned by the association and all of its individual partners or members before the expiration or dissolution thereof or by all of the individual partners or members after the expiration or dissolution.

13. Section 42:3–23 of the Revised Statutes is amended to read as follows: Section amended.

42:3–23. The powers and authority vested in the receivers appointed under authority of section 42:3–20 of this Title may be continued as long as the Superior Court shall deem necessary. Powers continued.

14. Section 42:3–24 of the Revised Statutes is amended to read as follows: Section amended.

42:3–24. Any creditor or member of any limited partnership association formed under authority of Injunction.

article one of this chapter (§ 42:3–1 et seq.) which has become or is or shall become insolvent, or which has or shall suspend its ordinary business for want of funds to carry on the same, or the business of which has been and is being conducted at a great loss, greatly prejudicial to the interest of its creditors or members, may in an action apply to the Superior Court for injunctive relief and the appointment of a receiver or receivers or trustee or trustees for the association.

Section amended.

15. Section 42:3–25 of the Revised Statutes is amended to read as follows:

Issue of injunction.

42:3–25. The court may proceed in the action in a summary manner or otherwise. If it shall appear to the court that the association has become insolvent and is not about to resume its business in a short time thereafter, or that its business has been and is being conducted at a great loss and greatly prejudicial to the interests of its creditors or members, so that its business cannot be conducted with safety to the public and advantage to the members, it may provide injunctive relief to restrain the association, and its officers and agents, from exercising any of its privileges or franchises and from collecting or receiving any debts, or paying out, selling, assigning or transferring any of its estate, moneys, funds, lands, tenements or effects, except to a receiver appointed by the court, until the court shall otherwise order.

Section amended.

16. Section 42:3–26 of the Revised Statutes is amended to read as follows:

Appointment of receiver or trustee.

42:3–26. The Superior Court, at the time of providing injunctive relief as stated in section 42:3–25 of this Title, or at any time thereafter, may appoint a receiver or receivers or trustees for the creditors and members of the association, who shall have all the powers and authority, rights and privileges, in this article prescribed and conferred upon the receiver or receivers hereinbefore provided for.

17. Section 42:3–27 of the Revised Statutes is amended to read as follows: Section amended.

42:3–27. Every receiver or trustee shall, before assuming the duties of his office, enter into such bond and comply with such terms as the court may prescribe, and take and subscribe the following oath: Bond and oath of receiver or trustee.

"I, ..., do swear that I will faithfully, honestly and impartially execute the powers and trusts reposed in me as receiver (or trustee), for the creditors and members of the ....., and that without favor or affection." Such oath shall be filed in the office of the Clerk of the Superior Court within ten days after the taking thereof.

18. Section 42:3–28 of the Revised Statutes is amended to read as follows: Section amended.

42:3–28. The Superior Court shall have jurisdiction of the actions provided for in this article, and all questions arising therein, and may make such orders and judgments therein as justice and equity shall require. Jurisdiction of Superior Court.

19. Section 42:3–30 of the Revised Statutes is hereby repealed. Section repealed.

20. Section 42:4–1 of the Revised Statutes is amended to read as follows: Section amended.

42:4–1. This article is remedial, provides additional remedies, and shall be liberally construed to effect its purpose, which is to permit the Superior Court speedily to dispose of actions involving dissolution of partnerships and the distribution of assets, and to prevent the acquisition of liens and preferences after the commencement of an action looking toward the distribution of the assets of a partnership amongst creditors. It shall not be so construed as to deprive the Superior Court of any of its existing jurisdiction. Purpose and construction of article.

21. Section 42:4–2 of the Revised Statutes is amended to read as follows: Section amended.

42:4–2. When an action is brought in the Superior Court for the dissolution of a partnership, with a view to a distribution of assets amongst Court proceedings for dissolution.

creditors and others entitled thereto, the court may proceed in the action in a summary manner or otherwise.

Sundry sections repealed.

22. Section 42:4–3 of the Revised Statutes is hereby repealed.

23. Section 42:4–4 of the Revised Statutes is hereby repealed.

24. Section 42:4–5 of the Revised Statutes is hereby repealed.

25. Section 42:4–6 of the Revised Statutes is hereby repealed.

Section amended.

26. Section 42:4–7 of the Revised Statutes is amended to read as follows:

Temporary receiver or other custodian of property.

42:4–7. On application at the time of the commencement of the action or at any subsequent time before or after a judgment of dissolution or other judgment, the court may appoint a temporary receiver or may charge the persons in actual control of the partnership assets as trustees under appointment by and accountable to the court, and, from the time of the making of such order, the property of the partnership shall, until an order of the court made to the contrary, be considered as in custodia legis, with a view to ultimate distribution amongst creditors and others entitled to participate therein.

Section amended.

27. Section 42:4–8 of the Revised Statutes is amended to read as follows:

Order to file claims and bar creditors.

42:4–8. The court may, either before or after a judgment of dissolution, make an order directing creditors to file their claims within such reasonable time as the court shall, by special order, prescribe and may make an order barring creditors.

Section amended.

28. Section 42:4–9 of the Revised Statutes is amended to read as follows:

Procedure on dissolution.

42:4–9. The proceedings upon the dissolution and winding up of a partnership shall be as near as may be similar to those provided for the winding up of corporations under Title 14, Corporations, General.

Sundry sections repealed.

29. Section 42:4–10 of the Revised Statutes is hereby repealed.

30. Section 42:4–11 of the Revised Statutes is hereby repealed.

31. Section 42:4–12 of the Revised Statutes is hereby repealed.

32. Section 42:4–13 of the Revised Statutes is amended to read as follows: Section amended.

42:4–13. When a member of a partnership has been or shall be adjudged a lunatic, the court may in an action and on application of any of the other partners or such other person as the court shall determine to be entitled to make the application, dissolve the partnership. The court may proceed in the action in a summary manner or otherwise. Dissolution when partner incompetent.

33. Section 42:4–14 of the Revised Statutes is amended to read as follows: Section amended.

42:4–14. When a partnership is dissolved as provided by section 42:4–13 of this Title, or is otherwise dissolved by due course of law, and a member thereof has been or shall be adjudged a lunatic, the guardian of such lunatic, in the name and behalf of his ward, may join and concur with the other members of the partnership or other persons interested in disposing of all the partnership property, in such manner and upon such terms as the court may direct. Powers and duties of guardian.

34. Section 42:4–15 of the Revised Statutes is amended to read as follows: Section amended.

42:4–15. The guardian mentioned in section 42:4–14 of this Title may make and execute all such conveyances and do all things necessary to effectuate the provisions of this article as the court may direct. He shall also dispose of all money or property by him received for, from or on account of the lunatic's share or interest in the partnership as the court may direct. Conveyances by guardian.

35. Section 42:6–1 of the Revised Statutes is amended to read as follows: Section amended.

42:6–1. When any voluntary association, carrying on business with partnership liabilities, is or shall become insolvent, has suspended or shall suspend its ordinary business for want of funds to carry on the same, or whose debts are unpaid and Application for injunctive relief.

whose business is unsettled, any creditor or member of such association may in an action apply to the Superior Court for injunctive relief and the appointment of receivers or trustees for the winding up of the business and payment of the debts of the association. Thereupon the court may proceed in the action in a summary manner or otherwise and the proceedings shall be as near as may be similar to those provided by law for winding up insolvent corporations.

Section amended.

36. Section 42:6–2 of the Revised Statutes is amended to read as follows:

List of members filed.

42:6–2. Upon the commencement of the action process shall issue, directed to the trustees or managers of the association as in other cases, who shall, on penalty of being proceeded against as for contempt, file, with the clerk of the Superior Court within ten days after service of process, a duly verified list of the names of all members of the association, with their several places of residence. Such members shall be made defendants to the action.

Sections repealed.

37. Section 42:6–3 of the Revised Statutes is hereby repealed.

38. Section 42:6–4 of the Revised Statutes is hereby repealed.

Section amended.

39. Section 42:6–5 of the Revised Statutes is amended to read as follows:

Notice to creditors to file claims.

42:6–5. The receivers or trustees appointed for the association shall give such notice as the court may direct to the creditors thereof, requiring them to file with them any claims they may have against the association, within such time as the court may direct, or be barred from all relief under the proceedings had by virtue of this chapter.

Section repealed.

40. Section 42:6–6 of the Revised Statutes is hereby repealed.

Section amended.

41. Section 42:6–7 of the Revised Statutes is amended to read as follows:

Assessments against members to pay claims.

42:6–7. If it shall appear by the report filed by the receivers or trustees that the assets of the association are insufficient to pay its debts and the ex-

penses attending the winding up of the same, the court may assess against each member thereof a sum to be paid by him to the receivers or trustees in liquidation of such indebtedness. In making the assessment, the court may inquire into the solvency or ability of the members to pay the same, in order to assess sufficient moneys to pay all claims. If a sufficient amount to pay all claims is not assessed at one time, the court may, from time to time, make additional assessments, until an amount sufficient to satisfy all claims is obtained.

42. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 41

AN ACT concerning pensions and retirement and unemployment compensation, and revising parts of the statutory law.

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

1. Section 43:10–46 of the Revised Statutes is amended to read as follows: Section amended.

43:10–46. The words "county probation officer" as used in this article shall mean and include the chief probation officer; and persons permanently appointed to act as probation officers, which appointments are made by the judge or judges of the County Court, on application of the chief probation officer, as provided for in article one of chapter one hundred sixty-eight of Title 2A of the New Jersey Statutes (N. J. S. 2A:168–1 et seq.). County probation officers, defined.

2. Section 43:10–48 of the Revised Statutes is amended to read as follows: Section amended.

43:10–48. The county probation officers in the counties of this State now or hereafter having Retirement for service and age.

within their territorial limits a population of over eighty-three thousand, who have served as such county probation officers for a continuous period of twenty years and have reached the age of sixty years shall, upon application in writing to the judge or judges of the County Court of their respective counties, be retired upon one-half pay.

Section amended.

3. Section 43:10–50 of the Revised Statutes is amended to read as follows:

Retirement when physically or mentally unfit.

43:10–50. Any county probation officer who shall have served as such for a continuous period of twenty years, whether he has reached the age of sixty years or not, who shall be found to be physically or mentally unfit for further service shall, upon application in writing to the judge or judges of the County Court of his county, be retired upon one-half pay.

Section amended.

4. Section 43:10–51 of the Revised Statutes is amended to read as follows:

Determination of permanent incapacity.

43:10–51. Permanent incapacity for further duty of any county probation officer shall, for all purposes of this article, be established and determined by a board of three physicians, who shall be designated for that purpose by the judge, or if there be more than one, a majority of the judges of the County Court of such county. The three physicians so designated shall examine such county probation officer and if they, or a majority of them, find that such county probation officer is permanently incapacitated for further duty, they or a majority of them, shall make and sign a certificate to that effect and file the same with the judge or judges of the County Court, the chief probation officer and the county treasurer, and thereupon the applicant shall be retired upon one-half pay.

Section amended.

5. Section 43:10–73 of the Revised Statutes is amended to read as follows:

Sergeant-at-arms and court criers defined.

43:10–73. The words sergeant-at-arms and court crier as used in this article shall mean and include sergeants-at-arms and court criers assigned to the Superior Court and of the County Court, in counties of the first class.

6. Section one of chapter three hundred thirty of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

Section amended.

1. The words "court interpreter," as used in this act, shall mean and include persons appointed by the judge or judges of the County Court in said county, or acting as interpreter in the Superior Court in the county or in the County Court.

C. 43:10-93. Court interpreter defined.

7. Section two of chapter three hundred thirty of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

Section amended.

2. In second-class counties of this State, now or hereafter having court interpreters, any court interpreter who shall have served as such for a continuous period of thirty years, and shall have reached the age of sixty years, shall, upon application in writing to the judge or judges of the County Court of their respective counties, be retired upon one-half pay.

C. 43:10-94. Retirement for service and age.

8. Section four of chapter three hundred thirty of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

Section amended.

4. Any court interpreter who shall have served as such for a continuous period of thirty years, whether he has reached the age of sixty years or not, who shall be found as hereinafter provided, to be physically unfit for further services, shall, upon application in writing to the judge or judges of the County Court of his county, be retired upon one-half pay.

C. 43:10-96. Retirement when physically unfit.

9. Section six of chapter three hundred thirty of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

Section amended.

6. Physical unfitness or incapacity for further duty of any court interpreter shall, for all purposes of this act, be established and determined by a board of three physicians who shall be designated for that purpose by the judge or judges of the County Court of such county. The three physicians so designated shall examine the court interpreter applying for retirement upon one-half pay because of physical unfitness or incapacity for further duty,

C. 43:10-98. Determination of physical unfitness.

and if they, or a majority of them, find him physically unfit or incapacitated for further duty, they, or a majority of them, shall make and sign a certificate to that effect and file the same with the county treasurer, and thereupon the applicant shall be retired upon one-half pay.

Section amended.

10. Section one of chapter two hundred fifty-four of the laws of one thousand nine hundred forty-eight is amended to read as follows:

C. 43:12-1.4. Retirement for service and age.

1. A person who has served as clerk of a municipal court or the prior recorder's court or in either or both of said courts, in any city of the second class which is in a county of the first class for a period in the aggregate of twenty years, and who has attained the age of sixty-five years, may, in the discretion of the governing body of such city, be retired from service upon a pension equal to one-half of his annual salary at the time of his retirement. Such person having the qualifications for retirement in this act provided, shall make and file with the city clerk a certificate stating that he desires to take advantage of the provisions of this act, and upon the filing of such certificate and upon and after the adoption of a resolution of the governing body of such city providing for his retirement pursuant to the provisions of this act he shall be entitled to have and receive from such city a pension in the amount herein provided, payable in the same manner and in the same installments in which his salary was payable. The governing body of any such city shall thereupon make provision in its budget, or otherwise, for the payment of the aforesaid pension.

Section amended.

11. Section twenty-six of chapter one hundred ten of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 43:21-50. Review.

26. (a) If a person claiming benefits under an approved private plan shall be unable to agree with the employer or insurer as to benefits thereunder, such claimant may, within one year after the beginning of the period for which benefits are claimed, file a complaint with the division, which shall

conduct such investigation, including informal hearings, as it deems proper. Such complaint shall be filed in writing in a form satisfactory to the division. The division shall have the authority to make procedural rules and regulations providing for a fair and impartial hearing, and shall designate one or more hearing officers. If the issues raised by the complaint are not settled, the hearing officer shall conduct a hearing upon due notice to the claimant, the employer and the insurer, if any, at which any party in interest shall have the right to appear. At such hearing evidence, exclusive of ex parte affidavits, may be produced by any party, but the hearing officer, in conducting the hearing, shall not be bound by the rules of evidence. All proceedings at such hearing shall be recorded, but need not be transcribed unless the order on the disputed claim is to be reviewed. The hearing officer shall make a determination of facts, and an order disposing of the issues presented, which shall be final and binding on the claimant, the employer and the insurer. A copy of such order shall be served upon each of the interested parties by registered mail addressed to their respective last-known addresses. Any party in interest feeling aggrieved by action of the hearing officer may secure judicial review through a proceeding in lieu of prerogative writ. The costs of recording and transcribing the proceedings, and of the preparation of the entire record required on the review, shall constitute a cost of administering this act.

(b) Individuals claiming benefits under the State plan shall be entitled to review hearing and determination as provided in unemployment compensation cases.

12. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 42

AN ACT concerning the poor, and revising parts of the statutory law.

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

Section amended.

1. Section three of chapter one hundred nineteen of the laws of one thousand nine hundred and forty is amended to read as follows:

C. 44:1-30.3. Recording certificates, no fee, warrant of satisfaction or release.

3. The county clerks or registers of deeds and mortgages, as the case may be, shall record the said certificates in a book, which he shall provide, to be known as "welfare-house liens" and shall index the same in the indices made and kept for deeds, mortgages and chattel mortgages. No clerk or register shall charge any fee therefor.

Whenever the county welfare board shall have received satisfaction or partial satisfaction of the cost of the care and maintenance provided for in said certificate, the county welfare board shall execute a warrant of satisfaction or release therefrom, which warrants of satisfaction or releases shall be recorded, noted and indexed as are warrants to satisfy or releases of mortgages, without charge, by the clerk or register.

Section amended.

2. Section 44:1–55 of the Revised Statutes is amended to read as follows:

Compelling county to share expenses.

44:1–55. On failure of any county, through its governing body, to make provision in any manner as required by this chapter or other law for the payment of the expenses and obligations imposed thereby for its proportionate share of the establishment or maintenance of a district welfare-house, the board of chosen freeholders of any county composing the district may bring an action in the Superior Court, against the defaulting or delinquent board of chosen freeholders or any delinquent official thereof, or both, for a mandatory order or

judgment directing the performance of the actions necessary to accomplish the requisite lawful action and compel the carrying out of its obligations as a county in the proper proportion as to expense and payment as provided in this chapter or any other law. The court may proceed in the action in a summary manner or otherwise. Nothing contained in this section, however, shall be construed to interfere with or restrict any proceeding in lieu of prerogative writ instituted for the purpose, or to review the legality of the order or judgment.

Section amended.

3. Section 44:1–80 of the Revised Statutes is amended to read as follows:

Removal of director of welfare from duties in adjoining municipality.

44:1–80. A director of welfare acting in contiguous or adjoining municipalities, as provided in section 44:1–79 of this Title, may be removed from his responsibilities and duties in the municipality other than that of his appointment, for cause or by reason of his inability to properly perform his authorized and required functions due to the size or population of the territory in an action by the governing body of either municipality against the other municipality, in the County Court of the county. The court may proceed therein in a summary manner.

The court by its judgment may terminate the contract and relieve the director of such duties and responsibilities and the additional salary theretofore agreed to be paid to him. Upon the removal of the director, the municipality may appoint one to act therein for the full term as provided in this chapter.

Section amended.

4. Section 44:1–86 of the Revised Statutes is amended to read as follows:

Determination by director as to persons to be relieved by him.

44:1–86. The director of welfare in the municipality shall determine who are to be relieved by him, subject to an application by any person, on at least five days' notice, to the juvenile and domestic relations court, by complaint, in writing, applying for a summary review and determination by the court of the action of the director as to the extent and amount of relief, if any, to be rendered.

Section amended.

5. Section 44:1–95 of the Revised Statutes is amended to read as follows:

Expenses recoverable, procedure.

44:1–95. If it is ascertained at any time that a person who has been assisted by or has received support from a municipality or county has real or personal property over and above that necessary for his maintenance in whole or in part, if such poor person is maintained by the municipality or county at home, or over and above that sufficient for his family, or if any such person shall die, leaving real or personal property, an action may be maintained in the County Court of the county by the director of welfare of the municipality who has furnished or provided such assistance or support, or any part thereof, against such person or his estate, to recover the sums of money which have been expended by the municipality or county in the assistance and support of the person during the period for which support was furnished. If a person shall die having received relief or maintenance as a poor person and having insurance upon his life, the proceeds of the insurance after payment of the expense of the last illness and the funeral expenses of the person, if the terms of the policy so permit, shall be first applied to the reimbursement of the county, municipality or district for the cost of the support and maintenance of the person. But no action shall lie, nor shall any appropriation of insurance be made against an estate when it shall be shown to the satisfaction of the court that the proceeds thereof, or the estate, are needed to prevent the widow or minor children of the poor person from becoming dependent upon the public.

Section amended.

6. Section 44:1–121 of the Revised Statutes is amended to read as follows:

Contest, how made.

44:1–121. The contest shall be made by notice to the officer giving the original notice, of a time and place when the contesting director of welfare will apply to the County Court of the county in which the poor person may be and from which he is to be removed, and the court shall hear and determine the controversy. The hearing shall be not less than

ten nor more than thirty days from the time of giving the original notice.

Section amended.

7. Section 44:1–122 of the Revised Statutes is amended to read as follows:

Failure to resist removal, review.

44:1–122. On failure to resist the removal the receiving director of welfare may not decline to receive the poor person but shall receive him and provide such relief as is lawful; except that for good cause shown for the failure to contest the removal the receiving director may, within thirty days after the receipt of the poor person in the municipality, apply to the County Court of the county from whence the person was removed to review the proceeding and make such revised order and disposition for the care and relief of the poor person and his removal, if lawful, as may be proper and necessary.

Section amended.

8. Section 44:1–123 of the Revised Statutes is amended to read as follows:

Liability of municipality, recovery.

44:1–123. If a director of welfare of a municipality shall neglect to receive or remove a poor person as provided in this chapter after the determination of the matter by a County Court having jurisdiction, the municipality where the neglect occurs shall be liable for the expense of the support and relief of the poor person. The expense shall be recoverable from time to time with costs of suit by the director of welfare incurring the cost of relief and support in a civil action in any court of competent jurisdiction in the name of the municipality against the municipality liable therefor.

Section amended.

9. Section 44:1–129 of the Revised Statutes is amended to read as follows:

Petition for relief.

44:1–129. The director of welfare of a municipality shall by petition to the County Court of the county, setting forth the necessary facts, apply for the person's relief in that manner, whereupon the court shall fix a date for hearing the petition within not less than ten days from the filing of the petition.

Section amended.

10. Section 44:1–141 of the Revised Statutes is amended to read as follows:

Compelling support by relatives.

44:1–141. If any of the relatives mentioned in section 44:1–140 of this Title shall fail to perform the order or directions of the director of welfare of a municipality with regard to the support of the poor person, or if the poor person is supported at public expense, the County Court of the county wherein the poor person has a legal settlement, or the municipal court of the municipality wherein the person has a legal settlement, upon the complaint of the director of welfare or two residents of the municipality or county may summon the persons chargeable before it as in other actions, summon witnesses, and adjudge that the able relatives pay such sum for each poor person as the circumstances may require in the discretion of the court, and as will maintain him or them and relieve the public of that burden. However, where it shall appear that the person or persons sought to be held were the child or children of the poor person and were abandoned and deserted by the poor person who failed to support and maintain them during minority, the aforementioned County Court or municipal court may revoke the order of the director of welfare or reduce the amount of said order against such child or children, in proportion to the actual support and maintenance rendered by said poor person to the child or children sought to be held. Any child now under an order to support a poor person may apply to the court which issued said order for the revocation or reduction of said order in accordance with the terms of this proviso. Violation of any such order shall constitute a contempt of court.

Nothing contained in this section shall be construed to grant jurisdiction for the trial of any of such cases to a municipal court in a county having a criminal judicial district court.

The county through its governing body may also bring appropriate action in any court of competent jurisdiction to recover any money due for the relief, support and maintenance of a poor person against a person chargeable by law therefor.

11. Section 44:1–143 of the Revised Statutes is amended to read as follows: Section amended.

44:1–143. When a husband or father shall desert his wife, child or children or a woman shall desert her child or children and leave them or any of them as public charges, the director of welfare of a municipality may apply to the juvenile and domestic relations court; and the court may order and adjudge suitable support and maintenance to be paid and provided by the husband or wife, or either of them, to be made out of his property, and for such time as the nature of the case and circumstances of the parties render suitable and proper in the opinion of the court, and may compel the defendant to give reasonable security for such maintenance and support, and from time to time make such further orders and judgments touching the matter as shall be just, and enforce such orders and judgments. Compelling support by husband or wife.

12. Section 44:1–144 of the Revised Statutes is amended to read as follows: Section amended.

44:1–144. The juvenile and domestic relations court may: Sequestration of estate.

a. Issue process for the immediate sequestration of the personal estate and the rents and profits of the real estate of the person charged as provided in section 44:1–143 of this Title;

b. Appoint the director of welfare of a municipality or another person receiver thereof; and

c. Cause the personal estate and the rents and profits of the real estate, or so much thereof as is necessary, to be applied toward the maintenance and support as to the court shall from time to time seem reasonable and just.

13. Section 44:1–145 of the Revised Statutes is hereby repealed. Section repealed.

14. Section 44:1–146 of the Revised Statutes is amended to read as follows: Section amended.

44:1–146. The director of welfare of a municipality may bring a civil action from time to time in the juvenile and domestic relations court for the amount necessary to pay any expense incurred or Recovery of expenses of support.

unpaid. Upon recovery of judgment and the sale of any real or personal property of the defendant, the proceeds therefrom shall as in other civil actions be paid to the director and be applied by him to the support and maintenance of the deserted persons, or to the reimbursement of the municipality, county or board to the extent of the expenditures made by it for that support and maintenance.

The sum realized on execution sale and not immediately used shall be kept by the director in a separate account in a national or State bank in the place where the deserted wife or children, or any of them, are placed or maintained. Surplus proceeds not expended for that purpose shall be the property of and payable to the defendant.

Section amended.

15. Section 44:1–147 of the Revised Statutes is amended to read as follows:

Willful deserter, punishment.

44:1–147. A husband or father who willfully deserts or refuses or neglects to provide for and maintain his wife or children, or any of them, or a mother who willfully deserts or refuses or neglects to provide for and maintain her children, or any of them, or a child who willfully deserts or refuses or neglects to provide for and maintain his parents, or either of them, is a disorderly person, and upon being so adjudged shall be committed to the workhouse or county jail of the county or of that county composing a district in which the person resided at the time of the desertion or failure to provide for a period not exceeding sixty days in the discretion of the court.

Section amended.

16. Section 44:1–148 of the Revised Statutes is amended to read as follows:

Complaint by director.

44:1–148. When a director of welfare having jurisdiction in such cases believes that such desertion or willful refusal or neglect to so provide for any such wife, children or parents, or any of them, will cause the family to become chargeable as poor persons to any county, municipality or joint county district, he shall make complaint before a court having jurisdiction in the municipality,

county or district where the persons reside or in the place where the father, husband or child resides.

Sundry sections repealed.

17. Section 44:1–149 of the Revised Statutes is hereby repealed.

18. Section 44:1–150 of the Revised Statutes is hereby repealed.

19. Section 44:1–151 of the Revised Statutes is hereby repealed.

Section amended.

20. Section 44:4–40 of the Revised Statutes is amended to read as follows:

Determination by director of relief to be granted.

44:4–40. The county director of welfare, under the direction, and subject to the approval of the county welfare board shall determine who are to be relieved by him, subject to an application by any person on at least five days' notice, to the juvenile and domestic relations court of the county, by complaint, in writing, applying for a summary review and determination by the court of the action of the director of welfare as to the extent and amount of relief, if any, to be given or rendered.

Section amended.

21. Section one of chapter one hundred seventy-five of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 44:4-91.2. Filing certificate of costs of care furnished, legal claim, enforcement.

1. At any time the county welfare board may execute and file with the county clerk or register of deeds and mortgages, as the case may be, a certificate, in the form prescribed by section 44:7–15 of the Revised Statutes, showing the amount of the cost of the care and maintenance of any person at the county welfare-house or for the permanent outdoor support furnished to any person. When so filed each certificate shall be a legal claim against both the person and his estate and shall have the same force and effect as a judgment of the County Court, law division, of that county, with priority over all unsecured claims except funeral expenses not to exceed one hundred fifty dollars ($150.00). No levy shall be made upon the real estate while it is occupied by the widow or widower, as the case may be. An execution issued on such claim shall take the form of executions issuing out of the County Court. If the proceeds of sale of any per-

sonalty or real estate, as herein provided, exceeds the total amount paid for care and maintenance under this chapter, such excess shall be returned to such person, or in the event of his death, such excess shall be considered as the property of the deceased for proper administration proceedings. All funds reclaimed under these provisions shall be returned to the county.

Section amended.

22. Section two of chapter one hundred seventy-five of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 44:4-91.3. Record of welfare house and outdoor liens.

2. The county clerks or registers of deeds and mortgages, as the case may be, shall record in a book to be known as "Welfare-House and Outdoor Liens" the said certificates, and shall make a complete alphabetical index of the same, and no clerk or register shall charge any fee therefor. Whenever a county shall have received satisfaction for such judgments, the county welfare board shall enter an acknowledgment of satisfaction upon the record of such judgments without charge.

Section amended.

23. Section 44:4–102 of the Revised Statutes is amended to read as follows:

Compelling support by relatives.

44:4–102. If any of the relatives mentioned in section 44:4–101 of this Title shall fail to perform the order or directions of the county director of welfare with regard to the support of the poor person, or if the poor person is supported at public expense, the County Court of the county wherein the poor person has a legal settlement, upon the complaint of the director of welfare or two residents of the county may summon the persons chargeable as in other actions and summon witnesses, and may order and adjudge the able relatives to pay such sum as the circumstances may require in the discretion of the court for each poor person, as will maintain and relieve him or them, and as will relieve the public of the burden of such care and maintenance. However, where it shall appear that the person or persons sought to be held were the child or children of the poor person and were abandoned and deserted by the poor person

who failed to support and maintain them during minority, the County Court may revoke the order of the director of welfare or reduce the amount of said order against such child or children, in proportion to the actual support and maintenance rendered by said poor person to the child or children sought to be held. Any child now under an order to support a poor person may apply to the County Court which issued said order for the revocation or reduction of said order in accordance with the terms of this proviso. Violations of any such order of the County Court shall constitute a contempt of court.

The county through its governing body may also bring an appropriate action to recover any sum of money due for the relief, support and maintenance of any poor person against any person chargeable by law therefor.

Section amended.

24. Section 44:4–104 of the Revised Statutes is amended to read as follows:

Compelling support by husband or wife.

44:4–104. When a husband or father shall desert his wife, child or children or a woman shall desert her child or children and leave them, or any of them, as public charges, the director of welfare of the county may apply to the juvenile and domestic relations court of the county, which court may order and adjudge suitable support and maintenance to be paid and provided by the husband or wife, or either of them, to be made out of his property, and for such time as the nature of the case and circumstances of the parties render suitable and proper in the opinion of the court, and may compel the defendant to give reasonable security for such maintenance and support, and from time to time make such further orders and judgments touching such maintenance and support as shall be just, and enforce such orders and judgments.

Section amended.

25. Section 44:4–105 of the Revised Statutes is amended to read as follows:

Sequestration of estate.

44:4–105. The juvenile and domestic relations court may:

a. Issue process for the immediate sequestration of the personal estate and the rents and profits of the real estate of the person charged as provided in section 44:4–104 of this Title;

b. Appoint the director of welfare of the county, or another person, receiver thereof; and

c. Cause the personal estate and the rents and profits of the real estate, or so much thereof as is necessary, to be applied toward the maintenance and support as to the court shall from time to time seem reasonable and just.

Section repealed.

26. Section 44:4–106 of the Revised Statutes is hereby repealed.

Section amended.

27. Section 44:4–107 of the Revised Statutes is amended to read as follows:

Recovery of expenses of support.

44:4–107. The county welfare board through the county director of welfare, may bring a civil action from time to time in that court for such amount as may be necessary to pay any expense incurred or unpaid, and upon recovery of judgment and the sale of any property, real or personal, of the defendant, the proceeds realized therefrom as in other civil actions shall be paid to the county welfare board and applied by it for the support and maintenance of the deserted persons, or to reimburse the county or welfare board to the extent of the expenditures made by it for such support and maintenance.

The sum realized on execution sale and not immediately used shall be kept by the county welfare board in a separate account in a national or State bank in the place where the deserted wife or children or any of them, are placed or maintained. All surplus proceeds not expended for that purpose shall be the property of and payable to the defendant.

28. Section 44:4–108 of the Revised Statutes is amended to read as follows: Section amended.

44:4–108. A husband or father who willfully deserts or refuses or neglects to provide for and maintain his wife or children, or any of them, or a mother who willfully deserts or refuses or neglects to provide for and maintain her children, or any of them, or a child who willfully deserts or refuses or neglects to provide for and maintain his parents, or either of them, is a disorderly person, and upon being so adjudged shall be committed to the workhouse or county jail of the county or of that county composing a district in which the person resided at the time of the desertion or failure to provide for a period not exceeding sixty days in the discretion of the court. Willful deserter, punishment.

29. Section 44:4–109 of the Revised Statutes is amended to read as follows: Section amended.

44:4–109. When a director of welfare having jurisdiction in such cases believes that such desertion or willful refusal or neglect to so provide for any such wife, children or parents, or any of them, will cause the family to become chargeable as poor persons to any county, he shall make complaint before a court having jurisdiction in the county where the persons reside or in the place where the father, husband or child resides. Complaint by director.

30. Section 44:4–110 of the Revised Statutes is hereby repealed. Sections repealed.

31. Section 44:4–111 of the Revised Statutes is hereby repealed.

32. Section 44:7–14 of the Revised Statutes is amended to read as follows: Section amended.

44:7–14. (a) Every county welfare board shall require, as a condition to granting assistance in any case, that all or any part of the property, either real or personal, of a person applying for old age assistance, be pledged to said county welfare board as a guaranty for the reimbursement of the funds so granted as old age assistance pursuant to the provisions of this chapter. The county welfare board shall take from each applicant a properly Recipient to pledge property.

acknowledged agreement to reimburse for all advances granted, and pursuant to such agreement, said applicant shall assign to the welfare board, as collateral security for such advances, all or any part of his personal property as the board shall specify.

The agreement to reimburse shall provide that the filing of notice thereof as hereinafter provided, is to have the same force and effect as a judgment of the County Court, law division, of the county. It shall contain therein a release of dower or curtesy, as the case may be, of the spouse of the recipient of old age assistance, and the spouse shall agree to reimburse the county welfare board for all advances made to the recipient. Such release and joinder shall be as valid and effectual as if the spouse had joined the recipient in a conveyance of the property to a third person, and the grant of old age assistance, being contingent upon such joinder by the spouse, shall be good and valuable consideration therefor. Old age assistance shall not be granted to any applicant without joinder by the spouse in the agreement to reimburse except upon the showing of good and sufficient cause as the State Division shall by regulation define.

(b) Upon making a grant of old age assistance the county welfare board shall file with the county clerk or register of deeds and mortgages, as the case may be, in any county, a notice of the above mentioned agreement to reimburse, which notice as of the date of such filing shall have the same effect as a lien by judgment of the County Court, law division, of the county, and any real estate or lands in which the recipient or spouse has a title or interest, shall thereupon become charged and encumbered with a lien for old age assistance granted the recipient and said notice shall have priority over all unrecorded encumbrances. No fees or costs shall be paid for filing such notices.

33. Section 44:7–15 of the Revised Statutes is amended to read as follows: Section amended.

44:7–15. At any time the county welfare board may execute and file with the county clerk or register of deeds and mortgages, as the case may be, a certificate, in form to be prescribed by the State Division, showing the amount of assistance advanced to said person, and when so filed each certificate shall be a legal claim against both the recipient and his spouse with the same force and effect as a judgment of the County Court, law division, of the county, with priority over all unsecured claims except burial and funeral expenses not to exceed two hundred dollars ($200.00). Official record of amount, effect.

Where the above mentioned certificates are filed with the county clerk, subsequent proceedings for the collection and satisfaction of the judgment, including issuance of execution, shall conform to the practice prevailing in the County Court. In counties where the above mentioned certificates are filed with the register of deeds and mortgages, the register, upon request of the county welfare board, shall execute and file with the said county clerk certified copies of the certificates herein described, which shall be filed in the judgment records of the County Court, and shall have the same force and effect as a judgment in that court, law division, and may subsequently be docketed in the Superior Court of New Jersey where lands are situate in several counties.

No levy shall be made upon the real estate while it is occupied by the widow or widower, as the case may be. If the proceeds of the sale of any personalty or real estate, under the terms of this chapter, exceed the total amount paid as assistance under this chapter, such excess shall be returned to said person, and in the event of his death such excess shall be considered as the property of the deceased for proper administration proceedings. All funds reclaimed under these provisions shall be reimbursed to the county, State and Federal

Government, in the same proportion as it was contributed.

The county welfare board shall be empowered to accept voluntary conveyance of real or personal property in lieu of issuance of execution. All real property acquired by execution sale or voluntary conveyance may be disposed of at public sale, or by sale on sealed bids in the discretion of the county welfare board; after public advertisement at least once a week for two weeks prior to the sale, in a newspaper published in the county; *provided, however,* that the terms, conditions and consideration for such sale shall be first approved by the State Division of Old Age Assistance, of the Department of Institutions and Agencies. The county welfare board is hereby authorized and empowered to execute and deliver any and all documents necessary to convey title to a purchaser of such real or personal property, in exactly the same manner as any other corporate entity.

Proviso.

Section amended.

34. Section 44:7–16 of the Revised Statutes is amended to read as follows:

Record of reimbursement agreements.

44:7–16. The county clerks or registers of deeds and mortgages, as the case may be, shall record in a book to be known as "reimbursement agreements" the said certificates, and shall make a complete alphabetical index to the same, and no clerk or register shall charge any fee therefor. Whenever a county shall have received satisfaction for such judgments, the county welfare board shall enter an acknowledgment of satisfaction upon the record of said judgments, without charge.

Section amended.

35. Section 44:7–19 of the Revised Statutes is amended to read as follows:

Assistance by relatives, enforcement.

44:7–19. The county director of welfare in cases of application for old age assistance shall ascertain, if possible, the relatives and other persons chargeable by law for the support of such applicant, and proceed to obtain their assistance for such applicant or to compel them to render such assistance as is provided by law in such cases, or if such relatives or other persons are not chargeable by

law with the support of such applicant but able and willing to do so, in whole or in part, the director of welfare may contract, in writing, with such persons for the support of such applicant.

Should any relative or other person responsible for the support of an applicant for old age assistance fail to perform the order or direction of the director of welfare with regard to the support of such applicant, the County Court or the court of juvenile and domestic relations of the county wherein such applicant has applied or is receiving old age assistance, may, upon certification in writing of the director of welfare or of two residents of the municipality or county, summon or otherwise direct the appearance of the persons chargeable and subpœna witnesses, and compel the production of books, records, and other documents as may be pertinent, and shall, in a summary way, inquire into the cause of such failure to perform the order or direction of the director of welfare, and may order and adjudge the able relatives or other persons responsible for the support of such applicant to pay such sum or to deliver to the court or to the director of welfare such other pledge or guaranty as the circumstances may require in the discretion of the court for each such applicant. However, where it shall appear that the person or persons sought to be held were the child or children of the applicant for old age assistance and were abandoned and deserted by the applicant who failed to support and maintain them during minority, the County Court may revoke the order of the director of welfare or reduce the amount of said order against such child or children, in proportion to the actual support and maintenance rendered by said applicant to the child or children sought to be held. Any child now under an order to support an applicant for old age assistance may apply to the County Court which issued said order for the revocation or reduction of said order in accordance with the terms of this proviso. Violation of any such order of the court shall be a contempt of said court and punishable as such.

The jurisdiction of the County Court in matters within the purview of sections 44:7–19 and 44:7–20 shall extend to persons and witnesses residing in any county of this State.

The county welfare board may also bring appropriate action in any court of competent jurisdiction to recover any sum of money due for assistance given any person under this chapter against such person or against any other persons chargeable by law for the support of such person.

Section amended.

36. Section 44:7–20 of the Revised Statutes is amended to read as follows:

Power of subpœna.

44:7–20. For the purpose of ascertaining and determining the facts and circumstances concerning any application for assistance made under this chapter the county director of welfare shall have power, in his discretion, to compel the attendance of the applicant and other persons in this State and the production of books, records and other documents in this State pertinent to such examination. The director of welfare may administer oaths for the purpose of such examination. Upon any misconduct or failure to obey any summons or subpœna issued to an applicant by the director, or failure to testify by the applicant, the director may, in his discretion, subject to the approval of the county welfare board, reject the application for assistance. Any such failure or misconduct shall be punishable by the County Court of the county in which the same occurred, as a contempt is punishable in a case pending in the court. But no commitment shall be ordered for a period exceeding ninety days.

Any applicant or other person who shall knowingly give false testimony before the director shall be guilty of a misdemeanor.

C. 44:8-141. Section repealed.

37. Section thirty-five of chapter one hundred fifty-six of the laws of one thousand nine hundred and forty-seven is hereby repealed.

Section amended.

38. Section twenty-eight of chapter three hundred fifty-seven of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 44:8A-28. Commissioner may apply to court, violation.

28. The commissioner may apply to the County Court of the county wherein such person has legal settlement for an order directing the responsible municipality and its director of welfare to furnish assistance to the person in such manner as the court shall direct. Such order may be obtained upon five days' notice to the municipality responsible for such assistance and to its director of welfare. Violation of any such order of the County Court shall be a contempt of said court and punishable as such.

Section amended.

39. Section thirty-one of chapter three hundred fifty-seven of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 44:8A-31. Removal of person to place of legal settlement.

31. If a person receiving public assistance in a municipality other than the one responsible for his support, upon determination of responsibility and order of removal made pursuant to the provisions of this act, refuses to be removed to his place of legal settlement, the director of welfare of the municipality in which such person is shall forthwith apply to the County Court for the issuance of an order to the sheriff of the county where such person is, or to some other person, to remove such person to the municipality in which he has his place of legal settlement and said sheriff or other person is authorized and empowered to remove such person accordingly.

Section amended.

40. Section thirty-five of chapter three hundred fifty-seven of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 44:8A-35. Assistance to person not having legal settlement, notice.

35. A director of welfare who grants assistance to a person not having legal settlement in this State shall forthwith and not later than twenty days after the first grant of assistance notify the department in writing thereof. If a director of welfare fails to send such notification within the time prescribed and the person loses settlement in another State by reason of such failure, the commissioner shall refuse reimbursement for such assistance as long as the person lacks legal settlement, in which event the total cost of assistance given to such per-

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son shall be borne by the municipality. If such person removes to another municipality, the cost of assistance given by the other municipality to such person shall continue to be chargeable against the first municipality as long as the person lacks legal settlement and the municipality granting such assistance may recover its cost from the first municipality from time to time in an action in a court of competent jurisdiction.

41. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 43

AN ACT concerning professions and occupations, and revising parts of the statutory law.

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

Section amended.

1. Section 45:3–8 of the Revised Statutes is amended to read as follows:

Revocation or suspension of certificates, procedure.

45:3–8. Any certificate granted by the board may be revoked or suspended by it for gross ignorance, recklessness, incompetency, dishonest practices, or other good and sufficient reasons, but before any certificate shall be revoked or suspended, the holder shall be entitled to at least twenty days' notice of the charge against him and of the time and place of the meeting of the board for the hearing and determination of such charge. For such purpose the board shall have the powers of a court of record sitting in the county in which its meeting shall be held, to issue subpœnas and to compel the attendance and testimony of witnesses, who shall be entitled to the same fees as are allowed in the Superior Court, to be paid in like manner. The accused shall be entitled to the subpœna of the board for his

witnesses, and a reasonable opportunity to produce them, and to be heard in person, or by counsel, in open public trial. Any member of the board may administer oaths and conduct the examination of witnesses under oath; and no certificate shall be revoked or suspended except upon the unanimous vote of all the members of the board. Any such revocation or suspension shall be certified in writing by the board under the hand of its president, or its president for the time being, and attested by the secretary, under the official seal of the board, and such certificate shall be filed in the office of the Secretary of State, who shall be paid the usual fee for filing similar documents in his office.

Section amended.

2. Section 45:3–9 of the Revised Statutes is amended to read as follows:

Certified copies of certificates as evidence, review.

45:3–9. A copy of any certificate granted by the board, or of any revocation or suspension thereof, as by this chapter provided, certified by the Secretary of State under his hand and seal to be a true copy of the original filed in his office, shall be competent and plenary evidence to prove the facts contained therein, to the same extent as if the original document had been produced and proved in any court of civil or criminal jurisdiction. Any person whose certificate is refused or revoked or suspended by the board shall have the right to review such action by a proceeding in lieu of prerogative writ in the Superior Court. The court is authorized to review and correct the action of the board, and the board shall forthwith carry out the judgment of the court.

Section amended.

3. Section 45:3–11 of the Revised Statutes is amended to read as follows:

Penalty enforcement.

45:3–11. Penalties imposed because of the violation of any provision of this chapter shall be collected and enforced in summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall issue at the suit of the board as plaintiff and shall be either in the nature of a summons or warrant.

Section amended.

4. Section 45:3–12 of the Revised Statutes is amended to read as follows:

Judgment, commitment.

45:3–12. The court shall, if judgment be rendered for the plaintiff, cause any such defendant who refuses or fails forthwith to pay the amount of the judgment rendered against him and all costs and charges incident thereto, to be committed to the county jail for any period not exceeding sixty days, except in cases where the penalty is two hundred dollars ($200.00) or more, in which case commitment shall be made for a period not exceeding ninety days.

Sundry sections repealed.

5. Section 45:3–13 of the Revised Statutes is hereby repealed.

6. Section 45:3–14 of the Revised Statutes is hereby repealed.

7. Section 45:3–15 of the Revised Statutes is hereby repealed.

Section amended.

8. Section twenty-nine of chapter one hundred ninety-seven of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 45:4-55. Penalties, recovery, jurisdiction, disposition of penalties.

29. (a) Any person, corporation or their agents, violating any of the provisions of this act, shall be liable to a penalty of not less than five dollars ($5.00) nor more than one hundred dollars ($100.00), and for the second and each subsequent offense to a penalty of not less than fifty dollars ($50.00). Any person, corporation or their agents violating the provisions of section twenty-six of this act shall be liable to a penalty of not less than five dollars ($5.00) nor more than one hundred dollars ($100.00) and for the second and each subsequent offense to a penalty of not less than fifty dollars ($50.00). The penalties shall be sued for and recovered by and in the name of the New Jersey State Board of Barber Examiners, as plaintiff.

(b) Every county district court and municipal court shall have jurisdiction of proceedings for the collection and enforcement of a penalty imposed because of the violation, within the territorial jurisdiction of the court, of any provision of this act. The penalty shall be collected and enforced in

summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall issue at the suit of the plaintiff, and shall be either in the nature of a summons or warrant. The court shall, if judgment be rendered for the plaintiff, cause any such defendant who may refuse or neglect to pay forthwith 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.

c. Any penalty recovered in any action brought under the provisions of this act shall be paid to the plaintiff therein for the use of the municipality within which the violation occurred.

Section amended.

9. Section 45:4A–17 of the Revised Statutes is amended to read as follows:

Appeals.

45:4A–17. An appeal may be taken from any action of the department to the County Court of the county wherein the defendant resides.

Section amended.

10. Section 45:4A–24 of the Revised Statutes is amended to read as follows:

Enforcement, penalties, recovery, jurisdiction, commitment.

45:4A–24. (a) The board of beauty culture control in the Bureau of Examination and Licensing in the State Department of Health shall have power to enforce this chapter.

(b) Any person, partnership or corporation violating this chapter shall forfeit and pay a penalty of not less than twenty-five dollars ($25.00) nor more than fifty dollars ($50.00) for the first offense, not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00) for the second offense, and not less than one hundred dollars ($100.00) nor more than two hundred dollars ($200.00) for the third and each subsequent offense, which penalty shall be sued for and recovered by and in the name of said board as plaintiff.

(c) Every county district court and municipal court shall have jurisdiction of proceedings for the collection and enforcement of a penalty imposed because of the violation, within the territorial jurisdiction of the court, of any provision of this

act. The penalty shall be collected and enforced in summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall issue at the suit of the plaintiff, and shall be either in the nature of a summons or warrant. The court shall, if judgment be rendered for the plaintiff, cause any such defendant, who may refuse or fail forthwith to 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.

Section repealed.

11. Section 45:4A–30 of the Revised Statutes is hereby repealed.

Section amended.

12. Section 45:5–11 of the Revised Statutes is amended to read as follows:

Penalty for illegal practice, jurisdiction.

45:5–11. (a) Whoever practices chiropody in this State without first having obtained and filed the license herein provided for, or contrary to any of the provisions of this chapter, or whoever practices chiropody under a false or assumed name, or falsely impersonates another practitioner of a like or different name, or buys, sells, or fraudulently obtains any diploma as a chiropodist, or any chiropody license, record or registration, or aids or assists any person not regularly licensed and registered to practice chiropody in this State, to practice chiropody therein, or whoever violates any of the provisions of this chapter, shall be liable to a penalty of two hundred dollars ($200.00).

Every person practicing chiropody and every person practicing chiropody as an employee of another shall cause his name to be conspicuously displayed and kept in a conspicious place at the entrance of the place where such practice shall be conducted, and any person who shall neglect to cause his name to be displayed as herein required shall be liable to a penalty of one hundred dollars ($100.00).

Using the title doctor or its abbreviation in the practice of chiropody must be qualified by the word or words "chiropodist" or "surgeon chiropodist."

Any person who violates this provision shall be liable to a penalty of one hundred dollars ($100.00).

It shall be unlawful for any person not licensed under this act to use terms, titles, words or letters which would designate or imply that he or she is qualified to treat foot ailments, or to hold himself or herself out as being able to diagnose, treat, operate, or prescribe for any ailment of the human foot, or offer or attempt to diagnose, treat, operate or prescribe for any ailment of the human foot.

(b) Every county district court and municipal court, within their respective territorial jurisdictions, shall have jurisdiction to hear and determine actions for penalties under this chapter. The penalties provided for by this section shall be sued for and recovered by and in the name of the State Board of Medical Examiners of New Jersey, as plaintiff. Penalties imposed because of the violation of any provision of this chapter shall be collected and enforced by summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall issue at the suit of the board, as plaintiff, and shall be either in the nature of a summons or warrant.

Section amended.

13. Section 45:5–12 of the Revised Statutes is amended to read as follows:

Commitment for non-payment of judgment.

45:5–12. The court shall, if judgment be rendered for the plaintiff, cause any such defendant who refuses or neglects to pay forthwith the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the county jail for a period of not less than ten days and not exceeding one hundred days.

Sections repealed.

14. Section 45:5–13 of the Revised Statutes is hereby repealed.

15. Section 45:5–14 of the Revised Statutes is hereby repealed.

Section amended.

16. Section 45:5–15 of the Revised Statutes is amended to read as follows:

Penalty for further violations, recovery, disposition of penalty.

45:5–15. In case any person shall, after conviction of any violation of this chapter, be again convicted of another violation thereof or of continuing

the violation for which he was previously convicted, he shall be liable to a penalty of five hundred dollars ($500.00) for each such violation or continuation to be sued for and recovered in the manner above set forth. In case any defendant against whom judgment has been recovered for a penalty of five hundred dollars ($500.00) shall fail or neglect to pay forthwith such penalty, the court shall commit him to jail for any period of not less than thirty days and not exceeding two hundred days.

Any penalty recovered for any violation of this chapter shall be paid to the board, which shall pay one-half thereof to any incorporated chiropodist or medical society procuring the evidence upon which the defendant was convicted. The other half shall be applied by the board to the same purposes as other funds of the board collected in accordance with the provisions of this chapter.

Section repealed.

17. Section 45:5–16 of the Revised Statutes is hereby repealed.

Section amended.

18. Section five of chapter ninety-five of the laws of one thousand nine hundred and forty-three is amended to read as follows:

C. 45:5-17. Restraining unlawful practice, construction.

5. The Superior Court may in an action at the suit of the Attorney-General or of the said board prevent and restrain the practice of chiropody in this State by any person who has not first obtained and filed the license herein provided for, or the violation by any person of the provisions of this act; or of the practice of chiropody by any person under a false or assumed name; or the false presentation of another practitioner of a like or different name; or for practicing chiropody under any name, title or heading other than that under which he or she has a license to practice chiropody. This section shall not apply nor shall it in any manner be construed to apply to persons practicing healing by spiritual or religious means if no material medicine is prescribed or used and no manipulation or material means are used.

Section repealed.

19. Section 45:6–9 of the Revised Statutes is hereby repealed.

20. Section 45:6–25 of the Revised Statutes is amended to read as follows: Section amended.

45:6–25. Every county district court and municipal court, within their respective territorial jurisdictions, shall have jurisdiction to hear and determine actions for penalties under this chapter. Any penalty incurred by violation of any provision of this chapter or any act supplementing this chapter, except by any violation specifically made a misdemeanor by this chapter or said act, shall be sued for and recovered by, and in the name of the board, as plaintiff. Any such penalty shall be collected and enforced by summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall be either in the nature of a summons or warrant. Jurisdiction, recovery of penalty.

21. Section 45:6–26 of the Revised Statutes is amended to read as follows: Section amended.

45:6–26. The court shall, if judgment be rendered for the plaintiff, cause any defendant who refuses or fails to pay forthwith the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the county jail for a period of not less than thirty days nor more than ninety days, except in cases where the penalty is five hundred dollars ($500.00), in which cases commitment shall be made for a period of not less than sixty days nor more than one hundred fifty days. Commitment of defendant for failure to pay.

22. Section 45:6–27 of the Revised Statutes is hereby repealed. Sundry sections repealed.

23. Section 45:6–28 of the Revised Statutes is hereby repealed.

24. Section 45:6–29 of the Revised Statutes is hereby repealed.

25. Section one of chapter seventy-eight of the laws of one thousand nine hundred and forty-two is amended to read as follows: Section amended.

1. The Superior Court may in an action at the suit of the Attorney-General or of the State Board of Registration and Examination in Dentistry prevent and restrain the practice of dentistry in C. 45:6-29.1. Restraining unlawful practice.

this State by any person who has not first obtained the license as provided by chapter six of Title 45, or the violation by any person of the provisions of chapter six of Title 45; or of the practice of dentistry by any person under a false or assumed name; or the false presentation of another practitioner of a like or different name; or the employment of or giving aid or assistance to any person not regularly licensed to practice dentistry by any person, firm or corporation.

C. 45:6-46. Section repealed.

26. Section fourteen of chapter thirty-four of the laws of one thousand nine hundred and forty-eight is hereby repealed.

Section amended.

27. Section 45:7–7 of the Revised Statutes is amended to read as follows:

Issuance of subpœnas, hearings.

45:7–7. The president of the board, and any member thereof designated by the board or a majority thereof, shall have power to issue subpœnas for undertakers or embalmers or persons holding themselves out as such, which shall require any such persons to whom they are addressed to attend before the board, or any member thereof designated by the board, upon any hearing which may be conducted under authority of the board and which subpœnas may be served by the inspector of the board or by any other person designated by the board and the same witness fees shall be paid as in the cases of subpœnas issued to witnesses to attend a trial in the Superior Court. Subpœnas shall bear the seal of the board. The president of the board, or any member designated by it, shall have power to conduct hearings directed by the board and to administer oaths and take testimony.

Section amended.

28. Section 45:7–8 of the Revised Statutes is amended to read as follows:

Penalty for disobedience of subpœna.

45:7–8. The penalty for disobedience to the command of a subpœna shall be the same as the penalty for the disobedience of a subpœna to attend before the Superior Court, and it may be recovered by a civil action against the witness brought in the name of the board in any court having jurisdiction of actions for a penalty. If a person duly sub-

pœnaed fails to attend before the board, or a member thereof designated by the board, or to produce a book or paper which has been subpœnaed, or if a person in attendance refuses to be examined or to answer a legal and pertinent question or to produce a book or paper when ordered so to do by the board, the board may apply to the Superior Court to compel him to comply forthwith with the subpœna or order.

Section amended.

29. Section 45:7–22 of the Revised Statutes is amended to read as follows:

Penalty for violations, recovery.

45:7–22. (a) Any person, firm or corporation who shall violate any of the provisions of this chapter, except where a penalty is otherwise herein specifically provided, shall be subject to a penalty of one hundred dollars ($100.00) for the first offense and for the second and each subsequent offense as hereinafter provided.

(b) Every county district court and municipal court, within their respective territorial jurisdictions, shall have jurisdiction to hear and determine actions for penalties under this chapter. Any penalty incurred by violation of any provision of this chapter shall be sued for and recovered by and in the name of the board as plaintiff. The penalty shall be collected and enforced by summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.).

Section amended.

30. Section 45:7–23 of the Revised Statutes is amended to read as follows:

Commitment of defendant for non-payment.

45:7–23. The court shall, if judgment be rendered for the plaintiff, cause any such defendant, who refuses or neglects to pay forthwith 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.

Sections repealed.

31. Section 45:7–24 of the Revised Statutes is hereby repealed.

32. Section 45:7–25 of the Revised Statutes is hereby repealed.

Section amended.

33. Section 45:7–26 of the Revised Statutes is amended to read as follows:

Penalty for further violations, commitment.

45:7–26. If a person shall, after conviction of any violation of this chapter, be again convicted of another violation thereof or of continuing the violation for which he was previously convicted, he shall be liable to a penalty of five hundred dollars ($500.00) for each such violation or continuation, to be sued for and recovered in the manner above set forth. In case a defendant against whom judgment has been recovered for a penalty of five hundred dollars ($500.00) shall fail to pay forthwith the amount of said penalty, the court shall commit him to jail in the manner above set forth, for any period not exceeding two hundred days. Any penalty recovered for any violation of this chapter shall be paid to the board and shall be applied by it to the same purposes as other funds of the board collected in accordance with the provisions of this chapter. In any such action the trial thereof shall proceed without a jury unless the defendant demands a trial by jury.

Section repealed.

34. Section 45:7–27 of the Revised Statutes is hereby repealed.

Section amended.

35. Section thirty-nine of chapter three hundred forty of the laws of one thousand nine hundred and fifty-two is amended to read as follows:

C. 45:7-70. Proceedings to compel compliance with subpœna.

39. If any person who, having been personally served with a subpœna issued by the board and given or tendered the fees prescribed herein, fails to appear before the board, or to produce records or documents required to be produced by the subpœna, or fails or refuses to testify or to answer any proper question, the board may apply to the Superior Court to compel the person to comply forthwith with the subpœna or order of the board.

Section amended.

36. Section forty of chapter three hundred forty of the laws of one thousand nine hundred and fifty-two is amended to read as follows:

C. 45:7-71. Penalty for violations, jurisdiction, commitment.

40. (a) Any person, firm or corporation who shall violate any of the provisions of this act, or any rule or regulation of the State Board of Mor-

tuary Science of New Jersey except where a penalty is otherwise herein specifically provided, shall be subject to a penalty of two hundred dollars ($200.00) for the first offense and to a penalty of five hundred dollars ($500.00) for a second and each subsequent offense to be sued for and recovered in the name of the State Board of Mortuary Science of New Jersey.

(b) Every county district court and municipal court, within their respective territorial jurisdictions, shall have jurisdiction to hear and determine actions for penalties under this act. Proceedings to collect and enforce such penalties shall be summary pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). If judgment be rendered against the defendant and he fails to pay forthwith the amount thereof, the court in which the proceeding was brought shall cause him to be committed to the county jail for a period of not less than thirty days nor more than ninety days in case of a first conviction, and for a period of not less than sixty days nor more than one hundred sixty days for each subsequent conviction.

Section amended.

37. Section three of chapter three hundred forty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 45:8-31. Oath, filing, powers of board.

3. Each member of the examining board before entering upon the duties of his office, shall subscribe to an official oath of office as provided by section 41:1–3 of the Title, Oaths and Affidavits, of the Revised Statutes, which oath shall be filed in the office of the Secretary of State.

The examining board shall be entitled to the services of the Attorney-General in connection with the affairs of the board and the board shall have power to compel the attendance of witnesses, and any member thereof may administer oaths and the board may take testimony and proofs concerning any matters within its jurisdiction.

The board shall adopt and have an official seal.

In carrying into effect the provisions of this chapter, the board may, under the hand of its president

and the seal of the board, subpœna witnesses and compel their attendance, and also may require the production of books, papers, documents, et cetera, in a case involving the revocation of license or practicing or offering to practice without license. If any person shall refuse to obey any subpœna so issued, or shall refuse to testify or produce any books, papers or documents, the board may apply ex parte to the Superior Court to compel the person to comply forthwith with the subpœna.

Section amended.

38. Section thirteen of chapter three hundred forty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 45:8-39. Practice without license, penalty, jurisdiction.

13. a. Any person who, hereafter, is not legally authorized to practice professional engineering or land surveying in this State according to the provisions of this act, who shall so practice or offer so to practice in this State, except as provided in section fourteen of this act, or any person presenting or attempting to file as his own the certificate of license of another, or who shall give false or forged evidence of any kind to the board, or to any member or representative thereof, in obtaining a certificate of license, or who shall falsely impersonate another licensed practitioner of like or different name, or who shall use or attempt to use an expired certificate of license, or an unexpired and revoked certificate of license, or who shall use the title "Engineer-in-Training" without holding a valid certificate of registration issued by the board, or who shall otherwise violate any of the provisions of this act, shall be subject to a penalty of not more than two hundred dollars ($200.00) for the first offense and not more than five hundred dollars ($500.00) for each and every subsequent offense. The penalties provided for by this section shall be sued for and recovered in civil actions by the State Board of Professional Engineers and Land Surveyors.

b. Every County Court and every county district court, within their respective territorial jurisdictions, shall have jurisdiction of actions for penalties under this act.

39. Section 45:9–2 of the Revised Statutes is amended to read as follows: Section amended.

45:9–2. The board shall elect a president, a secretary and a treasurer from its membership and shall have a common seal, of which all courts of this State shall take judicial notice. Its president, or secretary, may issue subpœnas to compel attendance of witnesses to testify before the board and administer oaths in taking testimony in any matter pertaining to its duties, which subpœnas shall issue under the seal of the board and shall be served in the same manner as subpœnas issued out of a County Court of this State. Every person who refuses or neglects to obey the command of such subpœna, or who, after appearing, refuses to be sworn and testify shall, in either event, be liable to a penalty of fifty dollars ($50.00) to be sued for in the name of the board in any court of competent jurisdiction, which penalty when collected shall be paid to the treasurer of said board. It shall make and adopt all necessary rules, regulations and by-laws not inconsistent with the laws of the State or of the United States, whereby to perform the duties and to transact the business required under the provisions of this article (section 45:9–1 et seq.). Organization of board, seal, subpœnas, penalty for failure to obey, rules, by-laws.

40. Section 45:9–22 of the Revised Statutes is amended to read as follows: Section amended.

45:9–22. Any person commencing or continuing the practice of medicine or surgery in this State without first having obtained a license, as provided in this article, or contrary to any of the provisions of this article, or who practices medicine or surgery under a false or assumed name, or falsely impersonates another practitioner of a like or different name, or buys, sells or fraudulently obtains a diploma as a doctor of medicine or surgery or any branch thereof, or method of treatment of human ailment, disease, pain, injury, deformity, mental or physical condition or a license to practice medicine or surgery, record or registration pertaining to the same, or any person, company or association who Illegal practice, penalty, recovery.

shall employ for a stated salary or otherwise, or aid or assist any person not regularly licensed to practice medicine or surgery in this State, to practice medicine or surgery therein, or who violates any of the provisions of this chapter, shall be liable to a penalty of not less than fifty dollars ($50.00) and not more than two hundred dollars ($200.00) for the first offense. Every person practicing medicine or surgery under a firm name and every person practicing medicine or surgery or as an employee of another shall cause his name to be conspicuously displayed and kept in a conspicuous place at the entrance of the place where such practice shall be conducted, and any person who shall neglect to cause his name to be displayed as herein required, shall be liable to a penalty of one hundred dollars ($100.00). The penalties provided for by this section shall be sued for and recovered by and in the name of the State Board of Medical Examiners of New Jersey, in a summary manner, pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall be either in the nature of a summons or warrant.

Section amended.

41. Section 45:9–23 of the Revised Statutes is amended to read as follows:

Commitment of defendant for non-payment.

45:9–23. If judgment be rendered for the plaintiff the court shall cause any defendant, who refuses or neglects to pay forthwith the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the county jail for a period of not less than ten days and not exceeding one hundred days.

Sections repealed.

42. Section 45:9–24 of the Revised Statutes is hereby repealed.

43. Section 45:9–25 of the Revised Statutes is hereby repealed.

Section amended.

44. Section 45:9–26 of the Revised Statutes is amended to read as follows:

Penalty for further violations.

45:9–26. In case a person shall, after conviction of any violation of this chapter, be again convicted of another violation thereof or of continuing the violation for which such offender was previously

convicted, such offender shall be liable to a penalty of not less than two hundred fifty dollars ($250.00) and not more than five hundred dollars ($500.00) for each such violation or continuation, to be sued for and recovered by and in the name of the State Board of Medical Examiners of New Jersey, in a summary manner, pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). In case any defendant against whom judgment has been recovered for a penalty under this section shall fail or neglect to forthwith pay the amount of said penalty, the court shall commit him to imprisonment in the county workhouse, penitentiary or jail for a period of not less than thirty days and not exceeding two hundred days. A penalty recovered for any violation of this chapter shall be paid to the State Board of Medical Examiners.

Section repealed.

45. Section 45:9–27 of the Revised Statutes is hereby repealed.

Section amended.

46. Section 45:9–27.1, added to the Revised Statutes by chapter one hundred fifteen of the laws of one thousand nine hundred and thirty-nine, is amended to read as follows:

Restraining unlawful practice.

45:9–27.1. The Superior Court may in an action at the suit of the Attorney-General or of the State Board of Medical Examiners prevent and restrain the practice of medicine or surgery in this State by any person who has not first obtained and filed the license herein provided for, or the violation by any person of the provisions of this act; or of the practice of medicine or surgery by any person under a false or assumed name; or the false presentation of another practitioner of a like or different name; or the employment of or giving aid or assistance to any person not regularly licensed to practice medicine or surgery by any person, firm or corporation.

Section amended.

47. Section 45:9–51 of the Revised Statutes is amended to read as follows:

Filing of bond before receiving body, penalty.

45:9–51. No such association shall be allowed or permitted to receive any such body until it has given a bond to the State of New Jersey, with suffi-

cient sureties, to be approved by the county clerk of the county in which such association is organized, and filed with said clerk, in the penal sum of one thousand dollars ($1,000.00), conditioned that all such bodies which the association shall receive shall be used only for the promotion of medical and surgical science within this State. Whoever sells or buys any such body, or in any way traffics in the same, or transmits or conveys, or causes or procures any such body to be conveyed to any place outside this State shall be deemed guilty of a misdemeanor, and, on conviction thereof, be punished by a fine not exceeding two hundred dollars ($200.00) or by imprisonment at hard labor for a term not exceeding one year, or both, at the discretion of the court.

Section amended.

48. Section 45:10–10 of the Revised Statutes is amended to read as follows:

Illegal practice, penalty, recovery.

45:10–10. Whoever practices midwifery in this State without complying with the provisions of this chapter shall be liable to a penalty of two hundred dollars ($200.00), which penalty shall be sued for and recovered by and in the name of the board. The penalty shall be collected and enforced by summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall issue at the suit of the board, as plaintiff, and shall be either in the nature of a summons or warrant.

Section amended.

49. Section 45:10–11 of the Revised Statutes is amended to read as follows:

Commitment of defendant for non-payment.

45:10–11. The court shall, if judgment be rendered for the plaintiff, cause any defendant, who refuses or neglects to pay forthwith the amount of the judgment rendered against her and all the costs and charges incident thereto, to be committed to the county jail for a period not exceeding one hundred days.

Sections repealed.

50. Section 45:10–12 of the Revised Statutes is hereby repealed.

51. Section 45:10–13 of the Revised Statutes is hereby repealed.

52. Section 45:10–14 of the Revised Statutes is amended to read as follows: Section amended.

45:10–14. In case a person shall, after conviction of any violation of this chapter, be again convicted of another violation thereof or of continuing the violation for which she was previously convicted, she shall be liable to a penalty of five hundred dollars ($500.00) for each such violation or continuation, to be sued for and recovered in the manner above set forth. In case a defendant against whom judgment has been recovered for a penalty of five hundred dollars ($500.00) shall fail or neglect to pay forthwith the amount of the penalty, the court shall commit her to jail for any period not exceeding two hundred days. A penalty recovered for any violation of this chapter shall be paid to the board, which shall pay one-half thereof to any incorporated medical society procuring the evidence upon which the defendant was convicted. The other half shall be applied by the board to the same purposes as other funds of the board collected in accordance with the provisions of this chapter. Penalty for further violations, recovery.

53. Section 45:10–15 of the Revised Statutes is hereby repealed. Section repealed.

54. Section ten of chapter two hundred sixty-two of the laws of one thousand nine hundred and forty-seven is amended to read as follows: Section amended.

10. Refusal to renew a license; revocation or suspension of a license; notice; hearing; review. The board may refuse to renew a license, may suspend a license or revoke a license for any of the following causes: dishonesty; unfitness or incompetency; conduct derogatory to nursing; fraud or willful misrepresentation in an application for license or renewal thereof; willful or repeated violations of any provision of this act; conviction whether by trial or plea of guilty, non vult, or nolo contendere of a crime involving moral turpitude or indicating unfitness to practice nursing or of a violation of this act and shall refuse to renew or shall revoke a license where the applicant or holder is a habitual user of drugs or has been convicted or has pleaded C. 45:11-32. Refusal to renew license, revocation or suspension, notice, hearing, review.

nolo contendere, non vult contendere or non vult to an indictment, information or complaint alleging a violation of any Federal or State law relating to narcotic drugs. The board may revoke any license for mistake of the board with respect to any material matter. No license shall be suspended or revoked or renewal of license refused except upon compliance with the following procedure: A complaint shall be filed with the board specifying the charges and may be made by any member or employee of the board upon information or belief. At least ten days prior to the time fixed for hearing notice of such hearing together with a copy of the complaint shall be served personally or sent by registered mail addressed to the licensee at the licensee's address appearing upon records of the board. Licensee shall have the right to be represented by counsel, to cross-examine witnesses produced against the licensee, and to offer evidence. At the request of licensee or on the board's own motion the board shall issue subpœnas signed by a member of the board to compel the appearance and testimony of witnesses and the production of records and documents, and subpœnas issued at the request of the licensee or his or her counsel shall be delivered to such licensee or counsel for service. There shall be paid to witnesses at the time of service of subpœnas the same fees as in the case of subpœnas issued out of the Superior Court. Testimony shall be given under oath administered by a member of the board. Any person who shall willfully give false testimony under oath in any hearing before the board shall be guilty of perjury. The board shall not be bound by rules of evidence but its determination shall be supported by some competent evidence. The determination of the board suspending or revoking a license, or refusing to issue a renewal of a license after hearing, shall be reviewable by appeal to the Appellate Division of the Superior Court in lieu of prerogative writ. At any time, within two years after its determination suspending, revoking or refusing to renew a license,

the board may in its discretion, for any cause, grant an application for a rehearing and make such redetermination as the case may warrant. The board may, notwithstanding any other provision hereof, also at any time permit a person whose license has been revoked or whose application for renewal has been denied, to make an original application for a new license on such terms and conditions as in the judgment of the board are just and equitable.

Section amended.

55. Section fourteen of chapter two hundred sixty-two of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 45:11-36. Failure to obey subpœna penalty.

14. Any person who, having been personally served with a subpœna issued by the board and given or tendered the fees prescribed herein, shall, without legal excuse, fail to appear before the board, or fail to produce records or documents required to be produced by the subpœna, or fail or refuse to testify or to answer any proper question, shall forfeit for each offense a penalty of two hundred dollars ($200.00), which shall be recoverable by the board in a civil action brought in any court of this State having jurisdiction of an action to recover a penalty. In addition to the foregoing remedy the board may apply to the Superior Court to compel the person to comply forthwith with the subpœna or order.

Section amended.

56. Section sixteen of chapter two hundred sixty-two of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 45:11-38. Recovery of penalties.

16. The penalties provided for by section fifteen shall be sued for and recovered by and in the name of the board. The penalty shall be collected and enforced by summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall issue at the suit of the board, as plaintiff, and shall be either in the nature of a summons or warrant. In any action to recover such penalty, the certification of any member of the board under the seal of the board, that at the time of the offense charged the defendant was not li-

censed or the defendant's license was suspended, shall be received in evidence and shall be prima facie proof of the facts so certified.

Section amended.

57. Section seventeen of chapter two hundred sixty-two of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 45:11-39. Judgment, commitment of defendant for non-payment, disposition of penalties.

17. If judgment be rendered for the plaintiff the court shall cause any defendant, who refuses or neglects to pay forthwith the amount of the judgment rendered against such defendant and all the costs and charges incident thereto, to be committed to the county jail for a period of not less than ten days and not exceeding one hundred days in the case of a first conviction, and for a period of not less than thirty days and not more than two hundred days in the case of a subsequent conviction. All penalties recovered for any violations of this act and all recoveries upon such bonds shall be paid to the board. Neither the commitment of a defendant nor the confinement of a defendant for all or any period prescribed in the commitment shall be deemed to constitute payment of the judgment.

C. 45:11-40. Section repealed.

58. Section eighteen of chapter two hundred sixty-two of the laws of one thousand nine hundred and forty-seven is hereby repealed.

C. 45:11-41. Section repealed.

59. Section nineteen of chapter two hundred sixty-two of the laws of one thousand nine hundred and forty-seven is hereby repealed.

C. 45:11-42. Section repealed.

60. Section twenty of chapter two hundred sixty-two of the laws of one thousand nine hundred and forty-seven is hereby repealed.

Section amended.

61. Section twenty-one of chapter two hundred sixty-two of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 45:11-43. Jurisdiction to restrain violations.

21. The Superior Court may in an action at the suit of the Attorney-General or of the board prevent and restrain any violation of this act.

Section amended.

62. Section 45:12–14 of the Revised Statutes is amended to read as follows:

Refusal, revocation or suspension of certificates, review.

45:12–14. All rulings of the board in refusing to issue or refusing to renew, or suspending, or revoking any certificate of registration shall be conclu-

sive and binding unless the party in interest shall apply to the Superior Court for a review by a proceeding in lieu of prerogative writ. Said court is hereby authorized and empowered to review and correct the action of the board, and the board shall forthwith carry out the judgment of the court on such review.

Section amended.

63. Section 45:12–20 of the Revised Statutes is amended to read as follows:

Illegal practice, penalty, enforcement.

45:12–20. Any person who violates the provisions of this chapter, or obstructs or interferes with any duly authorized agent of the board in the performance of any duty under this chapter, or any person who employs, or gives aid to or assists any person not authorized to practice optometry in this State, shall be subject to a penalty of two hundred dollars ($200.00) for the first offense and five hundred dollars ($500.00) for each subsequent offense, to be sued for and recovered by and in the name of the board. The penalty shall be collected and enforced by summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall issue at the suit of the board, as plaintiff, and shall be either in the nature of a summons or warrant.

Section amended.

64. Section 45:12–21 of the Revised Statutes is amended to read as follows:

Judgment, commitment of defendant for non-payment.

45:12–21. The court shall, if judgment be rendered for the plaintiff, cause any defendant, who refuses or neglects to pay forthwith the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the county jail in the case of a first offense for a period not less than thirty nor more than sixty days, in the discretion of the court, and in the case of a subsequent offense to be committed to the county jail for a period not less than sixty nor more than one hundred twenty days for each subsequent offense in the discretion of the court.

Sundry sections repealed.

65. Section 45:12–22 of the Revised Statutes is hereby repealed.

66. Section 45:12–23 of the Revised Statutes is hereby repealed.

67. Section 45:12–24 of the Revised Statutes is hereby repealed.

68. Section 45:12–25 of the Revised Statutes is hereby repealed.

Section amended.

69. Section 45:14–12 of the Revised Statutes is amended to read as follows:

Refusal of examination, suspension or revocation of certificate, grounds, review.

45:14–12. The board may refuse an application for examination or may suspend or revoke the certificate of a registered pharmacist or a registered assistant pharmacist for any of the following causes: When the application or registration is shown to have been obtained by misrepresentation or fraudulent means or when the applicant or registrant is guilty of chronic or persistent inebriety, or has been convicted of violating the provisions of any law relating to the sale of liquors, or has been twice convicted of violating any law relating to the practice of pharmacy, or has been convicted of a crime involving moral turpitude, or has impersonated an applicant for registration before the board and the board shall refuse an application for examination or revoke the certificate of a registered pharmacist or a registered assistant pharmacist when the applicant or registrant is shown to be addicted to the use of narcotic drugs, or has been convicted of violating any law of this or any other State or of the United States relating to narcotic drugs. Before a certificate shall be refused, suspended or revoked, the accused person shall be furnished with a copy of the complaint and given a hearing before the board. Any person whose certificate is so suspended or revoked shall be deemed an unregistered person during the period of such suspension or revocation, and as such shall be subject to the penalties prescribed in this chapter, but such person may, at the discretion of the board, have his certificate reinstated at any time without an examination, upon application to the board. Any person to whom a certificate shall be denied by the board or whose certificate shall be

suspended or revoked by the board shall have the right to review such action by appeal to the Appellate Division of the Superior Court in lieu of prerogative writ.

Section amended.

70. Section three of chapter one hundred five of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 45:14-36.3. Suspension or revocation of temporary permits, review.

3. A temporary permit of any nature issued by the board may be suspended or revoked if the conditions under which the temporary permit is issued are not fulfilled within the period of time for which the temporary permit is issued. Any permit issued by the board may be suspended or revoked by the board for failure to meet any of the provisions of this chapter or any of the rules and regulations with reference to equipment for the prescription department; stock of drugs, pharmaceuticals and chemicals in the prescription department; size and other space requirements of the prescription department; facilities necessary in the compounding of prescriptions; and sanitation, orderliness and cleanliness in the pharmacy or drug store, by serving a copy of the complaint upon the owner of the pharmacy or drug store and granting at least ten days' advance notice of a hearing before the board. The suspension or revocation by the board of any permit issued by it shall be reviewable in the Superior Court by a proceeding in lieu of prerogative writ.

Section amended.

71. Section 45:14–38 of the Revised Statutes is amended to read as follows:

Enforcement of penalty, jurisdiction, commitment for non-payment.

45:14–38. (a) Any penalty imposed because of the violation of any provision of this chapter shall be collected and enforced by summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall issue at the suit of the board, as plaintiff, and shall be either in the nature of a summons or warrant.

(b) The court shall, if judgment be rendered for the plaintiff, cause any such defendant, who may refuse or neglect to pay forthwith 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 if the conviction be for a violation of any of the provisions of this chapter, except section 45:14–23 of this Title, and if the conviction be for a violation of any of the provisions of said section 45:14–23, for any period not less than thirty days and not exceeding two hundred days.

Section amended.

72. Section 45:14–39 of the Revised Statutes is amended to read as follows:

Injunction to restrain violations.

45:14–39. The Superior Court may, in an action brought by the board in the name of this State on the relation of the board, grant injunctive relief to prohibit any habitual violation of this chapter or any of the orders or rules or regulations issued by the board or any other violation of any of the provisions of this chapter.

Section amended.

73. Section 45:15–18 of the Revised Statutes is amended to read as follows:

Notice of proposed suspension or revocation of license, hearing, review.

45:15–18. The commission shall, before suspending or revoking any license, and at least ten days prior to the date set for the hearing, notify in writing the licensee of any charges made, and afford him an opportunity to be heard in person or by counsel. Such written notice may be served either personally or sent by registered mail to the last known business address of the licensee. If the licensee is a salesman, the commission shall also notify the broker employing him, specifying the charges made against such salesman, by sending a notice thereof by registered mail to the broker's last known business address. The commission shall have power to subpœna and bring before it any person in this State, or take testimony by deposition, in the same manner as prescribed by law in judicial proceedings in the courts of this State. Any final decision or determination of the commission shall be reviewable by the Superior Court by a proceeding in lieu of prerogative writ.

74. Section 45:15–23 of the Revised Statutes is amended to read as follows: Section amended.

45:15–23. Any person who violates any of the provisions of this article shall be liable for the first violation to a penalty of not more than two hundred dollars ($200.00); for a second violation to a penalty of not more than five hundred dollars ($500.00), and for any subsequent violation to a penalty of five hundred dollars ($500.00). The penalty shall be sued for and recovered by and in the name of the commission and shall be collected and enforced by summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall issue at the suit of the board, as plaintiff, and shall be either in the nature of a summons or warrant. Penalty for violations, recovery.

75. Section 45:15–24 of the Revised Statutes is amended to read as follows: Section amended.

45:15–24. The trial shall be with a jury upon the demand of any party to the action. The court shall, if judgment be rendered for the plaintiff, cause any such defendant, who refuses or neglects to pay forthwith the amount of the judgment rendered against him and all costs and charges incident thereto, to be committed to the county jail for a period not exceeding thirty days. Jury trial, commitment for non-payment.

76. Section 45:15–25 of the Revised Statutes is hereby repealed. Sections repealed.

77. Section 45:15–26 of the Revised Statutes is hereby repealed.

78. Section 45:15–27 of the Revised Statutes is amended to read as follows: Section amended.

45:15–27. Any penalty recovered for any violation of this article shall be applied by the commission to the same purpose as other funds of the commission collected in accordance with the provisions of this article. Disposition of penalties.

79. Section 45:15–28 of the Revised Statutes is hereby repealed. Section repealed.

Section amended.

80. Section ten of chapter one hundred seventy-five of the laws of one thousand nine hundred and forty is amended to read as follows:

C. 45:15B-10. Shorthand reporting defined.

10. The words "shorthand reporting" as used in this act shall be defined to mean the making by use of symbols or abbreviations, of a verbatim record of any testimony given under oath before any court, referee, or board, commission or other body created by statute of this State.

Section amended.

81. Section twelve of chapter one hundred seventy-five of the laws of one thousand nine hundred and forty is amended to read as follows:

C. 45:15B-12. Illegal practice, penalty, enforcement.

12. If after this act takes effect any person shall represent himself as having received a certificate as provided for in this act or shall practice as a certified shorthand reporter without having received such certificate, or after having his certificate revoked shall continue to practice as a certified shorthand reporter, or shall use any title or abbreviation indicating that the person using the same is a certified shorthand reporter, or shall violate any of the provisions of this act, said person shall be liable to a penalty of two hundred dollars ($200.00), which penalty shall be sued for and recovered by and in the name of the board. The penalty shall be collected and enforced by summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall issue at the suit of the board, as plaintiff, and shall be either in the nature of a summons or warrant.

Section amended.

82. Section 45:16–9 of the Revised Statutes is amended to read as follows:

Exhibition of license to county clerk, registration, penalty, recovery.

45:16–9. (a) No person shall enter upon or continue the practice of veterinary medicine, surgery or dentistry in any of their branches, unless he has complied with the provisions of this chapter, and shall have exhibited to the clerk of the county in which he desires to so practice, a license duly granted to him as hereinbefore provided. Upon the exhibition of a license as aforesaid, a person shall be entitled, upon the payment of one dollar ($1.00), to be duly registered in the office of the

county clerk of such county. Any person using any title or degree appertaining to the veterinary profession or practicing veterinary medicine, surgery or dentistry in any of their branches without being licensed and registered in conformity with the provisions of this chapter or otherwise violating any of its provisions, shall be liable to a penalty of two hundred dollars ($200.00), which penalty shall be sued for and recovered by and in the name of the board.

(b) The penalty shall be collected and enforced by summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall issue at the suit of the board, as plaintiff, and shall be either in the nature of a summons or warrant. If judgment be rendered for the plaintiff the court shall cause any defendant, who refuses or neglects to pay forthwith the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the county jail for a period of not less than ten days and not exceeding one hundred days.

(c) In case a person shall, after conviction of any violation of this chapter, be again convicted of another violation thereof or of continuing the violation for which he was previously convicted, he shall be liable to a penalty of five hundred dollars ($500.00) for each violation or continuation, to be sued for and recovered in the manner above set forth. In case any defendant against whom judgment has been recovered for a penalty of five hundred dollars ($500.00) 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 a period of not less than thirty days and not exceeding two hundred days. A penalty recovered for any violation of this chapter shall be paid to the State Board of Veterinary Medical Examiners to be applied by the board to the same purposes as other funds of the board collected in accordance with the provisions of this chapter.

83. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 44

AN ACT concerning property, and revising parts of the statutory law.

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

Section amended.

1. Section five of chapter fifty-seven of the laws of one thousand nine hundred and forty-three is amended to read as follows:

C. 46:2A-5. Deed, covenant or contract where power is created, acknowledgment, filing.

5. Such deed, covenant or contract, where the power has been or shall be created by:

(a) a last will and testament, shall be acknowledged in the same manner as conveyances of land, and shall be recorded in the office of the surrogate of the county in which such last will and testament was admitted to probate, or in the office of the Clerk of the Superior Court, if such will was admitted to probate in that court or before the ordinary. Said deed, covenant or contract, or a copy thereof, shall be filed with the fiduciary or fiduciaries under said will, if such there be;

(b) a conveyance recorded in an office where conveyances of lands are recorded, shall be acknowledged in the same manner as such conveyances, and shall be recorded in such office;

(c) a nontestamentary instrument of trust shall be filed with the fiduciary or fiduciaries of such trust;

(d) an unrecorded nontestamentary instrument containing a power of appointment where the property subject to the power is not under the control of a fiduciary, shall be acknowledged in the same manner as conveyances of lands and shall be recorded in the office of the clerk or register of deeds and mortgages of the county in which the donee of the power of appointment resides.

2. Section two of chapter one hundred fifty-five of the laws of one thousand nine hundred and forty-three is amended to read as follows:

Section amended.

2. Any such deed may be acknowledged before any notary public of any State, or before any other officer authorized by the law of this State to take acknowledgments and proofs of deeds, or before any commissioned officer in the military service or armed forces of the United States or any of its allies, and shall be sufficient if the certificate of acknowledgment shall certify over the signature of such officer that the person before whom the same was taken, is such an officer, and that the person making such acknowledgment and executing such deed of trust, appeared before him, and was in the military service or armed forces of the United States of America or one of its allies, and that such person executed and delivered the same as his act and deed; and such acknowledgment, when so taken, shall have the same force and effect as though taken before an authorized officer of this State.

C. 46:2C-2. Acknowledgment of trust deeds by persons in armed forces.

3. Section 46:7–1 of the Revised Statutes is amended to read as follows:

Section amended.

46:7–1. Whenever a corporation or association, created under any law of this State, shall have made, during its corporate existence, a deed or conveyance of real estate in this State, or of an interest therein, and thereafter shall have ceased to exist by reason of dissolution, death of its members or otherwise, and it shall be discovered that an error exists in such deed or conveyance, any surviving president, vice-president, director or trustee of such defunct corporation or association may, by deed of confirmation, containing a proper recital, correct the error in the original deed or conveyance. If no one of the surviving officers hereinbefore named be living, the oldest adult son, or, if there be none living, the oldest adult grandson of any such president, vice-president, last surviving director or trustee may make such deed of confirmation. Prior to the making of any such deed

Confirmatory deeds to cure defects in conveyances by defunct corporations or associations, acknowledgment.

of confirmation, the person claiming to be entitled to the benefit of this section shall institute an action in the County Court of the county in which the affected real estate is situate, or the Superior Court, against any person within or without the State hereby authorized to make the deed of confirmation. The court may proceed therein in a summary manner or otherwise and, after considering the nature of the error or defect in the original deed or conveyance, and the relief sought, may, if convinced of the merit of the action, direct the proper person to execute and acknowledge the confirmatory deed.

If the person so directed to execute the confirmatory deed shall fail to comply with the judgment of the court within twenty days after the service of a certified copy thereof upon him, the court making the judgment may, upon proof thereof, appoint a commissioner to execute the confirmatory deed.

The costs of the action shall be chargeable to the plaintiff.

A confirmatory deed executed and acknowledged or proved in accordance with the terms of this section shall be as valid and effective as if duly made, executed and acknowledged or proved under the corporate seal of such corporation or association during the period of its corporate existence.

Section amended.

4. Section 46:14–4 of the Revised Statutes is amended to read as follows:

Proof of instruments not proved when witnesses dead, insane, etc., procedure.

46:14–4. If the grantor or any of the grantors of any deed or instrument of the nature or description set forth in section 46:16–1 of this Title, made and executed, but not acknowledged or proved according to law, and the subscribing witnesses thereto are dead, of unsound mind or resident without the United States, such deed or instrument may be proved before the County Court of the county in which the real estate or property affected thereby, or some part thereof, is situate, by proving the handwriting of such witnesses, or, if there be no such witnesses, by proving the handwriting of such grantor or grantors, to the full satisfaction of

such court, which proof may be made by affidavits in writing, taken before any officer in this State authorized by law to take the acknowledgment and proof of deeds, and annexed to such deed or instrument. The proofs shall be certified on or under such deed or instrument in open court by the judge holding such court.

Before any proof shall be taken as herein provided, notice of the application to the County Court for that purpose, describing the deed or instrument and the real estate or property contained therein or affected thereby, and the time and place of such application, shall be given by advertisements, signed by the person making the application, and set up in at least five of the public places in the county, one of which such places shall be in the municipality in which such real estate or property is situate at least four weeks before making the application, and also by a publication four times during four consecutive calendar weeks, once in each week, in a newspaper printed in such county, if any be printed therein, and, if not, in a newspaper circulating in such county and printed in an adjacent county. Due proof, by affidavit annexed to such deed or instrument, of the notice herein required shall be made to the court, and certified by the judge thereof in the certificate of proof herein required.

Section amended.

5. Section 46:14–5 of the Revised Statutes is amended to read as follows:

Proofs of assignments of mortgages not proved, recording.

46:14–5. If the assignor of any mortgage upon real estate in this State, heretofore or hereafter made and executed but not acknowledged or proved according to law and the subscribing witnesses thereto be dead, of unsound mind, nonresidents of this State or not to be found within this State, the deed of assignment may be proved before a judge of the Superior Court, by proving the handwriting of such witnesses to the satisfaction of the judge, and, upon the certificate of such judge indorsed on or annexed to such assignment that such proof has been made before him, such assignment may be

recorded the same as if it were acknowledged according to law.

Section amended.

6. Section 46:16–5 of the Revised Statutes is amended to read as follows:

Informal instruments referred to in recorded deed or will.

46:16–5. When any writing, however informal, made to declare or to direct any use or trust of real estate, is referred to in any duly acknowledged or proved, certified and recorded deed or in any will, duly proved and recorded, or though made for some other purpose, is yet, by the terms of such deed or will, referring thereto, made to operate as such a declaration or direction, such writing, not being susceptible of being acknowledged or proved according to law, may be recorded, without acknowledgment or proof, if satisfactory proof shall be made before the County Court of the county in which the affected real estate is situate, which proof shall be evidenced by a certificate of the judge of such court, indorsed upon such writing over his signature, that the writing so offered to be recorded is the identical writing so referred to in such deed or will. Ten days' notice of the application to the County Court to prove any such writing shall be given by publication in a newspaper published in such county, or, if there be no such newspaper, in a newspaper circulating in such county.

Section amended.

7. Section 46:16–13 of the Revised Statutes is amended to read as follows:

Federal tax liens and certificates of discharge therefrom, filing.

46:16–13. Notices of Federal tax liens and certificates discharging such liens, which, by the provisions of section one hundred fifteen of chapter three of Title 26 of the Code of Laws of the United States, are made a lien upon all the property and rights to property belonging to the persons against whom Federal taxes are or may be assessed, may be filed in the office of the county recording officer of the county or counties wherein the property subject to such liens is situate, and shall be forthwith recorded in a book to be kept for that purpose entitled "Federal liens," and shall, immediately upon such filing, be indexed in an index book entitled "index of Federal liens," which index shall

indicate the date of filing, the place of record and the names of the parties thereto. Each county recording officer shall be authorized to charge for the filing and recording of notices of Federal tax liens or certificates of discharge therefrom the same fees as may be charged at the time of such filing and recording for the docketing of judgments from the lower courts in the County Court.

No Federal tax shall be a valid lien as against any mortgagee, purchaser or judgment creditor until the notice thereof shall be filed as provided by this section.

Section amended.

8. Section 46:16–14 of the Revised Statutes is amended to read as follows:

Copies of court minutes establishing lost or destroyed deed, etc.

46:16–14. Copies of the minutes of the Superior Court in proceedings to establish by judgment deeds or other instruments containing or affecting title to real estate or other property pursuant to chapter forty-seven of the Title, Administration of Civil and Criminal Justice, of the New Jersey Statutes (§ 2A:47–1 et seq.) may be recorded in the manner and with the effect provided by section 2A:47–3 of that Title.

Sections repealed.

9. Section 46:18–9 of the Revised Statutes is hereby repealed.

10. Section 46:18–10 of the Revised Statutes is hereby repealed.

Section amended.

11. Section 46:24–1 of the Revised Statutes is amended to read as follows:

Board of commissioners of land records, appointment, terms, vacanies, compensation.

46:24–1. In every county of this State having more than two hundred thousand inhabitants, one hundred or more persons, being residents and freeholders of such county, may make application to the Superior Court, and such court may thereupon, in its discretion, proceed thereon and appoint, from the members of the board of chosen freeholders of such county for the time being, two commissioners, who, and their successors, together with the counsel of the board of chosen freeholders of such county, for the time being, shall constitute a board to be known as the board of commissioners of land records, and hereinafter designated as the com-

missioners, whose powers and duties shall be as prescribed by this chapter. Such board of commissioners shall continue in office for two years from the time of their appointment, and for such additional time as the Superior Court may, by order, direct and appoint. Vacancies in such board of commissioners shall be filled in the same manner as original appointments are herein required to be made. The commissioners shall receive for their services such compensation as the Superior Court shall determine.

Section amended.

12. Section 46:24–2 of the Revised Statutes is amended to read as follows:

Powers of commissioners.

46:24–2. If commissioners shall be appointed under section 46:24–1 of this Title, they may, in the name of the board of chosen freeholders of the county for which they shall be appointed, for the purpose of procuring and preparing the maps and indexes directed by this chapter to be procured and prepared, putting the same in use and otherwise carrying out the directions and intent of this chapter, hire rooms, purchase stationery and material and employ such surveyors, draughtsmen, or other persons as they may require for such purpose. The compensation for such labor and the cost of room rent, materials and work shall, from time to time, be certified by the commissioners to the Superior Court, and the judge of such court shall, if satisfied of the correctness of such expenditures, order the payment thereof by the board of chosen freeholders of such county, and the board shall order the county treasurer to pay the same out of such funds appropriated or to be appropriated for the maintenance of the courts and records of such county, or of any unexpended balance.

The commissioners shall, as soon as they conveniently can after their appointment, submit to the board of chosen freeholders a statement of the probable cost and expense of procuring and preparing the required maps and indexes and putting the same in use.

13. Section 46:24–10 of the Revised Statutes is amended to read as follows: Section amended.

46:24–10. The maps and indexes required by this chapter shall be completed and placed in the proper offices for public use on the first day of January next after the appointment of the commissioners under section 46:24–1 of this Title, unless further time shall be required for the completion thereof; and, if it shall be so represented to the Superior Court by the commissioners, the court shall, by order, extend the time for the completion thereof, and such notice of such order shall be given as the court shall direct. Time for completion of maps and indexes.

14. Section 46:28–11 of the Revised Statutes is amended to read as follows: Section amended.

46:28–11. Chattel mortgages may be canceled of record in the manner prescribed by law for the cancellation of mortgages of real estate. Cancelling chattel mortgages.

15. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 45

AN ACT concerning public records, and amending sections 47:1–5, 47:1–6 and 47:1–8 of the Revised Statutes.

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

1. Section 47:1–5 of the Revised Statutes is amended to read as follows: Section amended.

47:1–5. All papers, documents and instruments in writing authorized or required by law to be recorded and indexed in the office of the Secretary of State, Clerk of the Superior Court, clerk, register of deeds and mortgages and surrogate of any county of this State, as well as the record and in- Photographic records in certain offices effect as evidence.

dex of any such papers, documents or instruments in writing, which may be recopied, rerecorded or transcribed pursuant to any law of this State, may be recopied, rerecorded, reindexed or transcribed in such offices by means of photography, and such rerecord or transcribing, made by means of photography, shall have the same legal force, meaning and effect as if made in handwriting or in typewriting.

The Secretary of State, Clerk of the Superior Court, clerk, register of deeds and mortgages and surrogate of any county of this State may make a copy by means of photography of any document or instrument and such photographic copy, if made, shall have the same legal force, meaning and effect as if made in handwriting or in typewriting.

Section amended.

2. Section 47:1–6 of the Revised Statutes is amended to read as follows:

Maps, requirements prerequisite to filing.

47:1–6. No map, plat, plan or chart of lands, required or that may be required by law to be filed, or that may be presented to the clerk of the County Court, register of deeds and mortgages or surrogate in any county of this State, shall be received for filing unless the same shall be made upon translucent tracing cloth, with fast-colored, waterproof ink and be accompanied by a cloth-print duplicate.

Section amended.

3. Section 47:1–8 of the Revised Statutes is amended to read as follows:

Rerecording worn, mutilated or obscure records.

47:1–8. Whenever any records of any deeds, mortgages or other instruments of record in the office of any clerk or register of deeds and mortgages of any county of this State are becoming worn out, mutilated, obliterated, obscured, or in such condition that by use the same would be likely to become entirely void, lost or unintelligible, and the title to lands or other property endangered, such clerk or register of deeds and mortgages shall, upon the order of any judge of the County Court of such county, rerecord such records anew, in books to be kept in the office of such clerk or register of deeds and mortgages, which books shall be known as the book of "rerecorded deeds," or

otherwise, in accordance with the types of instruments so rerecorded, shall be numbered and paged as were the old books, shall be certified by such clerk or register of deeds and mortgages, under his hand and seal, to be true copies of the original records, and shall be reindexed in the appropriate books of indexes of such recorded deeds, mortgages or instruments in such counties, being marked as reindexed. The expense of such rerecording shall be paid by the county in which the same is done, as the judge may determine and direct.

4. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 46

AN ACT concerning sales of securities, and revising parts of the staututory law.

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

1. Section 49:1–7 of the Revised Statutes is amended to read as follows: Section amended.

49:1–7. If a person, partnership, corporation, company, trust or association shall fail or refuse to file any such statement or report, or obey any such subpœna, or give testimony, or answer any question, or produce any book, record, document, account or paper as required, the Superior Court, upon application to it, may ex parte compel compliance forthwith. Failure to obey subpœna.

2. Section 49:1–8 of the Revised Statutes is hereby repealed. Sections repealed.

3. Section 49:1–9 of the Revised Statutes is hereby repealed.

Section amended.

4. Section 49:1–10 of the Revised Statutes is amended to read as follows:

Failure to comply with order, injunction.

49:1–10. If a person, partnership, corporation, company, trust or association shall fail or refuse to file any such statement or report or obey a subpœna the issuance of which is provided for in this chapter, or produce any book, record, document, account or paper, or give testimony or answer any question, as required by this chapter, the Attorney-General in addition to the other remedies provided for herein, may apply to the Superior Court for injunctive relief.

Upon proof of such failure or refusal the court may grant injunctive relief restraining the issuance, sale, offer for sale, purchase or offer to purchase, promotion, negotiation, advertisement or distribution within or from this State of any securities, by such person, partnership, corporation, company, trust or association, and any agent, employee, broker, partner, officer, director, or stockholder thereof, until the filing of the statement or report, the compliance with such subpœna, the production specified therein, the giving of testimony, the answering of questions and the completion of the Attorney-General's investigation of the practices of such person, partnership, corporation, company, trust or association. The court may grant such other and further relief as justice and equity shall require.

Section amended.

5. Section 49:1–11 of the Revised Statutes is amended to read as follows:

Injunction or receiver when illegal practices engaged in, procedure.

49:1–11. When it shall appear to the Attorney-General from any report or statement filed, from any examination made as provided by this chapter or from any source whatsoever, that a person, partnership, corporation, company, trust or association has engaged in, is engaging in, or is about to engage in, any practice declared to be illegal and prohibited by this chapter or when it shall appear that it will be against public interest for any person, partnership, corporation, company, trust or association to issue, sell, offer for sale, purchase, offer to pur-

chase, promote, negotiate, advertise or distribute any securities within or from this State, he may bring an action in the Superior Court and apply therein for injunctive relief, or the appointment of a receiver, or both. The court may proceed in the action in a summary manner or otherwise.

Section amended.

6. Section 49:1–12 of the Revised Statutes is amended to read as follows:

Injunction restraining the continuance of illegal practices.

49:1–12. If it shall appear to the court in the action, that such person, partnership, corporation, company, trust or association has engaged in, is engaging in or is about to engage in any practice declared to be illegal and prohibited by this chapter, it may enjoin such person, partnership, corporation, company, trust or association, and any agent, employee, broker, partner, officer, director or stockholder thereof, from continuing such practices or engaging therein or doing any acts in furtherance thereof. The court may also enjoin the issuance, sale, offer for sale, purchase or offer to purchase, promotion, negotiation, advertisement or distribution within or from this State of any securities by such person, partnership, corporation, company, trust or association and any agent, employee, broker, partner, officer, director or stockholder thereof until the court shall otherwise order.

Sections repealed.

7. Section 49:1–13 of the Revised Statutes is hereby repealed.

8. Section 49:1–14 of the Revised Statutes is hereby repealed.

Section amended.

9. Section 49:1–15 of the Revised Statutes is amended to read as follows:

Appointment of receiver, powers, jurisdiction of court.

49:1–15. When the court shall grant injunctive relief as provided for in sections 49:1–11 and 49:1–12 of this Title, it may appoint a receiver with power to sue for, collect, receive and take into his possession all the goods and chattels, rights and credits, moneys and effects, lands and tenements, books, records, documents, papers, choses in action, bills, notes and property of every description, derived by means of any practice declared to be illegal and prohibited by this chapter, includ-

ing property with which such property has been mingled, if it cannot be identified in kind because of such commingling, and to sell, convey, and assign the same and hold and dispose of the proceeds thereof under the direction of the court for the equal benefit of all who establish an interest therein by reason of the use and employment by the defendant of any practices herein declared to be illegal and prohibited. The court shall have jurisdiction of all questions arising in such proceedings and may make such orders and judgments therein as justice and equity shall require.

Section amended.

10. Section 49:1–16 of the Revised Statutes is amended to read as follows:

Appointment of receiver, injunction restraining the exercising of franchises and privileges, powers.

49:1–16. When injunctive relief is granted as provided for in sections 49:1–11 and 49:1–12 of this Title, against a corporation, partnership, company, association or trust, the court may appoint a receiver and may restrain the corporation, its officers, directors, stockholders, and agents, the partnership, company or association, its officers, members and agents, and the trust, its grantors, trustees, officers, cestuis que trustent and agents, from exercising any of its privileges or franchises, and in the case of a trust from executing the trust, and in all cases from collecting or receiving any debts, or paying out, selling, assigning or transferring any of its estate, moneys, funds, lands, tenements or effects except to the receiver appointed by the court until the court shall otherwise order.

Upon the appointment of the receiver, all the real and personal property of the corporation, partnership, company, association or trust, and its franchises, rights, privileges, and effects shall forthwith vest in him and the corporation, partnership, company, association or trust shall be divested of the title thereto.

The receiver shall settle the estate and distribute the assets, and have all the powers and duties conferred upon receivers by the provisions of Title 14, Corporations, General, so far as the provisions thereof are applicable.

11. Section 49:1–17 of the Revised Statutes is amended to read as follows: Section amended.

49:1–17. When, under the authority of this chapter, the Attorney-General shall deem it necessary to serve any notice, subpœna, questionnaire or other paper, demand, request or document upon, or shall institute any legal proceeding against a person, partnership, corporation, company, trust or association to carry into effect the provisions of this chapter, and it shall appear that he is unable to effect personal service within this State of such notice, subpœna, questionnaire or other paper, demand, request or document or of any subpœna, process, order, notice or pleading in any such proceeding, service thereof as service substitute for personal service in this State may be made in the following manner: Substituted service of process.

a. Personal service thereof without this State; or

b. The mailing thereof by registered mail to the last known place of business, residence or abode, within or without this State, of such person, partnership, corporation, company, trust or association for whom the same is intended; or

c. Such service as the Superior Court may direct in lieu of personal service within this State.

Service upon any officer, director or employee, or upon the registered agent, of any corporation shall be deemed personal service within the meaning of this chapter.

12. Section 49:1–19 of the Revised Statutes is amended to read as follows: Section amended.

49:1–19. If a person shall ask to be excused from testifying or producing any book, paper or other document before the Attorney-General, or the court or officer conducting the inquiry, upon any trial, investigation or proceeding initiated by the Attorney-General pursuant to the provisions of this chapter, for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or to convict him of a crime or subject him to a penalty or forfeiture, and shall, notwithstanding, be directed by the court or Incriminating evidence, compliance with direction.

officer conducting the inquiry to testify or to produce such book, paper or document, he shall comply with such direction.

Section amended.

13. Section 49:1–21 of the Revised Statutes is amended to read as follows:

Ne exeat against person failing to testify.

49:1–21. When it shall appear to the Attorney-General that the testimony of any person is essential to an investigation instituted by him as provided by this chapter, and that the failure of such person to appear and testify may defeat the proper and effective conduct thereof, the Attorney-General, in addition to the other remedies provided for herein, may, by petition verified generally, setting forth the facts, apply to the Superior Court for a writ of ne exeat against such person. The court shall thereupon direct the issuance of the writ against such person requiring him to give sufficient bail conditioned to insure his appearance before the Attorney-General for examination under oath in such investigation and that he will continue his appearance therein from time to time until the completion of the investigation and will appear before the court if the Attorney-General shall institute any proceeding therein as a result of his investigation.

Section amended.

14. Section 49:1–22 of the Revised Statutes is amended to read as follows:

Sufficiency of bail on ne exeat.

49:1–22. The court shall cause to be indorsed on the writ of ne exeat, in words at length, a suitable amount of bail upon which the person named in the writ shall be freed, having a due regard to the nature of the case and the value of the securities involved. All applications to be freed on bail shall be on notice to the Attorney-General and the sufficiency of the bail given on the writ shall be approved by the court. All recognizances shall be to the State and all forfeitures thereof shall be declared by the court. The proceeds of the forfeitures shall be paid into the State treasury.

15. Section 49:1–23 of the Revised Statutes is amended to read as follows: Section amended.

49:1–23. In any proceeding instituted by the Attorney-General in the Superior Court for the purpose of carrying into effect the provisions of this chapter, the court may make such orders or judgments as may be necessary to prevent the use or employment by a person, partnership, corporation, company, trust or association, of any of the practices herein declared to be illegal and prohibited, or which may be necessary to restore or distribute to any person in interest any moneys or property, real or personal which may have been acquired by such person, partnership, corporation, company, trust or association by means of any practice herein declared to be illegal and prohibited. Orders or judgments by court to prevent illegal practices.

16. Section 49:1–26 of the Revised Statutes is amended to read as follows: Section amended.

49:1–26. A person who shall publish, or cause to be published, any information relative to any complaint, statement, report, subpœna, testimony, investigation, examination, or other proceeding made or conducted pursuant to this chapter, before the institution of any proceeding thereunder in any court of this State, shall be guilty of a misdemeanor. Publication of information prohibited.

17. Section 49:1–27 of the Revised Statutes is amended to read as follows: Section amended.

49:1–27. In any action or proceeding brought under the provisions of this chapter, the Attorney-General shall be entitled to recover costs for the use of this State. Recovery of costs.

18. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 47

AN ACT concerning shellfish and revising parts of the statutory law.

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

Section amended.

1. Section 50:5–2 of the Revised Statutes is amended to read as follows:

Jurisdiction and venue.

50:5–2. Proceedings for the recovery of penalties under this chapter shall be within the jurisdiction of and may be brought before any municipal court or county district court, hereinafter in this chapter referred to as the "court," either in the county where the offense is committed or where the offender is first apprehended or where he may reside.

Section amended.

2. Section 50:5–4 of the Revised Statutes is amended to read as follows:

Title of proceedings.

50:5–4. Proceedings under this chapter shall run in the name of the State with the officer or person instituting the same as prosecutor, and shall be summary and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.).

Sections repealed.

3. Section 50:5–5 of the Revised Statutes is hereby repealed.

4. Section 50:5–8 of the Revised Statutes is hereby repealed.

Section amended.

5. Section 50:5–9 of the Revised Statutes is amended to read as follows:

Arrest without warrant, summary hearing.

50:5–9. Where a person is arrested without a warrant pursuant to section 50:1–13 of this Title for a violation committed within the view of the arresting officer, such officer shall carry him before a court in the county wherein the arrest is made, which court shall hear and determine in a summary way the guilt or innocence of such person, after receiving from the officer a complaint, in writing, duly verified, setting forth the nature of the offense.

6. Section 50:5–10 of the Revised Statutes is amended to read as follows: Section amended.

50:5–10. Any hearing to be held pursuant to this chapter may, for good cause shown, be adjourned for a period not exceeding thirty days from the return of any warrant, or from the date of any arrest without warrant, but in such case the court shall detain the defendant in safe custody unless he shall enter into bond to the person making the complaint. Such bond, if forfeited, may be prosecuted by the person to whom it is given in any court of competent jurisdiction. Adjournment of hearing, bond, forfeiture.

7. Section 50:5–14 of the Revised Statutes is hereby repealed. Section repealed.

8. Section 50:5–17 of the Revised Statutes is amended to read as follows: Section amended.

50:5–17. In addition to the penalties prescribed by section 50:5–1 of this Title, any boat or other vessel or vehicle used or employed in violation of any of the provisions of this Title shall be forfeited together with all tongs, dredges, tackle, and furniture and appurtenances thereunto belonging. The members of the board, the director, the chiefs of departments and divisions, the captains or masters of guard boats, guards, the special officers employed by the board, and the assistants of any of them, and any police officers or constables shall, and any other person may, seize and secure any such boat or other vessel or vehicle and shall immediately thereafter give notice thereof to any municipal court or county district court, located in the county wherein the seizure is made which shall, at an appointed time and place, summarily hear and determine whether such boat or other vessel or vehicle was unlawfully used, and if it so appears, direct the confiscation and forfeiture of such boat or other vessel or vehicle to the use of the board. Such board may dispose of such boat or vessel or vehicle at its discretion. Forfeiture of property, hearing, confiscation.

9. Section 50:5–18 of the Revised Statutes is hereby repealed. Sundry sections repealed.

10. Section 50:5–19 of the Revised Statutes is hereby repealed.

11. Section 50:5–20 of the Revised Statutes is hereby repealed.

12. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 48

AN ACT concerning standards, weights, measures and containers, and revising parts of the statutory law.

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

Section amended.

1. Section 51:1–12 of the Revised Statutes is amended to read as follows:

Penalties, recovery, disposition.

51:1–12. A person violating any provision of sections 51:1–10 or 51:1–11 of this Title shall be liable to a penalty of fifty dollars ($50.00) to be recovered in the municipal court or county district court by any person who may sue therefor. Such penalty when recovered shall be paid to the county treasurer of the county in which the violation occurred.

Section amended.

2. Section 51:1–87 of the Revised Statutes is amended to read as follows:

Refusal to seal weight or measure, reason, review.

51:1–87. Any superintendent or assistant superintendent may decline to seal any weight or measure which is so constructed as to facilitate the perpetration of fraud. He shall report such act to the State superintendent who, if satisfied upon investigation that its use is prejudicial to the best interests of the public, shall order that such weight or measure shall be treated as an unlawful one. Such order may be reviewable by the Superior Court in a proceeding in lieu of prerogative writ.

3. Section 51:1–96 of the Revised Statutes is amended to read as follows: Section amended.

51:1–96. Any person who injures or defrauds another by using, or causes to be used, or has in his possession a false weight, measure or other apparatus for determining the quantity of any commodity or article of merchandise, or sells or exposes for sale less than the quantity he represents, shall for the first offense be liable to a penalty of not less than twenty-five dollars ($25.00) nor more than fifty dollars ($50.00), and for a second offense to a penalty of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00), and for each subsequent offense to a penalty of not less than one hundred dollars ($100.00) nor more than two hundred dollars ($200.00), or imprisonment for not less than thirty days nor more than ninety days, or both, the amount of such penalty to be determined, as aforesaid, in the discretion of the county district court or municipal court having jurisdiction. Penalties.

4. Section 51:1–103 of the Revised Statutes is amended to read as follows: Section amended.

51:1–103. An action for the recovery of a penalty for violation of this chapter shall be within the jurisdiction of and may be brought before any county district court, criminal judicial district court or municipal court in the county where the offense is committed or where the defendant may reside, which court is hereinafter referred to in this article as the "court." Action to recover penalty, jurisdiction.

5. Section 51:1–104 of the Revised Statutes is hereby repealed. Section repealed.

6. Section 51:1–105 of the Revised Statutes is amended to read as follows: Section amended.

51:1–105. A penalty incurred for the violation of any of the provisions of this Title may be enforced pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.) in a summary proceeding brought in the name of the State by a superintendent, assistant superintendant, or inspector. Enforcement of penalties, commitment.

The court may issue a summons or warrant. The warrant or summons may be directed to any superintendent, assistant superintendent, inspector or to any constable or police officer commanding him to cause the person complained of to be arrested and brought before the court. A summons or warrant issued by a court under this article shall be valid throughout the State. An officer who may serve the summons or warrant in the county in which it was issued may also serve the summons or warrant and make arrest on the warrant in any county of the State.

If any person shall fail to pay the penalty or penalties imposed together with the costs of the proceedings, the court shall commit him to the common jail of the county where the conviction is had, for a period not exceeding thirty days, except where the period of imprisonment is otherwise provided for, or until the penalty and costs are sooner paid.

Section amended.

7. Section 51:1–106 of the Revised Statutes is amended to read as follows:

Arrest without warrant.

51:1–106. A superintendent, assistant superintendent, or inspector on the violation of any of the provisions of this Title within his view may without warrant arrest the offender and conduct him before the court having jurisdiction in the municipality where the arrest is made or the offense committed.

Section amended.

8. Section 51:1–107 of the Revised Statutes is amended to read as follows:

Appeal.

51:1–107. Any party may appeal from a judgment rendered or sentence imposed pursuant to section 51:1–105 of this Title. Where the State is the appellant neither an appeal bond, nor a deposit of cash in lieu thereof, shall be required.

Section repealed.

9. Section 51:1–108 of the Revised Statutes is hereby repealed.

10. Section 51:1–110 of the Revised Statutes is amended to read as follows: Section amended.

51:1–110. In all actions brought under the provisions of this chapter in a county district court or municipal court, the prevailing party therein shall be entitled to recover his taxed costs which costs shall be taxed as in other actions in the court in which the action is instituted. The governing bodies of the several counties and of the several municipalities shall provide in their budgets or from other sources a sum sufficient for such costs. Costs to prevailing party, provision for payment.

11. Section 51:1–112 of the Revised Statutes is hereby repealed. Section repealed.

12. Section one of chapter one hundred eighty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows: Section amended.

1. Definitions: For the purpose of this act, the following words shall be deemed to have the meaning herein given them: C. 51:1-113. Terms defined.

(a) "Department" shall mean the Division of Weights and Measures in the Department of Law and Public Safety.

(b) "Person" or "persons" shall be construed to include any individual, partnership, association, corporation or other form of business enterprise.

(c) "Weights and measures officer" shall be construed to mean and include the Superintendent of the Division of Weights and Measures or his assistants or inspectors, county or assistant county superintendents of weights and measures or inspectors, and municipal or assistant municipal superintendents of weights and measures or inspectors.

(d) "Weighing or measuring devices" as used in this act shall be deemed to mean and to include any scale, weight, scale beam, patent balance, computing scale, spring scale, person weighing scale operated for profit, steelyard, liquid measure, gasoline dispensing device, grease dispensing device, counter measure, or any other instrument or apparatus, and accessories connected therewith used in trade and commerce in the State of New Jersey

in weighing or measuring any commodity, fluid, or article of merchandise, or person; *provided,* the term shall not include any meter, measure or scale used by a public utility subject to the jurisdiction of the Board of Public Utility Commissioners of this State for measuring any commodity or service furnished or sold by such public utility.

(e) "Repair," "repairing," and "repaired," shall be construed to mean any partial or complete construction or reconstruction, repair, alteration, installation or adjustment of any weighing or measuring devices used in trade and commerce in the State of New Jersey.

(f) "Repairman" shall mean any person engaging in the partial or complete constructing or reconstructing, repairing, altering, installing or adjusting of any weighing or measuring devices used in trade and commerce in the State of New Jersey.

(g) "Adjustment" and "adjusting." The moving of any part of a weighing or measuring device to obtain a correct zero indication only shall not be construed to come within the meaning of these terms.

(h) "Engaging in business" or "engaged in business" shall be deemed and understood to mean and include any single transaction, act, or sale.

Section amended.

13. Section twenty of chapter one hundred eighty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 51:1-132. Recovery of penalties, procedure.

20. A proceeding to recover any penalty incurred under the provisions of this act, or acts supplementary or amendatory thereof, may be brought in the name of the State of New Jersey by any duly appointed weights and measures officers in any county district court or municipal court of any municipality of this State, wherein the violation occurs, which courts shall have jurisdiction over the proceeding. The proceeding shall be summary and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall be either in the nature of a summons or warrant and

it may be directed to any weights and measures officer, or to any constable or police officer, commanding him to cause the person or persons so complained of to be summoned or arrested and brought before the court.

No defendant under any body execution shall be detained for a period exceeding ten days, except as may be otherwise provided by this act.

It shall be the duty of the city attorney of any municipality wherein such violation shall take place to assist in the prosecution of the same, unless such municipality has no such municipal superintendent of weights and measures as provided for in section 51:1–43 of the Revised Statutes, in which case the county prosecutor of the county wherein such violations shall take place shall assist in such prosecution. All fines and penalties collected from persons offending against the provisions of this act shall be paid by the magistrate or court clerk receiving the same, when recovered by a State weights and measures officer, to the State Treasurer; when recovered by a county weights and measures officer, to the county treasurer of such county; and when recovered by a municipal weights and measures officer, to the municipality which such officer represents. For violation of any of the provisions of this act, done within the view of any weights and measures officer, such weights and measures officer is authorized, without warrant, to arrest the offender or offenders and to conduct him or them before the county district court or a municipal court in the county wherein such offense is committed.

Section amended.

14. Section 51:3–1 of the Revised Statutes is amended to read as follows:

Pillars showing true meridian, verification.

51:3–1. The board of chosen freeholders of each county shall erect, and properly inclose and protect at public spots, adjacent to the court house of the county, two substantial pillars on the same meridian line and not less than one hundred feet apart. The board shall cause to be determined the accurate latitude and longitude of the first of said pillars,

reckoning the longitude from the meridian at Washington, and shall have said latitude and longitude distinctly and legibly marked on said pillar in degrees, minutes, seconds and parts of a second. Upon the summit of the first pillar there shall be immovably placed a brass plate, indented with a line indicating the true meridian. There shall also be placed on said first pillar a hair sight, in such a manner that a straight line passing through the center thereof, extended to a distinctly visible needle point, which shall be maintained on the summit of the second pillar, will be in the line of the true meridian running north and south. The board shall cause the said meridian line to be verified at any time, when required by order of any judge of the County Court of said county.

Section amended.

15. Section 51:4–22 of the Revised Statutes is amended to read as follows:

Deviations from standards, penalties, recovery.

51:4–22. Any person causing or being responsible for a deviation from the authorized standards herein or hereafter adopted, where said deviation indicates an intention to defraud shall for the first offense be liable to a penalty of not less than twenty-five dollars ($25.00) or more than fifty dollars ($50.00) and for a second offense be liable for a penalty of not less than fifty dollars ($50.00) or more than one hundred dollars ($100.00) and for each subsequent offense shall be liable to a penalty of not less than one hundred dollars ($100.00) or more than two hundred dollars ($200.00) or imprisonment for not less than thirty days or more than ninety days or both, the amount of said penalty to be determined as aforesaid in the discretion of the county district court or municipal court having jurisdiction. If any person shall fail to pay the penalty imposed, together with the cost of prosecution, the court may commit him for a period of not exceeding ninety days. An action to recover any penalty under this article may be brought in the name of the State of New Jersey by a lumber inspector appointed as hereinabove set forth, as if brought by any duly appointed superintendent.

16. Section 51:7–9 of the Revised Statutes is amended to read as follows: Section amended.

51:7–9. Any penalty incurred under the provisions of this chapter shall be sued for in the name of the State of New Jersey by any weights and measures officer. Jurisdiction of all cases arising out of violations of the provisions of this chapter is hereby conferred upon the county district court and the municipal courts in the county in which such violations are committed. Recovery of penalty, jurisdiction.

17. Section 51:8–1 of the Revised Statutes is amended to read as follows: Section amended.

51:8–1. For the purpose of this chapter the following words shall be deemed to have the meaning herein given them: Terms defined.

a. "Department" shall mean the Division of Weights and Measures in the Department of Law and Public Safety.

b. "Solid fuel" shall mean any anthracite, semi-anthracite, bituminous, semibituminous, or lignite coal, briquettes, boulettes, coke, gas house coke, petroleum coke, petroleum carbon or any other manufactured or patented fuel not sold by liquid or metered measure.

c. "Ton" shall mean the net ton of two thousand pounds avoirdupois.

d. "Vehicle" shall mean any truck, wagon, cart or other conveying device using the streets, alleys or other thoroughfares in this State, but not including railroad cars.

e. "Equipped dealer" shall mean any person who is regularly engaged in the sale, or sale and delivery of solid fuel; maintains unloading, storage and service facilities commensurate with the nature of the business; is equipped with and using wagon or truck scales, or other approved weighing or measuring devices, of sufficient size and capacity and maintained in condition accurately to weigh the maximum load for which they are utilized; maintains an office accessible to the public with a competent person on duty, and regularly carries a stock of solid fuel.

f. "Unequipped dealer" shall mean all other persons engaged in the sale, delivery, or sale and delivery of solid fuel.

g. "Person" shall be construed to include any individual, partnership, unincorporated association, corporation or other form of business enterprise.

h. "Weights and measures officers" shall be construed to include the Superintendent of the Division of Weights and Measures or his assistants or inspectors, county or assistant county superintendents of weights and measures or inspectors, and municipal or assistant municipal superintendents of weights and measures or inspectors.

Section amended.

18. Section 51:8–15 of the Revised Statutes is amended to read as follows:

Procedure for recovery of penalty.

51:8–15. An action to recover any penalty incurred under the provisions of this chapter may be brought in the name of the State of New Jersey by any duly appointed weights and measures officer. The summons or warrant issued may be directed to a person named in section 51:1–105 of this Title or to any weights and measures officer.

It shall be the duty of the municipal attorney of any municipality wherein such violation shall take place to assist in the prosecution of the same, unless such municipality has no such municipal superintendent of weights and measures as provided for in section 51:1–43 of this Title, in which case the county prosecutor of the county wherein such violation shall take place shall assist in such prosecution.

Section amended.

19. Section 51:8–16 of the Revised Statutes is amended to read as follows:

Arrest without warrant.

51:8–16. For violation of any of the provisions of this chapter, done within the view of any weights and measures officer, such weights and measures officer is authorized, without warrant, to arrest the offender or offenders and to conduct him or them before the county district court or any municipal court having jurisdiction in the county wherein such arrest is made or the offense is committed.

20. Section 51:8–17 of the Revised Statutes is hereby repealed. Sections repealed.

21. Section 51:8–18 of the Revised Statutes is hereby repealed.

22. Section 51:8–19 of the Revised Statutes is amended to read as follows: Section amended.

51:8–19. All fines and penalties collected from persons offending against the provisions of this chapter shall be paid by the magistrate or court clerk receiving the same, when recovered by a State weights and measures officer, to the State Treasurer; when recovered by a county weights and measures officer, to the county treasurer of such county; and when recovered by a municipal weights and measures officer, to the municipality which such officer represents. Disposition of penalties.

23. Section 51:9–1 of the Revised Statutes is amended to read as follows: Section amended.

51:9–1. As used in this chapter: Terms defined.

a. The words "liquid fuels" shall be deemed to mean and to include fuel in liquid form, which can or may be used for heating purposes; *provided, however,* that oils shall not be included if they possess a flash point of one hundred five degrees Fahrenheit or lower, as determined by the Tagliabue closed cup tester or a Saybolt Universal Viscosity at one hundred degrees Fahrenheit higher than fifty-five seconds.

b. The words "weights and measures official" shall be deemed to mean and to include any State, county or municipal superintendent, or assistant superintendent of weights and measures.

24. Section 51:9–11 of the Revised Statutes is amended to read as follows: Section amended.

51:9–11. Any person violating any of the provisions of this chapter shall, upon conviction thereof, pay a penalty of not less than twenty-five dollars ($25.00) nor more than fifty dollars ($50.00), for the first offense, or for failure to forthwith pay such penalty shall be imprisoned in the county jail for a period not exceeding twenty days; and for a second offense, shall, after conviction, pay a pen- Penalties, disposition, municipal attorney to assist.

alty of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00), and for failure to forthwith pay such penalty shall be imprisoned in the county jail for a period not exceeding forty days; and for a third or each subsequent offense, shall, after conviction, pay a penalty of not less than one hundred dollars ($100.00) nor more than two hundred dollars ($200.00), and for failure to forthwith pay such penalty shall be imprisoned in the county jail for a period not exceeding sixty days.

All penalties collected from persons violating the provisions of this chapter shall be paid by the magistrate or court clerk receiving the same, when recovered by the State Superintendent of Weights and Measures, or his assistants, to the State Treasurer; when recovered by a county weights and measures officer, to the county treasurer of such county; and when recovered by a municipal weights and measures officer, into the treasury of the municipality which such officer represents.

It shall be the duty of the municipal attorney of any municipality wherein any violation takes place to assist in the prosecution of the same and to assist in the trial of any appeal, where a complaint is made by a municipal weights and measures official and if such municipality has no municipal weights and measures official, the county prosecutor wherein such violation takes place shall assist in such prosecution.

Section amended.

25. Section 51:9–12 of the Revised Statutes is amended to read as follows:

Summons or warrant to issue.

51:9–12. A complaint having been made to a county district court or municipal court by any weights and measures official, that any person has violated any of the provisions of this chapter, a summons or a warrant may issue directed to any weights and measures official or to any constable or police officer for the appearance or arrest of the person so charged.

Sundry sections repealed.

26. Section 51:9–13 of the Revised Statutes is hereby repealed.

27. Section 51:9–14 of the Revised Statutes is hereby repealed.

28. Section 51:9–15 of the Revised Statutes is hereby repealed.

29. Section 51:9–16 of the Revised Statutes is amended to read as follows: Section amended.

51:9–16. The county prosecutor of any county, charged with the enforcement of the provisions of this chapter, may request the Attorney-General to attend personally, or by such assistant or assistants, as he shall designate to aid in any appeal which may be taken in any proceeding under this chapter. Request for aid of Attorney-General on appeal.

30. Section 51:9–17 of the Revised Statutes is amended to read as follows: Section amended.

51:9–17. All proceedings for the violation of the provisions of this chapter shall run in the name of the State of New Jersey with the weights and measures official who institutes the proceeding as prosecutor. Entitling proceedings.

31. Section 51:9–18 of the Revised Statutes is amended to read as follows: Section amended.

51:9–18. Any constable or police officer, or weights and measures official is hereby authorized to arrest, without warrant, any person violating, in the presence of such constable, or police officer, or weights and measures official any of the provisions of this chapter, and to bring the defendant before the county district court or a municipal court in the county where such offense is committed. Arrest without warrant.

32. Section 51:9–19 of the Revised Statutes is hereby repealed. Section repealed.

33. Section 51:9–20 of the Revised Statutes is amended to read as follows: Section amended.

51:9–20. A summons or warrant issued by any court having jurisdiction in accordance with the provisions of this chapter shall be valid throughout the State, and any officer who has power to serve the said summons, or to serve said warrant and make arrest 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 Summons or warrants valid throughout State, arrest in county other than where violation occurred, procedure.

make arrest thereon in any of the several counties of the State. 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 the county district court or a municipal court in 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 such a court in the county in which the arrest shall have been made, which shall thereupon fix a day for the matter to be heard before the court 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. The cash deposit or recognizance so taken shall be returned to the court issuing the warrant, to be retained and disposed of by it as by this chapter provided.

Section repealed.

34. Section 51:9–21 of the Revised Statutes is hereby repealed.

Section amended.

35. Section one of chapter one hundred forty-three of the laws of one thousand nine hundred and fifty-two is amended to read as follows:

C. 51:10-1. Terms defined.

1. For the purpose of this act the following words shall be deemed to have the meaning herein given them:

(a) "Liquefied petroleum gas" shall mean and include any material or substance which is composed predominantly of any of the following hydrocarbons or mixtures of the same:

Propane, propylene, butane, normal or iso-, and butylene.

(b) "Superintendent" shall mean the Superintendent of the Division of Weights and Measures of the Department of Law and Public Safety.

(c) "Weights and measures officer" shall mean and include the superintendent of weights and measures or his deputy or assistant superin-

tendents, county superintendents of weights and measures or their assistants, and municipal superintendents of weights and measures or their assistants.

(d) "Court" shall be construed to mean and to include any county district court, criminal judicial district court or municipal court.

Section amended.

36. Section fourteen of chapter one hundred forty-three of the laws of one thousand nine hundred and fifty-two is amended to read as follows:

C. 51:10-14. Recovery of penalty, jurisdiction.

14. Any penalty shall be recovered as specified in sections 51:1–103 and 51:1–105 to 51:1–107 of the Revised Statutes. An action for the recovery of a penalty for violation of any of the provisions of this act shall be within the jurisdiction of and may be brought before the county district court or its criminal judicial district court or a municipal court in the county in which the offense is committed or where the defendant may reside. In any proceeding process shall be the same as that provided for in said sections of the Revised Statutes, and any weights and measures officer shall have power to arrest any offender without warrant where there is a violation of this act within his view, and conduct him before any court having jurisdiction in the county where the arrest is made or the offense committed.

37. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 49

AN ACT concerning State Government, departments and officers, and revising parts of the statutory law.

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

Section amended.

1. Section 52:12–2 of the Revised Statutes is amended to read as follows:

Contents of legislative manual.

52:12–2. The legislative manual shall include in the contents of each volume the following:

a. The Constitution of the State of New Jersey;

b. The rules of the Senate, the rules of the General Assembly, and the joint rules and orders of the Senate and General Assembly;

c. A correct list of the members of the Legislature of the Session for which the volume is published, with their post-office addresses;

d. A correct list of the several State officers, with the names of their offices, their post-office addresses, the terms for which they are elected or appointed and the date of the expiration thereof;

e. A correct list of the names of the Chief Justice and Justices of the Supreme Court, and the judges of the Superior Court, their terms of office and the date of the expiration thereof;

f. A correct list of the officers of each county, including the sheriff, coroners, county clerk, surrogate, county treasurer, register of deeds and mortgages, and county prosecutors, with their post-office addresses, their terms of office and the date of the expiration thereof;

g. A list of the County Courts and the United States Courts in and for this State, with the names of the judges, clerks, the place where held and the time of holding their several terms;

h. The names of the President and Officers of the United States Government, and the names and

post-office addresses of the United States judges and other officers of the United States Courts in this State;

i. The latest census of this State taken under the authority of the United States, as well as any census of the State when taken under the authority of the State;

j. The election returns of the general election next preceding the meeting of the Legislature for which the volume is published;

k. A careful synopsis of all the annual reports of the State departments and institutions required by law to be submitted to the Governor or Legislature; and

l. Such other matter as the Governor or Legislature may from time to time direct to be published in such volume, or which the compilers of the volume may see fit to print, pertaining to the affairs of the State.

Section amended.

2. Section 52:13–12 of the Revised Statutes is amended to read as follows:

Bail of contemner.

52:13–12. Any judge of the Superior Court may let to bail any person apprehended for hearing on a charge of contempt under a warrant issued by direction of a concurrent resolution as provided in section 52:13–6 of this Title, in such amount and with such surety as the judge shall determine to be reasonable, to appear before the Joint Session of the Legislature, at the time and place fixed by the warrant as well as at any and all adjournments thereof, and to stand to and abide such determination and sentence as may thereafter be found or imposed against the person so apprehended. Such recognizances shall run in favor of the State of New Jersey and shall be filed by the judge in the office of the Secretary of State.

Section amended.

3. Section 52:14–7 of the Revised Statutes is amended to read as follows:

Residence in State required, transfer of duties, penalty.

52:14–7. Except as otherwise provided by law, every person holding an office in this State, under the authority thereof, shall reside in this State and execute such office.

If any person holding any such office shall attempt to let, farm out or transfer such office or any part thereof to any person, he shall forfeit the sum of fifteen hundred dollars ($1,500.00), to be recovered with costs by any person who shall sue for the same, one-half to the prosecutor and the other half to the treasurer for the use of the State.

No person shall be appointed to or hold any office in this State who has not the requisite qualifications for personally performing the duties of such office in cases where scientific engineering skill is necessary to the performance of the duties thereof.

Any person holding or attempting to hold an office in violation of this section shall be considered as illegally holding or attempting to hold the same, and the Superior Court may, in a proceeding in lieu of prerogative writ, give judgment of ouster against such person, at the relation of any officer of the State.

Section amended.

4. Section 52:14–9 of the Revised Statutes is amended to read as follows:

Failure to qualify, election void.

52:14–9. If any person elected to any office by the Senate and General Assembly in joint meeting shall neglect or refuse to qualify into such office within two months after being informed of his election by any member of the Senate or General Assembly for the county in which said officer resides, or by the county clerk of such county, said election shall thenceforth be void.

Section amended.

5. Section 52:14–12 of the Revised Statutes is amended to read as follows:

Notice of death of certain State officers.

52:14–12. Upon the death of a State officer holding an office which is to be filled by the Governor and Senate, or by the Legislature in joint meeting, or by the people at an annual election, the judge of the County Court of the county in which the deceased officer resided at the time of his death or the county judge living nearest to the residence of such officer if there are two or more county judges shall forthwith give notice and information, in writing, to the Governor, or person administering the government of this State, of the death of

such officer and the time thereof, according to the best of the knowledge and belief of the judge. The notice shall be filed by the Governor, or person administering the government, in the office of the Secretary of State.

The Governor, or person administering the government, shall communicate to the Legislature at the earliest opportunity, notice of the death of every officer whose office is to be filled by the Legislature in joint meeting, and of every case in which, by reason of death, either house of the Legislature is authorized to issue writs of election for supplying vacancies.

Section amended.

6. Section one of chapter one hundred eighteen of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 52:14-17.2. Appeal from removal.

1. Any officer or employee of this State, who may be removed by the Governor, pursuant to Article V, Section IV, paragraph five, of the Constitution, may appeal from the order of removal to the Appellate Division of the Superior Court as in the case of an appeal from a final decision of a State administrative agency in lieu of prerogative writ.

Section amended.

7. Section two of chapter one hundred eighteen of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 52:14-17.3. Time of appeal.

2. Any such appeal shall be taken within twenty days from the date of the making of the removal order by filing a notice of appeal with the Appellate Division and the Secretary of State.

Section amended.

8. Section three of chapter one hundred eighteen of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 52:14-17.4. Respondent, counsel, record of proceedings, depositions.

3. The Governor shall be the respondent and shall be designated by the name of his office only. He may designate the Attorney-General or other counsel to represent the respondent in the proceeding. The Attorney-General shall file with the Appellate Division the original or a certified copy of the record of the proceedings under review, except a transcript of the testimony which shall be filed by the appellant if the same was taken stenograph-

ically. By leave of court depositions may be taken for use upon the hearing of the appeal.

C. 52:14-17.5. Section repealed.

9. Section four of chapter one hundred eighteen of the laws of one thousand nine hundred and forty-eight is hereby repealed.

C. 52:14-17.6. Section repealed.

10. Section five of chapter one hundred eighteen of the laws of one thousand nine hundred and forty-eight is hereby repealed.

C. 52:14-17.7. Section repealed.

11. Section six of chapter one hundred eighteen of the laws of one thousand nine hundred and forty-eight is hereby repealed.

C. 52:14-17.8. Section repealed.

12. Section seven of chapter one hundred eighteen of the laws of one thousand nine hundred and forty-eight is hereby repealed.

C. 52:14-17.9. Section repealed.

13. Section eight of chapter one hundred eighteen of the laws of one thousand nine hundred and forty-eight is hereby repealed.

C. 52:14-17.11. Section repealed.

14. Section ten of chapter one hundred eighteen of the laws of one thousand nine hundred and forty-eight is hereby repealed.

Section amended.

15. Section eleven of chapter one hundred eighteen of the laws of one thousand nine hundred and forty-eight is hereby amended to read as follows:

C. 52:14-17.12. Fees.

11. No filing or other fees shall be demanded of the respondent, and no costs shall be awarded against him. For the filing of the notice of appeal with the Secretary of State, the Secretary of State shall be entitled to a fee of ten dollars ($10.00) to be paid by the appellant. The Clerk of the Superior Court shall be entitled to the same fees from an appellant as are due by an appellant upon other appeals to the Appellate Division.

Section amended.

16. Section 52:16–1 of the Revised Statutes is amended to read as follows:

Secretary of State, bond, record and filing.

52:16–1. The Secretary of State, before entering upon the performance of his duties, shall enter into bond to the State of New Jersey, with sufficient surety to be approved by a judge of the Superior Court, in the sum of five thousand dollars ($5,000.00), conditioned that he will well and truly execute the office of Secretary of State, and faithfully and impartially perform and execute all things

pertaining to said office, both as regards the State and all persons concerned, and at the expiration of his said office, deliver all the books, records and papers remaining in or appertaining to said office, to his successor. If individual and not corporate surety is given, the sureties shall be at least two in number and shall be freeholders of the State.

Said bond, when so executed, shall be recorded in the office of the Clerk of the Superior Court and thereafter delivered by such clerk to the State Treasurer who shall keep it among the public papers of his office.

Section amended.

17. Section 52:16–2 of the Revised Statutes is amended to read as follows:

Oath, filing.

52:16–2. The Secretary of State, after having given bond as required by section 52:16–1 of this Title, shall take and subscribe the following oath before the Chief Justice or any associate justice of the Supreme Court or any judge of the Superior Court:

"I, A. B., do solemnly swear that I will well and truly, faithfully, impartially and justly execute the office of Secretary of State of New Jersey, of the same, agreeably to law, according to the best of my skill and understanding."

Said oath, so subscribed, shall be delivered by the justice or judge administering the same to the State Treasurer who shall keep it among the public papers of his office.

Section amended.

18. Section 52:16–3 of the Revised Statutes is amended to read as follows:

Salary.

52:16–3. The Secretary of State shall receive an annual salary of ten thousand dollars ($10,000.00) which shall be full compensation for all services rendered by him as Secretary of State, or in any other official capacity whatever.

Section amended.

19. Section 52:16–4 of the Revised Statutes is amended to read as follows:

Office location.

52:16–4. The Secretary of State shall keep his office within the city of Trenton.

Section amended.

20. Section 52:16–8 of the Revised Statutes is amended to read as follows:

Duties.

52:16–8. The Secretary of State shall, with all convenient speed, record all papers which shall come to his hands and which it is his duty to record, and also file such papers in his office, agreeably to law.

Section amended.

21. Section four of chapter twenty of the laws of one thousand nine hundred and forty-four is amended to read as follows:

C. 52:17A-4. Powers and duties of division of law.

4. The powers and duties of the Division of Law shall be the powers and duties now or hereafter conferred upon or required of the Attorney-General, either by the Constitution or by the common and statutory law of the State, and as specifically but not exclusively as detailed herein, to wit:

a. Be present at the seat of the government during the sessions of the Legislature;

b. Give to the Governor, to the members of the Senate and the General Assembly, and to all other officers, departments, boards, bodies, commissions and instrumentalities of the State Government, legal advice on such matters as they may from time to time require.

c. Examine and decide all legal matters submitted to him by the Governor or the Legislature and act for them in any matter in which they may be interested, and shall exclusively attend to and control all litigation and controversies to which the State is a party or in which its rights and interests are involved.

d. Carry out and enforce the provisions of the New Jersey Securities Law; also the Civil Rights Law.

e. Act as the sole legal adviser, attorney or counsel, notwithstanding the provisions of any other law, for all officers, departments, boards, bodies, commissions and instrumentalities of the State Government in all matters other than those requiring the performance of administrative functions entailing the enforcement, prosecution and hearing of issues as imposed by law upon them;

and represent them in all proceedings or actions of any kind which may be brought for or against them in any court of this State; and shall likewise interpret all statutes and legal documents, inspect and approve contracts and titles and otherwise control their legal activities.

f. Render aid in the prosecution of the criminal business of any county at the written request of the county prosecutor; prosecute the criminal business of the State in a county having no county prosecutor; attend for the trial of homicide cases and other high crimes and misdemeanors, or for the prosecution of the criminal business of the State, in any county, on the written request of an assignment judge of the Superior Court or of the board of chosen freeholders of the county; and attend for the prosecution of a specific investigation or of a particular criminal case in any county on the written request of the Governor.

g. Attend generally to all legal matters in which the State or any officer, department, board, body, commission or instrumentality of the State Government is a party or in which its rights or interests are involved;

h. Enforce the provisions of the Constitution and all other laws of the State, as well as perform all the duties conferred and imposed by law upon the Attorney-General.

Section amended.

22. Section five of chapter twenty of the laws of one thousand nine hundred and forty-four is amended to read as follows:

C. 52:17A-5. Attorney-General as county prosecutor, powers.

5. Whenever the Attorney-General, personally or by his deputies or assistants, shall attend in any county where there is no county prosecutor, or at the request of the Governor or of an assignment judge of the Superior Court or of the board of chosen freeholders or of the county prosecutor of the county, for the prosecution of the criminal business of the State in said county or of such part thereof as shall be designated in, or as shall fall within the general purview of the matters designated in, the written request therefor, the

Attorney-General and his deputies or assistants shall have all the power and authority of the county prosecutor for prosecuting the criminal business of the State or such part thereof, including the investigation of alleged crimes and misdemeanors, the attendance before the criminal courts and grand juries of the county, the preparation and trial of indictments for crimes and misdemeanors and the representation of the State in all proceedings in criminal cases on appeal or otherwise in the courts of this State.

Whenever the Attorney-General shall have taken over the duties of a county prosecutor, he shall have all of the authority conferred by law upon the prosecutor, and he may appoint such temporary assistants as he may deem necessary, and shall also have power to appoint such aids, investigators or other personnel and clerical assistants as he shall deem necessary.

Whenever the criminal business or any part of the criminal business of any county is prosecuted by the Attorney-General, personally or by his deputies or assistants, there shall be paid, by the treasurer of the county, such sum for that special service as the assignment judge of the Superior Court of the county or a judge of the County Court of said county shall certify and fix, on the application of the Attorney-General; *provided,* that the compensation allowed shall not exceed that provided by law for the payment of the county prosecutor in said county for the same or similar services; *provided, however,* that no compensation so allowed shall affect the salary of the county prosecutor or assistant prosecutors if any in said county.

Proviso.

Proviso.

In prosecuting such criminal business, the Attorney-General shall have power to employ such investigators, clerical and other assistants and to incur such expenses as he shall determine, and the cost thereof, including the compensation allowed as aforesaid of any deputy or assistant attorneys-general who shall be employed or designated by the Attorney-General for that special purpose in ad-

dition to those regularly employed in the Division of Law, shall likewise be paid by the treasurer of the county when certified and fixed in the same manner.

C. 52:17B-41.21. Section repealed.

23. Section twenty-one of chapter three hundred thirty-six of the laws of one thousand nine hundred and fifty-two is hereby repealed:

Section amended.

24. Section sixteen of chapter two hundred fifty-five of the laws of one thousand nine hundred and fifty is amended to read as follows:

C. 52:18A-65. Condemnation, procedure.

16. Upon the exercise by the Authority of the power of eminent domain pursuant to paragraph h of section ten of this act, the compensation to be paid thereunder shall be ascertained and paid in the manner provided in chapter one of Title 20 of the Revised Statutes in so far as the provisions thereof are applicable and not inconsistent with the provisions contained in this act.

Upon the filing of the complaint in the action for condemnation or at any time thereafter the Authority may file with the Clerk of the Superior Court a declaration of taking, signed by the Authority, declaring that possession of one or more of the tracts or parcels of land or property described in the complaint is thereby being taken by and for the use of the Authority. The said declaration of taking shall be sufficient if it sets forth (1) a description of each tract or parcel of land or property to be so taken, sufficient for the identification thereof, to which there may or may not be attached a plan or map thereof; (2) a statement of the estate or interest in the said land or property being taken; (3) a statement of the sum of money estimated by the Authority by resolution to be just compensation for the taking of the estate or interest in each tract or parcel of land or property described in said declaration; and (4) that, in compliance with the provisions of this act, the Authority has established and is maintaining a trust fund as hereinafter provided.

Upon the filing of the said declaration, the Authority shall, with leave of court, deposit with the

clerk of the court the amount of the estimated compensation stated in said declaration. In addition to the said deposits with the clerk the Authority at all times shall maintain a special trust fund on deposit with a bank or trust company doing business in this State in an amount at least equal to twice the aggregate amount deposited with the Clerk of the Superior Court as estimated compensation for all property described in declarations of taking with respect to which the compensation has not been finally determined and paid to the persons entitled thereto or into court. The Authority shall be entitled to withdraw from said trust fund from time to time so much as may then be in excess of twice such aggregate amount. Said trust fund shall consist of cash or securities readily convertible into cash constituting legal investments for trust funds under the laws of this State. Said trust fund shall be held solely to secure and may be applied to the payment of just compensation for the land or other property described in such declaration of taking.

Upon the filing of the said declaration as aforesaid and the deposit with the Clerk of the Superior Court of the amount of the estimated compensation stated in said declaration, the Authority, without other process or proceeding, shall be entitled to the exclusive possession and use of each tract of land or property described in said declaration and may forthwith enter into and take possession of said land or property, it being the intent of this provision that the action for fixing compensation or any other proceeding relating to the taking of said land or interest therein or other property shall not delay the taking of possession thereof and the use thereof by the Authority for the purpose or purposes for which the Authority is authorized by law to acquire or condemn such land or other property or interest therein.

The Authority shall cause notice of the filing of said declaration and the making of said deposit to be served, as the court shall prescribe, upon each party to the action for condemnation, but not until

after the filing of the declaration and the making of the deposit. Upon the application of any party in interest and after notice to other parties in interest, including the Authority, the court may direct that the money deposited with the clerk of the court or any part thereof be paid forthwith to the person or persons entitled thereto for or on account of the just compensation to be adjudged to be due him in the action for condemnation; *provided,* that each such person shall have filed with the clerk of the court a consent in writing that, in the event the amount adjudged to be due him in the condemnation action shall be less than the amount deposited, the court, after notice as herein provided and hearing, may determine his liability, if any, for the return of such difference or any part thereof and enter judgment therefor. If the amount adjudged to be due him shall exceed the amount so deposited, he shall be entitled to recover from the Authority the excess with interest at the rate of six per centum (6%) per annum thereon from the date of making the deposit. If the amount adjudged to be due him shall be less than the amount so deposited, the clerk of the court shall return the difference between such amounts unless the amount of the deposit or any part thereof shall have theretofore been distributed, in which event the court, after such notice as it shall prescribe and an opportunity to be heard, shall enter judgment in favor of the Authority for such difference against the party or parties liable for the return thereof.

Section amended.

25. Section 52:26–3.1 of the Revised Statutes is amended to read as follows:

Time of keeping library open, persons entitled to use.

52:26–3.1. The State Library shall be kept open at all times during the Sessions of the Legislature and of the courts of this State and of the United States, which sit at Trenton (Sundays and legal holidays excepted), in each day, from nine o'clock in the morning until six o'clock in the evening, and shall be for the use of the members of the Legislature, the secretary and clerks of the respective houses, the officers of the Executive Department of

the State Government, judges of the courts of the United States, district attorneys, courts of this State, Adjutant and Quartermaster Generals, attorneys-at-law, and all other persons who have been or may be at any time entitled by law to the use of books from said library when any of them shall be at the seat of the government.

Section amended.

26. Section 52:26–5 of the Revised Statutes is amended to read as follows:

Bond and oath.

52:26–5. The State Librarian shall before he enters upon the duties of his office enter into bond to the State with sufficient surety in the penal sum of one thousand dollars ($1,000.00), to be approved by one of the judges of the Superior Court and conditioned for the faithful performance of the duties of his office and for the delivery to his successor in office at the expiration of his term of all the books, pamphlets, records and papers remaining in said library or appertaining thereto. He shall also take an oath before a justice of the Supreme Court or a judge of the Superior Court that he will faithfully, impartially and justly perform all the duties of State Librarian according to law. The bond and affidavit shall be filed in the office of the Secretary of State.

Section amended.

27. Section 52:27–2 of the Revised Statutes is amended to read as follows:

Procedure, municipal default, powers of commission.

52:27–2. Whenever it shall be made to appear to the Superior Court in an action brought by or on behalf of the holder of any notes or bonds of any municipality of this State against the municipality, that the municipality has defaulted for over sixty days in the payment of the principal or interest of any of its outstanding notes or bonds held by the plaintiff, the court may proceed in the action in a summary manner or otherwise.

If it shall be established to the satisfaction of the court that the municipality is so in default, it may enter judgment to that effect.

Upon the entry of the judgment, the commission shall have and exercise with respect to such mu-

nicipality the powers and duties prescribed by this chapter.

28. Section 52:27–3 of the Revised Statutes is amended to read as follows: Section amended.

52:27–3. Any municipality may file with the Clerk of the Superior Court a certified copy of a resolution adopted by the governing body of the municipality, reciting in general terms that due to unusual conditions the municipality is not in a position to meet its obligations when due, in spite of the endeavors of its officers, and institute a civil action in the Superior Court, making the Director of the Division of Local Government a defendant and making application that the commission function in the municipality. Resolution declaring inability to meet obligations, procedure.

The court may proceed in the action in a summary manner or otherwise.

If it shall be established to the satisfaction of the court that the municipality is so unable to meet its obligations, it may enter judgment to that effect.

Upon the entry of the judgment, the commission shall function in such municipality with all the powers and duties conferred by this chapter.

29. Section 52:27–5 of the Revised Statutes is amended to read as follows: Section amended.

52:27–5. Whenever the Superior Court has heretofore made or shall hereafter make an order or judgment annulling, vacating and discharging any order or judgment theretofore made by it pursuant to this chapter adjudging that the municipality has defaulted in the payment of the principal or interest of any of its outstanding notes or bonds, the commission shall cease to continue in force in such municipality and neither the commission nor the said director shall thereafter exercise any powers or perform any duties in and for such municipality pursuant to this chapter, provided that the commission shall have heretofore or hereafter determined by resolution that it is not functioning in said municipality. Powers of commission to cease.

Section amended.

30. Section 52:27–6 of the Revised Statutes is amended to read as follows:

Secretary and counsel, auditor, limitation on expenses.

52:27–6. For the purpose of enabling the commission to carry out this chapter it may appoint a secretary and counsel, employ an auditor and such other assistants, legal, clerical or otherwise, and fix their duties, terms of service and compensation, and incur such other expenses as it may deem necessary, but no expenses (other than expenses directly attributable to the municipality, such as costs of issuing notes or bonds of the municipality and the costs of audit) shall be incurred exceeding ten thousand dollars ($10,000.00) in any one municipal fiscal year for any one municipality without the approval of a judge of the Superior Court.

Section amended.

31. Section 52:27–12 of the Revised Statutes is amended to read as follows:

Subpœnas, failure to obey.

52:27–12. The commission may issue subpœnas, signed by a majority of the commission, to compel attendance of witnesses before it and the production of books, papers and records. Any failure to obey any subpœna so issued or refusal to answer questions propounded by the commission, shall be punishable by the Superior Court in the same manner as a similar failure or refusal would be punishable in a case pending in such court.

Section amended.

32. Section 52:27–23.1 of the Revised Statutes is amended to read as follows:

Bond resolution contents.

52:27–23.1. To the end that the principal of and interest on the notes or bonds issued hereunder may be further secured and thereby a more favorable sale or exchange effected, any resolution authorizing the issuance of notes or bonds hereunder may contain provisions which shall be a part of the contract with the holders of such notes or bonds as to:

a. The amount to be included in any budget or tax ordinance or to be appropriated by or raised by taxation in the municipality in each year for debt service and for reserve or sinking funds, which

amount may be expressed in dollars, percentage of total assessed valuations or both, or otherwise;

b. The setting aside of reserve or sinking funds, and the amount, securing, regulation, investment, application and disposition thereof;

c. The pledging, depositing or trusteeing of moneys to be applied to the payment of the principal of and interest on the notes or bonds, and the securing of such deposits;

d. The pledging of taxes, special assessments and other revenues or moneys of the municipality, which are due or to become due, directly to the payment of the principal of and interest on the notes or bonds, or to reserve or sinking funds;

e. The use and application of unanticipated income or surplus revenue or both of the municipality;

f. Limitations effective for not exceeding ten years from the effective date of such resolution or resolutions on the amount or nature of borrowing or incurring of indebtedness by the municipality;

g. The holding of lawful tax sales of property against which there may then or thereafter be outstanding delinquent taxes or assessments or other charges and the foreclosing of the right of redemption with respect to tax titles theretofore or thereafter purchased by the municipality;

h. The inclusion in any budget of appropriations as reserves for uncollected taxes, and the amount, computation and disposition thereof and of the proceeds of the tax levy therefor;

i. The performance by the municipality of all or any specified provisions of any law relating to the preparation, adoption, and administration of budgets and the levying of taxes in municipalities;

j. Appointment of a fiscal agent by the municipality and the powers and duties thereof;

k. The approval and continuance of financial and legal practices and policies theretofore established in the municipality, including the functioning of a board established pursuant to section 52:27–29.1;

l. The levying of a special tax, in such amount as said resolution may provide, for the payment of the principal of and interest on the notes or bonds, which special tax shall be levied upon all the real and personal property in the municipality subject to taxation in addition to the taxes levied for all other purposes, and shall be assessed, levied and collected in the same manner and at the same time as other taxes upon real and personal property are now or shall hereafter be assessed, levied and collected, and, when collected, shall be deemed trust funds and shall be applied and paid over by the collector or other officer having the custody of the collected taxes solely to the agreed payment of the principal of and interest on the notes or bonds, or if such agreed payment shall have been made, then in such manner and for such purposes as said resolution may provide;

m. The terms and conditions upon which any such resolution or any contract entered into thereby may be amended, rescinded or repealed;

n. Any other or further course of conduct on the part of the municipality which may tend to improve its credit standing.

Any municipality adopting a resolution containing any provision authorized hereunder shall have and possess all of the powers necessary and appropriate for the performance thereof. The provisions of any such resolution shall be enforceable by a proceeding in lieu of prerogative writ or other appropriate action or proceeding instituted by the commission or by the holder of any note or bond on his own behalf, or on behalf of all the holders of such notes or bonds, in either case in any court of competent jurisdiction whether or not there shall have been any default in the payment of the principal of or interest on any such notes or bonds.

Section amended.

33. Section 52:27–29.1 of the Revised Statutes is amended to read as follows:

Sale, exchange, etc., of tax sale certificates.

52:27–29.1. The governing body of any municipality in which the commission is or may be functioning may, upon the express consent in writing

of the commission, sell, exchange or otherwise dispose of any certificate of tax sale or tax title, standing in the name of the municipality, or sell, exchange, lease or otherwise dispose of any real estate or rights or interests therein owned by the municipality and determined by the governing body to be not needed for public use. Any such sale, exchange, lease or other disposition may be authorized by resolution of the governing body and, subject to the consent of the commission as aforesaid, may be at public or private sale, through a broker, agent or otherwise, for cash or upon credit, for such consideration, and subject to such conditions and commissions, as the governing body in its discretion may determine. All moneys received by the municipality from any such sale, exchange, lease or other disposition shall, if the commission so provide, be paid only to the account of the reserve fund referred to in section 52:27–25 of this Title.

The governing body of any municipality in which the commission is or may be functioning may, upon the express consent in writing of the commission, adopt an ordinance providing for the establishment of a board in the municipality to manage and effect the liquidation of assets theretofore acquired by the municipality (and accruals thereto) consisting of real estate or rights or interests therein acquired by virtue of the enforcement of taxes or special assessments and certificates of tax sale or tax titles standing in the name of the municipality. The function of said board shall be to exercise its powers and perform its duties in such fashion as to liquidate such assets as soon as reasonably possible by the realization of reasonable amounts thereon in cash. Without limitation of the foregoing, the powers and duties of said board to manage and effect such liquidation may include power to require the sale or other disposition of such assets or the compromise of sums due to the municipality in respect thereto, subject to such restrictions as such ordinance may provide. The

ordinance shall set forth in particularity the powers and duties of said board and shall determine the size of the membership of the board, and shall fix the terms of office of the members of the board and their qualifications and compensation and the method of computing and paying their compensation and the expenses of the board. The ordinance may provide that the compensation of the members of the board shall be determined, in whole or in part, by the assignment judge of the Superior of the county in which the municipality is located, and it shall be the duty of said judge from time to time to make such determination in accordance with the terms of the ordinance. The members of said board may or may not be residents of the municipality and their terms of office may extend for such period as the ordinance may provide. The ordinance may provide that for all the purposes of the local budget law (R. S. 40:2–1 et seq.) said board shall constitute and be governed as a publicly-owned or operated utility or enterprise, or may provide that the compensation of the members of the board and the expenses of the board may be paid out of the proceeds of such liquidation without further budget or other appropriation or tax levy therefor. Upon the adoption of the ordinance, the clerk of the municipality shall file a certified copy thereof with the assignment judge of the Superior Court of the county in which the municipality is located, and it shall thereupon and thereafter be the duty of said judge to appoint the members of said board, and their successors from time to time, in accordance with the terms of the ordinance. It shall be the duty of the governing body and all other officers of the municipality to do and perform all such acts and things as may be required by said board in order for said board to fulfill its function in accordance with the terms of the ordinance and of this section except when, with respect to any particular such act or thing, the governing body shall adopt a resolution questioning the necessity or advisability thereof in

order for said board to fulfill its function in accordance with the terms of the ordinance and of this section. Such resolution shall become of no further force and effect ten days after the adoption thereof unless the clerk of the municipality shall have filed a certified copy thereof with the assignment judge of the Superior Court of the county in which the municipality is located. Upon such filing it shall be the duty of said judge, upon such notice to the board and other interested parties as he may direct, to make a summary investigation into the facts and for that purpose he shall have the power to subpœna witnesses and call before him any officers or employees of the municipality or of the board. Said judge shall determine whether said particular act or thing required by the board is necessary or advisable in order for the board to fulfill its function in accordance with the terms of the ordinance and of this section. He shall embody his determination in an order and file the same, together with the said resolution, in the office of the Clerk of the Superior Court. Upon the filing of such order embodying an affirmative determination, the said resolution of the governing body shall be of no further force and effect, and the governing body and other officers of the municipality shall proceed to do and perform such act or thing. If his determination is in the negative the requirement of the board shall be without force or effect and neither the governing body nor any officer of the municipality shall be under any duty to do and perform such act or thing.

Section amended.

34. Section 52:27–32.1 of the Revised Statutes is amended to read as follows:

Enforcement of judgments, etc., stayed.

52:27–32.1. Whenever the commission shall function in any municipality and so long as it shall continue so to do, no judgment, levy or execution against the municipality or the property thereof for the recovery of the amount due on any bonds, notes or other obligations of the municipality, in the payment of which the municipality has defaulted, shall be enforced until otherwise directed

by the Superior Court in an appropriate action or proceeding for such purpose, after notice to the commission; and the enforcement of any such judgment, levy or execution shall be stayed until otherwise directed as aforesaid.

Section amended.

35. Section 52:27–33 of the Revised Statutes is amended to read as follows:

Proceedings for assessment and collection of taxes stayed, exception.

52:27–33. Whenever the commission shall function in any municipality and so long as it shall continue so to do, no action or proceeding of any kind, either direct or ancillary, including a proceeding in lieu of prerogative writ, shall be brought against such municipality or any public officers for the assessment, levy or collection of taxes by or for such municipality and any and all actions or proceedings therefor shall be and they hereby are stayed; except that first, the Superior Court, after notice to the commission, may authorize one or more creditors of such municipality to bring and maintain an action or proceeding therefor in the Superior Court, which shall be brought for the benefit of themselves and all other creditors of such municipality and in which all other creditors of such municipality shall have the right to intervene and assert their claim and in which all other creditors of such municipality may, and the commission shall, be made parties in such manner and upon such notice as the court shall prescribe; and except that, second, the commission may bring and maintain an action or actions or a proceeding in lieu of prerogative writ or any other appropriate proceeding or proceedings for the assessment, levy or collection of taxes by such municipality for the payment of principal or interest of the indebtedness of the municipality found to be outstanding as provided in section 52:27–14 of this Title.

Without limiting its power otherwise to direct by a proceeding in lieu of prerogative writ the assessment, levy or collection of taxes, the Superior Court in the action or proceeding aforesaid may, to the extent which it shall deem just and equitable, afford to the holders collectively of any due and

unpaid claims against a municipality any remedy which might be afforded under any other law to any individual creditor in any proceeding in lieu of prerogative writ for the assessment, levy or collection of taxes, to the same extent as if there had been an entry of judgment in their favor, issuance of execution and return thereof unsatisfied, service thereof upon public officials and performance of any and all other conditions precedent to the affording of such relief by a proceeding in lieu of prerogative writ under such other law; *provided,* that the court be first satisfied from proof submitted by affidavit or otherwise that the claims for the enforcement of which such remedy is sought are claims upon which a judgment could be obtained.

Proviso.

36. Section 52:27–33.2 of the Revised Statutes is amended to read as follows:

Section amended.

52:27–33.2. Whenever the commission shall function in any municipality and so long as it shall continue to do so, no action or proceeding shall be brought or prosecuted, the purpose of which is to affect the disposition of property or funds owned or controlled by the municipality, except as provided in this chapter.

Proceedings to determine application and distribution of property and funds to creditors.

If any such municipality has in its possession or under its control, or there is in the possession or under the control of the commission, any property or funds of such municipality which are or may be available for the payment of interest or principal upon any of the debts of such municipality (over and above the payment of the current operating expenses of the municipality and the maintenance of a reasonable working capital), then such municipality in its discretion may bring an action, or if directed by the commission shall do so, in the Superior Court to determine the application and distribution of such property or funds to and among the creditors of the municipality, and in any such case the court in its discretion may permit an action for relief of the same character to be made by any creditor of the municipality. In

any such action all creditors of the municipality shall be made parties thereto, and any creditor may appear therein and assert his rights to receive all or any part of such property or funds. The court may proceed in the action in a summary manner or otherwise.

In case any such action shall be instituted, the court may direct the municipality to make no payments from any of such moneys so available until the determination of the action or until permitted by the court. Unless and until such a direction shall be made, payments may be made by such municipality on account of principal and interest as the municipality may determine and as may be approved by the commission.

Section amended.

37. Section 52:27–33.3 of the Revised Statutes is amended to read as follows:

May vacate, modify or restrict statutory stay.

52:27–33.3. Upon the application of any creditor made upon notice to the municipality and the commission, the Superior Court may vacate, modify or restrict any statutory stay contained in this article.

Section amended.

38. Section 52:27–34 of the Revised Statutes is amended to read as follows:

Jurisdiction of action brought by creditors, summary proceedings, parties.

52:27–34. The Superior Court may take jurisdiction of an action brought by any creditors of a municipality in which the commission shall function, where the action is instituted by the plaintiff or plaintiffs on behalf of themselves and all other creditors of the municipality, for the approval of a plan of adjustment or composition of the claims of all creditors or of a class or classes of them similarly situated. The court may proceed in the action in a summary manner or otherwise.

The municipality, the commission and all creditors of the municipality shall be made parties to the action and any creditor of the municipality may appear and assert his rights.

Section repealed.

39. Section 52:27–35 of the Revised Statutes is hereby repealed.

40. Section 52:27–36 of the Revised Statutes is amended to read as follows: Section amended.

52:27–36. In any such action, after hearing on the plan proposed or on the plan as modified by order and if such plan as proposed or modified is approved in writing by creditors representing eighty-five per centum (85%) in amount of the indebtedness affected thereby and by the municipality and the commission, the Superior Court may authorize and approve such adjustment or composition if the court determines (1) that the municipality is unable to pay in full according to their terms the claims proposed to be adjusted or composed, and perform its public functions and preserve the value of property subject to taxation, (2) that the adjustment or composition is substantially measured by the capacity of the municipality to pay, (3) that it is in the interest of all the creditors affected thereby, and (4) that it is not detrimental to other creditors of the municipality. Approval of adjustment or composition.

41. Section 52:27–38 of the Revised Statutes is amended to read as follows: Section amended.

52:27–38. After the institution of any action or proceeding provided for by this article and pending the determination thereof, the Superior Court may by order continue the stay provided by sections 52:27–32.1 and 52:27–33 of this Title. Continuance of stay.

In the event that a plan shall be authorized and approved pursuant to this article the court shall retain jurisdiction of such action or proceeding and thereafter no creditor whose claim is included in such adjustment or composition shall be authorized to bring any action or proceeding of any kind or character for the enforcement of his claim except with the permission of the court and then only to recover and enforce the rights given him by the adjustment or composition.

Section amended.

42. Section one of chapter fifty-six of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

C. 52:27-45.1. Municipality effecting plan of readjustment, powers, court defined.

1. Any municipality in which the Municipal Finance Commission, continued by chapter twenty-seven of Title 52 of the Revised Statutes, may be functioning and which may have heretofore filed or shall hereafter file a petition pursuant to section 52:27–40 of the Revised Statutes, with any United States Court or court in bankruptcy for the purpose of effecting a plan of readjustment of its debts or for the composition of its debts, may, pursuant to express provisions in such plan or in such plan as changed or modified, have and exercise the powers hereinafter provided and shall thereupon be charged with the duties hereinafter provided. The term "court" as used in this act shall mean the United States Court or court in bankruptcy in which is or may be pending the proceeding begun by such petition of the municipality, or, if no such proceeding is pending in said court or if said court shall not assume to act pursuant to this act, the Superior Court.

Section amended.

43. Section three of chapter fifty-six of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

C. 52:27-45.3. Board of liquidation, terms, compensation and expenses.

3. The ordinance or resolution authorizing the issuance of any such warrants shall provide for the creation of a board for the liquidation of such assets to be known as the "Board of Liquidation for the ..... of ....." (hereinafter referred to as the "board"), and shall set forth the number of members of the board, and the members thereof shall be appointed pursuant to such ordinance or resolution upon nominations to be made in such manner as the ordinance or resolution establishing said board may provide, subject to the approval of the court to which said plan or plans has been or will be submitted for approval. The ordinance or resolution establishing said board shall fix the terms of office of the members thereof, and shall provide for the appointment of the suc-

cessors to such members in the same manner. The members of said board need not be residents of the State of New Jersey. The compensation and expenses of the members of such board and the expenses of its operation shall be paid in such amounts as may from time to time be fixed and approved by the court, and such expenses and compensation shall be payable solely from the special fund created and established by said ordinance or resolution authorizing the issuance of warrants thereunder. The ordinance or resolution establishing said board may provide that for all the purposes of the local budget law (R. S. 40:2–1 et seq.) said board shall constitute and be governed as a publicly owned or operated utility or enterprise, or may provide that compensation and expenses of the members of the board and the expenses of its operations and all its other disbursements may be paid from the special fund created and established by said ordinance or resolution without further budget or other appropriation or tax levy therefor.

Section amended.

44. Section five of chapter fifty-six of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

C. 52:27-45.5. Periodic accountings by board, co-operation of council.

5. The ordinance or resolution authorizing warrants hereunder and establishing any such board shall provide for periodic accountings as trustee in the court. The council or other governing body of any municipality in which any such board has been established and created, and the corporate authorities thereof, shall do and perform all acts, deeds and things as may be required by said board in order for said board to compromise, adjust or otherwise settle any certificates of tax sale or tax and assessment title liens or other receivables pledged to any special fund or funds created hereunder, and in order to foreclose any such certificates of tax sale and tax or assessment title liens pledged to said fund or funds or in order to effectuate the sale, exchange, lease or other disposition of any of the real estate or rights or interest therein under the control and disposition of said board and

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pledged to said fund or funds; *provided, however,* that if the governing body of such municipality shall adopt a resolution questioning the necessity or advisability of any such act, deed or thing, and a certified copy of such resolution shall have been brought before and filed with the court, the performance of such act, deed or thing shall be suspended unless and until the court shall have entered an order or judgment determining the necessity or advisability for the performance thereof in order for said board to perform its duties under section four of this act. Upon the filing of such order or judgment, the resolution of the council or other governing body shall be of no further force and effect and the said governing body and corporate authorities of said municipality shall proceed to do and perform such act, deed or thing. Any such determination by said court shall be final and binding, and the board and the governing body and the corporate authorities of such municipality shall not appeal therefrom.

Section amended.

45. Section six of chapter fifty-six of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

C. 52:27-45.6. Covenants in ordinance or resolution to safeguard rights of warrant holders.

6. Any ordinance or resolution authorizing the issuance of warrants hereunder may contain covenants of any such municipality to protect and safeguard the security and rights of the holders of any such warrants, and without limiting the generality of the foregoing, such ordinance or resolution may contain covenants as to

(1) the manner in which warrants issued thereunder may be issued or be exchanged for outstanding claims or evidences of indebtedness funded or refunded thereby and the terms and conditions upon which such warrants may become a charge upon the special fund or funds created by any such ordinance or resolution;

(2) the collection, depositing, custody and disbursement of moneys or other assets coming into any special fund or funds created hereunder for the payments of warants, including a specification

of the depositaries to be designated to hold such deposits and granting to such depositaries or other banks or trust companies authority to act as fiscal agent of any such municipality for the custody of the moneys or other assets held in any special fund or funds created hereunder, and to represent holders of such warrants in the event of a default on same or in the event of a default in the performance of any duty or obligation of any such board, municipality or the corporate authorities thereof in connection therewith, with such powers and duties for the enforcement of such warrants as such ordinance or resolution may provide;

(3) the deposit of collateral security or indemnity bonds to secure the proceeds of the liquidation of all moneys and assets under the control of the board, and limitations on the amount, if any, of additional warrants or other claims or obligations of whatsoever kind or nature which may be issued and payable from the special fund or funds established in the ordinance or resolution authorizing issuance of warrants hereunder;

(4) limitations upon the creation of additional liens or encumbrances on the real estate or other assets to be liquidated by said board, the terms and conditions upon which the real estate and other assets under the control of the board for liquidation may be sold, exchanged, leased or otherwise disposed of, and the use or other disposition of all funds received in the process of liquidation;

(5) the validity and enforceability of the certificates of tax sale, or tax and assessment title liens, and the title of the municipality to real estate or rights or interests therein standing in the name of the municipality which shall have been pledged to any special fund or funds created hereunder, and the obligation of any such municipality to replace in said fund or funds additional assets of at least equal book value in lieu of any such assets which have been declared by any court of competent jurisdiction to be illegal or unenforceable;

(6) such other covenants as may be deemed necessary or desirable to insure the speedy, efficient and economical liquidation of the assets pledged to such special fund or funds and the application of the proceeds thereof to the payment of the principal of and interest on the warrants issued pursuant to such ordinance or resolution within a reasonable time and at reasonable expense.

The provisions of this act and of any such ordinance or resolution shall constitute a contract with the holders of such warrants and the provisions thereof shall be enforceable by a proceeding in lieu of a prerogative writ or any other appropriate action or proceeding in any court of competent jurisdiction by the commission or by any owner or holder of such warrants on behalf of himself individually or all other owners or holders of said warrants.

Section amended.

46. Section eight of chapter fifty-six of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

C. 52:27-45.8. Discharge of board, extension of existence, disposition of proceeds.

8. Upon the payment of all warrants issued under any ordinance or resolution adopted or enacted pursuant to the provisions of this act, together with all expenses and claims whatsoever incurred or contracted by any such board, or upon the liquidation of all of the assets pledged to any special fund or funds created by any such ordinance or resolution adopted or enacted pursuant hereto, any such board established pursuant to this act shall cease to exist upon being discharged by the court; *provided, however,* that any ordinance or resolution establishing such a board may extend the existence of any such board in such manner and upon such terms and conditions as any such ordinance or resolution shall provide. Any such ordinance or resolution may also provide for the collection, deposit and disbursement of the proceeds of the liquidation of assets pledged to any special fund or funds created hereunder after the payment of warrants issued pursuant thereto in such manner and upon such terms and conditions and for such

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purposes as any such ordinance or resolution shall provide.

47. Section 52:27–51 of the Revised Statutes is amended to read as follows: Section amended.

52:27–51. To the end that the principal of and interest on the notes or bonds issued hereunder may be further secured and thereby a more favorable sale or exchange effected, any resolution authorizing the issuance of notes or bonds hereunder may contain provisions which shall be a part of the contract with the holders of such notes or bonds as to (a) the amount to be raised by taxation in the school district in each year for debt service and for reserve or sinking funds, which amount may be expressed in dollars, percentage of total assessed valuations or both, or otherwise; (b) the setting aside of reserve or sinking funds, and the amount, source, securing, regulation, investment, application and disposition thereof; (c) the pledging, depositing or trusteeing of moneys to be applied to the payment of the principal of and interest on the notes or bonds, and the securing of such deposits; (d) the pledging of taxes and other revenues or moneys of the school district directly to the payment of the principal of and interest on the notes or bonds, or to reserve or sinking funds; (e) limitations effective for not exceeding ten years from the effective date of such resolution or resolutions on the amount or nature of borrowing or incurring of indebtedness by the school district; (f) appointment of a fiscal agent by the school district and the powers and duties thereof; (g) the levying of a special tax, in such amount as said resolution may provide, for the payment of the principal of and interest on the notes or bonds, which special tax shall be levied upon all the real and personal property in the school district subject to taxation in addition to the taxes levied for all other purposes, and shall be assessed, levied and collected in the same manner and at the same time as other taxes upon real and personal property are now or shall hereafter be assessed, levied and collected, and, Collateral agreements.

when collected, shall be deemed trust funds and shall be applied and paid over by the collector or other officer having the custody of the collected taxes solely to the agreed payment of the principal of and interest on the notes or bonds, or if such agreed payment shall have been made, then in such manner and for such purposes as said resolution may provide; (h) the terms and conditions upon which such resolution or resolutions or any contract entered into thereby may be amended, rescinded or repealed; (i) any other or further course of conduct on the part of the school district which may tend to improve its credit standing. Any school district adopting a resolution containing any provision authorized hereunder shall have and possess all of the powers necessary and appropriate for the performance thereof. The provisions of any such resolution shall be enforceable by a proceeding in lieu of prerogative writ or other appropriate action or proceeding instituted by the commission or by the holder of any note or bond on his own behalf, or on behalf of all the holders of such notes or bonds, in either case in any court of competent jurisdiction whether or not there shall have been any default in the payment of the principal of or interest on any such notes or bonds.

Section amended.

48. Section 52:27–58 of the Revised Statutes is amended to read as follows:

Auditor and assistants, limitation on expenses.

52:27–58. For the purpose of enabling the commission to carry out this article, the commission shall have power to employ an auditor and such other assistants, legal, clerical or otherwise, and to fix their duties, terms of service and compensation and to incur such other expenses as it may deem necessary, but no expenses (other than expenses directly attributable to the school district such as the costs of issuing the obligations of the school district and the costs of audit) shall be incurred exceeding ten thousand dollars ($10,000.00) for any one school district in any fiscal year of such school district without the consent of a judge of the Superior Court.

Section amended.

49. Section 52:27–62 of the Revised Statutes is amended to read as follows:

Remedies, enforcement of judgment, proceedings stayed.

52:27–62. Whenever the commission shall function in a municipality having a school district coterminous therewith which is governed by the provisions of chapter seven of the Title Education (§ 18:7–1 et seq.):

a. No judgment, levy or execution against such school district or the property thereof for the recovery of the amount due on any bonds, notes or other obligations of the school district, in the payment of which such school district has defaulted shall be enforced until otherwise specially directed by the Superior Court in an appropriate action or proceeding for such purpose, after notice to the commission; and the enforcement of any such judgment, levy or execution shall be and it hereby is stayed until otherwise specially directed as aforesaid;

b. No action or proceeding of any kind either direct or ancillary, by way of a proceeding in lieu of prerogative writ or otherwise, shall be brought against such school district, municipality, or any public officers for the assessment, levy or collection of taxes for such school district and any and all actions or proceedings therefor shall be and they hereby are stayed; except that first, the Superior Court, after notice to the commission may authorize one or more creditors of such school district to bring and maintain an action or proceeding therefor in the Superior Court, which shall be brought for the benefit of themselves and all other creditors of such school district and in which all other creditors of such school district shall have the right to intervene and assert their claim and in which all other creditors of such school district may, and such commission shall, be made parties in such manner and upon such notice as the court shall prescribe; and except that, second, the commission may bring and maintain an action or actions or a proceeding in lieu of prerogative writ or any other appropriate proceeding or proceedings

for the assessment, levy or collection of taxes for such school district for the payment of principal or interest of the indebtedness of the school district found to be outstanding as provided in section 52:27–46 of this Title; without limiting its power otherwise to direct by a proceeding in lieu of prerogative writ the assessment, levy or collection of taxes, the Superior Court in the action or proceeding aforesaid may, to the extent which it shall deem just and equitable, afford to the holders collectively of any due and unpaid claims against a school district any remedy which might be afforded under any other law to any individual creditor in any such proceeding in lieu of prerogative writ for the assessment, levy or collection of taxes, to the same extent as if there had been an entry of judgment in their favor, issuance of execution and return thereof unsatisfied, service thereof upon public officials and performance of any and all other conditions precedent to the affording of such relief by a proceeding in lieu of prerogative writ under such other law; *provided,* that the court be first satisfied from proof submitted by affidavit or otherwise that the claims for the enforcement of which such remedy is sought are claims upon which a judgment could be obtained;

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c. No action or proceeding shall be brought or prosecuted, the purpose of which is to affect the disposition of property or funds owned or controlled by the school district, except as herein provided; if any such school district has in its possession or under its control, or there is in the possession or under the control of the commission, any property or funds of such school district which are or may be available for the payment of interest or principal upon any of the debts of such school district (over and above the payment of the current operating expenses of the school district and the maintenance of a reasonable working capital), then such school district in its discretion may bring an action, or if directed by the commission shall do so, in the Superior Court to determine the ap-

plication and distribution of such property or funds to and among the creditors of the school district, and in any such case the court in its discretion may permit an action for relief of the same character to be made by any creditor of the school district; in any such action, the court may proceed therein in a summary manner or otherwise, and all creditors of the school district shall be made parties thereto, and any creditor may appear therein and assert his rights to receive all or any part of such property or funds; in case any such action shall be instituted, the court may direct the municipality to make no payments from any of such moneys so available until the determination of the action or until permitted by the court; unless and until such a direction shall be made, payments may be made by such municipality on account of principal and interest as the municipality may determine and as may be approved by the municipal finance commission;

d. Upon the application of any creditor made upon notice to the school district and the commission, the Superior Court may vacate, modify or restrict any statutory stay contained in this article.

Section amended.

50. Section 52:27–63 of the Revised Statutes is amended to read as follows:

Jurisdiction of action, plan of adjustment or composition.

52:27–63. a. Whenever the commission shall function in any municipality having a school district coterminous therewith which is governed by the provisions of chapter seven of the Title Education (§ 18:7–1 et seq.), then, the Superior Court may take jurisdiction of an action brought by any creditors of such school district where the action is instituted by the plaintiff or plaintiffs on behalf of themselves and all other creditors of the school district for the approval of a plan of adjustment or composition of the claims of all creditors or of a class or classes of them similarly situated. The court may proceed in the action in a summary manner or otherwise, and the school district, the commission and all creditors of the school district shall be made parties to the action. Any creditor of the school district may appear and assert his rights.

b. In any such action, after hearing on the plan proposed or on the plan as modified by order and if such plan as proposed or modified is approved in writing by creditors representing eighty-five per centum (85%) in amount of the indebtedness affected thereby and by the school district and the commission, the Superior Court may authorize and approve such adjustment or composition if the court determines (1) that the school district is unable to pay in full according to their terms the claims proposed to be adjusted or composed, and perform its public functions and preserve the value of property subject to taxation, (2) that the adjustment or composition is substantially measured by the capacity of the school district to pay, (3) that it is in the interest of all the creditors affected thereby, and (4) that it is not detrimental to other creditors of the school district or of the municipality.

c. The plan of adjustment or composition so authorized and approved shall forthwith and without any further action of any kind be binding upon all the creditors included in such plan, whether or not they appear in such action, and in so far as said plan provides for the substitution of any new bonds, notes, or other obligations of the school district in place of any outstanding bonds, notes or other obligations or claims then outstanding, such substitution shall be effectual from and after such date as may be fixed by the court.

d. After the institution of any action provided for by this section and pending the determination thereof, the Superior Court may continue the stay provided by section 52:27–62 of this Title. In the event that a plan shall be authorized and approved pursuant to this article, the court shall retain jurisdiction of such action and thereafter no creditor whose claim is included in such adjustment or composition shall be authorized to bring any action or proceeding of any kind or character for the enforcement of his claim except with the permission of the court and then only to recover and enforce

the rights given to him by such adjustment or composition.

e. Notwithstanding any provisions of this article, the commission shall not approve any adjustment or composition, or plan presented pursuant to this section, which provides for the reduction in the principal amount of any outstanding notes or bonds of the school district.

Section amended.

51. Section six of article three of chapter one hundred twelve of the laws of one thousand nine hundred and forty-four is amended to read as follows:

C. 52:27B-15 Request officer.

6. A request provided in section five shall be made by the request officer. In the case of the Supreme and Superior Courts, the request officer shall be the administrative director of the courts under the direction of the Chief Justice of the Supreme Court and, in the case of the Legislature, the request officer shall be the secretary of the Senate and the clerk of the General Assembly, respectively.

Section amended.

52. Section seventeen of chapter one hundred fifty-one of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C.52:27BB-17. Enforcement of process.

17. If a person subpœnaed or ordered under the provisions of section sixteen fails to obey the subpœna, submit to examination, answer legal and pertinent questions, or produce books, papers, accounts or other documents when ordered, the director may apply to the Superior Court to compel the person to comply forthwith with the subpœna or order.

Section amended.

53. Section nineteen of chapter one hundred fifty-one of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C.52:27BB-19. Enforcement of orders.

19. Orders of the director may be enforced by a proceeding in lieu of prerogative writ or by an action for injunctive relief in appropriate cases, or by an action to compel the specific performance by the officers or governing bodies of political subdivisions of the orders of the director or of the duties imposed by law.

Section amended.

54. Section twenty of chapter one hundred fifty-one of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 52:27BB-20. Construction, judicial review.

20. The provisions of this act shall not be construed to prevent the judicial review of an order of the director after exhaustion of the remedy provided by section fifteen.

Section amended.

55. Section 52:28–33 of the Revised Statutes is amended to read as follows:

Jurisdiction of offenses committed on the river Delaware.

52:28–33. The judicial investigation and determination of any capital or other offense, trespass or damage committed within and upon the water of the river Delaware, which this State is entitled to enjoy and exercise, by virtue of sections 52:28–23 to 52:28–28 of this Title, shall belong to and be exercised by the Superior Court or the courts and officers in the county lying and being nearest to the place where such offense, trespass or act was committed, as fully as if said place was within the body of such county, and it shall be lawful to describe said offense, trespass or act as having been committed in or upon the water of the river Delaware in the said county.

Section amended.

56. Section 52:30–4 of the Revised Statutes is amended to read as follows:

Procedure to extinguish easements, etc.

52:30–4. Whenever the United States or any officer thereof has or hereafter shall have, in pursuance of law, leased or purchased any lands within this State for government purposes, and it may be desirable that any street, highway or public places laid out upon any map of said lands should be vacated, or that any rights, ways, easements or servitudes in or upon said lands should be acquired and extinguished, the Attorney-General, by direction of the Governor, shall on request of said lessee, owner, officer or proper authority of the United States, bring a civil action in the Superior Court to adjudge the true value of any rights, ways, easements or servitudes in or upon said lands, and provide for such acquisition and extinguishment. The court may proceed in the action in a summary manner or otherwise.

57. Section 52:30–5 of the Revised Statutes is hereby repealed. Section repealed.

58. Section 52:30–7 of the Revised Statutes is amended to read as follows: Section amended.

52:30–7. The action shall be brought against all persons having or claiming to have any such right, way, easement or servitude or any interest therein. Defendants to action.

59. Section 52:30–8 of the Revised Statutes is hereby repealed. Section repealed.

60. Section 52:30–9 of the Revised Statutes is amended to read as follows: Section amended.

52:30–9. The court shall without a jury try and adjudge the value of each said right, way, easement or servitude and make such orders and render judgment with respect thereto and the payment of any amount found to be payable to any party as shall be just and proper. Court to adjudge value of right, way, easement, etc.

61. Section 52:30–10 of the Revised Statutes is amended to read as follows: Section amended.

52:30–10. As soon as said judgment has been rendered by the court and subject to the provisions thereof the Governor shall take possession of all said private rights, ways, easements or servitudes for the public use of the United States. Governor to take possession for public use.

Upon such taking, all roads, streets, ways and public places embraced within the limits of said tract of land shall be vacated and made void.

It shall be unlawful for any public or municipal body or any person to open or use the same, and the land when so taken shall be held free from any and every right, way, easement or servitude over the same.

62. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 50

AN ACT concerning the State Police, amending section 53:4–2 and repealing section 53:4–3, of the Revised Statutes.

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

Section amended.

1. Section 53:4–2 of the Revised Statutes is amended to read as follows:

Failure to obey subpœna, procedure.

53:4–2. In case any person summoned in accordance with the provisions of section 53:4–1 of this Title shall refuse to obey the subpœna or to give testimony or answer questions, or to produce any book, paper or document as required, the Superior Court may, upon ex parte application, compel him to do so.

Section repealed.

2. Section 53:4–3 of the Revised Statutes is hereby repealed.

3. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 51

AN ACT concerning taxation, and revising parts of the statutory law.

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

Section amended.

1. Section 54:1–17 of the Revised Statutes is amended to read as follows:

Oaths administered.

54:1–17. The Director of the Division of Taxation or any of the employees of the division delegated or deputized to sit for him shall have power to administer oaths to any person to ascertain any

facts which will enable them properly to perform the duties of their office, and may reduce the statements of the person sworn to writing, and require him to swear and subscribe thereto, and may, ex parte, apply for and obtain from the Superior Court an order to compel any person to submit to examination in reference to such matters.

Section amended.

2. Section 54:1–37 of the Revised Statutes is amended to read as follows:

Assessor not complying with law removable by court.

54:1–37. An assessor who shall willfully or intentionally fail, neglect or refuse to comply with the constitution and laws of this State relating to the assessment and collection of taxes shall be subject to removal from office by the Superior Court in an action brought therein by the Director of the Division of Taxation. The court may proceed in the action in a summary manner or otherwise. If the director shall, after investigation, find that an assessor has willfully or intentionally failed, neglected or refused so to do, the director shall bring the action and the Attorney-General shall conduct the action on his behalf.

Section repealed.

3. Section 54:1–38 of the Revised Statutes is hereby repealed.

Section amended.

4. Section 54:1–39 of the Revised Statutes is amended to read as follows:

Governing body to fill vacancy.

54:1–39. If the court removes the assessor, a certified copy of the judgment of removal shall be transmitted to the governing body or officer of the taxing district having power to elect or appoint a person to fill the vacancy caused by the removal. The governing body or officer shall thereupon appoint a successor who shall hold office for such time as may be fixed by law for assessors appointed to fill vacancies.

Section amended.

5. Section 54:2–17 of the Revised Statutes is amended to read as follows:

Members empowered to administer oaths and examine witnesses, contempt punished.

54:2–17. Each member of the division of tax appeals shall have power to administer oaths and examine witnesses, and shall have the same power as the County Court to issue subpœnas to compel the attendance of witnesses and the production of

all necessary reports, books, papers, documents, correspondence and other evidence at any designated place of hearing. The subpœnas shall be authenticated by the seal of the division, and either party to a proceeding before the division may secure from it subpœnas without charge. Misconduct on the part of a person attending a hearing or the failure of a witness when duly subpœnaed to attend, give testimony or produce any records, shall be punishable by the County Court of the county in which the division shall then be sitting, in the same manner as such misconduct or failure is punishable by that court in a case therein pending.

Section amended.

6. Section 54:2–21 of the Revised Statutes is amended to read as follows:

Depositions by witnesses, filing.

54:2–21. In any proceeding, hearing or appeal pending before the division of tax appeals, the division by special order or its general rules, and to the extent provided by such rules, may permit depositions of witnesses residing within or without the State to be taken in the manner prescribed for the taking of depositions in civil actions in the Superior Court, and to the extent so permitted, they shall be of like effect and in all respects similar, as nearly as may be. The officer taking the deposition shall, after it has been taken, cause it to be filed with the said division.

Sundry sections repealed.

7. Section 54:2–22 of the Revised Statutes is hereby repealed.

8. Section 54:2–23 of the Revised Statutes is hereby repealed.

9. Section 54:2–24 of the Revised Statutes is hereby repealed.

10. Section 54:2–25 of the Revised Statutes is hereby repealed.

11. Section 54:2–26 of the Revised Statutes is hereby repealed.

12. Section 54:2–27 of the Revised Statutes is hereby repealed.

13. Section 54:2–28 of the Revised Statutes is hereby repealed.

14. Section 54:2–29 of the Revised Statutes is hereby repealed.

15. Section 54:2–30 of the Revised Statutes is hereby repealed.

16. Section 54:2–31 of the Revised Statutes is hereby repealed.

17. Section 54:2–32 of the Revised Statutes is hereby repealed.

18. Section 54:3–23 of the Revised Statutes is amended to read as follows: Section amended.

54:3–23. In case of the failure of a person to obey any such order or subpœna of a county board of taxation, or to answer any inquiry properly put to him upon such examination, the person shall be punishable by the County Court of the county in the same manner as such failure is punishable by that court in a case therein pending. Disobedience of witness, punishment.

19. Section 54:4–16 of the Revised Statutes is amended to read as follows: Section amended.

54:4–16. The assessor shall have power to examine under oath any person or officer of a corporation with regard to the taxable property of himself, the corporation or others, or the truth of the matters contained in a claim for exemption of any person or corporation, and may compel the attendance of such persons and other witnesses and the production of books and papers by his order therefor, designating the time and place for such attendance and production. The order shall be served on the person, witness or corporation at least two days before the time named, either personally or by leaving it at the residence of the person or witness or at the office of the corporation. In case of failure to comply with the order, the assessor may apply ex parte to the Superior Court or County Court to compel the person or witness so to do. Assessor empowered to examine under oath.

20. Section 54:4–43 of the Revised Statutes is amended to read as follows: Section amended.

54:4–43. When, pursuant to section 2A:17–72 or section 2A:17–73 of the New Jersey Statutes, an officer shall serve upon a county board of taxation Judgment executions added to tax requirements.

a copy of an execution against a taxing district, a board of education of a school district or a regional board of education, of the county, the board shall add the amount due upon the execution, with interest to February first of the year next ensuing, to the amounts certified to it to be raised by taxation in that taxing district, that school district or the school districts which have united in establishing such regional board of education, as the case may be, and the amount of the execution and interest shall thereupon be raised by taxation in such taxing district, school district or school districts, and paid, on or before February fifth of such next ensuing year, by the collector of the taxing district against which the execution was issued or by the collector or collectors of the taxing district or districts within which the school district or school districts may be situated.

Section amended.

21. Section 54:4–61 of the Revised Statutes is amended to read as follows:

Assessment not to be set aside by proceedings.

54:4–61. No assessment of taxes shall be set aside by a proceeding in lieu of prerogative writ, because the State, county or municipal taxes, or any of them, are blended together, nor because the aggregate amount of money levied or assessed in a taxing district for taxes is greater than called for by the law or resolutions granting the same, nor because the assessment is made upon any person or property at a rate higher than authorized by the law, ordinance or resolutions granting the money for which the assessment of taxes is made.

Section amended.

22. Section 54:4–62 of the Revised Statutes is amended to read as follows:

Court may review and reduce assessment.

54:4–62. If it shall appear to the satisfaction of the Superior Court, in a proceeding in lieu of prerogative writ, that an assessment of taxes reviewed thereby is at a rate higher than authorized by the law or resolution authorizing the assessment, or that the value of taxable property for which a person is therein assessed, is too great, the court shall amend the assessment and reduce it to the proper and just amount, and thereupon affirm it according

to the amendment and reduction and reverse it as to the excess only.

Section repealed.

23. Section 54:4–63 of the Revised Statutes is hereby repealed.

Section amended.

24. Section 54:4–82 of the Revised Statutes is amended to read as follows:

Hearing on debtor's ability to pay.

54:4–82. Upon presentation of an application setting forth that the applicant is in the custody of the sheriff or jailer of the county for the nonpayment of a tax, that he applies for his discharge and is without sufficient goods and chattels whereof to make a distress and without means of payment of the tax and costs, the County Court shall thereupon direct the sheriff or jailer to cause the applicant to be brought before it for examination and for the hearing of the application. Notice of the application, and of the time appointed for the hearing thereof, shall be given to the legal representative of the municipality wherein the tax was levied, who may be heard in relation to the application. After the examination of the applicant and the hearing, the court may order his discharge, or order his release upon condition that he shall pay the tax and costs assessed against him in such manner as the circumstances of the case shall warrant. A person released upon condition that he shall pay the tax and costs, who shall violate the condition of the order releasing him, may be taken into custody and kept in confinement until the tax and costs are paid.

Section amended.

25. Section 54:4–106 of the Revised Statutes is amended to read as follows:

Payment of taxes by receiver or assignee, wage liens not affected.

54:4–106. The receiver of a corporation appointed by the Superior Court or an assignee in trust for the benefit of creditors shall take, receive and hold all personal property subject to all unpaid taxes and shall, out of the first moneys received by him, pay to the proper collecting officer of the municipality levying the tax all unpaid taxes, together with the interest and penalties thereon. This payment shall be made before any other payments are made by the receiver or assignee. Nothing in this section shall affect the lien of employees for wages preferred by law.

Section amended.

26. Section one of chapter three hundred sixty-two of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

C. 54:4-123. Receiver of rents and income, satisfaction of delinquent taxes, no bond required.

1. That at any time after any taxes or any installment thereof heretofore or hereafter levied and assessed against real property in any municipality shall have been delinquent for more than six months and remain due and unpaid, the collector or other officer charged with the collection of taxes in such municipality, hereinafter designated the "collector," may, by and with the approval of the governing body of such municipality, bring an action in the Superior Court to be appointed receiver ex officio of the rents and income of such real property for the purpose of collecting and satisfying out of such rents and income the delinquent taxes against such real property, together with the penalties, interest and costs, and such costs and expenses of the receivership as may be adjudged by the court. The court may proceed in the action in a summary manner or otherwise. Such receiver shall not be required to give bond other than his official bond, and shall be appointed only for the purpose of collecting and satisfying the delinquent taxes, penalties, interest and costs and expenses as aforesaid.

Section amended.

27. Section six of chapter three hundred sixty-two of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

C. 54:4-128. Plaintiff's grounds for action.

6. The plaintiff in the action shall establish:

(a) that such delinquent taxes remain due and unpaid at the commencement of the action,

(b) that the collector has exercised due diligence to collect such delinquent taxes, and

(c) that he verily believes that such real property is income-producing, or, if the property is not income-producing, that it can be leased and thereby made to become income-producing, and that the collection of such delinquent taxes can be made through a receivership of the rents and income from such real property.

A verification of the complaint in the action shall be prima facie evidence of the facts therein stated.

28. Section seven of chapter three hundred sixty-two of the laws of one thousand nine hundred and thirty-nine is amended to read as follows: Section amended.

7. In the event that it is made to appear to the court that the owner or any person interested in such real property has filed an appeal from or is contesting the taxes assessed and levied against such real property, the court shall limit the amount of taxes to be collected by the receiver to the portion of such delinquent taxes which are not in substantial dispute and, if the parties are unable to agree upon the amount thereof, the same shall be ascertained by the court and the collection of the disputed portion of the taxes shall be stayed until the final determination of the proceedings to review said taxes. Thereupon, in the event that such appeal or contest shall be sustained as to any part or all of such taxes so collected, the court shall direct the collector to pay back and return to such owner or person interested in such real property, such part or all of such taxes so collected as to which the appeal or contest has been sustained. In the event that such appeal or contest is not sustained, then the receiver shall proceed to collect from such rents and income any uncollected portion of such delinquent taxes, penalties, interest and costs and expenses as aforesaid. C. 54:4-129. Appeal from taxes assessed, limitation on amount collected, refund.

29. Section eight of chapter three hundred sixty-two of the laws of one thousand nine hundred and thirty-nine is amended to read as follows: Section amended.

8. Whenever the delinquent taxes against any such real property and the delinquent taxes for which the property has been sold, together with all penalties, interest and costs and expenses as aforesaid, have been fully paid and satisfied out of the rents and income collected by the receiver from such real property, the collector shall apply to the court for his discharge as such receiver. The owner or any person interested in such real property, upon presentation to the collector of a certified copy of the order or judgment of discharge, may receive, as the case may be, receipted tax bills C. 54:4-130. Discharge of receiver.

for the payment of such taxes or a certificate of redemption from such tax sale. For good cause shown, the receiver may be discharged by the court at any time.

Section amended.

30. Section 54:5–10 of the Revised Statutes is amended to read as follows:

Proceedings affect liens only when lis pendens filed.

54:5–10. No judicial proceeding shall operate to stay the enforcement of any municipal lien, unless the court shall so order, nor unless due notice of the order describing the land and naming the owner shall be filed as a notice of lis pendens in the office of the county clerk or register of deeds and mortgages, as the case may be, of the county where the lands are situate.

Section repealed.

31. Section 54:5–45 of the Revised Statutes is hereby repealed.

Section amended.

32. Section 54:5–82 of the Revised Statutes is amended to read as follows:

No action brought after two years.

54:5–82. In the absence of fraud, no action shall be brought to contest or set aside the certificate of sale, notice and affidavit of service so recorded as a deed, or to recover possession of the lands so conveyed, after the expiration of two years from the date of their record.

Section amended.

33. Section 54:5–84 of the Revised Statutes is amended to read as follows:

Infants and mental incompetents.

54:5–84. If a 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 he is interested, an infant under the age of twenty-one years, or an idiot, or then shall have been judicially adjudged a person of unsound mind, the right to redeem shall not be barred by service of notice as provided in this article so long as such impediment shall continue, but shall be barred only by an action to foreclose brought in the Superior Court.

Section amended.

34. Section 54:5–85 of the Revised Statutes is amended to read as follows:

Construction.

54:5–85. The provisions of this article shall be liberally construed as remedial legislation to encourage the barring of the right of redemption by

actions in the Superior Court to the end that marketable titles may thereby be secured.

35. Section 54:5–86 of the Revised Statutes is amended to read as follows: Section amended.

54:5–86. The purchaser, his heirs or assigns, in addition to the remedy provided by article eight of this chapter (§ 54:5–77 et seq.), may at any time after the expiration of the term of two years, whether notice to redeem has been given or not, institute an action to foreclose the right of redemption. On instituting the action the right to redeem shall exist and continue until barred by the judgment of the Superior Court. Action to foreclose right of redemption, right to continue.

36. Section 54:5–87 of the Revised Statutes is amended to read as follows: Section amended.

54:5–87. The Superior Court, in an action to foreclose the right of redemption, may give full and complete relief under this chapter, in accordance with other statutory authority of the court, to bar the right of redemption and to foreclose all prior or subsequent alienations and descents of the lands and encumbrances thereon, except subsequent municipal liens, and to adjudge an absolute and indefeasible estate of inheritance in fee simple, to be vested in the purchaser. The judgment shall be final upon the defendants, their heirs, devisees and personal representatives, and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title or interest. Jurisdiction of court, effect of judgment.

37. Section one of chapter two hundred sixty-four of the laws of one thousand nine hundred and thirty-eight is hereby repealed. C. 54:5-87.1. Section repealed.

38. Section one of chapter one hundred fifty-one of the laws of one thousand nine hundred and thirty-nine is hereby repealed. C. 54:5-87.6. Section repealed.

39. Section two of chapter one hundred fifty-one of the laws of one thousand nine hundred and thirty-nine is hereby repealed. C. 54:5-87.7. Section repealed.

40. Section one of chapter eighty-four of the laws of one thousand nine hundred and forty is hereby repealed. C. 54:5-87.8. Section repealed.

Sections repealed.

41. Section 54:5–88 of the Revised Statutes is hereby repealed.

42. Section 54:5–89 of the Revised Statutes is hereby repealed.

Section amended.

43. Section 54:5–90 of the Revised Statutes is amended to read as follows:

Judgment, failure to redeem, posting notice, bars proceedings.

54:5–90. Where judgment is taken against unknown owners or claimants as provided by Rules of the Supreme Court, their equity of redemption shall be foreclosed and barred without further publication upon their failure to redeem the lands affected by the action, but notice of the date limited for redemption, the place to redeem and the amount necessary to redeem shall be posted upon the lands at least twenty days before the date so fixed. No such judgment, after it has been entered for more than five years, shall be attacked on the ground of insufficient inquiry for the identity, name or address of any defendant, his heirs, assigns or personal representatives, even though the same might have been ascertained by such inquiry.

Section amended.

44. Section 54:5–91 of the Revised Statutes is amended to read as follows:

Unknown owner defined.

54:5–91. Any person whose interest in the lands cannot, in the exercise of reasonable diligence, be ascertained from the search of the title of the premises described in the certificate of sale, made of the indexes in the office of the surrogate and county clerk or register of deeds and mortgages in the county in which the lands are situate, and in the office of the Secretary of State, extending back at least sixty years next preceding the date of the sale, shall be deemed to be included in the term "unknown owner" or "unknown claimant."

Sundry sections repealed.

45. Section 54:5–92 of the Revised Statutes is hereby repealed.

46. Section 54:5–93 of the Revised Statutes is hereby repealed.

47. Section 54:5–94 of the Revised Statutes is hereby repealed.

48. Section 54:5–95 of the Revised Statutes is hereby repealed.

49. Section 54:5–96 of the Revised Statutes is hereby repealed.

50. Section 54:5–97 of the Revised Statutes is hereby repealed.

51. Section 54:5–98 of the Revised Statutes is amended to read as follows: Section amended.

54:5–98. In all actions to foreclose a tax sale certificate, redemption shall be made to the tax collector of the municipality at his official office during business hours, except in cases where the tax collector is a part-time official with no regular municipal office, in which case the redemption shall be made to the clerk of the county in which the premises lie. Such redemption shall be subject to the fixing of fees and costs. Redemption, fees and costs.

52. Section 54:5–99 of the Revised Statutes is amended to read as follows: Section amended.

54:5–99. No foreclosure judgment shall be entered, except in cases where a municipality is the plaintiff unless evidence is produced in the foreclosure action that all subsequent municipal liens have been paid to the time of the commencement of the action. Evidence of payment of subsequent liens.

53. Section 54:5–100 of the Revised Statutes is amended to read as follows: Section amended.

54:5–100. In an action in the Superior Court to foreclose the right of any defendant therein named to redeem lands from the lien of a certificate of sale thereof issued for nonpayment of taxes or other municipal lien, the validity of the tax or other municipal lien for which the sale was made and certificate issued, and the validity of the proceedings to sell the lands shall be conclusively presumed unless a defendant in the action shall set up as a defense thereto the invalidity of the tax or other municipal lien or the invalidity of the proceedings to sell or the invalidity of the sale. All questions as to such invalidity may be tried in the action. Validity of sale and proceedings.

54. Section 54:5–101 of the Revised Statutes is hereby repealed. Sundry sections repealed.

55. Section 54:5–102 of the Revised Statutes is hereby repealed.

56. Section 54:5–103 of the Revised Statutes is hereby repealed.

Section amended.

57. Section 54:5–104 of the Revised Statutes is amended to read as follows:

Judgment bars redemption only in lands described therein.

54:5–104. When in a judgment in an action to foreclose the right of redemption, the lands are described in a manner other than that contained in the certificate of tax sale, the judgment shall bar the defendant's right of redemption in and to all the lands described in the judgment, and that property only.

Section amended.

58. Section five of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.33. No personal judgment entered.

5. In any proceeding under this act no personal judgment shall be entered against any person.

Section amended.

59. Section six of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.34. Time for institution of action.

6. No action may be instituted under this act on any tax sale certificate unless:

a. More than two years have expired from the date of the tax sale out of which any such certificate arose, and

b. For the four calendar years next preceding the commencement of the action, no part of any general land taxes levied and assessed against the land covered by such certificate has been paid.

Section amended.

60. Section eight of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.36. Jurisdiction.

8. The Superior Court shall have jurisdiction to give full relief, in rem, as prescribed in this act.

Section amended.

61. Section nine of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.37. Fees on institution of action.

9. The fees to be paid to the clerk of the court on the institution of an action shall be twenty-five dollars ($25.00), except when a foreclosure is sought as to more than twenty-five certificates, in which case the clerk shall be entitled to fifty cents ($0.50) for each certificate in excess of twenty-five.

C. 54:5-104.38. Section repealed.

62. Section ten of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is hereby repealed.

C. 54:5-104.39. Section repealed.

63. Section eleven of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is hereby repealed.

C. 54:5-104.40. Section repealed.

64. Section twelve of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is hereby repealed.

Section amended.

65. Section thirteen of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.41. Filing copy of complaint.

13. The plaintiff shall file a copy of the complaint in the offices of the municipal tax collector, the county recording officer and the Attorney-General of the State of New Jersey.

Section amended.

66. Section fourteen of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.42. Notice to the world.

14. The copy of the complaint filed in the office of the county recording officer and the publication and posting of the notice as provided by the Rules of the Supreme Court shall be notice to the world including all persons claiming any right, title, interest in or lien upon the land sought to be affected by said complaint, whether or not the names of said persons appear in said complaint, of the institution of said foreclosure proceedings in rem, and that unless said lands be redeemed in the cause as hereinafter provided, the right, title, interest or lien of any such persons and the claim of any or all other persons, whether such right, title, interest, lien or claim has or shall have become vested or shall have arisen or may arise prior to or subsequent to the filing of said complaint, shall be foreclosed and forever debarred and that an indefeasible estate in fee simple in said lands shall be vested in the plaintiff, by the judgment of the said court, as provided in this act.

Section amended.

67. Section fifteen of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.43. Notice to State.

15. The copy of said complaint filed in the office of the Attorney-General of the State of New Jersey shall be notice to the State of New Jersey, including any agency of the State, and any political subdivision thereof having an interest in or lien upon the land to be affected, that such action has been instituted, in rem, against said land.

Section amended.

68. Section sixteen of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.44. Duties of county recording officer.

16. Upon the filing of such copy of complaint, the county recording officer shall forthwith cause the action to be indexed in the name of all persons appearing in the tax foreclosure list and in the complaint in the same index used for notices of lis pendens, and the filing of said complaint shall be noted in the margin of the record of each certificate of tax sale referred to in said complaint.

Section amended.

69. Section seventeen of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.45. Fees, county recording officer.

17. The county recording officer for filing and indexing such copy of the complaint and the making of such marginal notation shall be entitled to the same fees to which he would be entitled for the filing, indexing and noting of a Notice of Lis Pendens.

C. 54:5-104.46. Section repealed.

70. Section eighteen of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is hereby repealed.

C. 54:5-104.47. Section repealed.

71. Section nineteen of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is hereby repealed.

Section amended.

72. Section twenty of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.48. Notice to tax collector.

20. At any time after the enactment of this act, any person owning land or holding a mortgage thereon, or any person having a lien or claim thereon, or interest therein, may file with the tax

collector of the taxing district wherein such land is located, a notice stating his name, residence and post-office address and a description, as shown in the last tax duplicate of the municipality, of the parcel of land in which such person has an interest, which notice shall continue in effect for a period of five years, unless earlier canceled by such person. A notice of foreclosure may be mailed to such persons and all others, as provided by Rules of the Supreme Court, but neither the failure to mail any such notice, nor the failure of any person to receive such notice, shall affect the validity of any action brought pursuant to this act.

C. 54:5-104.49. Section repealed.

73. Section twenty-one of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is hereby repealed.

C. 54:5-104.50. Section repealed.

74. Section twenty-two of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is hereby repealed.

C. 54:5-104.51. Section repealed.

75. Section twenty-three of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is hereby repealed.

C. 54:5-104.52. Section repealed.

76. Section twenty-four of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is hereby repealed.

Section amended.

77. Section twenty-five of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.53. Omissions no defense.

25. No omission of any of the procedures or actions required by law in relation to levy and assessment shall be a defense or objection to the foreclosure of any tax lien title, unless it be also made to appear to the court that such omission has been prejudicial to the answering defendant.

C. 54:5-104.54. Section repealed.

78. Section twenty-six of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is hereby repealed.

C. 54:5-104.55. Section repealed.

79. Section twenty-seven of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is hereby repealed.

C. 54:5-104.56. Section repealed.

80. Section twenty-eight of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is hereby repealed.

C. 54:5-104.57. Section repealed.

81. Section twenty-nine of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is hereby repealed.

Section amended.

82. Section thirty of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.58. Severance upon filing of answer.

30. If an action is severed by reason of the filing of an answer as to a parcel or parcels of land, the plaintiff shall be liable for and shall pay to the clerk of said court the fees and costs as in the case of the commencement and prosecution of a new, separate and distinct action.

Section amended.

83. Section thirty-one of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.59. Fees apportioned.

31. All costs and fees in the action shall be equitably apportioned and allocated to the several parcels of land affected by the action, and added to the amount required to redeem.

Section amended.

84. Section thirty-two of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is hereby amended to read as follows:

C. 54:5-104.60. Redemption.

32. Redemption shall be made as provided in section 54:5–98 of the Revised Statutes.

Section amended.

85. Section thirty-three of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.61. Statement of redemption filed, effect.

33. Upon such redemption, the plaintiff or its attorney shall promptly file with the county recording officer a statement setting forth that redemption has been made in respect to any parcel of land described in the petition. The filing of the statement shall operate to discharge the notice hereinbefore provided in section fourteen insofar as the notice relates to the land so redeemed. Any person making such redemption shall be entitled to receive, from the tax collector or other official, a certificate of redemption and a duplicate thereof, and may file such duplicate with the county recording officer,

in lieu of, and with the same effect as, a statement of redemption filed by a plaintiff or its attorney, as in this section provided.

Section amended.

86. Section thirty-four of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.62. Plaintiff's right to an order of dismissal.

34. The plaintiff shall have the right to an order of dismissal, without notice and without costs, as to any parcel of land affected by any action under this act. The filing of a copy of the order with the county recording officer shall operate as a discharge of the proceedings as to the parcel of land affected thereby. The recording officer shall charge fifty cents ($0.50) for the each parcel of land affected by such discharge.

C. 54:5-104.63. Section repealed.

87. Section thirty-five of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is hereby repealed.

Section amended.

88. Section thirty-six of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.64. Effect of judgment.

36. (a) The judgment shall give full and complete relief, in accordance with the provisions of this act, and in accordance with any other statutory authority, to bar the right of redemption, and to foreclose all prior or subsequent alienations and descents of the lands and encumbrances thereon, and to adjudge an absolute and indefeasible estate of inheritance in fee simple in the lands therein described, to be vested in the plaintiff.

(b) Such judgment shall be binding and final upon all persons having a vested or contingent title or interest in or lien or claim upon or against said lands, including the State of New Jersey, and any agency and political subdivision thereof, and their heirs, devisees and personal representatives, and their, or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title or interest, notwithstanding any infancy or incompetency of such person or persons, and upon all other persons, their heirs, devisees and personal representatives, and their or any of their

heirs, devisees, executors, administrators, grantees, assigns or successors in right, title or interest.

Section amended.

89. Section thirty-seven of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.65. Effect of recording judgment.

37. Upon the recording of a certified copy of such judgment in the office of the county recording officer, the plaintiff shall be seized of an estate in fee simple, in the lands described therein, absolute and free and clear of all liens and encumbrances, in accordance with the terms of said judgment.

Section amended.

90. Section thirty-eight of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.66. Duty of recording officer, fee.

38. Upon the recording of such judgment, the county recording officer shall note, in the margin of each certificate referred to therein, the following: "Judgment recorded on ..... (here insert date) ....., " (here insert book and page or instrument number) for which such recording officer shall charge thirty-five cents ($0.35) for each notation.

Section amended.

91. Section thirty-nine of chapter ninety-six of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:5-104.67. Application to reopen judgment.

39. No application shall be entertained to reopen such judgment after three months from the date of the recording thereof in the office of the county recording officer, and then only upon the grounds of lack of jurisdiction or fraud in the conduct of the action.

Section amended.

92. Section 54:5–105 of the Revised Statutes is amended to read as follows:

Jurisdiction of courts, proof.

54:5–105. The Superior Court or a County Court in an action may direct the county clerk or register of deeds, as the case may be, to cancel of record any tax sale certificate of record in the county if it shall be satisfied by proof that the holder of the tax sale certificate has been fully paid all moneys expended by him for the tax sale certificate, in-

cluding all expenses incurred by him, and lawful interest therein according to law. The court may proceed in the action in a summary manner or otherwise.

Section amended.

93. Section 54:5–107 of the Revised Statutes is amended to read as follows:

Persons against whom action may be brought.

54:5–107. The action shall be brought against the holder of record of the tax sale certificate, if living, and if not living, his executor or administrator, or if he shall have died intestate and there shall be no administrator, the next of kin of the holder of record of the tax sale certificate. Such other persons may be made defendants as the court may direct.

Sundry sections repealed.

94. Section 54:5–108 of the Revised Statutes is hereby repealed.

95. Section 54:5–109 of the Revised Statutes is hereby repealed.

96. Section 54:5–110 of the Revised Statutes is hereby repealed.

Section amended.

97. Section three of chapter one hundred forty-nine of the laws of one thousand nine hundred and forty-three is amended to read as follows:

C. 54:5-114.4. Foreclosure of right of redemption.

3. Any and all purchasers of the tax sale certificates and subsequent municipal liens purchased, as hereinabove described, must foreclose at their own expense, the right of redemption, and record the final judgment in the county wherein the land is situate within two years from the date of the confirmation of the sale by the governing body.

Section amended.

98. Section four of chapter one hundred forty-nine of the laws of one thousand nine hundred and forty-three is amended to read as follows:

C. 54:5-114.5. Extension of time for recording judgment, proviso.

4. The governing body on good cause shown shall have the power to extend the time and to grant further extension or extensions of time within which the final judgment must be recorded as hereinabove described; *provided,* that an application for such extension, further extension or extensions of time shall be made to the governing body, before the expiration of the two-year period or the expira-

tion date or dates of said further extension or extensions as hereinabove provided.

If the final judgment shall not have been recorded within two years from the date of the confirmation of the sale, or on the expiration of the extended time or times, then the sale shall be null and void, and the right, title and interest of the purchaser shall cease and revert to the municipality.

As to all sales of tax sale certificates heretofore made under this act, where the final judgment or decree has not been filed within two years from the date of the confirmation of the sale, or within the time limited by any extension or extensions theretofore granted, the governing body, on good cause shown, shall have the power to extend the time within which the final judgment or decree must be recorded; *provided,* that the first application for such extension shall be made to the governing body within thirty-six months after July third, one thousand nine hundred and forty-nine, and in the event that such application is made within said time and is granted by said governing body said final judgment or decree and the sale, right, title and interest of the purchaser in the tax sale certificate shall be valid, anything contained in this act to the contrary notwithstanding.

Proviso.

Section amended.

99. Section five of chapter one hundred forty-nine of the laws of one thousand nine hundred and forty-three is amended to read as follows:

C. 54:5-114.6. Failure to foreclose equity, money not refunded.

5. In all cases where the purchaser shall fail to foreclose the equity of redemption and record the final judgment within the time specified hereinabove, the moneys paid by the said purchaser to the municipality shall not be refundable to the purchaser nor shall the said moneys be credited by the tax collector to the credit of the owner of the land.

Section amended.

100. Section one of chapter one hundred sixty-nine of the laws of one thousand nine hundred and fifty is amended to read as follows:

C. 54:5-114.10. Foreclosure of omitted parties.

1. Any purchaser of a tax sale certificate under the act to which this act is a supplement, or his assignee, who has heretofore or who shall hereafter

foreclose said tax sale certificate within the time in which he was or shall be required to foreclose the equity of redemption and record the final judgment or decree, or otherwise has or shall have complied with the conditions appertaining to his said purchase but who has or shall have failed to fully foreclose the said equity of redemption by reason of the inadvertent omission of a party or parties who had or shall have an interest in the property affected by said tax sale certificate, shall have the right to bring an action to foreclose the said omitted party or parties from his or their equity of redemption or interest in said property, either by an action in the nature of strict foreclosure or re-foreclosure, or similar action. In lieu of any such action the purchaser may acquire any outstanding unforeclosed interest or obtain a cancellation thereof by release, discharge or otherwise. In the case of any such omission, the original foreclosure action or proceeding shall be deemed a substantial compliance with the act to which this act is a supplement, notwithstanding the omission. The bringing of a subsequent action or the acquisition or cancellation of an unforeclosed outstanding interest, under the provisions of this section shall in nowise invalidate the rights of the purchaser or his assignee in and to the said tax sale certificate.

Section amended.

101. Section 54:8–3 of the Revised Statutes is amended to read as follows:

Destruction of records, determining amounts due, jurisdiction.

54:8–3. In case of the loss or destruction of public records whereby taxes which are unpaid and are a lien upon real estate are liable to be lost by reason of the inability of the municipality to enforce them under existing law without further power which will enable it to ascertain in a judicial manner the amount of the taxes and the extent and character of the particular real estate upon which they constitute a lien, the Superior Court in an action shall have authority and jurisdiction to determine the amount of such taxes and the interest and penalties thereon, and to adjudge the extent and character of the particular real estate upon which

the taxes constitute a lien, and to enforce the collection thereof. The court may proceed in the action in a summary manner or otherwise.

Section amended.

102. Section 54:8–4 of the Revised Statutes is amended to read as follows:

Action by resolution.

54:8–4. The action shall be brought by the municipality desiring relief, whenever the governing board thereof shall by resolution deem it proper to proceed. The plaintiff shall establish the years for which taxes are claimed to be in arrears, the amount thereof as nearly as can be ascertained, the designation of the real estate by block and street number or other brief description, and the names of the owners thereof, if known or ascertainable by reference to the records of deeds of the county in which the real estate is situate.

Section amended.

103. Section 54:8–5 of the Revised Statutes is amended to read as follows:

Jurisdiction.

54:8–5. Service of process upon one of two or more joint tenants or tenants in common shall be sufficient to confer upon the court jurisdiction of all the joint tenants or tenants in common with respect to the subject matter of the action.

Section amended.

104. Section 54:8–6 of the Revised Statutes is amended to read as follows:

Service of process on nonresident owners.

54:8–6. If the owner or mortgagee of any land concerning which an action is brought resides out of the State and cannot be served personally within the State, service of process may be made upon a tenant or occupant.

Sundry sections repealed.

105. Section 54:8–7 of the Revised Statutes is hereby repealed.

106. Section 54:8–8 of the Revised Statutes is hereby repealed.

107. Section 54:8–9 of the Revised Statutes is hereby repealed.

108. Section 54:8–10 of the Revised Statutes is hereby repealed.

109. Section 54:8–11 of the Revised Statutes is hereby repealed.

110. Section 54:8–12 of the Revised Statutes is amended to read as follows: Section amended.

54:8–12. When it shall be established by the judgment of the court in any case that there is a lien for unpaid taxes against any real estate, the lien may be enforced and collected by the municipality to which it is due in the same manner and to the same effect as provided by law with respect to other taxes upon real estate therein, and the judgment of the court shall be conclusive as to the existence of the lien and the amount due thereon, or, in the discretion of the court, execution may issue out of the court to enforce the lien by a sale of the property as in other cases. Enforcement of lien.

111. Section 54:8–13 of the Revised Statutes is hereby repealed. Section repealed.

112. Section 54:8–14 of the Revised Statutes is amended to read as follows: Section amended.

54:8–14. No costs shall be recovered by either party against the other. No fees shall be charged or paid to the State for any services of the clerk, except that copies of papers certified by the clerk shall be paid for as in other cases. No costs shall be taxed on either side for fees of attorney or counsel. Costs not recoverable.

113. Section 54:8–15 of the Revised Statutes is amended to read as follows: Section amended.

54:8–15. A certified copy of the final judgment in every case wherein a lien for taxes is established shall be filed in the office of the collector or receiver of taxes or other officer charged by law with the custody of the records of unpaid taxes. An abstract thereof showing the land affected, the amount of the taxes, the years in which assessed, and the names of the defendants in the action, shall be entered in a suitable book kept for that purpose. Copy of judgment filed, abstract entered.

114. Section 54:8–16 of the Revised Statutes is amended to read as follows: Section amended.

54:8–16. The mayor or other chief executive officer of any city, town, borough or village, the township committee of any township, and the governing body of any other municipality proceeding under Legal assistants, compensation.

this article may appoint one or more special attorneys and other necessary assistants to aid in the prosecution of these actions, but no such attorney shall be appointed in any city except with the concurrence of the city counsel or other regular legal advisor. The compensation of the special attorneys and other assistants shall be fixed in cities, boroughs and villages by the mayor or other chief executive officer, and in all other municipalities by the governing body. In all cases it shall be paid by the municipality.

Section amended.

115. Section eleven of chapter fifty of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 54:10A-19.2. Appeal, stay of enforcement, review.

11. (a) Any aggrieved taxpayer may, within three months after any decision, order, finding, assessment or action of the director made pursuant to the provisions of this act, appeal therefrom to the division of tax appeals, by filing a petition of appeal with said division in the manner and form prescribed by the said division and on giving security, approved by the commissioner, conditioned to pay the tax heretofore levied, if the same remains unpaid, with interest and costs.

(b) No such appeal shall stay the collection of any tax or the enforcement of the same by entry as a judgment, unless by order of such division, and then only after security approved by the director or said division has been furnished to the commissioner. The judgment or order of the division of tax appeals respecting any matter arising under the provisions of this subtitle may be reviewed by a proceeding in lieu of prerogative writ in the same manner as other judgments of said division.

Section amended.

116. Section twenty of chapter one hundred sixty-two of the laws of one thousand nine hundred and forty-five is amended to read as follows:

C. 54:10A-20. Injunction, additional remedy for collection.

20. In addition to other remedies for the collection of the tax imposed by this chapter, the Attorney-General may of his own motion or upon the request of the commissioner, whenever any tax due under this chapter shall have remained in arrears

for a period of three months after the tax shall have become payable, bring an action in the Superior Court in the name of the State, against such corporation for injunctive relief to restrain it from the exercise of any franchise, or the transaction of any business within this State until the payment of such tax and penalties and interest due thereon, and the costs of such application, to be fixed by the court. The court may proceed in the action in a summary manner or otherwise and may grant the injunctive relief, if a proper case appear. Upon the granting and service of the order or judgment giving injunctive relief, it shall not be lawful for such company thereafter to exercise any franchise or transact any business in this State until such injunction be dissolved.

Section amended.

117. Section five of chapter fifty-one of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 54:10A-31. Limitation, cancellation of taxes, construction.

5. When a corporation franchise tax return shall have been duly filed in accordance with the provisions of this act or of chapters thirteen or thirty-two-A of Title 54 of the Revised Statutes, no tax shall be assessable or payable after ten years from the date of such filing or after one year from the effective date hereof, whichever is later. The director is hereby authorized to cancel all assessments of taxes, interest and penalties, the collection of which is barred by the limitations herein provided and to destroy returns and records relating thereto which are rendered useless by the provisions of this act. Nothing herein contained, however, shall affect the rights of the State (a) under any certificate of debt, decree or judgment for taxes, interest and penalties duly recorded with the Clerk of the Superior Court, or with any county clerk; or (b) to assess and enforce collection of any tax, interest and penalties pursuant to the terms of any bond or other agreement securing the payment of such tax, interest and penalties.

Section amended.

118. Section nineteen of chapter one hundred seventy-four of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 54:10B-19. Injunction as additional remedy for collection.

19. In addition to other remedies for the collection of the tax imposed by this act, the Attorney-General may of his own motion or upon the request of the director, whenever any tax is due under this act shall have remained in arrears for a period of three months after the tax shall have become payable, bring an action in the Superior Court in the name of the State against the delinquent taxpayer for an order or judgment to restrain such taxpayer from the exercise of any franchise, or the transaction of any business within this State until the payment of such tax and penalties and interest due thereon, and the costs of the action, to be fixed by the court. The court may proceed in the action in a summary manner or otherwise and may grant injunctive relief if a proper case appear. Upon the granting and service of the order or judgment giving injunctive relief it shall be unlawful for the enjoined taxpayer thereafter to exercise any franchise or transact any business in this State until such injunction be dissolved.

Section amended.

119. Section 54:11–6 of the Revised Statutes is amended to read as follows:

Proceedings against delinquent corporations.

54:11–6. After a corporation of this State has failed for the space of two consecutive years to pay the taxes imposed upon it by law, and the Director of the Division of Taxation has reported the corporation to the Governor as provided in this chapter, the Attorney-General may apply in an action against such corporation in the Superior Court for the appointment of a receiver, or otherwise. The court may proceed in the action in a summary manner or otherwise.

Section amended.

120. Section 54:11–7 of the Revised Statutes is amended to read as follows:

Judgment for unpaid taxes, execution.

54:11–7. In an action pursuant to section 54:11–6 of this Title, the court shall ascertain the amount of taxes remaining due and unpaid by the corporation to this State and enter judgment for the

amount so ascertained. Thereupon execution or other process shall issue for the collection thereof as upon other judgments.

Section amended.

121. Section 54:11–8 of the Revised Statutes is amended to read as follows:

Transfer of property to receiver to sell.

54:11–8. If no property which may be seized and sold on execution shall be found within this State sufficient to pay the judgment, the court shall further order and adjudge that the corporation shall, within ten days after the service of notice of such judgment upon an officer of the corporation upon whom service of process may be lawfully made, or such notice as the court shall direct, assign and transfer to the trustee or receiver appointed by the court, any chose in action, or any patent or patents, or any assignment of, or license under any patented invention or inventions owned by, leased or licensed to or controlled in whole or in part by such corporation, to be sold by the receiver or trustee for the satisfaction of the judgment. No injunctive relief theretofore given nor any forfeiture of the charter of the corporation shall be held to exempt it from compliance with the order and judgment of the court.

If the corporation shall fail, within ten days after the service of notice of the judgment, to assign and transfer the same to such receiver or trustee for sale as aforesaid, the court shall appoint a trustee to make the assignment thereof, in the name and on behalf of the corporation, to the receiver or trustee appointed to make the sale.

Section amended.

122. Section 54:14–6 of the Revised Statutes is amended to read as follows:

Injunction against delinquent corporation, procedure.

54:14–6. In addition to other remedies for the collection of a tax imposed by chapters twelve to fifteen of this Title (§ 54:12–1 et seq.), when the same shall have been in arrears for three months after becoming payable, the Attorney-General may of his own motion or upon the request of the Director of the Division of Taxation bring an action in the Superior Court in the name of the State, against the delinquent corporation for injunctive

relief to restrain the corporation from the exercise of any franchise or the transaction of any business within this State until the payment of such tax and interest due thereon and the costs of such application as fixed by the court.

The court may proceed in the action in a summary manner or otherwise and may grant such injunctive relief, if a proper case appear. When the order or judgment giving such relief is granted and served, such corporation shall not thereafter exercise any franchise or transact any business in this State until the order or judgment is vacated.

Section amended.

123. Section 54:15–4 of the Revised Statutes is amended to read as follows:

Right of appeal deemed waived.

54:15–4. If a petition of appeal is not filed within the time prescribed by section 54:15–1 of this Title, the right to appeal to the division of tax appeals shall be deemed waived and the amount of tax levied shall be payable and collected as in the case of other taxes due the State; but if thereafter a proceeding in lieu of prerogative writ is brought on behalf of the corporation within the time required for such review, the Attorney-General may, on being satisfied as to the matter, and without taking testimony or proof, consent to an order reducing the tax or assessment to the amount due on the actual issue of the capital stock of the corporation.

Section amended.

124. Section thirty-six of chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 54:29A-36. Proceedings contesting determination.

36. If a taxpayer, or the Attorney-General on behalf of the State, or the authorities of any taxing district shall desire to contest the final determination of the division of tax appeals, such contest shall be made by a proceeding in lieu of prerogative writ.

Section amended.

125. Section thirty-seven of chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 54:29A-37. Scope of proceedings.

37. If it shall be made to appear before the Superior Court in a proceeding in lieu of prerogative

writ that the final determination of the division of tax appeals in respect to any such assessment or tax in controversy is illegal, excessive, insufficient, or that there has been illegal discrimination in the assessment, the court shall correct, adjust and equalize such assessment and tax or refer same back to the director of the division, who shall correct, adjust and equalize the assessment and tax in accordance with the instructions or decision of the court.

Section amended.

126. Section thirty-eight of chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 54:29A-38. Payment pending litigation.

38. If a proceeding in lieu of prerogative writ is brought by a taxpayer, such taxpayer shall pay to the State Treasurer, as a condition for prosecuting the proceeding, the amount of the taxes then not in substantial controversy. If the taxpayer and the Attorney-General or the authorities of the taxing district, as the case may be, are unable to agree on the amount of taxes then not in substantial controversy, such amount shall be determined by the Superior Court. Upon the payment of the amount of taxes then not in substantial controversy, the payment or collection of the remainder of the taxes shall be stayed until the final determination by the Superior Court on the proceeding in lieu of prerogative writ, notwithstanding any law to the contrary.

Section amended.

127. Section thirty-nine of chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 54:29A-39. Effect of certificate and report.

39. In any suit or proceeding, except on complaint before the division of tax appeals or on a proceeding in lieu of prerogative writ, the certificate and report of the Director of the Division of Taxation to the State Comptroller shall be conclusive and shall have the force and effect of a judgment of a court of record having competent jurisdiction and the proceeding whereon such certificate and report are founded shall not be inquired into. No assessment or tax shall be set aside

for misnomer of the owner of the property assessed but the name may be corrected at any time by the Director of the Division of Taxation, the Division of Tax Appeals or the court.

Section amended.

128. Section forty of chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 54:29A-40. Fees.

40. The plaintiff bringing a proceeding in lieu of prerogative writ shall pay eight cents ($0.08) per folio to the Director of the Division of Taxation and the State Comptroller for returns made by them of proceedings under this act.

Section amended.

129. Section forty-eight of chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 54:29A-48. Payment by person interested.

48. If a taxpayer shall be in default in the payment of taxes under this act, a person having an interest in a mortgage or other lien on the taxpayer's franchises or property, may pay the State Treasurer the amount of such State tax and the interest due thereon, and receive from the treasurer a certificate of such payment. He shall thereupon be entitled to be repaid the amount of the tax and interest thereon at the rate of twelve per centum (12%) per annum out of the first proceeds of any sale of the franchises or property of the company, and the tax and interest thereon shall continue a lien on the franchise and property of the company, for the benefit of the holder of or person interested in the mortgage or lien until paid by the company from the sale of its franchises or property. If proceedings have been taken by the Attorney-General to enforce the payment of the tax and interest thereon, the holder of or person interested in a mortgage or lien paying the tax and interest shall pay each additional amount as the Superior Court shall certify to be proper and reasonable for the expenses and services of the proceedings as far as they have progressed for the collection of the tax and interest thereon.

130. Section fifty of chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one is amended to read as follows: Section amended.

C. 54:29A-50. Payment pending litigation, distribution.

50. Notwithstanding any law prohibiting the distribution of money received by the treasurer in payment of railroad taxes during the pendency of a proceeding in lieu of prerogative writ involving the legality of such taxes, any money received by the treasurer under the provisions of section forty-nine of this act may be forthwith apportioned and disbursed by the treasurer to the agencies which would be entitled thereto if no such proceeding were pending.

131. Section fifty-two of chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one is amended to read as follows: Section amended.

C. 54:29A-52. Penalties, recovery.

52. If any taxpayer shall willfully neglect to make returns as required by this act, the taxpayer shall forfeit as a penalty not exceeding ten thousand dollars ($10,000.00) for each offense to be assessed by a jury. The penalty shall be recovered by a civil action in the Superior Court, brought in the name of the State, and shall be paid into the State treasury. The commissioner shall certify any such default to the Attorney-General, who shall prosecute the action for the penalty.

132. Section fifty-three of chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one is amended to read as follows: Section amended.

C. 54:29A-53. Interest.

53. Taxes heretofore imposed pursuant to any law for the taxation of property used for railroad and canal purposes or hereafter imposed pursuant to this act, or any unpaid portion thereof, shall bear interest from and after the date upon which they became or may become due and delinquent at the rate of one per centum (1%) for each month until paid, notwithstanding the prosecution of any action or proceeding, including a proceeding in lieu of prerogative writ.

Section amended.

133. Section fifty-five of chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 54:29A-55. Tax a preferred debt.

55. The taxes imposed by this act or heretofore imposed shall be and remain a debt due from the taxpayer to the State for which an action may be maintained, and shall be a preferred debt in case of insolvency.

Section amended.

134. Section fifty-seven of chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 54:29A-57. Entry of judgment.

57. As an additional or alternative remedy, the State Comptroller may issue a certificate to the Clerk of the Superior Court that a taxpayer is indebted under this or any former act for the taxation of railroads in such an amount as shall be named in such certificate, and thereupon the clerk to whom such certificate shall have been issued shall immediately enter upon his record of docketed judgments the name of such taxpayer, and of the State, the amount of the debt so certified, a short name of the tax, and the date of making such entries. The making of the entries shall have the same force and effect as the entry of a docketed judgment in the office of such clerk, and the State Comptroller shall have all of the remedies and may take all of the proceedings for the collection thereof which may be had or taken upon the recovery of a judgment in a civil action, but without prejudice to the taxpayer's right of appeal.

Section amended.

135. Section fifty-eight of chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one is amended to read as follows:

C. 54:29A-58. Enforcement of lien.

58. In any case, where there has been a refusal or neglect to pay any tax heretofore or hereafter assessed to any taxpayer under this or any other act, and it has become necessary to seize and sell property and rights to property, whether real or personal, to satisfy the same, the Attorney-General at the request of the State Comptroller may institute an action in the Superior Court to enforce the lien of the State for the tax upon any property and

rights to property, whether real or personal, or to subject any such property and rights to property owned by the delinquent taxpayer or in which it has any right, title, or interest, to the payment of such tax.

136. Section sixty of chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one is amended to read as follows: Section amended.

60. The court shall in the action finally determine the merits of all claims to and liens upon the property and rights to property in question, and, in all cases where a claim or interest of the State therein is established, may direct a sale of such property and rights to property, by the proper officer of the court, and a distribution of the proceeds of such sale according to the findings of the court in respect to the interests of the parties and of the State. C. 54:29A-60. Court to determine merits of claims.

137. Section sixty-five of chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one is amended to read as follows: Section amended.

65. The commissioner may issue subpœnas to compel the attendance of witnesses and the production of books and papers. He shall have power to administer oaths to ascertain facts to enable him properly to perform his duties, and may reduce the statements of the person sworn to writing and require him to swear and subscribe thereto. The commissioner may, ex parte, apply for and obtain from the Superior Court an order to compel a person to submit to examination in reference to such matters. C. 54:29A-65. Subpœnas.

138. Section 54:33–2 of the Revised Statutes is amended to read as follows: Section amended.

54:33–2. The Appellate Division of the Superior Court on appeal shall have jurisdiction to hear and determine all questions in relation to a tax levied under the provisions of chapters thirty-three to thirty-six of this Title (§ 54:33–1 et seq.). Jurisdiction.

139. Section 54:34–1 of the Revised Statutes is amended to read as follows: Section amended.

54:34–1. Except as provided in section 54:34–4 of this Title, a tax shall be and is hereby imposed Transfers taxable.

at the rates set forth in section 54:34–2 of this Title upon the transfer of property, real or personal, of the value of five hundred dollars ($500.00) or over, or of any interest therein or income therefrom, in trust or otherwise, to or for the use of any transferee, distributee or beneficiary in the following cases:

a. Where real or tangible personal property situated in this State or intangible personal property wherever situated is transferred by will or by the intestate laws of this State from a resident of this State dying seized or possessed thereof.

b. Where real or tangible personal property within this State of a decedent not a resident of this State at the time of his death is transferred by will or intestate law.

c. Where real or tangible personal property within this State of a resident of this State or intangible personal property wherever situate of a resident of this State or real or tangible personal property within this State of a nonresident, is transferred by deed, grant, bargain, sale or gift made in contemplation of the death of the grantor, vendor or donor, or intended to take effect in possession or enjoyment at or after such death.

A transfer by deed, grant, bargain, sale or gift made without adequate valuable consideration and within three years prior to the death of the grantor, vendor or donor of a material part of his estate or in the nature of a final disposition or distribution thereof, shall, in the absence of proof to the contrary, be deemed to have been made in contemplation of death within the meaning of paragraph "c" of this section; but no such transfer made prior to such three year period shall be deemed or held to have been made in contemplation of death.

d. Where by transfer of a resident decedent of real or tangible personal property within this State or intangible property wherever situate, or by transfer of a nonresident decedent of real or tangible personal property within this State, a trans-

feree, distributee or beneficiary comes into the possession or enjoyment therein of:

(1) An estate in expectancy of any kind or character which is contingent or defeasible, transferred by an instrument taking effect on or after July fourth, one thousand nine hundred and nine; or

(2) Property transferred pursuant to a power of appointment contained in an instrument taking effect on or after July fourth, one thousand nine hundred and nine.

e. When a decedent appoints or names one or more executors or trustees and bequeaths or devises property to him or them in lieu of commissions or allowances, the transfer of which property would otherwise be taxable, or appoints him or them his residuary legatee or legatees, and the bequest, devise or residuary legacy exceeds what would be reasonable compensation for his or their services, such excess shall be deemed a transfer liable to tax. The Superior Court or County Court, having jurisdiction in the case, shall determine what is a reasonable compensation.

f. The right of the surviving joint tenant or joint tenants, person or persons, to the immediate ownership or possession and enjoyment of real or personal property held in the joint names of two or more persons, or deposited in banks or other institutions or depositories in the joint names of two or more persons and payable to either or the survivor, shall upon the death of one of such persons, be deemed a transfer taxable in the same manner as though such property had belonged absolutely to the deceased joint tenant or joint depositor and had been devised or bequeathed by his will to the surviving joint tenant or joint tenants, person or persons, excepting therefrom such part of the property as such survivor or survivors may prove to the satisfaction of the Director of the Division of Taxation to have originally belonged

to him or them and never to have belonged to the decedent.

In the case of a nonresident decedent, paragraph "f" of this section shall apply only to real or tangible personal property within this State.

Section amended.

140. Section one of chapter three hundred sixty-nine of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 54:35-5.1. Limitation of time for commencing proceedings to collect inheritance taxes.

1. On the expiration of a period of twenty years after the date when any transfer inheritance tax assessed or assessable under chapters thirty-three to thirty-six of Title 54, or any amendment thereof or supplement thereto, or under chapter two hundred twenty-eight of the laws of one thousand nine hundred and nine, as amended and supplemented, became or shall become due and payable, (1) no proceeding shall thereafter be instituted to assess or collect said tax, interest or penalties chargeable thereunder; (2) no notice to, or written consent of, the Director of the Division of Taxation, relative to the transfer of real or personal property, as required by sections 54:35–19 and 54:35–21 of the Revised Statutes, shall be necessary; (3) the personal liability of executors, administrators, trustees, grantees, donees, vendees, devisees, legatees, heirs, next-of-kin and beneficiaries for said tax, interest and penalties shall cease; and (4) the director is hereby authorized to cancel all assessments of taxes, interest and penalties, the collection of which is barred by the limitations herein provided and to destroy returns and records relating thereto which are rendered useless by the provisions of this act. Nothing herein contained, however, shall affect the rights of the State (a) under any certificate of debt, decree or judgment for taxes, interest and penalties duly recorded with the Clerk of the Superior Court, or with any county clerk; or (b) to assess and enforce collection of any tax, interest and penalties pursuant to the terms of any bond or other agreement securing the payment of such tax, interest and penalties.

141. Section 54:35–13 of the Revised Statutes is amended to read as follows: Section amended.

54:35–13. The Clerk of the Superior Court or the surrogate of the county shall, within ten days after the probate of a foreign or domestic will, the filing of a copy of a foreign will or the taking out of letters of administration, notify the Director of the Division of Taxation thereof in writing. If the clerk or surrogate fails so to notify the director, he shall be liable to a penalty of two hundred dollars, ($200.00), to be recovered in a civil action in the name of the State. Report of probate, penalty.

142. Section 54:35–14 of the Revised Statutes is amended to read as follows: Section amended.

54:35–14. The Director of the Division of Taxation or any of his employees may examine any and all papers, documents and files which now are or hereafter may be filed or lodged with the Clerk of the Superior Court or the surrogate of any county or with any other official of this State or of any municipality thereof, or with any person or corporation, for the purpose of ascertaining what property, if any, is or shall be liable to the tax provided for by chapters thirty-three to thirty-six of this Title (§ 54:33–1 et seq.). Search of probate records.

143. Section 54:35–15 of the Revised Statutes is amended to read as follows: Section amended.

54:35–15. Any tax which has accrued under chapters thirty-three to thirty-six, inclusive, of this Title (§ 54:33–1 et seq.), and has not been paid, shall be sued for and shall be recoverable and the lien thereof, if any, shall be enforceable, by action instituted in the Superior Court, by and in the name of the Director of the Division of Taxation, Department of the Treasury. No issue which would have been cognizable on an appeal from the assessment of the tax under the provisions of section 54:34–13 of the Revised Statutes shall be heard or decided in the action for the collection of the tax and enforcement of the lien under the provisions of this section. Enforcement of tax lien.

A judgment entered in any such action shall have the same effect as other judgments entered in the Superior Court and shall constitute a lien, and execution shall issue thereon.

Section amended.

144. Section 54:35–16 of the Revised Statutes is amended to read as follows:

Prosecution of action.

54:35–16. If the Director of the Division of Taxation shall determine to institute an action pursuant to section 54:35–15 of this Title he shall notify the Attorney-General thereof, who shall, if he have probable cause to believe that the tax is due and unpaid, prosecute the action.

On warrant of the comptroller and certification of the Director of the Division of Taxation, the State Treasurer shall pay all expenses of such proceeding.

Section amended.

145. Section one of chapter one hundred twenty-two of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

C. 54:35-23. Consents to transfer assets.

1. Before the Director of the Division of Taxation shall issue any consents to transfer assets of a person dying domiciled in the State of New Jersey, he shall require that proof be submitted to him that the will of such decedent was originally probated in New Jersey, or that letters of administration upon the estate of such decedent were originally granted in New Jersey; and if it shall appear that original probate or that original administration was had in a foreign jurisdiction, the director shall withhold issuance of all consents to transfer the decedent's assets, and shall make report thereof to the County Court of the county in which the decedent died domiciled, or to the Superior Court, and shall await the further order of the court. This act shall not apply in cases where it shall appear to the director that neither the probate of a decedent's will nor the grant of letters of administration shall be required by the laws of this State respecting administration of estates. Notwithstanding the provisions of this act, the director may, in his discretion, issue any or all consents to transfer assets of a decedent in

any case where, in his judgment, withholding issuance thereof would jeopardize the collection of transfer inheritance taxes payable to this State.

Section amended.

146. Section 54:37–7 of the Revised Statutes is amended to read as follows:

Action to compel an accounting, remission of property.

54:37–7. If the official or body charged with the administration of the death tax laws of the domiciliary State shall, within sixty days after a notice is mailed pursuant to section 54:37–6 of this Title commence an action to compel an accounting in such estate with a court of this State having jurisdiction over the accounts of the estate, the court shall require such accounting. When the accounting has been filed and approved by the court, the court shall direct the remission to the fiduciary appointed by the domiciliary State of sufficient of the intangible personalty, after payment of creditors in this State and expenses of administration in this State, to satisfy the claims of the domiciliary State for death taxes, interest and penalties.

Section amended.

147. Section 54:37–8 of the Revised Statutes is amended to read as follows:

Final accounting not allowed until taxes paid.

54:37–8. No executor or administrator shall be entitled to a judgment settling his final account or to a discharge in any court of this State unless he has complied with the provisions of section 54:37–5 of this Title.

Section amended.

148. Section 54:38–10 of the Revised Statutes is amended to read as follows:

Jurisdiction.

54:38–10. The Appellate Division of the Superior Court on appeal shall have jurisdiction to hear and determine all questions in relation to any tax imposed under the provisions of this chapter. Any executor, administrator, trustee, person or corporation liable for the payment of any tax imposed by this chapter may appeal to the appellate division for a review thereof within sixty days of the date of notice assessing the tax complained of, on giving bond, approved by a judge of the Superior Court, conditioned to pay said tax, together with interest and costs, if said tax be affirmed by the court.

Section amended.

149. Section 54:39–15 of the Revised Statutes is amended to read as follows:

Disobedience of subpœna, court to compel.

54:39–15. If any person subpœnaed to attend any hearing fails to appear, to be examined or to answer any question, or to produce any books or papers when ordered so to do by the Director of the Division of Taxation or any of his assistants designated by him to conduct such hearing, the director or such assistant may apply to the Superior Court for an order to compel him so to do.

Section amended.

150. Section 54:39–59 of the Revised Statutes is amended to read as follows:

Enforcement of penalty.

54:39–59. The penalty or fine imposed because of a violation of any provision of article eight of this chapter (§ 54:39–51 et seq.) shall be sued for in the name of the Director of the Division of Taxation. Every municipal court, and county district court, if the violation occurs within the territorial jurisdiction of the court, shall have jurisdiction over proceedings to enforce and collect the penalty or fine. The proceedings shall be summary and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.), and process shall be either in the nature of a summons or a warrant.

Section amended.

151. Section 54:39–60 of the Revised Statutes is amended to read as follows:

Commitment.

54:39–60. If judgment be rendered for the plaintiff the court shall cause any defendant who may refuse or fail to pay forthwith the amount of the judgment rendered against him and all costs and charges incident thereto, to be committed to the county jail for any period not exceeding the period mentioned in article eight of this chapter (§ 54:39–51 et seq.).

Sundry sections repealed.

152. Section 54:39–61 of the Revised Statutes is hereby repealed.

153. Section 54:39–62 of the Revised Statutes is hereby repealed.

154. Section 54:39–63 of the Revised Statutes is hereby repealed.

155. Section twenty-three of chapter one hundred sixty-eight of the laws of one thousand nine hundred and forty-two is amended to read as follows:

Section amended.

23. Penalties set forth in this act shall be sued for by and in the name of the director. Every county district court and municipal court, if a violation of any provision of this act occurs within the territorial jurisdiction of the court, shall have jurisdiction over proceedings to enforce and collect such penalties. The proceedings shall be summary and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall be either in the nature of a summons or warrant. If judgment shall be rendered for the plaintiff, the court shall cause any defendant who may refuse or fail to pay forthwith the amount of the judgment rendered against him and all costs and charges incident thereto to be committed to the county jail for any period not exceeding thirty days.

C. 54:40-42. Recovery of penalties, jurisdiction, procedure.

If a defendant who is committed to jail in default of payment of the penalty shall serve the full period for which he shall be committed, upon his release from jail he shall be entitled to have the judgment satisfied of record, and the certificate of the warden of said jail that the said defendant has been detained for the period specified in the commitment shall be sufficient warrant for the clerk of any court in which the judgment for the penalty and costs is docketed to discharge the same of record.

156. Section twenty-four of chapter one hundred sixty-eight of the laws of one thousand nine hundred and forty-two is amended to read as follows:

Section amended.

24. The Director of the Division of Taxation may institute an action in the Superior Court for injunctive relief to prohibit any habitual violation of this act, or any of the orders, rules or regulations made by the director.

C. 54:40-43. Injunction.

157. Section twenty-five of chapter one hundred sixty-eight of the laws of one thousand nine hundred and forty-two is amended to read as follows:

Section amended.

25. In the event a defendant in a proceeding under this act to collect and enforce a penalty ap-

C. 54:40-44. Appeals.

peals to the County Court from a judgment in the proceeding, he shall serve, also upon the county prosecutor of the county, such notice of appeal and notice of the time of the hearing of the appeal as may be required by Rules of the Supreme Court. It shall be the duty of the county prosecutor to represent the director on the appeal.

Section amended.

158. Section twenty-six of chapter one hundred sixty-eight of the laws of one thousand nine hundred and forty-two is amended to read as follows:

C. 54:40-45. Disposition of fines.

26. All moneys collected for penalties shall be immediately forwarded by such trial court to the director within fifteen days after date of the payment of said penalties, or within ten days after the decision of the County Court in those cases where an appeal to it has been taken. The director upon receipt of such moneys shall pay over the same to the treasurer of the State of New Jersey.

Section amended.

159. Section twenty-seven of chapter one hundred sixty-eight of the laws of one thousand nine hundred and forty-two is amended to read as follows:

C. 54:40-46. Failure to forward fines, penalty.

27. Any person who, having collected any penalty for any violation of this act or who having received any forfeited moneys, shall fail within thirty days after final determination by the court to forward said fine to the director shall be guilty of a misdemeanor and subject to a fine not exceeding five hundred dollars ($500.00).

It shall be the duty of any person who shall collect any penalty or costs for any violation of this act, when so requested, to deliver to the offender a proper itemized receipt therefor. Any person who shall violate this provision shall be subject to a fine not exceeding twenty-five dollars ($25.00).

Section amended.

160. Section six hundred one of chapter sixty-five of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 54:40A-24. Penalties for transacting business without license.

601. a. Penalties. Any person who shall engage in any business or activity for which a license is required under the provisions of this act, without first having obtained a license to do so, or who,

having had such a license, shall continue to engage in or conduct such business after any such license shall have been revoked, or during a suspension thereof, shall be liable to a penalty of not more than two hundred fifty dollars ($250.00), which penalty shall be sued for, and shall be recoverable in the name of the director; and each day that any such business is so engaged in or conducted shall be deemed a separate offense.

b. Jurisdiction of court; proceedings. Every county district court, criminal judicial district court, municipal court, and every County Court within their respective jurisdictions, and with respect to offenses occurring within the territorial jurisdiction of the court, shall have jurisdiction over proceedings to enforce and collect the penalty. The proceedings shall be brought by and in the name of the director. They shall be summary and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall be either in the nature of a summons or warrant.

If judgment be rendered for the plaintiff, the court shall cause any defendant who refuses or fails to pay forthwith the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the county jail for such period as the court shall determine, not exceeding thirty days.

c. Penalty for further violations; recovery; proceedings in court. In case a person shall, after conviction of any violation of this act, be again convicted of another violation thereof, he shall be liable to a penalty of five hundred dollars ($500.00) for each such violation, to be sued for and recovered in the manner above set forth. In case any defendant against whom judgment has been recovered for a penalty of five hundred dollars ($500.00) shall fail or neglect to pay forthwith the amount of said penalty, the court shall commit him to jail in the manner above set forth, for such number of days not exceeding ninety days, as the court shall determine.

d. Disposition of penalties. All penalties recovered for violations of this act shall be paid to the director and by him accounted for and paid to the State Treasurer as in the case of State taxes.

e. Costs; expenses. The costs recoverable in any such proceeding shall be recovered by the director in the event of judgment in his favor. If the judgment be for the defendant it shall be without costs against the director. All expenses incident to the recovery of any penalty pursuant to the provisions of this section shall be paid for as any other expense incident to the administration of this act.

Section amended.

161. Section 54:42–4 of the Revised Statutes is amended to read as follows:

Subpœnas, fee.

54:42–4. The director shall have power by subpœna, to compel the attendance of witnesses and the production of any books, records, papers, vouchers, accounts and documents of any person engaged in the manufacture, distribution, transportation, storage, warehousing, importation, solicitation or sale of alcoholic beverages, or in purchasing, transferring, selling or agreeing to sell warehouse receipts, receipts, certificates, contracts or other documents given upon the storage of alcoholic beverages, or of any other person, at any such hearing. The fees of the witnesses required to attend any such hearing shall be the same as those allowed to witnesses appearing in the Superior Court. Such fees shall be paid in the manner provided for the payment of other expenses incident to the administration of this subtitle.

Section amended.

162. Section 54:42–5 of the Revised Statutes is amended to read as follows:

Procedure to compel witness to attend and testify.

54:42–5. If a person subpœnaed to attend any hearing fails to appear, be examined or to answer any question, or to produce any books, records, papers, vouchers, accounts or documents, when ordered so to do by the director or any deputy, auditor or investigator designated by him to conduct such hearing, the commissioner or such deputy, auditor or investigator may apply to the

Superior Court to compel compliance with the subpœna or order of the commissioner, or of the deputy, auditor or investigator so appointed by the commissioner.

163. Section 54:44–3 of the Revised Statutes is amended to read as follows: Section amended.

54:44–3. As an additional or alternative remedy, the director may issue a certificate to the Clerk of the Superior Court or to the clerk of the Law Division of the County Court of any county, that any person is indebted under this subtitle in an amount named in the certificate and thereupon the clerk to whom the certificate shall have been issued shall immediately enter upon his record of docketed judgments the name of such person as defendant, and of the State as plaintiff, the amount of the debt so certified, a short name of the tax, and the date of making the entries. The making of the entries shall have the same force and effect as the entry of a docketed judgment in the office of such clerk, and the director shall have all of the remedies and may take all of the proceedings for the collection thereof which may be had or taken upon the recovery of a judgment in an action but without prejudice to the taxpayer's right of appeal. Every person who shall be licensed to manufacture, distribute, transport, store, warehouse, import, offer for sale or sell alcoholic beverages, or to sell warehouse receipts, receipts, certificates, contracts or other documents given upon the storage of alcoholic beverages, under any law of this State shall, by the acceptance of such license, be deemed to have consented to the procedure set forth in this section. Certificate of debt, judgment docketed, effect.

164. Section 54:46–1 of the Revised Statutes is amended to read as follows: Section amended.

54:46–1. Any person who shall be aggrieved by any decision of the Director of the Division of Taxation denying any hearing requested hereunder, or by any order, finding or assessment having the effect of fixing, correcting, amending or modifying the amount of any tax to be paid by such person, or Appeals from decisions of director.

by any decision declining so to do, or by any certification of debt to the clerk of a court, may appeal from the action of the director in making any such decision, assessment, finding or order, or issuing any such certificate, to the Division of Tax Appeals by filing a petition of appeal with that division within sixty days after date of such decision, order, finding, or assessment, in the manner and form and subject to such terms and conditions as the division shall by reasonable rules and regulations prescribe. No such appeal shall stay the collection of any such tax or the enforcement of the same by entry as a judgment, unless as provided by order of such division, after giving security approved by the director or the division.

The judgment or order of the Division of Tax Appeals respecting any matter arising under the provisions of this subtitle may be reviewed by a proceeding in lieu of prerogative writ, in the same manner as other judgments of said division.

Section amended.

165. Section 54:49–12 of the Revised Statutes is amended to read as follows:

Alternate remedy, effect of judgment, procedure.

54:49–12. As an additional remedy, the Director of the Division of Taxation may issue a certificate to the Clerk of the Superior Court or to the clerk of the Law Division of the County Court of any county, that any person is indebted under such State tax law in such an amount as shall be stated in the certificate. The certificate shall contain a short name of the tax under which the said indebtedness arises. Thereupon the clerk to whom such certificate shall have been issued shall immediately enter upon his record of docketed judgments the name of such person, and of the State, the address of the place of business where such tax liability was incurred, if shown in the certificate, the amount of the debt so certified, a short name of the tax, and the date of making such entries. The making of the entries shall have the same force and effect as the entry of a docketed judgment in the office of such clerk, and the director shall have all the remedies and may take all of the proceedings for the

collection thereof which may be had or taken upon the recovery of a judgment in an action, but without prejudice to the taxpayer's right of appeal.

166. Section one of chapter ten of the laws of one thousand nine hundred and forty-three is amended to read as follows:

Section amended.

C. 54:49-13.1. Reinstatement of corporation, procedure.

1. Whenever in respect to any taxpaying corporation, the Clerk of the Superior Court or former Supreme Court or a clerk of the County Court or court of common pleas of any county has or shall have entered upon his record of judgments the entries against such corporation required in and by section 54:49–12 of the Revised Statutes; and, whenever, acting pursuant to section 54:11–2 of the Revised Statutes, the Governor issues his proclamation, declaring the charter of such corporation is repealed, and the powers conferred upon them inoperative and void for failure to satisfy, in whole or in part, the tax and interest thereon, evidenced by the aforesaid judgment; and whenever, thereafter, such corporation pays to the Secretary of State a sum received by him, in whole or in part, in lieu of the tax and interest thereon evidenced by the aforesaid judgment, and the Governor, by and with the advice of the Attorney-General, permits such corporation to be reinstated to all its franchises and privileges, and the Secretary of State has issued his certificate, entitling such corporation to continue its business and franchises, all pursuant to section 54:11–5 of the Revised Statutes, the Attorney-General, either personally or through the agency of a legal assistant acting in his name, may affix his signature and official title on the margin of the record of such judgment in any such clerk's office and enter above said signature words and figures of the tenor following: "On .....the judgment-debtor herein
(Date)
was reinstated pursuant to R. S. 54:11–5." Such signing and making of the entry shall operate as a satisfaction of such judgment.

Section amended.

167. Section 54:50–4 of the Revised Statutes is amended to read as follows:

Subpœnas, fees.

54:50–4. The Director of the Division of Taxation or his deputies may by subpœna compel the attendance of witnesses and the production of any books, records, papers, vouchers, accounts or documents of any taxpayer or of any person who, the director has reason to believe, has information pertinent to any matter under investigation by the director or any such deputy at any hearing held pursuant to this subtitle, or any State tax law. The fees of witnesses required to attend any such hearing shall be the same as those allowed to witnesses appearing in the Superior Court. Such fees shall be paid in the manner provided for the payment of other expenses incident to the administration of this subtitle, or any State tax law.

Section amended.

168. Section 54:50–5 of the Revised Statutes is amended to read as follows:

Compelling witness to attend and testify, procedure.

54:50–5. If a person subpœnaed to attend any hearing under this subtitle fails to appear, be examined or answer any question, or produce any books, records, papers, vouchers, accounts or documents when subpœnaed so to do by the director or any deputy, the director or such deputy may apply to the Superior Court for an order to compel him to do so.

Section amended.

169. Section 54:51–1 of the Revised Statutes is amended to read as follows:

Appeals from director's decisions, collections not stayed.

54:51–1. Any person who shall be aggrieved by any decision, order, finding or assessment of the Director of the Division of Taxation made pursuant to the provisions of this subtitle or by his refusal to act, or by any certification of debt to the clerk of a court, may appeal therefrom to the division of tax appeals, by filing a petition of appeal with said division of tax appeals in the manner and form and within the time and subject to such terms and conditions as said division shall by rules prescribe. The provisions of this section shall not apply to transfer inheritance or estate taxes.

No such appeal shall stay the collection of any tax or the enforcement of the same by entry as a judgment unless by order of such division of tax appeals, and then only after security approved by the director or such division has been furnished to the director. The judgment or order of the division of tax appeals respecting any matter arising under the provisions of this subtitle may be reviewed by a proceeding in lieu of prerogative writ, in the same manner as other judgments of said division.

170. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 52

AN ACT concerning tenement houses and public housing, and revising parts of the statutory law.

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

1. Section 55:11–6 of the Revised Statutes is amended to read as follows: Section amended.

55:11–6. Every county district court and municipal court shall have jurisdiction of proceedings for the collection and enforcement of a penalty imposed because of the violation, within the territorial jurisdiction of the court, of any provision of this subtitle. The penalty shall be collected and enforced in summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall issue at the suit of the Bureau of Tenement House Supervision, either in the nature of a summons or warrant; but no warrant shall issue against any freeholder unless affidavit shall also first be made that such freeholder is about to abscond from this State. Jurisdiction, collection and enforcement of penalties.

Section amended.

2. Section 55:11–7 of the Revised Statutes is amended to read as follows:

Penalties.

55:11–7. Any person who has violated or assisted in violating any provision of this subtitle shall be liable to a penalty in the sum of one hundred dollars ($100.00), if it shall appear that the offense was willful, or in the sum of fifty dollars ($50.00) if it shall appear that the offense was not willful.

Section amended.

3. Section 55:11–8 of the Revised Statutes is amended to read as follows:

Execution of judgment.

55:11–8. If judgment is rendered for the plaintiff under section 55:11–7 of this Title and the defendant shall refuse or fail to pay the amount of the judgment and all costs and charges incident thereto, he may be committed to the county jail for a period not exceeding ninety days. In case a defendant has been twice convicted of the violation of the same section of this subtitle, or of continuing the violation of which he was previously convicted, in addition to the payment of the penalty hereinbefore mentioned, the court may cause him to be imprisoned in the county jail or county workhouse, with or without hard labor, for any number of days not exceeding one for each dollar of the penalty.

Sections repealed.

4. Section 55:11–9 of the Revised Statutes is hereby repealed.

5. Section 55:11–10 of the Revised Statutes is hereby repealed.

Section amended.

6. Section 55:11–12 of the Revised Statutes is amended to read as follows:

Nonresident or absent owners, attachment

55:11–12. In case the owner of any tenement house in this State, who resides out of the State, or who absconds from, or conceals himself within this State, shall have violated or assisted in the violation of any of the provisions of this subtitle, then the said Bureau may proceed against the said nonresident or absent owner, to recover the penalty provided for such violation, by writ of attachment to be issued out of any County Court or the Superior Court against the personal property and real estate of such nonresident or absent owner; and the proceedings shall be the same as in other

actions wherein attachments issue out of said courts.

Section amended.

7. Section 55:11–13 of the Revised Statutes is amended to read as follows:

Penalty.

55:11–13. Any person who shall erect, or suffer to remain erected, any fence or other structure designed or intended to exclude the light and air from any tenement house in this State shall be subject to a penalty of ten dollars ($10.00) for every day such fence or structure remains after notice from the Bureau to remove the same. Such penalty shall be recovered in a civil action to be brought by the Bureau before any county district court or municipal court, according to the respective territorial jurisdictions of said courts, and the proceedings shall be the same as provided in this chapter.

Section amended.

8. Section 55:11–14 of the Revised Statutes is amended to read as follows:

Disposition of fines.

55:11–14. All fines, penalties and moneys imposed and collected under any provision of this subtitle shall be paid by the clerk or other officer of the court receiving the same, to the treasurer of the State.

Section amended.

9. Section 55:11–15 of the Revised Statutes is amended to read as follows:

Enforcement of order to vacate tenement.

55:11–15. When the Bureau shall order any tenement house to be vacated under any provision of this subtitle, and the owner or occupants thereof shall refuse to vacate the same, the Bureau may institute an action in the county district court of the county in which the house is located, against the owner thereof, the lessee of the whole house and the tenants thereof, for the dispossession of the occupants. The action shall be as in an action in the court for the removal of a tenant.

Section amended.

10. Section 55:11–16 of the Revised Statutes is amended to read as follows:

Search warrant to inspect buildings.

55:11–16. When complaint is made on oath before any county district court or municipal court that the affiant believes that any building or structure within the territorial jurisdiction of the court is being unlawfully used as a tenement house, or

that any such building or structure is being used in violation of any provision of this subtitle, the court, on being satisfied that probable cause exists for such belief, shall forthwith issue a search warrant authorizing any officer or employee of the Bureau to enter and search, examine and inspect such building or structure.

Section amended.

11. Section 55:11–17 of the Revised Statutes is amended to read as follows:

Enjoining violations, procedure.

55:11–17. In case any tenement house, building or structure or any part thereof, is constructed, altered, converted or maintained in violation of any provision of this subtitle, or of any order or notice of the Bureau, or in case a nuisance exists in any such tenement house, building or structure, or upon the lot on which it is situated, the Bureau may institute a civil action in the Superior Court to prevent such unlawful construction, alteration, conversion or maintenance, to restrain, correct or abate such violation or nuisance, to prevent the occupation of such tenement house, building or structure, or to prevent any illegal act, conduct or business in or about such tenement house or lot. In any such action the Bureau may apply to the court for an order enjoining and restraining all persons from doing or permitting to be done any work in or about such tenement house, building, structure or lot, or from occupying or using the same for any purpose until the final judgment of the court.

In case any notice or order issued by the Bureau is not complied with, the Bureau may bring a civil action in the Superior Court to obtain an order or judgment authorizing the Bureau to execute and carry out the provisions of such notice or order, to remove any violation specified in such notice or order, or to abate any nuisance in or about such tenement house, building or structure, or the lot upon which it is situated.

The court may proceed in any such action in a summary manner or otherwise and may make any appropriate order or judgment.

12. Section 55:14A–16 added to the Revised Statutes by chapter nineteen of the laws of one thousand nine hundred and thirty-eight, is amended to read as follows: Section amended.

55:14A–16. An obligee of an authority shall have the right in addition to all other rights which may be conferred on such obligee, subject only to any contractual restrictions binding upon such obligee; Rights of obligee.

(a) By a civil action, proceeding in lieu of prerogative writ or otherwise, to compel said authority and the commissioners, officers, agents or employees thereof to perform each and every term, provision and covenant contained in any contract of said authority with or for the benefit of such obligee, and to require the carrying out of any or all such covenants and agreements of said authority and the fulfillment of all duties imposed upon said authority by this chapter.

(b) By a civil action for injunctive relief to restrain any acts or things which may be unlawful, or the violation of any of the rights of such obligee of said authority.

13. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 53

AN ACT concerning trade names, trade-marks and unfair trade practices, and revising parts of the statutory law.

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

1. Section 56:3–10 of the Revised Statutes is amended to read as follows: Section amended.

56:3–10. The Superior Court shall have jurisdiction in all cases arising or commenced therein under this article for the violation of any of the provi- Jurisdiction of Superior Court.

sions thereof, and any person, association, organization or corporation filing, or causing to be filed, for registry, any label, trade-mark, term or design pursuant to the provisions of this article, shall have the right to institute and maintain a civil action in the court against any person, association, organization or corporation, for the violation of any of the provisions of this article.

The court is empowered to enjoin the manufacture, counterfeiting, imitation, display, use, sale, offer of sale, circulating or uttering of any counterfeit or imitation of any such label, trade-mark, term or design of any such person, association, organization or corporation; and the sale or disposal of any goods, wares, merchandise or product of labor to which, or on which, any such counterfeit or imitation label, trade-mark, term or design is attached, affixed, printed, painted, stamped, impressed or displayed; or any goods, wares, merchandise or product of labor contained in any box, case, can or package to or on which any such counterfeit or imitation is attached, affixed, printed, painted, stamped, impressed or displayed; and further to enjoin the manufacture, use, sale, offer of sale, or display, of any genuine label, trade-mark, term or design of any such person, association, organization or corporation filing the same as aforesaid; or the having in possession any such genuine label, trade-mark, term or design with intent that the same shall be used, sold, offered for sale or displayed, or the same applied, attached or displayed in any manner whatever to or on any goods, wares, merchandise or product of labor; or the selling, or offer to sell or dispose of, or having in possession with intent that the same shall be sold, offered for sale or disposed of, any goods, wares or merchandise in any box, case, can or package to or on which any such genuine label, trade-mark, term or design of any such person, association, organization or corporation is attached, affixed or displayed; and from making any other, or any, use whatever of any such genuine label, trade-mark,

term or design, without having first obtained, in any and every such case, the consent and authority of the person, association, organization or corporation adopting, filing and registering the same, or causing the same to be filed and registered, as provided in this article.

The court is empowered to make such other orders and directions as the court may deem necessary and proper for the due protection of the rights of the plaintiff, effecting the purposes of this article, the prevention of any violation of any of the provisions of the same, and secure and protect any and all persons, associations, organizations or corporations in all the rights, privileges, property and interests to which they or any of them are or may be entitled in any such label, trade-mark, term or design under any of the provisions of this article or otherwise.

The court shall award to the plaintiff in the action damages resulting from any such wrongful use of any such label, trade-mark, term or design by any defendant, or for any violation of any of the provisions of this article.

The court shall also direct that the defendant pay to the plaintiff profits obtained, received or derived from any such wrongful use, or any violation of the provisions of this article; or both profits and any such damages; that all such counterfeits or imitations of any such labels, trade-marks, terms or designs in the possession or under the control of the defendant be delivered up to an officer of the court, or to the plaintiff, to be destroyed, and that any such genuine labels, trade-marks, terms or designs in the possession or under the control of any such defendant shall be delivered up to the plaintiff.

Section amended.

2. Section 56:3–11 of the Revised Statutes is amended to read as follows:

Penalty, recovery.

56:3–11. Any person, association, organization or corporation, violating any of the provisions of this article, shall be liable to a penalty of two hundred dollars ($200.00), to be recovered in a civil

action in any court of this State having jurisdiction in civil actions, by any person, association, organization or corporation that has adopted, filed and registered, or caused to be adopted, filed and registered, any label, trade-mark, term or design pursuant to the provisions of this article.

If any execution shall be issued upon any judgment obtained against the defendant or defendants in any such action, and the same be returned unsatisfied, the court, on application and two days' notice to the defendant or such other notice as the court shall prescribe, may award an execution to take the body of the defendant or defendants as in other cases where body executions may issue out of the Superior Court; and thereafter the rights, remedies and liabilities of the parties, and the proceedings in the case shall be the same, or as nearly as may be, as in other civil actions in such court where an execution to take the body of the defendant or defendants has been issued.

The court in which any such action may be brought shall make all proper and necessary orders to restrain and prevent any defendant or defendants from continuing the committing of any violation of any of the provisions of this article.

Section amended.

3. Section 56:3–12 of the Revised Statutes is amended to read as follows:

Civil action by unincorporated association.

56:3–12. Any civil action, brought by or on behalf of any unincorporated association or organization for any violation of the provisions of this article, may be brought in the recognized name of any such association or organization, or in the proper name of the president or the secretary or the treasurer of any such association or organization, who has been or who may be given authority to bring any such action for or on behalf of any such association or organization, and if, for any reason, such authority is not given before the commencement of any such action, the same may be given thereafter at any time before the trial of the same. Any such action may be brought in the recognized name of any branch or local or subassociation, affili-

ated or connected with any national or international association or organization, or in the name of the president, or the secretary, or the treasurer thereof. The authority to bring any such action may be given by any board of directors, executive board, or executive committee, of any such association or organization, elected, chosen, or appointed by any such association or organization. Any such person bringing any such action in any court in this State shall have the right to receive any and all moneys, property or other valuable thing recovered by or adjudged to the plaintiff in any such action, for the use and benefit of the association or organization entitled to the same. Whenever any such action is brought by or on behalf of any such branch or local or subassociation or organization as herein provided, instead of by or on behalf of any such national or international association or organization, such branch or local or subassociation bringing the same shall be entitled to the same rights, privileges, remedies and advantages, in the prosecution of such action, as any other party authorized by this article to bring such action would have been entitled to if the same had been brought by him, or in his behalf, as herein provided.

Section amended.

4. Section 56:3–23 of the Revised Statutes is amended to read as follows:

Collection and enforcement of penalties, jurisdiction.

56:3–23. Every county district court and municipal court shall have jurisdiction of proceedings for the collection and enforcement of a penalty imposed because of the violation, within the territorial jurisdiction of the court, of any provision of this article. The proceedings shall be summary and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall be either in the nature of a summons or warrant and shall issue in the name of the State, upon the complaint of any person.

Section repealed.

5. Section 56:3–24 of the Revised Statutes is hereby repealed.

Section amended.

6. Section 56:3–25 of the Revised Statutes is amended to read as follows:

Search warrant to discover illegally used containers.

56:3–25. Whenever any person makes oath before any county district court or municipal court that he has reason to believe and does believe that any bottle, container or receptacle mentioned in section 56:3–15 of this Title, the property of any person or corporation who or which has complied with the provisions of sections 56:3–16 and 56:3–17 of this Title, are being filled, sold, bought, given, taken, possessed, used, disposed of or trafficked in by any person or corporation in violation of this article, the court shall issue a search warrant to discover and obtain such bottles, containers or receptacles, and to bring before the court the person in whose possession bottles, containers or receptacles may be found. If any such bottles, containers or receptacles are found in the possession of any such person in violation of the provisions of this article, the court issuing the search warrant shall proceed summarily in a criminal proceeding to trial and judgment, and, upon a conviction and judgment, shall also award possession of the bottles, containers or receptacles taken under the search warrant to the owners or proprietors thereof.

Sections repealed.

7. Section 56:3–30 of the Revised Statutes is hereby repealed.

8. Section 56:3–31 of the Revised Statutes is hereby repealed.

Section amended.

9. Section 56:3–41 of the Revised Statutes is amended to read as follows:

Penalties, recovery.

56:3–41. Any person violating any of the provisions of this article shall, for the first offense, be liable to a penalty of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00), and for each subsequent offense to a penalty of two hundred dollars ($200.00), recoverable in a civil action before any county district court or municipal court, which courts, within their respective territorial jurisdictions, shall have jurisdiction to hear and determine actions brought

under this article. An action for the recovery of a penalty under this article may be instituted by any person aggrieved or damnified by a violation of this article. The penalty, when recovered in a county district court shall be paid to the treasurer of the county, and, when recovered in a municipal court, shall be paid to the treasurer of the municipality.

Section amended.

10. Section 56:3–47 of the Revised Statutes is amended to read as follows:

Unlawful use of milk or cream cans, search warrant, procedure.

56:3–47. If any owner, dealer or shipper, or his agent, has reason to believe, and does believe, that any can or cans of the kind mentioned in section 56:3–42 of this Title, stamped or marked as provided in said section 56:3–42, is or are being used, or has or have been unlawfully used as aforesaid, by any person, or that any person has any such can or cans secreted in or upon his premises, or any other place, any such owner, dealer or shipper, or his agent, may go before any county district court or municipal court in the county or municipality wherein such offenses may be or have been committed, and make complaint thereof under oath, which complaint may be wholly upon information and belief. Whereupon the court shall issue a process in the nature of a search warrant, directed to any constable, marshal or an executive officer of any municipality, which shall recite the complaint, or the substance thereof, and shall command such constable, marshal or executive officer to search immediately the premises, place or places mentioned in the complaint, and, if any milk or cream cans be found, to bring the same, together with the body of the person in whose possession they may be found, before the court which shall summarily inquire into the ownership of such can or cans, and, upon being satisfied that the same belong to such owner, dealer or shipper, or that his agent is entitled to the possession thereof, he shall deliver such can or cans to such owner, dealer or shipper, or his agent, who shall have the costs of the proceedings from the person so illegally having such

can or cans in his or their possession. If the person illegally having such can or cans in his possession shall refuse to pay the costs, the court shall commit such person to the county jail of the county wherein he shall be arrested until such costs are paid.

Section amended.

11. Section five of chapter three hundred ninety-four of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 56:4-11. Recovery of penalty, procedure.

5. In proceedings for the collection and enforcement of a penalty imposed because of the violation of any provision of this act, process shall issue in the name of the State as plaintiff, upon the complaint of any resident of the State. The penalty shall be collected and enforced in summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). The trial shall be with a jury if the defendant demands a trial by jury. The court shall, if judgment be rendered for the plaintiff, cause any defendant, who may refuse or neglect to pay forthwith 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.

Section amended.

12. Section seven of chapter three hundred ninety-four of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 56:4-13. Injunction.

7. Nothing herein contained shall prevent the Superior Court from granting injunctive relief to restrain continued violations of this act.

Section amended.

13. Section five hundred five of chapter one hundred sixty-three of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 56:6-10. Procedure to enforce subpœna.

505. If a person subpœnaed to attend any hearing under this act fails to appear, be examined or answer any question or produce any books, records, papers, vouchers, accounts or documents when subpœnaed so to do by the Director of the Division of Taxation or by any employee of the Division of

Taxation designated by the director, the director or such employee of the said division may apply to the Superior Court to compel the person to comply forthwith with the subpœna.

14. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 54

AN ACT concerning waters and water supply, and revising parts of the statutory law.

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

1. Section 58:1–22 of the Revised Statutes is amended to read as follows: Section amended.

58:1–22. Whenever the commission shall make a decision on any application submitted to it, it shall state the same in writing and cause the same to be filed, together with all plans, maps, surveys and other papers or records relating thereto, in the office of the commission. The decision of the commission and its action on any application may be reviewed by a proceeding in lieu of prerogative writ. Decisions in writing, review.

2. Section nine of chapter twenty-four of the laws of one thousand nine hundred and forty-two is amended to read as follows: Section amended.

9. Any owner or operator dissatisfied with any order of the commission requiring him to pay the whole or any part of the cost of such interconnection may, within fifteen days after the making of such order, file a written protest with the commission. Any dissatisfied owner or operator filing such protest may, within thirty days after the completion of the construction of such interconnection, bring a civil action in the Superior Court, joining C. 58:1-25.9. Protests in writing, procedure.

as parties-defendant the commission and each owner and operator of the public water supply systems so interconnected. The court may proceed in the action in a summary manner or otherwise, and shall order a trial by a struck jury to assess the amount of the peculiar benefit, advantage or increase in value which the plaintiff will receive by reason of such interconnection. If the verdict shall be for an amount less than the amount required to be paid by the order of the commission, the plaintiff shall have judgment against the commission for the difference and the amount of such judgment shall be paid by the State Treasurer out of the interconnection revolving fund on the warrant of the commission. If the verdict shall be for an amount more than the amount required to be paid by the order of the commission, judgment shall be entered in favor of the commission and against the plaintiff for such excess and any money paid on account of said judgment shall be paid into the State treasury there to be added to and become part of the interconnection revolving fund.

Section amended.

3. Section twenty of chapter twenty-four of the laws of one thousand nine hundred and forty-two is amended to read as follows:

C. 58:1-25.20. Observance of orders.

20. Observance of the orders of the commission pursuant to this act may be enforced by a proceeding in lieu of prerogative writ.

Section amended.

4. Section 58:3–3 of the Revised Statutes is amended to read as follows:

Injunction to prevent diversion.

58:3–3. Upon its being brought to his knowledge that it is the intention of any person to carry or transport into any other State for use therein, the waters of any such fresh water lake, pond, brook, creek, river or stream of this State in violation of section 58:3–1 of this Title, the State Geologist shall, through the Attorney-General, by action in the Superior Court apply for injunctive relief to restrain the same. The court may entertain jurisdiction of an action to preserve the waters mentioned aforesaid for the use and benefit of the citizens and inhabitants of this State and to prevent

their being carried or transported in violation of said section 58:3–1. The court may proceed in such actions in a summary manner or otherwise.

Section amended.

5. Section 58:4–6 of the Revised Statutes is amended to read as follows:

Procedure to comply with orders.

58:4–6. If the owner or person having control of any reservoir or dam shall not forthwith comply with any order of the commission made as provided in section 58:4–5 of this Title or shall not prosecute the work, when commenced, with reasonable expedition, the commission may direct the Attorney-General to proceed in the name of the State to enforce its order in a court of competent jurisdiction. Action may be brought against the person controlling or owning the reservoir or dam, and the court may make such order and judgment in the premises as will effectually secure the persons interested from danger of loss from the breaking of the reservoir or dam complained of. The court may proceed in the action in a summary manner or otherwise.

Section amended.

6. Section three of chapter three hundred seventy-five of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

C. 58:4A-3. Review of refusal of permit.

3. Any refusal to grant a permit under this act by the Division of Water Policy and Supply shall be subject to review by the Superior Court in a proceeding in lieu of prerogative writ.

Section amended.

7. Section 58:5–17 of the Revised Statutes is amended to read as follows:

Condemnation, procedure, withdrawal.

58:5–17. Any district water supply commission instituting an action for the acquisition of land or other property under and by virtue of the provisions of chapter one of the Title, Eminent Domain (§ 20:1–1 et seq.), may upon offer made to and refused by the owner of such property of such sum of money as in the opinion of the commission is the reasonable value of the property, pay the sum of money so offered into the Superior Court, there to await the determination of the action. Nothing contained in this section shall apply to any property devoted to or held for any public use by any

board, commission or agency of this State, municipality or county of this State, or by any public utility as the same is defined by section 48:2–13 of the Title, Public Utilities.

The payment of such sum into the court shall operate to stop the running of interest upon any award thereafter made to the amount of such deposit, and upon said payment the condemning party may forthwith enter in and upon the property sought to be acquired in the same manner and with like power as though the action in condemnation had been completed.

If, during the pendency of the action in condemnation, a good and sufficient deed of conveyance for the rights and interests sought to be condemned shall be executed and delivered to the authority seeking to condemn, the owners may forthwith apply to the court for the withdrawal of said funds.

Section amended.

8. Section 58:10–2 of the Revised Statutes is amended to read as follows:

Recovery of penalty, jurisdiction.

58:10–2. Any penalty incurred under any of the provisions of section 58:10–1 of this Title may be recovered, with costs, in a summary proceeding pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.) in the name of the department or of any local board of health or corporation specified in said section 58:10–1.

Every county district court and municipal court shall have jurisdiction of such proceedings, within the territorial jurisdiction of the court, of any provision of section 58:10–1. Process shall be either in the nature of a summons or warrant.

When the plaintiff in any such proceeding is the department, or any corporation engaged in the business of supplying water for sale for potable purposes, the moneys, when recovered, shall be paid to the department and by it paid into the State treasury; and when the plaintiff in any such proceeding is the local board of health of a municipality, the moneys recovered shall be paid into the treasury of the municipality.

9. Section 58:10–4 of the Revised Statutes is amended to read as follows: Section amended.

58:10–4. If any person, corporation, municipality, or any municipal authority, shall violate any of the provisions of section 58:10–1 of this Title, the department, whether or not the penalty prescribed by said section 58:10–1 shall have been sued for or recovered, may institute a civil action in the Superior Court in the name of the State on the relation of the department for injunctive relief to prohibit the further violation of said section 58:10–1. Injunction to prohibit further violations.

The local board of health having jurisdiction over the place where such offense was committed, or the local board of health of any municipality, the potable water supply of which is or may be affected by such offense, or any corporation engaged in the business of supplying water for sale for potable purposes, whose supply of potable water is or may be affected by such offense, whether or not such penalty shall have been sued for or recovered, may institute a civil action in such court in the name of such board or corporation for injunctive relief to prohibit the further violation of said section 58:10–1.

10. Section 58:10–8 of the Revised Statutes is amended to read as follows: Section amended.

58:10–8. Upon violation of any of the provisions of this article, the department may, either before or after the institution of proceedings for the collection of the penalty imposed by this article for such violation, institute a civil action in the Superior Court in the name of the State at the relation of the department for injunctive relief to restrain the violation and for such other or further relief in the premises as said court shall deem proper. Neither the institution of the action, nor any of the proceedings thereon, shall relieve any party to such proceedings from the penalty prescribed by this article for the violation. Injunction enjoining violations.

Section amended.

11. Section 58:10–11 of the Revised Statutes is amended to read as follows:

Recovery of penalty, procedure.

58:10–11. Any penalty incurred under the provisions of section 58:10–10 of this Title may be recovered, with costs, in a summary proceeding in the name of the department pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.).

Every county district court and municipal court shall have jurisdiction of such a proceeding, because of the violation, within the territorial jurisdiction of the court, of any provision of section 58:10–10. Process shall be either in the nature of a summons or warrant. All moneys recovered under the provisions of this article shall be paid into the State treasury.

Section amended.

12. Section 58:10–12 of the Revised Statutes is amended to read as follows:

Injunction, enjoining violations.

58:10–12. Upon the violation of any of the provisions of section 58:10–10 of this Title, the department may, whether or not the penalty prescribed by said section 58:10–10 shall have been sued for or recovered, institute a civil action in the Superior Court in the name of the State on the relation of the department, for injunctive relief to prohibit the further violation of said section 58:10–10.

Section amended.

13. Section 58:10–20 of the Revised Statutes is amended to read as follows:

Injunction, enjoining relief.

58:10–20. Upon the violation of any of the provisions of this article the department may, whether or not the penalty prescribed by section 58:10–19 of this Title shall have been sued for or recovered, institute a civil action in the Superior Court, in the name of the State on the relation of the department, for injunctive relief to prohibit the further violation of this article.

Section amended.

14. Section 58:10–32 of the Revised Statutes is amended to read as follows:

Review of decision, judgment, or proceeding.

58:10–32. Any order, decision, judgment or proceeding of the commission under the provisions of this article may be reviewed by the Superior Court

by a proceeding in lieu of prerogative writ, and the court may reverse or modify such order, decision, judgment or proceeding in such manner as it shall deem reasonable and just.

15. Section 58:10–33 of the Revised Statutes is amended to read as follows: Section amended.

58:10–33. In any case where, by the rupture or leakage of a pipe line, injury is done to any fresh water of this State, the commission may apply directly to any court of competent jurisdiction for an immediate remedy, as it may deem advisable. Remedy for injury to water by pipe line.

16. Section 58:10–39 of the Revised Statutes is amended to read as follows: Section amended.

58:10–39. Every county district court and municipal court shall have jurisdiction of proceedings for the collection and enforcement of a penalty imposed because of the violation, within the territorial jurisdiction of the court, of any provision of this article. The penalty shall be collected and enforced in summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Recovery of penalties, jurisdiction, procedure.

Process shall issue at the suit of any local board of health which has jurisdiction within any county or municipality on the banks of or bordering on the Passaic river or any of its tributaries, and irrespective of the locality of such violation, and shall be either in the nature of a summons or warrant, against the person so charged.

The court may cause any defendant who may refuse or fail to 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 a period not exceeding thirty days.

17. Section 58:10–40 of the Revised Statutes is amended to read as follows: Section amended.

58:10–40. Any local board of health which has jurisdiction within any county or municipality on the banks of or bordering on the Passaic river or any of its tributaries, may institute a civil action in the Superior Court, in the name of the State on the relation of such board, for injunctive relief Injunction restraining violations.

to prohibit the maintenance of anything which is hereinbefore prohibited.

Section amended.

18. Section 58:10–41 of the Revised Statutes is amended to read as follows:

Abatement.

58:10–41. In all cases in which it shall be ascertained in such action that anything is maintained contrary to the provisions of this article, the court may abate the same and prevent its further maintenance by injunctive order or judgment, or otherwise.

Section amended.

19. Section 58:10–43 of the Revised Statutes is amended to read as follows:

Enforcement by State Department of Health.

58:10–43. The State Department of Health may institute in the name of the State such civil actions as may be deemed necessary or appropriate to enforce the provisions of section 58:10–42 of this Title. The Superior Court is hereby vested with jurisdiction to enforce the provisions of said section 58:10–42 in a civil action in a summary manner or otherwise.

Section amended.

20. Section 58:11–6 of the Revised Statutes is amended to read as follows:

Injunction enjoining violations.

58:11–6. The department may institute a civil action in the Superior Court, in the name of the State on the relation of the department, for injunctive relief to prohibit any violation of any of the provisions of this article other than the violations enumerated in section 58:11–4 of this Title for which a penalty is provided.

Section amended.

21. Section nine of chapter three hundred eight of the laws of one thousand nine hundred and forty-two is amended to read as follows:

C. 58:11-9.9. Recovery of penalties, procedure.

9. Any penalty incurred under any of the provisions of section eight of this act shall be recovered in a civil action in the name of the State department, a local board of health, or the owner of the supply specified in said section eight. Such action may be maintained in any county district court or any municipal court, and jurisdiction is conferred upon said courts, within their respective territorial jurisdictions, to hear and determine such actions.

22. Section ten of chapter three hundred eight of the laws of one thousand nine hundred and forty-two is amended to read as follows: Section amended.

C. 58:11-9.10. Injunction enjoining further violations.

10. If any person, corporation, or municipality, or any municipal authority shall violate any of the provisions of sections two and five of this act, the State department, whether or not the penalty prescribed by section eight of this act shall have been sued for or recovered, may institute a civil action in the Superior Court in the name of the State on the relation of the department for injunctive relief to prohibit the further violation of said sections two and five.

The local board of health having jurisdiction over the place where such offense was committed, or the owner of the potable water supply which is or may be affected by such offense, whether or not such penalty shall have been sued for or recovered, may institute a civil action in the Superior Court in the name of such board or owner for injunctive relief to prohibit further violation of the said sections two and five.

23. Section 58:11–11 of the Revised Statutes is amended to read as follows: Section amended.

58:11–11. If any such construction work shall be begun before the detailed plans and specifications therefor have been submitted to and approved by the department as provided by section 58:11–10 of this Title, the department may institute a civil action in the Superior Court in the name of the State on the relation of the department for injunctive relief to prohibit further violation of said section 58:11–10. Injunction enjoining violations.

24. Section 58:11–18 of the Revised Statutes is amended to read as follows: Section amended.

58:11–18. Whenever any municipality, corporation or individual shall violate any of the provisions of this article, the department may, either before or after the institution of proceedings for the collection of the penalty imposed by this article for such violation, institute a civil action in the Superior Court, in the name of the State at the rela- Injunction enjoining violations, penalty not relieved.

tion of the department for injunctive relief to restrain such violation and for such other or further relief as the court shall deem proper. Neither the institution of such action, nor any of the proceedings thereon, shall relieve any party to such proceedings from the penalty prescribed by this article for such violation.

Section amended.

25. Section seven of chapter two hundred ninety-five of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 58:11-18.16. Recovery of penalties.

7. Any and all penalties prescribed by any provisions of this act shall be sued for and recovered in a civil action by and in the name of the department, as plaintiff.

Section amended.

26. Section eight of chapter two hundred ninety-five of the laws of one thousand nine hundred and forty-six is amended to read as follows:

C. 58:11-18.17. Injunction restraining violation.

8. Whenever any municipality, corporation, person, superintendent or operator shall violate any of the provisions of this act, the department may, either before or after the institution of proceedings for the collection of the penalty imposed by this act for such violation, institute a civil action in the Superior Court in the name of the State at the relation of the department for injunctive relief to restrain such violation and for such other or further relief as the court shall deem proper. Neither the institution of the action nor any of the proceedings thereon shall relieve any party to such proceedings from the penalty prescribed by this act for such violation.

Section amended.

27. Section 58:12–2 of the Revised Statutes is amended to read as follows:

Powers and duties of department of health relative to sewage disposal and water pollution.

58:12–2. The State Department of Health, hereinafter in this chapter designated as the "department," shall investigate the various methods of sewage disposal in order that it may be able to make proper recommendations in regard thereto, shall require alterations, additions or improvements to sewage treatment works, shall investigate all complaints of pollution of the waters of this

State which shall be brought to its notice, and may inspect any of the waters of this State.

If the department finds that any of said waters are being polluted in such manner as to cause or threaten injury to any of the inhabitants of this State, either in their health, comfort or property, or that any sewage treatment works are inadequate in capacity or unit design to properly care for, treat and dispose of sewage before an effluent from such works is discharged into any of said waters, it shall notify in writing any person, corporation or municipality found to be polluting said waters or owning, operating or controlling, separately or jointly, any such inadequate sewage treatment works, that prior to a time to be fixed by the department, which time shall not be later than five years from the date of the notice, the person, corporation or municipality polluting said waters must cease such polluting and make such disposition of its sewage and other polluting matter as shall be approved by the department. Such person, corporation or municipality owning, operating or controlling inadequate sewage treatment works as aforesaid must alter, add to or improve such works in order that the sewage being received therein shall be cared for, treated and disposed of, and the effluent discharged into said waters in a manner approved by the department.

Any person, corporation or municipality aggrieved by the finding of the department may bring a civil action in the Superior Court at any time within three months after being notified thereof, and said court may hear and determine such action in which the court may proceed in a summary manner or otherwise, and thereupon may affirm the finding of the department or reverse or modify the finding in whole or in part as the court shall deem just and reasonable.

Section amended.

28. Section 58:12–4 of the Revised Statutes is amended to read as follows:

Injunction enjoining violation.

58:12–4. The department may bring a civil action in the Superior Court for injunctive relief to pre-

vent the violation of the provisions of this chapter, and said court may proceed in the action in a summary manner or otherwise and may restrain in all such cases any person, corporation or municipality from violating any of the provisions of this chapter.

Section amended.

29. Section 58:12–32 of the Revised Statutes is amended to read as follows:

Review of division and apportionment of costs.

58:12–32. If the governing body of any such municipality, whether the whole or any part thereof is included in such sewerage district, shall be dissatisfied with such division and apportionment and shall, within twenty days after service of the statement as aforesaid, express such dissatisfaction by a resolution adopted by a majority of the governing body, then such body, in the corporate name of the municipality, may institute a civil action in the Superior Court to review such division and apportionment and to correct, amend, revise, alter or confirm the same as it shall deem just and proper. The court may proceed in the action in a summary manner or otherwise.

Section amended.

30. Section 58:12–33 of the Revised Statutes is amended to read as follows:

Judgment filed, service.

58:12–33. The judgment of the court in the action provided in section 58:12–32 of this Title shall, within two days after the making thereof, be filed with the secretary of the sewerage board which made the division or apportionment.

Within five days after the filing of such judgment, the sewerage board shall cause a certified copy thereof to be served in the manner provided by section 58:12–31 of this Title upon each of the municipalities upon which the original division and apportionment made by the sewerage board was served, which certified copy so served shall be in lieu of that originally served.

Section amended.

31. Section 58:12–34 of the Revised Statutes is amended to read as follows:

Action by taxpayer to review apportionment.

58:12–34. If only a part of a municipality is included in a sewerage district and the governing body of such municipality shall not adopt a resolution expressing its dissatisfaction as provided by

section 58:12–32 of this Title, one or more residents and taxpayers, or residents and nonresident taxpayers, of the sewerage district may join in a civil action before the Superior Court to review said division and apportionment as provided by sections 58:12–32 and 58:12–33 of this Title. The action shall proceed and other proceedings shall be taken as provided in section 58:12–32 and 58:12–33 of this Title.

Section amended.

32. Section 58:14–7 of the Revised Statutes is amended to read as follows:

Discharge of sewerage prohibited, enforcement.

58:14–7. No sewage or other polluting matter shall be discharged, directly or indirectly, into the waters of the Passaic river at any point between the Great falls in the city of Paterson and the mouth of said river at Newark bay, or into the waters of any of the tributaries of said river which empty into it between said points, and the commissioners may enforce the provisions of this chapter over and throughout all municipalities which may, or the inhabitants of which may, directly or indirectly, discharge sewage or other polluting matter into said waters. The commissioners may institute in their corporate name such civil actions as may be deemed necessary or appropriate to enforce the provisions of this section, and the Superior Court is hereby vested with jurisdiction to enforce said provisions by such actions brought by the commissioners. The court may proceed in such actions in a summary manner or otherwise.

Section amended.

33. Section twelve of chapter three hundred fifty-one of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 58:16A-12. Easement rights, termination.

12. If the Commissioner of Conservation and Economic Development shall determine subsequent to the taking of a temporary easement right in property that the purposes for which such easement right was acquired have been accomplished and that the use and occupancy of said property for flood control purposes are no longer necessary, and that, therefore, the term of such easement should be further limited, or if the taking of such

easement was for an indefinite period, that such period should be fixed and determined, or that the period of such easement has by its terms expired, he shall make his certificate that the use and occupancy of such property for flood control purposes are no longer necessary, that the property in which such easement right was acquired is surrendered back to the affected owner of said property and that such easement rights are thereupon terminated, released and extinguished. The said commissioner shall cause a copy of such certificate to be filed in the office of the Clerk of the Superior Court. Upon the filing of such certificate in the office of the Clerk of the Superior Court all rights acquired by the State in such property shall cease and determine. The said commissioner shall cause a copy of such certificate together with notice of the filing thereof in the office of the Clerk of the Superior Court to be mailed to the owner of the property affected, as certified by the Attorney-General, if the place of residence of such owner is known or can be ascertained by a reasonable effort. A further copy of such certificate and notice of filing shall be filed in the office of the recording officer of each county wherein the property affected is situated. On the filing of such certificate and notice with such officer it shall be the duty of such officer to record same in the books used for recording deeds in the office of such officer.

34. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 55

AN ACT concerning appointments to fill public positions, offices and other public places in certain cases, and amending section 2A:3–8 of the New Jersey Statutes.

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

1. Section 2A:3–8 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:3–8. Whenever in any county there shall be two or more judges of the County Court and by any statute the court or the judges thereof shall be authorized or required to make an appointment to fill any public position, office or other public place and the appointment shall require the approval of all judges of the court, then in the event that the judges may not within thirty days after the existence of a vacancy be able to agree on any appointee for such position, office or other public place, the board of chosen freeholders of the county may make the appointment. Filling vacancy.

2. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 56

AN ACT concerning the service of process upon the Secretary of State and the Commissioner of Banking and Insurance in certain cases, and amending section 2A:15–35 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:15–35 of the New Jersey Statutes is amended to read as follows:

Service of process, procedure, certificate filed.

2A:15–35. When service of process is authorized to be made under this article upon the Secretary of State or Commissioner of Banking and Insurance in the case of any foreign corporation or association and (a) the action is commenced in the County Court of any county, then the sheriff or officer of the county, or (b) the action is commenced in the county district court of any county, then the clerk thereof may serve the Secretary of State or Commissioner of Banking and Insurance, as the case may be, by mailing to him, by registered mail, a copy of the summons and complaint with the fee prescribed by law. Service thereof shall be as effectual to bring such corporation or association into court as though the same were served in the county. The Secretary of State or Commissioner of Banking and Insurance, upon giving notice to the defendant of the service of process as required by this article, shall file with the clerk of the court his certificate of the notice given.

2. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 57

AN ACT concerning the jurisdiction of appeals from certain courts of limited jurisdiction, and amending section 2A:3–6 of the New Jersey Statutes.

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

1. Section 2A:3–6 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:3–6. The County Court of each county shall have jurisdiction to hear, determine and review any judgment in any cause, other than a civil cause, rendered in the county district court and in any cause, criminal or civil, rendered in any municipal court, park police court, county traffic court or other inferior court of limited jurisdiction in or of the county, except a criminal judicial district court, or a juvenile and domestic relations court. If the judge of or who held the lower court is also the county judge, the Law Division of the Superior Court and not the County Court shall have jurisdiction to hear, determine and review such judgment. Jurisdiction of appeals from inferior courts.

2. This act shall take effect immediately.

Approved March 19, 1953.

CHAPTER 58

AN ACT providing for the repair, construction and reconstruction of Smithville dam on the Rancocas creek in the township of Easthampton in the county of Burlington and State of New Jersey.

Preamble. WHEREAS, Smithville dam on the Rancocas creek was severely damaged during the hurricane of November, one thousand nine hundred and fifty; and

Preamble. WHEREAS, The site of this dam is public domain, being owned by Eastampton township in the county of Burlington; and

Preamble. WHEREAS, The reconstruction and repair of the Smithville dam is necessary for the restoration of this beauty and recreational spot and for the protection and propagation of fish and game; now, therefore,

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

Repair of Smithville dam authorized. 1. The Department of Conservation and Economic Development is authorized and empowered to provide for the repair, construction and reconstruction of Smithville dam on the Rancocas creek in the township of Eastampton in the county of Burlington and State of New Jersey, and to do all things necessary for effectuating this act.

Appropriation. 2. In addition to any funds heretofore or which shall hereafter be appropriated, allocated or made available for said purpose, there is appropriated the sum of twenty thousand dollars ($20,000.00), or so much thereof as is necessary, if and when included in any annual or supplemental appropriation act, to be expended for the purpose of this act.

3. This act shall take effect immediately.

Approved March 25, 1953.

CHAPTER 59

AN ACT to amend "An act concerning the registration of certain motor vehicles in the State, and supplementing chapter three, Title 39, of the Revised Statutes," approved April twelfth, one thousand nine hundred and forty-eight (P. L. 1948, c. 28).

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

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

1. No fee shall be charged for the registration, in any year or years, of one motor vehicle of passenger type, which is not to be used for hire, owned by any resident of the State of New Jersey; C. 39:3-27.1. No registration fee to be charged.

(1) who is eligible for compensation pursuant to sections 38:18–1, 38:18–2 and 38:18–3 of the Revised Statutes or,

(2) who has qualified or shall qualify under the provisions of Public Law 663—79th Congress of the United States of America (August 8th, 1946) or of Public Law 187—82nd Congress of the United States of America (October 20th, 1951), and who is the holder of a current driver's license issued by this State, if such motor vehicle is equipped with such special attachments and devices as the Director of the Division of Motor Vehicles in the Department of Law and Public Safety may deem necessary to provide for the safe operation thereof by such person.

2. This act shall take effect immediately.

Approved March 30, 1953.

CHAPTER 60

AN ACT authorizing the tax collector to be appointed borough clerk in certain boroughs, and amending section 40:87–15 of the Revised Statutes.

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

Section amended.

1. Section 40:87–15 of the Revised Statutes is amended to read as follows:

Borough officers, duties, terms.

40:87–15. In addition to the officers to be elected there shall be appointed a clerk. In boroughs, with a population of less than ten thousand, the elected tax collector may also be appointed the clerk. There may be appointed a borough attorney, a borough engineer, one or more marshals, a poundkeeper, a superintendent of highways, and such other officers as the council may deem necessary. They shall perform the duties required by law and the ordinances of the council. All of these officers, except the borough attorney and borough engineer, shall be residents of the borough, and all of them shall hold office during the pleasure of the council. No officer shall be removed without being afforded an opportunity to be heard. Unless sooner removed, however, they shall hold office for one year and until their successors shall have qualified.

2. This act shall take effect immediately.

Approved April 1, 1953.

CHAPTER 61

AN ACT to amend "An act concerning the salaries of county clerks in certain counties, and supplementing chapter thirty-eight of Title 40 of the Revised Statutes," approved April thirtieth, one thousand nine hundred and forty-six (P. L. 1946, c. 197).

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

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

1. In counties of this State, not bordering on the Atlantic ocean, having a population of more than twenty thousand and not more than forty thousand inhabitants, according to the last Federal census, the county clerk shall receive, in lieu of all other compensation, an annual salary of five thousand dollars ($5,000.00). The increase in salary granted by this amendatory act shall be inoperative unless the board of chosen freeholders of the county shall by resolution approve such increase. C. 40:38-6.2. Salary county clerks.

2. This act shall take effect immediately.

Approved April 1, 1953.

New Jersey State Library

CHAPTER 62

AN ACT to validate certain proceedings for the issuance of bonds of school districts and any bonds or other obligations issued or to be issued in pursuance of such proceedings.

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

Proceedings and bonds validated.

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election for the authorization or issuance of bonds of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance of a proposal adopted by the legal voters at such meeting or election, are hereby ratified, validated and confirmed, notwithstanding that the notices of such meeting or election did not specify the place or places of such meeting or election, or that no supplemental debt statements or school debt statements were prepared, made, sworn to and filed as required by the provisions of section 18:5–87 of the Revised Statutes, or that the adoption of such proposal authorized the board of education to issue bonds the principal amount of which, added to the amount of all the bonds and notes of the school district then issued and outstanding or authorized but unissued less the amount of any sinking funds held for payment of the same, exceeded any limitation or other restriction prescribed by section 18:5–84 of the Revised Statutes and such proposal did not disclose or correctly disclose the effect thereof on the borrowing margin of any municipality comprised within the school district in compliance with the provisions of sections 18:5–85 or 18:5–86 of the Revised Statutes; *provided, however,* that such meeting or election was held in a schoolhouse or schoolhouses in said school district and the notices

Proviso.

thereof specified the date and time thereof and were posted and advertised as required by section 18:7–15 of the Revised Statutes and that the adoption of such proposal did not authorize the board of education to issue bonds in a principal amount exceeding the amount stated in such notices; *and provided further,* that such supplemental debt statements and such school debt statements, prepared as of a date not more than thirty days prior to such meeting or election, shall, prior to the issuance of such bonds, have been made, sworn to and filed in the places required by said section 18:5–87 and the percentage of net debt as stated in any such supplemental debt statement does not exceed seven per centum (7%) or, if such percentage shall exceed seven per centum (7%), the consents of the State Commissioner of Education and of the Local Government Board provided for in said section 18:5–86 shall, prior to the issuance of such bonds, have been endorsed upon a copy of such proposal; *and provided further,* that no action, suit or proceeding to contest the validity of such meeting or election has been heretofore instituted in any court of this State. Proviso. Proviso.

2. This act shall take effect immediately.

Approved April 1, 1953.

CHAPTER 63

AN ACT concerning Young Men's, Young Women's Christian or Hebrew Associations, and amending sections 16:19–3 and 16:19–5 of the Revised Statutes.

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

Section amended.

1. Section 16:19–3 of the Revised Statutes is amended to read as follows:

Board of trustees, filing results of proceedings, effect.

16:19–3. The board of directors of any such association may elect eight or more persons, of whom, when elected by the directors of any Young Men's Christian Association or Young Women's Christian Association, no more than one-third shall be members of any one religious denomination, who, with the president of the association for the time being, shall constitute a board of trustees of such association, by name of, the trustees of:

a. The Young Men's Christian Association of .....; or

b. The Young Women's Christian Association of .....; or

c. The Young Men's Hebrew Association of .....; or

d. The Young Women's Hebrew Association of .....; or

e. The Young Men's and Young Women's Hebrew Association of ....., as the case may be, the blank to be filled in according to the proper name of the association. The trustees shall hold office for life, or for such term as the constitution or by-laws of the association may provide and until their successors shall be elected by the board of directors.

A certified copy of the proceedings of any such election by the board of directors, and the written acceptance of such offices by the persons so elected, signed by their names and acknowledged before an officer authorized to take the acknowledgment of deeds in this State, shall be filed in the office of the clerk of the county in which the association is located, who shall forthwith record the same, for which service the county clerk shall be entitled to receive the fee provided in section 22:2–19 of the Title, Fees and Costs. Thereupon such trustees shall be a corporation by the name as aforesaid.

Section amended.

2. Section 16:19–5 of the Revised Statutes is amended to read as follows:

Vacancies.

16:19–5. When a vacancy shall occur in such board of trustees, by reason of the death or resignation of any trustee or his removal from the limits of the association, the same shall be filled by a majority vote of the remaining trustees. Nominations for trustees to fill any such vacancy shall be made in accordance with the provisions of the constitution or by-laws of the association or, if there are no such provisions, then by the board of trustees of the association. When such election is held by the remaining trustees of any Young Men's Christian Association or any Young Women's Christian Association, they shall elect to such vacancy a person who is a member in good standing of a Protestant Evangelical church. In the case of any Young Men's Christian Association or of any Young Women's Christian Association no more than one-third of the members of the board of trustees, not including the president of the association, shall be members of any one religious denomination.

3. This act shall take effect immediately.

Approved April 1, 1953.

CHAPTER 64

AN ACT concerning Young Men's Hebrew Associations, Young Women's Hebrew Associations and Young Men's and Young Women's Hebrew Associations, and amending section 16:19–2 of the Revised Statutes.

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

Section amended.

1. Section 16:19–2 of the Revised Statutes is amended to read as follows:

Incorporation, procedure, filing, effect.

16:19–2. Any association enumerated in section 16:19–1 of this Title may, by a majority of the votes cast at a meeting of the association, held in their regular place of meeting and called by them upon ten days' notice in writing set up at such place in plain view, adopt a name, constitution and by-laws, elect a board of directors, not to exceed thirty (except that in the case of a Young Men's Christian Association, a Young Men's Hebrew Association, a Young Women's Hebrew Association or a Young Men's and Young Women's Hebrew Association such board may be of any number), and declare themselves incorporated by such name. A copy of the resolution, with the names of the directors, together with a copy of the official seal of the association, certified, under oath, to be correct by the officers of the meeting or meetings at which such resolution was adopted, directors elected and seal adopted, shall be filed in the office of the clerk of the county in which the association is located, for which service the county clerk shall be entitled to receive the fee provided in section 22:2–19 of the Title Fees and Costs. Thereupon the association shall be a corporation, with all the powers conferred by article one, of chapter one, of this Title (§ 16:1–1 et seq.).

2. This act shall take effect immediately.

Approved April 2, 1953.

CHAPTER 65

AN ACT concerning exemption of property of certain young people's associations, and amending section 54:4–3.24 of the Revised Statutes.

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

1. Section 54:4–3.24 of the Revised Statutes is amended to read as follows: Section amended.

54:4–3.24. All real and personal property used for the purposes and in the work of one or more of the associations known as Young Men's Christian Associations, Young Women's Christian Associations, Young Men's Hebrew Associations, Young Women's Hebrew Associations or Young Men's and Young Women's Hebrew Associations in this State whether incorporated or unincorporated, shall be exempt from taxation under this chapter if the legal or equitable ownership of such property is in one or more of said associations using said property and the land so exempt does not exceed five acres in extent. Any real property upon which construction of a building or other improvement has been begun for the purpose of putting the same to use for the work of such association shall be within the said exemption. The foregoing exemptions shall not apply to any property or part thereof used for the purposes of pecuniary profit. Property tax exempt.

2. This act shall take effect immediately.

Approved April 2, 1953.

CHAPTER 66

AN ACT concerning motor vehicles, and amending section 39:3–10.1 of the Revised Statutes.

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

Section amended.

1. Section 39:3–10.1 of the Revised Statutes is amended to read as follows:

Special bus driver's license.

39:3–10.1. No person shall drive any truck-tractor and semitrailer combination or any truck and trailer combination registered under the provisions of Title 39 of the Revised Statutes, or any motor vehicle or trackless trolley with a capacity of more than six passengers and used for the transportation of passengers for hire, except taxicabs, hotel buses, and omnibuses used for the transportation of passengers in interstate or foreign commerce, unless specially licensed so to do by the director. Such license shall not be granted until the applicant therefor is at least twenty-one years of age and has passed a satisfactory examination in ascertainment of his driving ability and familiarity with the mechanism of said vehicle, or combination of vehicles, as the case may be, and has presented evidence, satisfactory to the director of his previous experience, good character and physical fitness. Said license shall be effective until suspended or revoked by the director; *provided,* the special licensee is also the holder of a license as provided for in section 39:3–10 of this Title.

Proviso.

Every holder of a special license issued pursuant to this section shall furnish to the director satisfactory evidence of continuing physical fitness, good character and experience on or after January first but not later than January thirty-first of each year.

The director may suspend or revoke a license granted under authority of this section for a vio-

lation of any of the provisions of this subtitle, or on other reasonable grounds, or where, in his opinion, the licensee is either physically or morally unfit to retain the same.

The director may make such rules and regulations as he may deem necessary to carry out the provisions of this section.

2. This act shall take effect April first, one thousand nine hundred and fifty-four. Note: Act effective.

Approved April 2, 1953.

CHAPTER 67

AN ACT concerning disorderly persons, and supplementing chapter one hundred seventy of Title 2A of the New Jersey Statutes.

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

1. Any person who discards or abandons in any place accessible to children any refrigerator or icebox, having a capacity of one and one-half cubic feet or more, with an attached lid or door which may be opened and fastened shut by means of an attached latch, or being the owner, lessee or manager of such place, knowingly permits such abandoned or discarded refrigerator, ice box or chest to remain there in such condition, is a disorderly person and shall be punished by a fine of not more than fifty dollars ($50.00) or by imprisonment in the county jail for not more than five days, or by both. C.2A:170-25.2. Penalty, discarding refrigerator or ice box.

2. This act shall take effect immediately.

Approved April 2, 1953.

CHAPTER 68

AN ACT concerning disorderly persons, and supplementing article four of chapter one hundred seventy of Title 2A of the New Jersey Statutes.

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

C.2A:170-64.1. Tampering with coin box, disorderly person.

1. Any person who, without lawful authority, places or inserts any paper, cloth, wadding or other article, object, material, substance, instrument or contrivance, within the return coin chute or in any other part of a coin box telephone owned or controlled by any telephone or telegraph company doing business in this State, in such manner as to prevent, interfere with or obstruct the return of coins deposited therein to the users of such coin box telephone, or in such manner as to cause such coins to be unlawfully returned, or who, by any such or other means or device whatsoever, prevents or contrives to prevent the return of coins to such users, or who places or inserts in any part of such coin box telephone any article, substance, contrivance or device in such manner as to obstruct, alter, injure or interfere with the action or operation of such coin box telephone, or who, by any device or contrivance, or in any manner whatsoever, obstructs, alters, injures or interferes with the action or operation of such coin box telephone, is a disorderly person.

2. This act shall take effect immediately.

Approved April 2, 1953.

CHAPTER 69

A SUPPLEMENT to "An act to authorize cities in this State to provide by ordinance for the regulation and inspection of electrical wires, appliances and currents for furnishing light, heat and power in certain cases, and to fix the penalty for the failure to comply with the provisions of such ordinance, and to make it unlawful, when an ordinance for such regulation is passed by any city in this State, for insurance companies, and those engaged in furnishing electricity for light, heat or power purposes, to charge for inspection covered by such ordinance," approved March twenty-ninth, one thousand nine hundred and twelve (P. L. 1912, c. 271).

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

C. 40:173-3.1. Exercise of powers.

1. In any city of the second class having a population of not less than one hundred thirty thousand inhabitants and having a board of fire and police commissioners, the power and duties granted and imposed by the act to which this act is a supplement upon the board of public works or the governing body, as the case may be, shall be exercised by the board of fire and police commissioners and not by any other board or body of such city.

C. 40:173-3.2. Electrical engineer, proviso.

2. The inspector of any city of this State, appointed under the provisions of the act to which this act is a supplement, may be designated the electrical engineer of such city; *provided*, the said inspector is the holder of a valid license to practice electrical engineering in accordance with the laws of this State.

3. This act shall take effect immediately.

Approved April 2, 1953.

CHAPTER 70

AN ACT adding a new route to the State highway system and designating the same a freeway.

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

R. S. 27:6-1. New route added.

1. The State Highway Commissioner shall, as soon as practicable in accordance with the procedure set forth in article one, chapter seven, Title 27, of the Revised Statutes, add to the State highway system the following described route: Beginning in Route No. 44 (1927) in the vicinity of Verga, Gloucester county, and running thence in an easterly direction to Route No. 43 (1927) in the vicinity of Barrington, Camden county, thence in a northerly direction to Route No. 25 (1927) in the vicinity of Bridgeboro, Burlington county.

Freeway.

2. The route hereby established is hereby designated a freeway, pursuant to chapter eighty-three of the laws of one thousand nine hundred and forty-five.

3. This act shall take effect immediately.

Approved April 2, 1953.

CHAPTER 71

AN ACT to amend "An act concerning banking and banking institutions (Revision of 1948)," approved April twenty-ninth, one thousand nine hundred and forty-eight (P. L. 1948, c. 67).

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

1. Section 96 of the act of which this act is amendatory is amended to read as follows: Section amended.

96. Record date. C. 17:9A-96. Record date.

A. The board of directors may fix a future date, which shall precede by not less than fifteen days and not more than thirty-five days

(1) the date of any meeting of stockholders, or

(2) the date upon which a dividend is to be paid, or

(3) the date upon which rights are to be allotted, or

(4) the date upon which any change or conversion or exchange of capital stock is to take effect,

as a record date for the determination of the stockholders who are entitled

(5) to notice of and to vote at any such meeting, and at any adjournment thereof, or

(6) to receive payment of any such dividend, or

(7) to receive any such allotment of rights, or

(8) to participate in any such change, conversion or exchange of capital stock,

and in any such case only stockholders of record at the close of business on the date so fixed shall be entitled to notice of and to vote at such meeting and at any adjournment thereof, or to receive payment of such dividend, or to receive such allotment

of rights, or to participate in such change, conversion or exchange, as the case may be, notwithstanding any transfer of stock on the books of the bank after the record date so fixed.

B. If no such record date is fixed, only stockholders of record at the close of business on the thirty-fifth day prior to (1) the date of such meeting, or (2) the date upon which such dividend is to be paid, or (3) the date upon which such rights are to be allotted, or (4) the date upon which such change, conversion or exchange of capital stock is to take effect, shall be entitled to notice of and to vote at such meeting and at any adjournment thereof, or to receive payment of such dividend, or to receive such allotment of rights, or participate in such change, conversion or exchange, as the case may be, notwithstanding any transfer of stock on the books of the bank subsequent to such thirty-fifth day.

Section amended.

2. Section 118 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-118. Consolidation of amendments.

118. Consolidation of amendments.

A. The board of directors may, from time to time, submit to the stockholders, and the stockholders may approve an amended certificate of incorporation, which shall integrate and consolidate in a single instrument all the provisions, then in effect, which constitute the bank's certificate of incorporation, as defined in section 1, including an amendment or amendments, if any, to the certificate of incorporation made concurrently with the adoption of the amended certificate of incorporation, and including, further, such provisions, if any, then in effect, as may be evidenced by an agreement of merger or consolidation pursuant to which the bank is operating.

B. All the provisions of this article applicable to amendments effected pursuant to section 117 shall be applicable to amended certificates of incorporation effected pursuant to this section.

3. Section 253 of the act of which this act is amendatory is amended to read as follows:

Section amended.

253. Examinations of a bank by a public accountant or other qualified person.

C. 17:9A-253. Examination by public accountant or other qualified person.

A. The board of directors of every bank shall cause examinations of the affairs of the bank to be made from time to time by or under the supervision of a person who is not a director, officer or employee of the bank, and who is a public accountant, or such other person whose qualifications for making such examination have been approved by the commissioner. The scope of such examinations shall be determined by regulations of the commissioner or, in the absence of such regulations, by the board of directors of the bank.

B. Each examination made pursuant to subsection A of this section shall be commenced not later than twelve months following the commencement of the next preceding examination made pursuant to subsection A of this section but no such examination shall be commenced at any time when an examination pursuant to section 260 is being made.

C. The board of directors of a bank may, whenever it shall deem it advisable, cause examinations of the affairs of the bank to be made other than as required by this section.

4. Section 255 of the act of which this act is amendatory is amended to read as follows:

Section amended.

255. Extensions of time by commissioner.

C. 17:9A-255. Extension of time.

The commissioner shall have power, for good cause shown, to extend the twelve month period specified in subsection B of section 253 for a further period not exceeding three months; and to extend the sixty day period specified in section 254 for a further period not exceeding thirty days.

5. This act shall take effect immediately.

Approved April 6, 1953.

DAVID YOUNG, 3RD,
Acting Governor.

CHAPTER 72

AN ACT concerning motor vehicles, and amending section 39:3–10 of the Revised Statutes.

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

Section amended.

1. Section 39:3–10 of the Revised Statutes is amended to read as follows:

Driver's license, age, examination, fee, violation, penalty.

39:3–10. No person shall drive a motor vehicle on a public highway in this State unless licensed to do so in accordance with this article. No person under seventeen years of age shall be licensed to drive motor vehicles, nor shall a person be licensed until he has passed a satisfactory examination as to his ability as an operator. The examination shall include a test of the applicant's knowledge of such portions of the mechanism of motor vehicles as is necessary to insure the safe operation of a vehicle of the kind or kinds indicated by the applicant and of the laws and ordinary usages of the road and a demonstration of his ability to operate a vehicle of the class designated.

The director, upon payment of the lawful fee and after he or an inspector of his has examined the applicant and is satisfied of the applicant's ability as an operator, may, in his discretion, license the applicant to drive a motor vehicle. The license shall authorize him to drive any registered automobile or motorcycle and shall expire on March thirty-first of each year, terminating the period for which such license is issued. The annual license fee shall be three dollars ($3.00) for drivers of automobile and one dollar ($1.00) for operators of motorcycles. The driver's license shall have the name of the licensee endorsed thereon in his own handwriting.

The director in his discretion may refuse to grant a license to drive motor vehicles to a person who is, in his estimation, not a proper person to be granted

such a license, but no defect of the applicant shall debar him from receiving a license unless it can be shown by tests approved by the Director of the Division of Motor Vehicles that the defect incapacitates him from safely operating a motor vehicle.

A person violating this section shall be subject to a fine not exceeding five hundred dollars ($500.00) or imprisonment in the county jail for not more than sixty days.

2. This act shall take effect immediately.

Approved April 6, 1953.

CHAPTER 73

AN ACT concerning motor vehicles, and amending section 39:3–11 of the Revised Statutes.

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

1. Section 39:3–11 of the Revised Statutes is amended to read as follows: Section amended.

39:3–11. Whenever, in the interest of public safety, the director determines that good cause appears therefor he may, in issuing any driver's license, impose thereon: (a) any reasonable restrictions and conditions in light of the applicant's physical condition and driving ability including conditions with respect to the type of, or special control devices required on, a motor vehicle which such applicant may operate; and (b) such other reasonable conditions or restrictions applicable to the applicant as the director may ascertain by tests approved by him to be appropriate to assure the safe operation of a motor vehicle by such applicant. Conditional license, penalty, non-compliance.

It shall be unlawful for any person to whom a conditional or restricted driver's license has been

issued to operate a motor vehicle in violation of any of the conditions or restrictions upon such license.

Any person to whom a conditional or restricted driver's license has been issued who operates a motor vehicle in violation of any of the conditions or restrictions upon such license shall be subject to a fine not exceeding one hundred dollars ($100.00) or imprisonment for a term not exceeding thirty days, or both.

2. This act shall take effect immediately.

Approved April 6, 1953.

CHAPTER 74

AN ACT concerning taxation, and amending section 54:4–78 of the Revised Statutes.

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

Section amended.

1. Section 54:4–78 of the Revised Statutes is amended to read as follows:

Enforcing payment of taxes.

54:4–78. The collector shall, in person or by deputy, after the date when the last installment of the taxes for such year are due and delinquent, enforce the payment of all taxes on personal property and poll tax and dog taxes by distress and sale of any of the goods and chattels of the delinquent in the State.

2. This act shall take effect immediately.

Approved April 6, 1953.

CHAPTER 75

AN ACT concerning the investment of funds by firemen's relief associations, and amending section 43:17–33 of the Revised Statutes.

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

1. Section 43:17–33 of the Revised Statutes is amended to read as follows: Section amended.

43:17–33. No firemen's relief association, however incorporated, shall invest its moneys in any manner, except as follows: Investments authorized.

a. In stocks or bonds or interest-bearing notes or obligations of the United States, or those for which the faith of the United States is distinctly pledged to provide for the payment of the principal and interest thereof;

b. In interest-bearing bonds of this State;

c. In bonds of any State of the United States that has not, within ten years previous to making the investment, defaulted in the payment of any part of principal or interest of any debt authorized by any law of that State to be contracted;

d. In stocks or bonds of any municipality or county of this State or any other State of the United States, which have been or may be issued pursuant to a law of that State, and in any interest-bearing obligations issued by the municipality or county in which the relief association is situated. No investment shall be made under this paragraph if that municipality or county has, within ten years previous to making the investment by the relief association, defaulted in the payment of any part of principal or interest of any debt authorized by the Legislature of that State to be contracted or if the total indebtedness of that municipality or county is not limited by law to ten per centum (10%) of its assessed valuation;

e. In bonds secured by mortgages, which are first liens of real estate situate in this State and worth at least double the amount loaned thereon, but not to exceed eighty per centum (80%) of all the moneys of the association shall be so loaned or invested. If the loan is on unimproved or unproductive real estate, the amount loaned thereon shall not be more than thirty per centum (30%) of its actual value. No investment shall be made by any firemen's relief association, except upon a favorable report of a committee of at least three of the members of the board of representatives of the relief association, a majority of which committee shall certify to the value of the premises mortgaged or to be mortgaged, according to their best judgment. The report shall be filed and preserved among the records of the association;

f. In such real estate only as has been or may hereafter be purchased by the association at sales upon the foreclosure of mortgages owned by the association, or upon judgments or decrees obtained or rendered for debts due to it, or in settlements effected to secure such debts. All this real estate shall be sold by the corporation within five years after the real estate is so purchased, unless upon application to the executive committee of the New Jersey State Firemen's Association further time is given by the committee in which to sell the real estate or any part thereof;

g. In shares of or accounts in savings and loan associations organized under the laws of this State, or Federal savings and loan associations organized under the laws of the United States, the principal office of which is located in New Jersey; *provided*, that the accounts of the association whether State or Federally chartered are insured by the Federal Savings and Loan Insurance Corporation, pursuant to Title 4 of an Act of Congress entitled "National Housing Act"; approved June twenty-seventh, one thousand nine hundred and thirty-four (12 U. S. C. A., § 1724 et seq.), supplemented or amended, or by any other corporation created or

Proviso.

organized under the laws of the United States, which corporation is an instrumentality of the United States; *provided, however,* that such investment shall not exceed the aggregate amount for which any member or investor of any such association shall be insured. Proviso.

2. This act shall take effect immediately.

Approved April 6, 1953.

CHAPTER 76

AN ACT to amend "An act to require and provide for the issuing of licenses and permits to persons, firms and corporations for the erection, use and maintenance of billboards, structures, and other objects for outdoor advertising and to regulate such erection, use and maintenance, and to provide penalties for violations of this act, and to repeal chapter forty of Title 54 of the Revised Statutes," filed May eleventh, one thousand nine hundred and forty-two (P. L. 1942, c. 168).

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

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

3. All persons, firms or corporations before erecting, maintaining or using any billboards, buildings, structures or other objects for the display of outdoor advertising matter, shall apply for and obtain from the director a permit for the same. The director is hereby authorized to grant such permits to all persons, firms or corporations, who shall comply with all of the provisions of this act pertaining to such applications. Such applications shall be made on forms to be provided by the di- C. 54:40-22. Permit for outdoor advertising, application.

rector and signed by the applicant or its duly authorized officer or agent and shall show:

(1) The name and business address of the applicant;

(2) The type and exact location of the billboard, building, structure or other object to be used for outdoor advertising and the dimensions of the space to be so used, and such other pertinent information as may be prescribed by the director.

(3) A statement by the applicant that the owner or the duly authorized agent of the owner of the property on which the building, structure or other object for the display of outdoor advertising matter is located or is to be erected, used and maintained for such display, has given his written consent thereto;

(4) An undertaking by the applicant to maintain any billboard, structure or other object for which application for a permit is made and the advertising display thereon in a safe, sound and good condition;

(5) If the site of the proposed outdoor advertising structure is within the confines of any public highway, park or other public property, the applicant shall file with the application a true copy of the written consent of the public authority controlling such public highway, park or other public property;

(6) A statement in which the applicant agrees to abide by the provisions of this act.

Section amended.

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

C. 54:40-23. Schedule of fees.

4. For each annual, temporary or conditional permit to be issued, there shall be paid to the director the fees established pursuant to this act.

The fee for an annual permit shall be based upon the size of the space to be used for outdoor advertising upon any billboard, building, structure or other object and shall be as follows:

(a) Eighty cents ($0.80) if the space used for advertising does not exceed fifty square feet in area;

(b) One dollar and fifty cents ($1.50) if the space used for advertising exceeds fifty square feet in area, but does not exceed one hundred square feet in area;

(c) Three dollars ($3.00) if the space used for advertising exceeds one hundred square feet in area, but does not exceed two hundred fifty square feet in area;

(d) Six dollars ($6.00) if the space used for advertising exceeds two hundred fifty square feet in area, but does not exceed five hundred square feet in area;

(e) Eight dollars ($8.00) if the space used for advertising exceeds five hundred square feet in area, but does not exceed eight hundred square feet in area;

(f) Twenty-five dollars ($25.00) if the space used for advertising exceeds eight hundred square feet in area;

(g) Where a series of signs, not exceeding six in number, under permit when this act becomes effective, each not exceeding five square feet in area, is placed in a line parallel to the highway, all carrying a single advertising message, part of which is contained on each sign, then in fixing the permit fee hereunder, the entire series of signs shall be considered as one sign; but this rate shall not apply to permits for any new series of signs not under permit when this act becomes effective.

All permits shall expire on March thirty-first following the date of issue and may be renewed for the ensuing year. All applications for renewals of permits shall be filed with the director on or prior to March fifteenth preceding their expiration. The fees for all permits granted on or after October first in any year for such year shall be one-half of the foregoing rates.

Section amended.

3. Section five of the act of which this act is amendatory is amended to read as follows:

C. 54:40-24. Temporary or conditional permits.

5. The director may issue temporary or conditional permits to any applicant, whether licensed or otherwise, for the placing of outdoor advertise-

ments made of wood, metal or cloth for periods of sixty days, ninety days, one hundred twenty days, or for longer periods not to exceed one hundred eighty days.

Fees for such permits shall be paid to the director upon the filing of the application therefor, for each separate advertisement not exceeding one hundred square feet in area, and shall be as follows:

(a) Fifty cents ($0.50) for the sixty-day period;

(b) Seventy cents ($0.70) for the ninety-day period;

(c) Ninety cents ($0.90) for the one-hundred-twenty-day period;

(d) One dollar ($1.00) for the period exceeding one hundred twenty days but not exceeding one hundred eighty days;

These rates shall apply to each separate advertisement containing not more than one hundred square feet. Temporary permits for each separate advertisement containing more than one hundred square feet shall be issued for a period of not more than sixty days at one-half of the applicable annual rate specified in this act.

Each applicant for such temporary or conditional permit shall file with the application therefor a bond to the State of New Jersey, approved by the director, in the sum of one hundred dollars ($100.00) conditioned upon the removal of all such advertisements within fifteen days after the expiration of such temporary or conditional permit therefor and upon default in the condition of such bond the director may enforce the collection thereof in any court of competent jurisdiction.

Note: Act effective.

4. This act shall take effect immediately, but the revised schedule of fees for annual permits provided in section two of this act shall be applicable to all permits issued for the period commencing April first, one thousand nine hundred and fifty-four, and thereafter.

Approved April 6, 1953.

CHAPTER 77

AN ACT establishing salaries of the members of the Division of the Real Estate Commission in the Department of Banking and Insurance and concerning real estate broker's and real estate salesman's licenses, and amending sections 45:15–6, 45:15–9, 45:15–11 and 45:15–15 of the Revised Statutes.

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

1. Section 45:15–9 of the Revised Statutes is amended to read as follows: Section amended.

45:15–9. All persons desiring to become real estate brokers or real estate salesmen shall apply to the commission for a license under the provisions of this article. Every applicant for a license as a broker shall be of the age of twenty-one years or over and a citizen of the United States, and in the case of an association or a corporation the directors thereof shall be of the age of twenty-one years or over and citizens of the United States. Application for a license, whether as a real estate broker or a real estate salesman, shall be made to the commission upon forms prescribed by it and shall be accompanied by an examination fee of ten dollars ($10.00). The applicant shall furnish evidence of good moral character, and in the case of an association or corporation, the directors thereof shall furnish evidence of good moral character. Every such application shall be on file with the commission at least ten days prior to the granting of a license. Every applicant for a license as a broker shall have first served an apprenticeship of two full years as a duly licensed real estate salesman in this State immediately preceding the date of application. No license as broker shall be granted to a corporation unless at least one of the License required, qualifications, fee.

officers of said corporation qualifies as a broker, to transact business in the name and on behalf of said corporation; the license of said corporation shall cease if at least one officer does not hold a license as a broker at all times; and no person shall transact business in the name and behalf of a corporation duly licensed as a broker unless he shall hold a license as a broker or salesman which permits him to act for such corporation. In event that any person to whom a broker's license has been or shall have been issued shall fail to renew such license or obtain a new license for a period of three consecutive years or more after the expiration of such license, the commission may require such person to serve the same apprenticeship and to pass an examination and comply with the same conditions on application for a broker's license as if he had never had such a license issued to him.

Section amended.

2. Section 45:15–11 of the Revised Statutes is amended to read as follows:

License granted to certain veterans without cost.

45:15–11. A citizen of New Jersey who has served in the military or naval forces of the United States in any war, has been honorably discharged, and who, having been wounded or disabled in line of duty, has completed a program of courses in real estate in any college or school approved by the Department of Education of the State of New Jersey, and who has successfully passed an examination conducted by said commission qualifying him to operate as a real estate broker or a real estate salesman, may, upon presentation of a certificate certifying that he has completed such program of courses as aforesaid, obtain without cost from the commission and without qualification through apprenticeship, a license to operate as a real estate broker or a real estate salesman, as the case may be, which licenses shall be the same as other licenses issued under this article. New licenses may be granted under this section for each ensuing year, upon request, without annual fees therefor.

3. Section 45:15–15 of the Revised Statutes is amended to read as follows: Section amended.

45:15–15. The annual fee for each real estate broker's license shall be twenty dollars ($20.00), and the annual fee for each real estate salesman's license shall be ten dollars ($10.00). Each license granted under this article shall entitle the licensee to perform all of the acts contemplated herein during the period for which the license is issued, without payment of any fee other than the annual fee for such license. New licenses may be granted for each ensuing year upon request of licensees and the payment of the annual fee therefor as herein required, but the commission, may, in its discretion, refuse to grant any new license upon sufficient cause being shown. The revocation of a broker's license shall automatically suspend every real estate salesman's license granted to employees of the broker whose license has been revoked, pending a change of employer and the issuance of a new license. The new license shall be issued without additional charge, if the same is granted during the year in which the original license was granted. Annual fees, revocation, effect.

4. This act shall take effect on the first day of July, one thousand nine hundred and fifty-three. Note: Act effective.

Approved April 6, 1953.

CHAPTER 78

AN ACT to supplement "An act concerning banking and banking institutions (Revision of 1948)," approved April twenty-ninth, one thousand nine hundred and forty-eight (P. L. 1948, c. 67).

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

C.17:9A-180.5: Investments, savings banks.

1. A savings bank may, in addition to other investments, presently or from time to time hereafter authorized by law, invest in

(1) stocks, preferred or common, issued or guaranteed by a corporation created or existing under the laws of the United States or any State, district or territory thereof, provided

(a) that for a period of five fiscal years for which the necessary statistical data are available next preceding the date of investment by such savings bank such corporation as disclosed by its published fiscal annual statements shall have had an average annual net income plus its average annual fixed charges (as herein used, fixed charges shall mean interest on funded or unfunded debt, contingent interest charges, amortization of debt discount and expense and rentals for leased property and, in the case of consolidated earnings statements of parent and subsidiary corporations (which must be used if available) shall include all such fixed charges and the preferred dividend requirement, if any, of such subsidiaries) at least equal to one and one-half times the sum of its average annual dividend requirement for preferred stock and its average annual fixed charges for the same period; and

(b) during neither of the last two years of such period shall the sum of its annual net income and its annual fixed charges have been less than one and one-half times the sum of its dividend require-

ment for preferred stock and its fixed charges for the same period; and

(c) such corporation shall have no arrears of dividends on its preferred stock; and

(d) as to the common stock of any corporation that

i. such common stock is registered on a national securities exchange as provided in an Act of Congress of the United States entitled "Securities Exchange Act of 1934," approved June 6, 1934, as amended; and

ii. such corporation shall have paid a cash dividend on its common stock in each year of the ten-year period next preceding the date of investment by such savings bank and the aggregate net earnings available for dividends on the common stock of such corporation for the whole of such period shall have been at least equal to the amount of such dividends paid.

(e) in applying the earnings test under this act to any issuing, assuming or guaranteeing corporation, where such corporation shall have acquired its property or any substantial part thereof within such five-year period immediately preceding the date of investment by consolidation or merger, or by the purchase of all or a substantial portion of the property of any other corporation or corporations, or shall have acquired the assets of any unincorporated business enterprise by purchase or otherwise, net income, fixed charges and preferred dividends of the several predecessor or constituent corporations or enterprises shall be consolidated and adjusted so as to ascertain whether or not the applicable requirements of this act have been complied with;

(2) stock or shares of a corporation which is an investment company as defined by, and which is registered under, an Act of Congress entitled "Investment Company Act of 1940," approved August 22, 1940, as amended; provided

(a) all the stock and shares of such investment company are or are to be owned by savings banks of this State; and

(b) such company may invest only in such investments as are eligible for savings banks of this State including investments made eligible for savings banks by this act; and

(c) the amount of stock of any corporation which may be held by such investment company shall not exceed at the time of investment by such company, five per centum of the number of shares of stock of such corporation then outstanding or three per centum of the assets of such investment company, whichever amount is the lesser.

(3) common stock, provided there are no senior securities (including preferred stock) outstanding, of a national banking association or trust company doing business anywhere within the United States which is a member of the Federal Reserve System and which, at the date of its last published statement preceding the date of investment, had a combined total of capital stock, surplus, reserve for contingencies and undivided profits equal to at least $40,000,000.00 and also equal to at least six per centum of its aggregate deposit liability and which, in each of the five fiscal years preceding the date of investment, paid dividends in cash of not less than four per centum on its common stock without having reduced the aggregate par value thereof within such five-year period;

(4) common stock of an insurance company, authorized to transact business in New Jersey, which has combined capital stock, surplus and special surplus funds (based on consolidated statements of parent and subsidiary companies, if any) at least equal to $20,000,000.00 and which has paid cash dividends on its common stock in each of its five fiscal years next preceding the date of investment.

C.17:9A-180.6. Limitation on amount.

2. No savings bank shall make an investment in the stock of any corporation pursuant to this act, except an investment under section 1 (2) hereof,

which investments are exempt from the limitations imposed by this section, at any time when the total of all such investments in stocks of such corporation, issued or guaranteed, exceeds or if the making of such investment would cause such investment to exceed two per centum of the total outstanding shares of the guaranteed, or of the preferred, or of the common stock of such corporation or three per centum of the surplus (as hereinafter defined) of the savings bank, whichever amount is less.

C.17:9A-180.7. Limitation as to surplus.

3. No savings bank shall make an investment pursuant to this act at any time when the total of all such investments exceeds, or if the making of such investment would cause such total to exceed thirty per centum of its surplus (as hereinafter defined).

C.17:9A-180.8. Regulations.

4. The Commissioner of Banking and Insurance may issue such regulations as he finds necessary and proper to carry out the provisions of this act.

C.17:9A-180.9. Surplus defined.

5. As used in sections 2 and 3 hereof, surplus of a savings bank shall mean the total of its surplus and undivided profits or the adjusted surplus as shown in the latest report of examination by the Department of Banking and Insurance, whichever is the lesser.

C.17:9A-180.10. Construction.

6. Nothing in this act shall be construed to enlarge the classes of investments permitted for fiduciaries or any other type of investor whose investments are regulated by statute, by reference in any such statute to investments which are legal for savings banks.

7. This act shall take effect immediately.

Approved April 9, 1953.

CHAPTER 79

AN ACT authorizing and empowering the State Department of Defense to construct and maintain at least five and not more than twelve additional armories in this State, and providing for an appropriation therefor.

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

Additional armories authorized.

1. The State Department of Defense is authorized and empowered to construct and maintain at least five and not more than twelve additional armories in this State, at such locations as the Chief of Staff of said Department, with the approval of the Governor, shall select.

Federal aid.

2. The State Department of Defense, in behalf of the State of New Jersey, is authorized to make application for, and accept from, the Federal Government, or any agency thereof, a grant of moneys in an amount that will be sufficient to bear seventy-five per centum (75%) of the cost of construction of said armories, exclusive of the cost or market value of the land upon which said armories may be constructed and exclusive of the cost of utility connections, grading, landscaping, sidewalks and curbs. The grant of authority and power contained in section one hereof shall not be exercised unless and until said Federal grant of moneys be first obtained.

State's share.

3. For the purpose of carrying into effect the provisions of this act, there shall be appropriated to the State Department of Defense from time to time, such sums as may be necessary to meet the State's share of twenty-five per centum (25%) of the cost of such construction, when included in any annual or supplemental appropriation act.

4. This act shall take effect immediately.

Approved April 15, 1953.

ALFRED E. DRISCOLL,
Governor.

CHAPTER 80

AN ACT concerning wills, and amending section 3A:3–1 of the New Jersey Statutes.

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

1. Section 3A:3–1 of the New Jersey Statutes is amended to read as follows: Section amended.

3A:3–1. A will made by a person within the age of twenty-one years, or by an idiot, lunatic or person of unsound mind and memory, shall not be valid, except as provided by section 3A:3–5 of this Title and except that a person within the age of twenty-one may appoint a testamentary guardian. Wills not valid, exception.

2. This act shall take effect immediately.

Approved April 15, 1953.

CHAPTER 81

AN ACT to make certain obligations of the Port of New York Authority securities in which public officers, banks and others may legally invest funds, and which may be deposited as security with public officers and agencies, and amending section 32:2–24.1 of the Revised Statutes.

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

1. Section 32:2–24.1 of the Revised Statutes is amended to read as follows: Section amended.

32:2–24.1. General and refunding bonds of the Port of New York Authority of the issue established by the resolution of the Port of New York Obligations established as legal investments.

Authority, adopted March eighteenth, one thousand nine hundred and thirty-five, and amended March twenty-fifth, one thousand nine hundred and thirty-five, and consolidated bonds or notes of the issue established by the resolution of the Port of New York Authority, adopted October ninth, one thousand nine hundred and fifty-two, (whether of series heretofore or hereafter established, and whether heretofore or hereafter issued), are hereby made securities in which all State and municipal officers and bodies, all banks, bankers, trust companies, savings banks, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees and other fiduciaries, and all other persons whatsoever, who are now or may hereafter be authorized to invest in bonds or other obligations of the State, may properly and legally invest any funds, including capital, belonging to them or within their control. Said obligations are hereby made securities which may properly and legally be deposited with and shall be received by any State or municipal officer or agency for any purpose for which the deposit of bonds or other obligations of this State is now or may hereafter be authorized.

2. This act shall take effect immediately.

Approved April 15, 1953.

CHAPTER 82

AN ACT concerning the National Guard, and amending section 38:12–5 of the Revised Statutes.

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

1. Section 38:12–5 of the Revised Statutes is amended to read as follows: Section amended.

38:12–5. During the absence of any such officer or other employee, mentioned in section 38:12–4 of this Title, on active service with the Army or Navy of the United States or any other organization affiliated therewith, such person shall receive such portion of his salary or compensation as will equal the loss he may suffer while on such active service. To receive difference in pay.

Any officer, warrant officer or enlisted man in the State Department of Defense, who is a member of the National Guard and who heretofore has been or who shall hereafter be transferred to Federal service, by order of the chief of staff of said State Department of Defense, shall during any period of such transferred service retain all rights and privileges as were accorded to officers, warrant officers and enlisted men in the State Department of Defense transferred to Federal service during World War II, including pay differential and any pension or retirement rights and privileges conferred by the laws of this State. Rights and privileges to continue.

2. This act shall take effect immediately and shall be retroactive to July first, one thousand nine hundred and fifty. C. 38:12-5.1. Retroactive.

Approved April 15, 1953.

CHAPTER 83

AN ACT concerning out-of-State incarceration of individuals on parole from New Jersey penal and correctional institutions, or on probation, and supplementing article two of chapter one hundred sixty-eight of Title 2A of the New Jersey Statutes.

Preamble. WHEREAS, New Jersey is signatory to the Interstate Compact for supervision of parolees and probationers of one State resident in another State, and

Preamble. WHEREAS, Upon revocation of such parole or probation it has been necessary to arrange for the transportation of such parolee or probationer from one jurisdiction to another, at the cost and expense of the sending State, and

Preamble. WHEREAS, It becomes desirable to eliminate the cost of such transportation of such parolees and probationers between the several States, and

Preamble. WHEREAS, This can be accomplished by enacting legislation providing for the incarceration of any such parolee or probationer whose parole or probation has been revoked, in a "Compact Institution" in the receiving State; now, therefore,

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

C. 2A:168-18. To be committed in receiving State.

1. Whenever the duly constituted judicial and administrative authorities in a sending State shall determine that incarceration of a probationer or reincarceration of a parolee is necessary or desirable, said officials may direct that the incarceration or reincarceration be in a prison or other correc-

tional institution within the territory of the receiving State, such receiving State to act in that regard solely as agent for the sending State.

C. 2A:168-19. Term defined, proviso.

2. As used in this act, the term "receiving State" shall be construed to mean any State, other than the sending State, in which a parolee or probationer may be found; *provided,* that said State has enacted reciprocal legislation.

C. 2A:168-20. Compact institution designated.

3. Every State which enacts a similar act to this act shall designate at least one of its correctional institutions as a "Compact Institution" and shall incarcerate persons therein as provided in such act, unless the sending and receiving State in question shall make specific contractual arrangements to the contrary. All such States shall have access to "Compact Institutions" at all reasonable hours for the purpose of inspecting the facilities thereof and for the purpose of visiting such of said State's prisoners as may be confined in the institution.

C. 2A:168-21. Subject to jurisdiction of sending State.

4. Persons confined in "Compact Institutions" pursuant to the terms of the compact shall at all times be subject to the jurisdiction of the sending State and may at any time be removed from said "Compact Institution" for transfer to a prison or other correctional institution within the sending State, for return to probation or parole, for discharge, or for any other purpose permitted by the laws of the sending State.

C. 2A:168-22. Treatment of persons incarcerated.

5. All persons who may be confined in a "Compact Institution" pursuant to the provisions of the compact shall be treated in a reasonable and humane manner. Incarceration or reincarceration in a receiving State shall not deprive any person so incarcerated or reincarcerated of any rights which said person would have had if incarcerated or reincarcerated in an appropriate institution of the sending State; nor shall any agreement to submit to incarceration or reincarceration pursuant to the terms of the compact be construed as a waiver of any rights which the prisoner would have had if he had been incarcerated or reincarcerated in any appropriate institution of the sending State, ex-

cept that the hearing or hearings, if any, to which a parolee or probationer may be entitled, (prior to incarceration or reincarceration) by the laws of the sending State may be had before the appropriate judicial or administrative officers of the receiving State. In any such event, said judicial and administrative officers shall act as agents of the sending State after consultation with appropriate officers of the sending State.

C. 2A:168-23. State reimbursed.

6. Any receiving State incurring costs or other expenses under the compact shall be reimbursed in the amount of such costs or other expenses by the sending State unless the States concerned shall specifically otherwise agree. Any two or more States party to the compact may enter into supplementary agreements determining a different allocation of costs as among themselves.

C. 2A:168-24. Rules and regulations.

7. Rules and regulations necessary to effectuate the purposes of this act may be promulgated by the appropriate officers of this State and of those States which have enacted substantially similar legislation.

C. 2A:168-25. Act effective.

8. This act shall take effect when any two or more States party to the compact shall enact substantially similar legislation to this act.

Approved April 15, 1953.

CHAPTER 84

AN ACT to amend the title of "An act to authorize the board of chosen freeholders of certain counties of the second class to establish the office of superintendent of elections for said county, and providing for the appointment, term of office and compensation of such superintendent of elections and fixing his powers and duties, and supplementing Title 19 of the Revised Statutes," approved May twentieth, one thousand nine hundred and forty-seven, (P. L. 1947, c. 167), as said title was amended by chapter one hundred and eighty-eight of the laws of one thousand nine hundred and forty-nine, so that the same shall read "An act to authorize the board of chosen freeholders of certain counties of the second or fifth class to establish the office of superintendent of elections for said county and providing for the appointment, term of office and compensation of such superintendent of elections and fixing his powers and duties, and supplementing Title 19 of the Revised Statutes," and to amend the body of said act.

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

1. The title of "An act to authorize the board of chosen freeholders of certain counties of the second class to establish the office of superintendent of elections for said county and providing for the appointment, term of office and compensation of such superintendent of elections and fixing his powers and duties, and supplementing Title 19 of the Revised Statutes," approved May twentieth, one thousand nine hundred and forty-seven (P. L. Title amended.

1947, c. 167), as said title was amended by chapter one hundred and eighty-eight of the laws of one thousand nine hundred and forty-nine, is amended to read "An act to authorize the board of chosen freeholders of certain counties of the second or fifth class to establish the office of superintendent of elections for said county and providing for the appointment, term of office and compensation of such superintendent of elections and fixing his powers and duties, and supplementing Title 19 of the Revised Statutes."

New title.

Section amended.

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

C. 19:32-26. May establish the office of superintendent of elections, term, salary, vacancy.

1. In any county of the second class, other than those having a population between two hundred and twenty-five thousand and three hundred twenty-five thousand, and in any county of the fifth class having a population in excess of two hundred thousand (200,000), the board of chosen freeholders may establish, by resolution, the office of superintendent of elections for the county, and said office when once established shall not be altered or abolished.

The board of chosen freeholders shall file a certified copy of such resolution, attested by the director and clerk of the board, in the office of the Secretary of State within ten days after the adoption of the resolution, and the resolution shall take effect at the expiration of thirty days after the next primary election for the general election, or the next general election, after the adoption of such resolution, whichever shall occur first.

The office so established shall be filled by some suitable person who shall be nominated by the Governor with the advice and consent of the Senate for a term of five years from the date of his appointment and until his successor is appointed and shall have qualified.

Each superintendent so appointed shall receive a salary of four thousand dollars ($4,000.00) per annum to be paid by the county treasurer and shall have his office in the county for which he is appointed.

Vacancies shall be filled, for the unexpired terms only, in the same manner as original appointments are made.

3. This act shall take effect immediately.

Approved April 15, 1953.

CHAPTER 85

AN ACT relating to the State House Commission, amending sections 52:20–1 and 52:20–6 of the Revised Statutes.

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

1. Section 52:20–1 of the Revised Statutes is amended to read as follows: Section amended.

52:20–1. The State House Commission shall consist of the Governor, who shall be the presiding officer, the State Treasurer, the Comptroller of the Treasury, the President of the Senate, the Speaker of the General Assembly, the chairman of the Senate Appropriation Committee and the chairman of the General Assembly Appropriation Committee, or the persons upon whom shall devolve by law the powers, duties and emoluments of said offices respectively, for the time being. The members of the commission shall serve without pay in connection with all such duties as are prescribed in this chapter. State House Commission.

2. Section 52:20–6 of the Revised Statutes is amended to read as follows: Section amended.

52:20–6. The concurrence of five of the members of the commission shall be necessary to the validity of all acts of the commission except allotments from the emergency fund which shall require unanimous consent. Action by commission, exception.

3. This act shall take effect immediately.

Approved April 15, 1953.

CHAPTER 86

AN ACT concerning the State Highway Department and designating a portion of Route No. 4 as a freeway, and supplementing Title 27 of the Revised Statutes.

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

R. S. 27:6-1. Designated freeway.

1. All that portion of State Highway Route No. 4 lying within the city of Englewood and the township of Teaneck, in the county of Bergen, is hereby designated as a freeway as defined in chapter eighty-three of the laws of one thousand nine hundred and forty-five.

2. This act shall take effect immediately.

Approved April 15, 1953.

CHAPTER 87

AN ACT concerning the State Highway Department and adding a route to the State highway system and designating it as a freeway.

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

R. S. 27:6-1. Route added, freeway.

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

Beginning at a point in Route No. S-4, at or near the Outerbridge crossing of Arthur Kill in the city of Perth Amboy and running thence in a general westerly direction through Woodbridge township,

Raritan township and Piscataway township to a point in Route No. 29 in or near Middlesex borough.

The route hereby established is hereby designated as a freeway as defined in chapter eighty-three of the laws of one thousand nine hundred and forty-five.

2. This act shall take effect immediately.

Approved April 15, 1953.

CHAPTER 88

AN ACT concerning elections, and amending section 19:45–6 of the Revised Statutes.

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

1. Section 19:45–6 of the Revised Statutes is amended to read as follows: Section amended.

19:45–6. The compensation of each member of the district boards for all services performed by them under the provisions of this Title shall be as follows: Compensation of district boards.

In counties wherein voting machines are used for all services rendered in holding the primary election, except services in mailing the ballots, twenty dollars ($20.00); for mailing the primary election sample ballots, in such counties wherein the district board shall mail the same, two dollars ($2.00); for mailing the general election sample ballots, in such counties wherein the district board shall mail the same, three dollars ($3.00); for all services on general election day, including the counting of votes and delivery of returns and ballot box contents to the municipal clerk, twenty dollars ($20.00); for all services at any special election, twenty dollars, ($20.00).

In all other counties for all services rendered in holding the primary election, except services in

mailing the ballots, thirty dollars ($30.00); for mailing the primary election sample ballots, seven dollars and fifty cents ($7.50); for mailing the general election sample ballots, seven dollars and fifty cents ($7.50); for all services on general election day, including the counting of votes and delivery of returns and ballot box with contents to the municipal clerk, thirty dollars ($30.00); for all services at any special election, thirty dollars ($30.00);

Such compensation shall be in lieu of all other fees and payments.

Compensation due each member shall be paid within thirty days but not within twenty days after each election; *provided, however*, that no compensation shall be paid to any such member until ten days after final order has been entered on any recount which may have been allowed affecting such district; *and provided, further,* that no compensation shall be paid to any member of any such district board who may have been removed from office or application for the removal of whom is pending under the provisions of section 19:6–4 of this Title.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 15, 1953.

CHAPTER 89

AN ACT to amend and supplement "An act prescribing a standard form of fire insurance policy, endorsements and supplemental contracts, and repealing sections 17:36–3, 17:36–4, 17:36–5, and 17:36–7 of the Revised Statutes," approved April twentieth, one thousand nine hundred and forty-four (P. L. 1944, c. 171).

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

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

C. 17:36-5.5. Approval of forms, supplemental contracts, extended coverage endorsements.

5. Appropriate forms of supplemental contract or contracts or extended coverage endorsements whereby the interest in the property described in such policy shall be insured against one or more of the perils which the insurer is empowered to assume, in addition to the perils covered by said standard fire insurance policy; also riders and endorsements whereby the insurer agrees to reimburse and indemnify the insured for the difference between the actual value of the insured property at the time any loss or damage occurs and the amount actually expended to repair, rebuild or replace with new materials of like size, kind and quality, such property as has been damaged or destroyed by fire or other perils insured against, may be approved by the Commissioner of Banking and Insurance, and their use in connection with the standard fire insurance policy may be authorized by him. The first page of the policy may in form approved by the Commissioner of Banking and Insurance be rearranged, and the attestation clause and facsimile signature of the president and secretary of the insurer or, for an insurer having no such officer or officers, the facsimile signature of such other person or persons as have authority

to execute policies may be transferred from the first page to a position following the standard provisions of the policy, to provide space for the listing of amounts of insurance, rates and premiums for the basic coverages insured under the standard form of policy, and for additional coverages or perils insured under endorsements attached, and such other data as may be conveniently included for duplication on daily reports for office records.

C. 17:36-5.5a. Provision severable.

2. The invalidity of any part or section of this act shall not affect the validity of the remaining parts or sections.

3. This act shall take effect immediately.

Approved April 15, 1953.

CHAPTER 90

AN ACT concerning regional school districts, and amending sections 18:8–1 and 18:8–17 of the Revised Statutes.

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

Section amended.

1. Section 18:8–1 of the Revised Statutes is amended to read as follows:

Question of creating regional board submitted to school election.

18:8–1. Whenever the boards of education of two or more school districts and the commissioner after study and investigation shall deem it advisable to unite in creating a regional school district and maintaining a regional board of education for the establishment and development of elementary schools, junior high schools, high schools, vocational schools, special schools, health facilities or particular educational service or facilities in the territory comprised within the school districts and shall determine whether the amounts to be raised

for annual or special appropriations for such regional school district pursuant to subsection three of section 18:8–17 of the Revised Statutes are to be apportioned upon the basis of ratables, or of average daily attendance, of the districts during the preceding school year, each of the district boards shall call and conduct an election in the manner provided for the conduct of school elections in chapter seven of this Title (§ 18:7–1 et seq.) and submit the question of creating and maintaining a regional board of education for any one or more specific purposes. In the question so submitted shall be set forth whether the amounts to be raised for annual or special appropriations pursuant to subsection three of section 18:8–17 of the Revised Statutes are to be apportioned upon the basis of ratables or average daily attendance of the districts during the preceding school year, as determined by the boards of education of the constituent districts.

Section amended.

2. Section 18:8–17 of the Revised Statutes is amended to read as follows:

Apportionment.

18:8–17. The amounts authorized for annual or special appropriations or the amounts to be raised for interest and the redemption of bonds shall be apportioned among the districts by the regional board as follows:

(1) The amounts to be raised for interest and the redemption of bonds shall be apportioned upon the basis of ratables of the districts.

(2) The amounts to be raised for annual or special appropriations for regional districts created prior to the first day of July, one thousand nine hundred and fifty-three, shall be apportioned upon the basis of ratables of the districts.

(3) The amounts to be raised for annual or special appropriations for regional districts created on or subsequent to the first day of July, one thousand nine hundred and fifty-three, shall be apportioned either upon the basis of ratables or average daily attendance of the district during the preceding school year, whichever shall have been deter-

mined upon by the boards of education of the constituent districts and stated in the question of creating and maintaining a regional board of education submitted pursuant to section 18:8–1 of the Revised Statutes; but in cases where average daily attendance is to be used as a basis for apportionment, ratables shall be used until such time as average daily attendance statistics are available for the regional district.

The amount of money thus determined to be raised by the respective districts shall be certified to the county board or county boards of taxation and to the assessors of the several taxing districts so uniting and the amount thus apportioned to each taxing district shall be assessed, levied, and collected in the same manner and at the same time as other school taxes are assessed, levied and collected therein and shall be paid upon requisition as provided for in districts governed by chapter seven of this Title (§ 18:7–1 et seq.).

Note: Act effective.

3. This act shall take effect July first, one thousand nine hundred and fifty-three.

CHAPTER 91

AN ACT to amend "An act to provide additional buildings for the use of the State of New Jersey and departments, agencies, and instrumentalities of the State, in connection with the conduct of the State's business and functions and of the business and functions of such departments, agencies, and instrumentalities of the State and to establish the State Building Authority for that purpose; authorizing such departments, agencies, and instrumentalities of the State to enter into leases and contracts with the State Building Authority relating to such structures, space, buildings and facilities," approved June twenty-sixth, one thousand nine hundred and fifty (P. L. 1950, c. 255), as said Title was amended by chapter two hundred twenty-four of the laws of one thousand nine hundred and fifty-two.

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

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

3. General purpose of Authority. The Authority is created for the purpose of acquiring, constructing, maintaining, equipping, furnishing, repairing and operating a State office building in the city of Trenton, an administrative building or buildings for the use of the offices of the State Department of Education and a library building for the use of the State Department of Education on the campus of the New Jersey State Teachers College at Trenton, a dormitory building or buildings on the campus of the State University of New Jersey maintained by the trustees of Rutgers College in New Jersey, a building, or buildings, on the campus C. 52:18A-52. General purpose of authority.

of Newark College of Engineering for the purposes of instruction, motor vehicle inspection stations at a site or sites specified by the Director of the Division of Motor Vehicles and approved by the Attorney-General and the State House Commission, State Police barracks at a site or sites specified by the Superintendent of State Police and approved by the Attorney-General and the State House Commission, and housing for employees of State institutions operated by the Department of Institutions and Agencies at a site or sites specified by the Commissioner of Institutions and Agencies and approved by the State Board of Control of Institutions and Agencies and the State House Commission. The Authority shall lease or otherwise contract for the use of space in projects or parts thereof, but such leases shall be only to, and such contracts only with, the State or any departments, agencies, and instrumentalities of the State.

2. This act shall take effect immediately.

Approved April 16, 1953.

CHAPTER 92

AN ACT to validate certain judgments or decrees heretofore entered in suits to foreclose municipal liens, tax title liens or tax title lien certificate or certificates.

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

Certain final judgments and decrees validated.

1. All final judgments or decrees heretofore entered in the Superior Court or in the former Court of Chancery of this State in suits instituted therein for the purpose of foreclosing any municipal liens, tax title liens or a tax title lien certificate or certificates, in which suits the plaintiffs or complainants did not produce evidence that all subsequent

municipal liens had been paid to the time of the commencement of the suits before the entry of such final judgments or decrees, shall be good, valid and sufficient for all purposes whatsoever, if any such judgment or decree is valid in all other respects; *provided,* that all such subsequent municipal liens shall have actually been paid at any time prior to the effective date of this act; *and provided further,* that no proceeding shall have heretofore been instituted in any court in respect to the validity of any such judgment or decree.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 16, 1953.

CHAPTER 93

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

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

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

R. S. 27:6-1. Route added.

Route .... Beginning at State Highway Route No. 2 (Route 17) in the vicinity of its intersection with State Highway Route No. S-3 in or near the township of Lyndhurst, and running southerly east of Schuyler avenue in the township of Lyndhurst, borough of North Arlington, town of Kearny, and ending at the Jersey City and Newark Turnpike in or near the town of Harrison.

Freeway.

2. Said route is hereby designated a freeway as defined in chapter eighty-three of the laws of one thousand nine hundred and forty-five.

Numbered.

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

4. This act shall take effect immediately.

Approved April 16, 1953.

CHAPTER 94

AN ACT concerning workmen's compensation in relation to certain records and papers of the Division of Workmen's Compensation in the State Department of Labor and Industry.

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

C. 34:15-121. Destruction of certain records authorized, proviso.

1. Any records of, or pertaining to, workmen's compensation formal cases, wherein original claim petitions have been on file for twenty or more years, may be destroyed by the Division of Workmen's Compensation in the State Department of Labor and Industry; *provided,* the Commissioner of Labor and Industry shall approve such destruction.

C. 34:15-122. Records may be destroyed, proviso.

2. Any records of, or pertaining to, workmen's compensation of the kind and character specified in article six of chapter fifteen of Title 34 of the Revised Statutes, which have been or shall have been on file for eight or more years, may be destroyed by the Division of Workmen's Compensation; *provided,* the Commissioner of Labor and Industry shall approve such destruction.

C. 34:15-123. Agreements may be destroyed, proviso.

3. Agreements for the payment of workmen's compensation, which have been or shall have been

on file for eight or more years, may be destroyed by the Division of Workmen's Compensation; *provided,* the Commissioner of Labor and Industry shall approve such destruction. Any agreement, however, covering a period greater than eight years shall be kept on file for the full term of the agreement.

C. 34:15-124. Records may be destroyed, proviso.

4. Records and papers of, or pertaining to, workmen's compensation cases, on file in the Division of Workmen's Compensation and its predecessor, Workmen's Compensation Bureau, which do not constitute a part of the record of any workmen's compensation formal case, may be destroyed by the Division of Workmen's Compensation; *provided,* the Commissioner of Labor and Industry and the Bureau of Archives and History in the State Department of Education shall approve such destruction.

C. 34:15-125. Certain microfilmed records destroyed.

5. Any records of, or pertaining to, workmen's compensation formal cases, which have not been on file for twenty or more years but which have been microfilmed, provided such microfilms shall be preserved and arranged for convenient examination, may be destroyed by the Division of Workmen's Compensation; *provided,* the Commissioner of Labor and Industry shall approve such destruction.

C. 34:15-126. Microfilm as evidence.

6. Any microfilm made by the Division of Workmen's Compensation pursuant to law, or a certified copy of such microfilm, shall have the same force and effect as the original in any court or public proceeding and shall be evidential in like manner and to the same effect as though the original record had been there produced and proved.

C. 34:15-127. No official liability.

7. No official, or member of the Department of Labor and Industry, shall be held liable on his bond, or in the way of damages, for loss, or in any other manner, because of the destruction of any records or papers pursuant to this act.

8. This act shall take effect immediately.

Approved April 16, 1953.

CHAPTER 95

AN ACT respecting the powers and duties of deputy fish and game wardens, and amending section 23:2–11 of the Revised Statutes.

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

Section amended.

1. Section 23:2–11 of the Revised Statutes is amended to read as follows:

Powers and duties of deputy wardens.

23:2–11. The deputy wardens shall have all the powers and authority conferred on wardens, and shall be subject to the regulations provided by law for wardens, but shall receive no salary or other compensation from the State for the performance of duties of law enforcement.

2. This act shall take effect immediately.

Approved April 16, 1953.

CHAPTER 96

AN ACT to repeal section 23:4–58.2 of the Revised Statutes providing that persons shall report any fox killed in the State.

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

Section repealed.

1. Section 23:4–58.2 of the Revised Statutes is hereby repealed in its entirety.

2. This act shall take effect immediately.

Approved April 16, 1953.

CHAPTER 97

AN ACT to amend "An act concerning banking and banking institutions (Revision of 1948)," approved April 29, 1948 (P. L. 1948, c. 67).

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

1. Section 267 of the act of which this act is amendatory is amended to read as follows: Section amended.

267. Commissioner's powers on ultra vires, unlawful and unsafe practices; review. C. 17:9A-267. Commissioner's powers.

A. If the commissioner finds that a bank is violating the provisions of its certificate of incorporation, or is conducting its business in violation of any law of this State, or in an unsafe manner, he shall order the bank to cease its ultra vires, unlawful or unsafe practices, as the case may be.

B. An order of the commissioner made pursuant to subsection A of this section shall be subject to review, hearing and relief in the Superior Court by a proceeding in lieu of prerogative writ. The institution of proceedings for review in the Superior Court shall suspend the accrual of the penalties provided for by section 268 until the final determination of such proceedings.

2. This act shall take effect immediately.

Approved April 16, 1953.

CHAPTER 98

AN ACT concerning juries, and amending section 2A:69–1 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:69–1 of the New Jersey Statutes is amended to read as follows:

Qualifications for jury service.

2A:69–1. Every person, male and female, summoned as a grand juror, and every petit juror returned for the trial of any action of a civil or criminal nature in any of the courts of this State, shall be a citizen of this State for at least two years; over twenty-one and under seventy years of age; a resident of the county from which he shall be taken; shall not have been convicted of a crime; and shall not, at the time of his selection, be a person who through his office, position or employment is either directly or indirectly connected with the administration of justice. Such person shall be able to read, write and understand the English language and shall not have any mental or physical disability which will prevent him from properly serving as a juror.

2. This act shall take effect immediately.

Approved April 16, 1953.

CHAPTER 99

AN ACT for extending the time for completing certain railroads.

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

Extends time for completion of certain railroads.

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

Proviso.

Proviso.

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

Proviso.

Proviso.

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

Public act.

Approved April 16, 1953.

CHAPTER 100

AN ACT to amend "An act concerning savings and loan associations and building and loan associations, and revising chapter twelve of Title 17 of the Revised Statutes," approved April fourth, one thousand nine hundred and forty-six (P. L. 1946, c. 56).

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

Section amended.

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

C. 17:12A-151. Insured accounts eligible for investments.

151. Insured accounts eligible investment for trust and public funds, and savings banks and as security. All public funds, including those of the

State of New Jersey, or any county or municipality or other political subdivision of New Jersey, and those in the control or possession of any public board or official, and all trust funds of every character in the control or possession of any fiduciary or other person or corporation, may, without any order of any court, be invested in one or more accounts in any insured association or any Federal association whose principal office is located in New Jersey in any amounts up to, but not exceeding, the amounts for which such accounts are insured. Any savings bank may invest in one or more accounts in any such association in any amounts up to, but not exceeding, the amounts for which such accounts are insured.

Any such account, in any amount up to, but not exceeding, the amount for which it is insured, shall be eligible for acceptance as security, whenever security is required by any law of this State.

2. This act shall take effect immediately.

Approved April 16, 1953.

CHAPTER 101

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and fifty-three, and regulating the disbursement thereof," approved April seventeenth, one thousand nine hundred and fifty-two.

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

Supplemental appropriations.

1. The following sums are hereby appropriated out of the General Treasury for the purposes hereinafter specified:

DEPARTMENT OF LAW AND PUBLIC SAFETY

Law Enforcement Council

Law enforcement council.

For administration expenses in carrying out the provisions of chapter 253 of the Laws of 1952 ..... $250,000 00

DEPARTMENT OF LAW AND PUBLIC SAFETY

Division of Law

Division of law.

Amount to cover fees of former Senator James Davis, of Burlington, John A. Mathews, of Essex County, and Milton B. Conford, of Union County, representing costs in the litigation of the recent Burlington Bridge matter $22,500 00

DEPARTMENT OF LAW AND PUBLIC SAFETY

D 10. *Division of Law*

Extraordinary:		
Expenses relative to New Jersey-New York Water Diversion Litigation		$250,000 00

D 40. *Division of Motor Vehicles*

Services Other Than Personal:			Motor vehicles.
Printing, binding, photography and blueprinting		$25,000 00	

DIVISION OF MOTOR VEHICLES

D 41. *Security Responsibility Bureau*

Salaries:			
Officers and employees		$73,560 00	
Materials and Supplies:			Security responsibility.
Stationery and office..	$1,250 00		
Printing, binding, photography and blueprinting	18,750 00		
		20,000 00	
Services Other Than Personal:			
Traveling expenses ..	$75 00		
Telephone and telegraph	750 00		
Rent: Office	9,702 75		
Postage	2,500 00		
Miscellaneous expenses	1,375 00		
		14,402 75	

Current Repairs and Maintenance:		
Office furniture, machines and equipment		250 00
Extraordinary:		
Employees' retirement system contribution		5,000 00
Additions and Improvements:		
Office equipment		50,000 00
		$163,212 75

DIVISION OF PROFESSIONAL BOARDS

12 D 60. *State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians*

Professional boards.

Salaries:		
Officers and employees	$5,250 00	
Special services	680 00	
		$5,930 00
Materials and Supplies:		
Stationery and office	$500 00	
Printing, binding, photography and blueprinting	800 00	
		1,300 00
Services Other Than Personal:		
Traveling expenses	$500 00	
Telephone and telegraph	150 00	
Subscriptions and membership dues	500 00	
Postage	300 00	
		1,450 00

Additions and Improvements:	
Office equipment	500 00
	$9,180 00

DEPARTMENT OF THE TREASURY

E 20. *Division of Budget and Accounting*

Budget and accounting.

Revenues derived from participating political subdivisions are hereby appropriated for administering the provisions of Chapter 253, of the Laws of 1951.

DEPARTMENT OF DEFENSE

J 11. *National Guard and/or State Guard*

National guard.

Extraordinary:
For expenditures in carrying out the provisions of Senate 119; *provided,* such Senate bill is enacted into law $190,000 00

DEPARTMENT OF LABOR AND INDUSTRY

DIVISION OF EMPLOYMENT SECURITY

1 M 31. *Disability Insurance Service*

Employment security.

There is hereby appropriated out of the Temporary Disability Benefits Administration Fund, such sums as are required for the administration of the Disability Insurance Service; *provided,* the expenditure of such funds are approved by the Director of the Division of Budget and Accounting.

Proviso.

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

N 20. *Bureau of Navigation*

Navigation.

Amount to cover the State's share of an initial payment to build a harbor of refuge at Atlantic City	$10,000 00

DEPARTMENT OF EDUCATION

P 10. *Commissioner's Office*

Education.

Extraordinary:	
For administrative expenses covering research and experimental activities in television	$75,000 00

P 70. *Rutgers University, The State University of New Jersey*

New Buildings and Land:	
For the purchase of land and building for the South Jersey College, including the cost of reconstruction	35,000 00
	$110,000 00

R 12. State Highway Department

Highway.

There is appropriated to the State Highway Department for construction purposes, such sums as may be received from the Federal Government; the New Jersey Turnpike Authority; the Garden State Parkway Authority; the Delaware River Joint Toll Bridge Commission and the Delaware River Authority.

T 20. Pensions and Contributions to State Pension System Funds

Pension systems.

Prison Officers Pension Fund:		
State's contribution ..	$5,000 00	
Veterans Act Pensions:		
Additional amount for 1952-53	45,000 00	
		$50,000 00

U 30. Joint Legislative Committee to Investigate and Report Upon Law Enforcement

Law enforcement.

For expenses in connection with carrying out the provisions of Senate Concurrent Resolution No. 2	$25,000 00

CLAIMS

Department of the Treasury

Claims.

Delaware Construction and Landscape Co., 227 E. Hanover St., Trenton, N. J., for extra labor and other costs encountered in construction difficulties installing Petty Run drain across Lafayette Boulevard, Trenton	$2,500 00
Estate of C. Elizabeth Lester Wean (Alfred Munoz, Metuchen, Helen Poliakoff, New Buffalo, Mich.), for losses, indignities and humiliations suffered by claimant through conviction of crimes and imprisonment therefor	1,000 00
Elblum Holding Corporation, Park Square, Morristown, N. J., for rental of office space to the State Board of Child Welfare, in 1947, which sum shall be paid from funds presently appropriated to the department, $250.00.	

Department of State, Office of Athletic Commissioner.

Morris Mogolever, for extra services, for 1950-51	568 52

Department of Defense, Office of Civil Defense

Dr. Marie A. Sena, Department of Health, State House, for expenditures made personally during 1951-52, for setting up training schools for instruction of volunteers, etc., which sum is to be paid from moneys presently appropriated to the Department of Defense, $102.60.	

Department of Conservation and Economic Development

Mrs. Mary McLane, Menlo Park, N. J., for repairs and improvements to State-owned residence at Edison Tower Monument in Menlo Park	370 25
Mr. and Mrs. J. J. Buganski, parents of Frances Buganski, 508 Washington Ave., Woodbine, N. J., for medical expenses and	

damages sustained by Frances Buganski, at the Belleplain State Forest Lake on June 2, 1952, this sum to be paid from the Hunters' and Anglers' Fund, $3,904.90.

Department of Highways

Isidore Waltuch, 215 Mellon Place, Elizabeth, N. J., $156.18, for damage to claimant's automobile occasioned while driving car on dividing curb at approach to Pulaski Skyway when Department had not determined that warning signs would be necessary, this claim to be paid from funds presently appropriated, to the Department of Highways.

Horni Instrument Co., 75 Sanford Place, Newark, N. J., for certain highway signal equipment delivered in 1942 which was used or is still in stock but for which payment has not as yet been made, $8,930.84, this sum to be paid from funds presently appropriated to the Department of Highways.

Union Building and Construction Company, c/o Harry L. Towe, Esq., 241 Main St., Hackensack, N. J., $22,780.00, for excess costs arising from the unavailability of right-of-way, delay, excessive moving and inability to proceed with schedule, on a contract for the extension of Route 26, Section 2-C in the Trenton area, which is to be paid from funds presently appropriated to the department.

C. Van Chamberlin Company, c/o Toolan, Haney and Romond, Esqs., First Bank and Trust Co., Perth Amboy, N. J., $3,500.00, for the return of bidder's deposit on a contract to construct a new wing at State Prison Farm, Rahway, which funds are to be paid from the Institution Construction Bond Fund, provided in Chapter 57, P. L. 1950.

Richardson Engineering Co., New Brunswick, N. J., $2,216.50, for the removal of rock

material in connection with work done at the Village for Epileptics, Skillman, which sum is to be paid from the Institution Construction Bond Fund, provided in Chapter 57, P. L. 1950.

Department of Institutions and Agencies

Parents of Gwendolyn Walton, 311 Norfolk St., Newark, N. J., for amputation of her left middle finger while working on a State truck making deliveries at the State Home for Girls, Trenton, ... 500 00
of which $50.00 be payable immediately to claimant and her attorney, with balance payable on a monthly basis over a period of 30 weeks.

David Morrison, inmate No. 29686, Drawer N, Trenton, N. J., for loss of 50 per cent of the use of right hand while operating a hand-fed press in the State Prison, Trenton, $767.00, of which $76.70 be payable immediately to claimant and his attor-

ney, with balance payable on a monthly basis over a period of 115 weeks commencing with date of parole, which sum shall be paid from the State Use Revolving Fund.

Russell King, inmate No. 25451, for loss of sight of one eye in an accident at the automobile tag shop at the State Prison, Trenton, $1,500.00, of which $150.00 be payable immediately to claimant and his attorney, with the balance on a monthly basis over a period of 75 weeks commencing with date of parole, which sum shall be paid from the State Use Revolving Fund.

Palisades Interstate Park Commission

For loss of tax revenue for local purposes from lands owned by Palisades Interstate Park Commission:		
Borough of Alpine.	$4,920 36	
Borough of Englewood Cliffs	10,704 47	
Borough of Fort Lee	10,084 13	
Total Palisades Interstate Park Commission ...	$25,708 96	
Total Claims		$30,647 73
Grand Total, Supplemental Appropriations		$1,135,540 48

The above appropriated items for claims are in full settlement of all claims of every character, and the acceptance of said sums shall constitute a full and complete release and acquittance to the State of New Jersey, its agencies and instrumentalities.

2. This act shall take effect immediately.

Approved April 18, 1953.

CHAPTER 102

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 fifty-four, and regulating the disbursement thereof.

ANTICIPATED REVENUES FOR THE FISCAL YEAR 1953-54

Revenues

Anticipated revenues.

Estimated balance, July 1, 1953 ...	$24,181,131 00
Reserved for Supplemental Appropriations of prior years	1,135,540 48
Revised estimated balance, July 1, 1953	$23,045,590 52

Major Taxes and Fee Revenue

Transfer inheritance taxes	$10,000,000 00
Main stem and franchise-excise taxes	4,400,000 00
Miscellaneous corporation taxes, domestic and foreign	9,300,000 00
Domestic life insurance corporation taxes	700,000 00
Foreign insurance corporation taxes	8,350,000 00
Beverage taxes	15,100,000 00
Taxes on cigarettes	20,100,000 00
Revenue from pari-mutuel racing..	16,000,000 00
Tax on motor fuels	41,500,000 00
Motor vehicle fees, fines, et cetera..	46,000,000 00
Motor vehicle inspection fees	1,500,000 00
Motor vehicle fees—(Administering Security Responsibility Law)....	452,851 00

Other Taxes, Licenses, Fees and Departmental Revenue

Department of Law and Public Safety:	
Beverage licenses	$612,000 00
Professional Examining Boards Fees	345,300 00
Tenement House Supervision	36,000 00
Fees Hotel Fire Safety Inspection	26,000 00
Department of Weights and Measures	40,000 00
Bus excise taxes	110,000 00
Department of the Treasury:	
Interest on deposits	250,000 00
Escheats	292,250 00
Outdoor advertising permits	70,000 00
Dividends	18,870 00
Division of Local Government	75,000 00
Fees, Bureau of Architecture	40,000 00
Public Utility Tax (Administration)	30,935 00
Department of State:	
General revenue, fees	500,000 00
Commissions	70,000 00
Athletic commissioner	50,000 00
Department of Banking and Insurance:	
Examining and other fees	1,380,000 00
Real Estate Commission	323,000 00
Department of Agriculture:	
General fees	60,000 00
Milk control licenses and fees	110,000 00
Department of Public Utilities:	
Fees	75,000 00

Department of Health:	
General fees	78,000 00
Rabies control licenses	82,000 00
Board of Beauty Control, licenses and fees	116,852 00
Board of Barber Examiners, licenses and fees	79,330 00
Department of Labor and Industry:	
Permits, fees and other revenue	200,000 00
1% workmen's compensation insurance tax	200,000 00
Department of Conservation and Economic Development:	
Hunters' and anglers' licenses	1,040,000 00
Federal aid, public hunting and fishing grounds	70,000 00
Division of Planning and Development, licenses, fees, et cetera	195,000 00
Receipts, Commissioners of Pilotage	11,466 00
Excess water diversion fees	125,000 00
Well drillers licenses and permits	12,000 00
Receipts, Division of Water Policy	80,000 00
Division of Shell Fisheries, licenses and fees	100,000 00
Receipts Morris canal fund	35,000 00
Rentals veterans' housing	510,000 00
Department of Education:	
Tuition fees, State Teachers Colleges	313,300 00
Tuition and other fees, New Jersey School of Conservation	25,000 00
Extension and summer school fees, State Teachers Colleges	270,000 00
Cafeteria and boarding halls fees	542,935 00
Board and fees, Manual Training and Industrial School, Bordentown	55,000 00

Board and fees, School for the Deaf	9,500 00
Academic certificate fees	19,000 00
Fees, State Board of Examiners	20,000 00
Fees, Agricultural Experiment Station	70,000 00
Fertilizer inspection fees, Agricultural Experiment Station	100,000 00
State Highway Department:	
Miscellaneous receipts	50,000 00
Department of Institutions and Agencies:	
Board of patients and other income	10,644,700 00
Adoption law fees	20,000 00
Federal aid, soldiers' homes	81,500 00
Federal aid, administration—aid to dependent children	300,000 00
Federal aid, administration of bureau of assistance	160,000 00
Federal aid, administration of blind	83,580 00
Judiciary:	
Court fees	950,000 00
Unclassified:	
Miscellaneous revenues	100,000 00
Total revenues	$194,666,369 00

Interfund Transfers

School Fund	$424,848 00
Special State Aid Road Fund	277,497 00
1837 Surplus Revenue Fund	16,000 00
General Investment Fund	300,000 00
State Disability Benefits Fund	1,235,621 00
Veterans Guaranteed Loan Fund ..	23,000 00
From Special Funds—(Share of Pension Contributions)	400,000 00
Total Transfers	$2,676,966 00
Total Resources Available for Appropriations	$220,388,925 52

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

Annual appropriation.

1. The appropriations herein made or so much thereof as may be necessary are hereby appropriated for the respective public officers and for the several purposes herein specified for the fiscal year ending on the thirtieth day of June, one thousand nine hundred and fifty-four. The appropriations herein made shall be available for expenditure during said fiscal year and for a period of two months thereafter to pay obligations incurred during said fiscal year only. At the expiration of said two months period all unexpended balances except those specifically held by contracts on file with the State Treasurer shall lapse into the State treasury or, in cases of appropriations from special funds, shall lapse to the credit of such special funds. Nothing in this section or in this act contained shall be construed to prohibit the payment due upon any contract made under any appropriation contained in any appropriation bill of the previous year or years.

GENERAL STATE PURPOSES

A 10. LEGISLATURE

Legislature.

Salaries:		
Senators and Assemblymen	$245,000 00	
Secretaries - Members of Legislature	28,500 00	
Other officers and employees	48,225 00	
		$321,725 00
Materials and Supplies:		
Legislative printing, including printing of public documents	$180,000 00	
Manuals of the Legislature	6,000 00	
		186,000 00
Services Other Than Personal:		
Indexing Journal and Minutes and other incidental and contingent expenses		110,000 00
Extraordinary:		
For expenditures in connection with the establishing of a Legislative Research Bureau, including the expenses of the commission established to inquire into the necessity for establishing such research bureau		50,000 00
		$667,725 00

A 11. LAW REVISION AND BILL DRAFTING COMMISSION

Law revision and bill drafting commission.

Salaries:		
Chief counsel and executive director ...	$12,600 00	
Other officers and employees	42,060 00	
Special per diem services	2,500 00	
		$57,160 00
Materials and Supplies:		
Stationery and office .	$400 00	
Printing, binding, photography and blueprinting	400 00	
Educational, recreational and library ..	750 00	
Replacement: Office equipment	100 00	
		1,650 00
Services Other Than Personal:		
Traveling expenses ..	$300 00	
Household or office ...	45 00	
		345 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		25 00
Additions and Improvements:		
Office equipment		100 00
The unexpended balance in the Control Account (A-11-0) of the Law Revision and Bill Drafting Commission, as of June 30, 1953, is hereby reappropriated for use in the fiscal year 1953-54, to be used partly for the codification of laws.		
		$59,280 00

B 10. State Auditor's Department

State auditor's department.

Salaries:		
State Auditor	$10,000 00	
Other officers and employees	295,455 00	
		$305,455 00
Materials and Supplies:		
Motor vehicular transportation	$200 00	
Stationery and office .	1,100 00	
Printing, binding, photography and blueprinting	100 00	
		1,400 00
Services Other Than Personal:		
Traveling expenses ..	$21,000 00	
Household or office ...	25 00	
Subscriptions and membership dues ..	83 00	
Miscellaneous expenses	25 00	
		21,133 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		400 00
		$328,388 00

C 10. Chief Executive's Office

Governor.

Salaries:		
Governor	$24,583 33	
Secretary to the Governor	12,000 00	
Other officers and employees	65,965 00	
		$102,548 33

Materials and Supplies:		
Motor vehicular transportation	$1,500 00	
Stationery and office .	4,000 00	
Replacement: Office equipment	500 00	
		6,000 00
Services Other Than Personal:		
Subscriptions and membership dues ..	$700 00	
Miscellaneous expenses	1,500 00	
		2,200 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		200 00
Extraordinary:		
To enable the Governor in his discretion to meet any emergency requiring the expenditure of money not otherwise appropriated, including entertainment on behalf of the State and to cover any incidental personal expenses or the expenses of commissioners appointed by him under statute .	$12,500 00	
Expenses for the Governor-elect	5,000 00	
Inauguration expenses	2,500 00	
		20,000 00

The unexpended balance June 30, 1953, in the account "Expenses in carrying out the provisions of chapter 16, laws of 1941," is hereby reappropriated for the same purpose in 1953-54.		
		$130,948 33

D 00. Department of Law and Public Safety

Administration

Law and public safety.

Salaries:		
Attorney-General	$18,000 00	
Other officers and employees	85,250 00	
New positions	9,180 00	
		$112,430 00
Materials and Supplies:		
Motor vehicular transportation	$700 00	
Stationery and office .	500 00	
Printing, binding, photography and blueprinting	700 00	
Replacement: motor vehicles	600 00	
		2,500 00
Services Other Than Personal:		
Traveling expense ...	$300 00	
Freight, express and cartage	50 00	
Subscriptions and membership dues ..	350 00	
Miscellaneous expense	50 00	
		750 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$100 00	
Automotive	400 00	
		500 00
		$116,180 00

D 10. *Division of Law*

Salaries:		
Other officers and employees	$368,570 00	
New positions	11,940 00	
Transcript of statutory proceedings	5,000 00	
		$385,510 00
Materials and Supplies:		
Motor vehicular transportation	$3,000 00	
Stationery and office	3,500 00	
Printing, binding, photography and blueprinting	4,500 00	
Educational, recreational and library	1,200 00	
		12,200 00
Services Other Than Personal:		
Traveling expenses	$5,000 00	
Household or office	150 00	
Advertising	750 00	
Subscriptions and membership dues	800 00	
Expenses of special investigations	5,000 00	
Court costs	1,000 00	

Witness fees, condemnation, commissioners and stenographic fees	3,000 00	
Miscellaneous expenses	200 00	
		15,900 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$100 00	
Automotive	300 00	
		400 00

Additions and Improvements:	
Office equipment	3,000 00

In addition to the amounts hereinabove appropriated, all funds received by the Department of Law from the various counties as reimbursement for special investigations for the fiscal years 1952-53 and 1953-54, are hereby appropriated to the Department of Law, to constitute a revolving fund for the purpose of continuing such special investigations.

The balance as at June 30, 1953, in the revolving fund established to provide for the expenses in operating chapter 357, P. L. 1951, together with all receipts is hereby appropriated for use during 1953-54; *provided, however,* that any sums in excess of $50,000.00 as at the close of the fiscal year shall lapse into the general treasury.

The unexpended balance as at June 30, 1953, in the account for Administrative Expenses of the Law Enforcement Council is hereby reappropriated for use during 1953-54.		
The unexpended balance in the account of the New Jersey-New York Water Diversion Litigation, as of June 30, 1953, is hereby reappropriated.		
		$417,010 00

D 11. *Bureau of Traffic Safety*

Salaries:		
Officers and employees		$266,865 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$1,700 00	
Motor vehicular transportation	5,800 00	
Stationery and office..	5,000 00	
Printing, binding, photography and blueprinting	1,200 00	
		13,700 00
Services Other Than Personal:		
Traveling expenses ..	$2,000 00	
Rent: Garages	1,500 00	
Rent: Office appliances	6,720 00	
Freight, express and cartage	200 00	

Subscriptions and membership dues ..	400 00	
Safety education program	20,000 00	
Miscellaneous expenses	1,000 00	
		31,820 00
Current Repairs and Maintenance:		
Automotive		2,000 00
		$314,385 00

D 20. *Division of State Police (General)*

Salaries:		
Colonel and superintendent	$13,000 00	
Other officers and employees	2,949,951 00	
New positions	95,280 00	
Cash in lieu of food maintenance	502,084 00	
Clothing allotment (61 detectives)	7,320 00	
Contingencies and special services	1,500 00	
Medical and surgical services	15,000 00	
		$3,584,135 00
Materials and Supplies:		
Food	$25,000 00	
Clothing	100,000 00	
Heat, light, power, water, gas and electricity	42,000 00	
Household and organization	33,500 00	
Drugs, medical, surgical and chemical ...	5,000 00	

Scientific, laboratory and chemicals	1,500 00	
Motor vehicular transportation	200,000 00	
Stationery and office..	20,000 00	
Printing, binding, photography and blueprinting	4,000 00	
Replacement: motor vehicles	120,000 00	
Replacement: Office equipment	7,500 00	
Replacement: Tools and equipment	3,000 00	
Replacement: Photographic equipment .	1,000 00	
Replacement: Gymnasium equipment..	2,500 00	
		565,000 00

Services Other Than Personal:

Traveling expenses ..	$7,500 00	
Rent: Buildings	132,000 00	
Rent: Garages	100 00	
Rent: Office appliances	3,966 00	
Rent: Communication instruments and power	44,000 00	
Rent: New communication system	160,000 00	
Freight, express and cartage	100 00	
Household or office ..	1,000 00	
Subscriptions	300 00	
Investigation expenses	3,000 00	
Emergency fund	1,000 00	
		352,966 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$1,000 00	
Buildings and grounds	37,500 00	
Automotive equipment	60,000 00	
Household furniture, machinery and equipment	500 00	
Recreational equipment	50 00	
Parts, tools and repairs	8,000 00	
Other equipment	200 00	
		107,250 00
Extraordinary:		
Compensation awards		1,303 53
Additions and Improvements:		
Furniture, furnishings and fixtures	$7,500 00	
Office equipment	40,000 00	
Motor vehicles	125,000 00	
Scientific equipment	4,000 00	
Photographic equipment	3,000 00	
Educational equipment	1,000 00	
Gymnasium equipment	1,000 00	
Household equipment	33,500 00	
Plant equipment	7,500 00	
Emergency equipment	40,000 00	
		262,500 00

In addition to the amounts hereinabove specifically appropriated to the Division of State Police there is appropriated such sums as may be received from the Garden State Parkway and the New Jersey Turn-

pike Authority together with the balances of such funds remaining as of July 1, 1953, for the cost of training State Policemen and for the cost of State Police services to be used on the Garden State Parkway and the New Jersey Turnpike.		
The unexpended balance as at June 30, 1953, in the account for rentals of State Police Barracks is hereby reappropriated for use during 1953-54.		
Subtotal, State Police, General		$4,873,154 53

D 21. *Bureau of Tenement House Supervision*

Salaries:		
Officers and employees		$106,065 00
Materials and Supplies:		
Motor vehicular transportation	$500 00	
Stationery and office..	400 00	
Printing, binding, photography and blueprinting	400 00	
Replacement: Office equipment	250 00	
		1,550 00
Services Other Than Personal:		
Traveling expenses ..	$6,000 00	
Rent: Garages	240 00	
Household or office ..	175 00	
Subscriptions and membership dues ..	100 00	
		6,515 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$50 00	
Automotive	300 00	
		350 00
Subtotal, Bureau of Tenement House Supervision		$114,480 00

D 22. *Office of Supervisor of Hotel Fire Safety*

Materials and Supplies:		
Motor vehicular transportation	$425 00	
Stationery and office	200 00	
Printing, binding, photography and blueprinting	100 00	
		$725 00
Services Other Than Personal:		
Traveling expenses	$550 00	
Rent: Garages	144 00	
		694 00
Current Repairs and Maintenance:		
Automotive		250 00
Subtotal, Office of Supervisor of Hotel Fire Safety		$1,669 00
Total Appropriation, Division of State Police		$4,989,303 53

D 30. *Division of Alcoholic Beverage Control*

Salaries:		
Director	$13,000 00	
Other officers and employees	662,550 00	
Seasonal employees	8,500 00	
		$684,050 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$25 00	
Household and organization	350 00	
Drugs, medical, surgical and chemical	400 00	
Motor vehicular transportation	300 00	
Stationery and office	5,000 00	
Printing, binding, photography and blueprinting	5,500 00	
Other materials	1,500 00	
Microfilming records	1,000 00	
		14,075 00
Services Other Than Personal:		
Traveling expenses	$72,000 00	
Rent: Storage and Control Rooms	250 00	
Rent: Equipment	150 00	
Trucking and wrecking	3,000 00	
Household or office	400 00	
Advertising	1,000 00	
Subscriptions and membership dues	1,800 00	
Subpœna fees and court reporting services	1,500 00	

Miscellaneous expenses	750 00	
		80,850 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$1,500 00	
Automotive	200 00	
		1,700 00
Extraordinary:		
Compensation awards		1,175 72
Additions and Improvements:		
Office equipment		500 00
		$782,350 72

D 40. *Division of Motor Vehicles*

Salaries:		
Director	$13,000 00	
Other officers and employees	3,624,348 62	
New positions	950,640 00	
Seasonal help	10,000 00	
		$4,597,988 62
Materials and Supplies:		
Inspectors' and examiners' uniforms .	$89,000 00	
Heat, light, power, water, gas and electricity	19,000 00	
Motor vehicular transportation	175,000 00	
Stationery and office .	25,000 00	
Station and central office supplies	1,000 00	

Printing, binding, photography and blueprinting	110,000 00	
Replacement: Motor vehicles	20,000 00	
Replacement: Office equipment	5,500 00	
Metal and material for markers	300,000 00	
Station cleanser, oil and grease	1,500 00	
		746,000 00
Services Other Than Personal:		
Traveling expenses ..	$2,500 00	
Rent: Garages	8,000 00	
Rent: Office appliances	756 00	
Rent: Typewriters (agents)	2,450 00	
Rent: Communications equipment	15,164 00	
Freight, express and cartage	4,000 00	
Subscriptions and membership dues ..	150 00	
Witness fees	1,500 00	
Miscellaneous expenses	10,000 00	
Microfilming numerical file of registration and drivers' licenses	10,000 00	
		54,520 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$7,500 00	
Buildings and grounds (Camden, Woodbury and Trenton).	2,000 00	

Automotive	17,000 00	
Equipment (30 testing stations)	5,000 00	
		31,500 00
Extraordinary:		
Compensation awards	$2,872 00	
Pension—William K. Teel, retired	88 80	
		2,960 80
Additions and Improvements:		
Station and central office equipment	$2,000 00	
Filing cabinets	4,000 00	
Motor vehicles and equipment	52,200 00	
Testing equipment ..	5,000 00	
Special examination center equipment ..	6,000 00	
		69,200 00
		$5,502,169 42

D 41. *Security Responsibility Bureau*

Salaries:		
Officers and employees		$294,240 00
Materials and Supplies:		
Stationery and office..	$5,000 00	
Printing, binding, photography and blueprinting	75,000 00	
		80,000 00
Services Other Than Personal:		
Traveling expenses	$300 00	
Telephone and telegraph	3,000 00	

Rent: Office	38,811 00	
Postage	10,000 00	
Miscellaneous expenses	5,500 00	
		57,611 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		1,000 00
Extraordinary:		
Employees' retirement system contribution		20,000 00
		$452,851 00

D 50. *Division of Weights and Measures*

Salaries:		
State superintendent	$10,000 00	
Other officers and employees	122,749 50	
		$132,749 50
Materials and Supplies:		
Motor vehicular transportation	$2,000 00	
Stationery and office	500 00	
Printing, binding, photography and blueprinting	2,400 00	
Other materials	75 00	
Seals and license plates	2,400 00	
		7,375 00
Services Other Than Personal:		
Traveling expenses	$12,000 00	
Rent: Garages	300 00	
Freight, express and cartage	15 00	

Subscriptions and membership dues ..	50 00	
Miscellaneous expenses	100 00	
		12,465 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$50 00	
Buildings and grounds	100 00	
Automotive	1,000 00	
Scientific and laboratory equipment	50 00	
Repairs and maintenance of scales	1,000 00	
		2,200 00
Additions and Improvements:		
Scales, weights and gauges		500 00
		$155,289 50

DIVISION OF PROFESSIONAL BOARDS

1 D 60. *State Board of Public Accountants*

Salaries:		
Officers and employees	$8,280 00	
Special services	10,800 00	
		$19,080 00
Materials and Supplies:		
Stationery and office..	$900 00	
Printing, binding, photography and blueprinting	400 00	
		1,300 00

Services Other Than Personal:		
Telephone and telegraph	$175 00	
Rent: Office	540 00	
Rent: Examination rooms	1,000 00	
Subscriptions and membership dues	110 00	
Postage	250 00	
		2,075 00
		$22,455 00

2 D 60. *New Jersey State Board of Architects*

Salaries:		
Officers and employees		$14,490 00
Materials and Supplies:		
Stationery and office	$300 00	
Printing, binding, photography and blueprinting	550 00	
Seal presses	400 00	
		1,250 00
Services Other Than Personal:		
Traveling expenses	$1,000 00	
Telephone and telegraph	255 00	
Rent: Office	1,908 00	
Insurance: Other than fire	34 00	
Freight, express and cartage	10 00	
Subscriptions and membership dues	230 00	
Postage	400 00	
Examination expenses	700 00	
Filing fees	100 00	
		4,637 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment		80 00
Additions and Improvements:		
Office equipment		100 00
		$20,557 00

3 D 60. *State Board of Dentistry*

Salaries:		
Secretary-Treasurer	$7,300 00	
Officers and employees	9,600 00	
Special services	90 00	
		$16,990 00
Materials and Supplies:		
Stationery and office	$450 00	
Printing, binding, photography and blueprinting	1,200 00	
Educational, recreational and library	50 00	
Replacement: Office equipment	400 00	
		2,100 00
Services Other Than Personal:		
Traveling expenses	$3,000 00	
Telephone and telegraph	400 00	
Rent: Office	1,440 00	
Insurance: Other than fire	125 00	
Advertising	50 00	
Subscriptions and membership dues	150 00	
Investigation expenses	7,500 00	
Postage	500 00	

Examination expenses	600 00	
Miscellaneous expenses	200 00	
		13,965 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		100 00
Extraordinary:		
Employees' retirement system contribution		690 00
		$33,845 00

4 D 60. *State Board of Mortuary Science*

Salaries:		
Officers and employees	$12,010 00	
Special services	600 00	
		$12,610 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$350 00	
Stationery and office	250 00	
Printing, binding, photography and blueprinting	200 00	
		800 00
Services Other Than Personal:		
Traveling expenses	$2,525 00	
Telephone and telegraph	400 00	
Rent: Office	600 00	
Rent: Examination rooms	170 00	

Insurance: Other than fire	35 00	
Household or office	70 00	
Subscriptions and membership dues	200 00	
Postage	400 00	
Examination expenses	1,000 00	
		5,400 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		62 00
		$18,872 00

5 D 60. *State Board of Professional Engineers and Land Surveyors*

Salaries:		
Officers and employees		$17,970 00
Materials and Supplies:		
Stationery and office	$600 00	
Printing, binding, photography and blueprinting	1,500 00	
Replacement: Office equipment	270 00	
Engrossing certificates	400 00	
		2,770 00
Services Other Than Personal:		
Traveling expenses	$1,000 00	
Telephone and telegraph	1,400 00	
Rent: Office	3,204 00	
Insurance: Other than fire	31 10	
Household or office	125 00	

Subscriptions and membership dues ..	508 00	
Postage	1,300 00	
Examination expenses	2,000 00	
Filing and notary fees	250 00	
		$9,818 10
Current Repairs and Maintenance:		
Office furniture, machines and equipment		100 00
Additions and Improvements:		
Office equipment		100 00
		$30,758 10

6 D 60. *State Board of Medical Examiners*

Salaries:		
Officers and employees	$24,480 00	
Special services	7,000 00	
		$31,480 00
Materials and Supplies:		
Motor vehicular transportation	$400 00	
Stationery and office..	400 00	
Printing, binding, photography and blueprinting	750 00	
Replacement: Office equipment	100 00	
		1,650 00
Services Other Than Personal:		
Traveling expenses ..	$1,500 00	
Telephone and telegraph	250 00	
Rent: Office	1,788 40	
Rent: Garages	180 00	

Rent: Examination rooms	300 00	
Insurance: Other than fire	30 00	
Freight, express and cartage	70 00	
Household or office	75 00	
Subscriptions and membership dues	50 00	
Enforcement and investigation expenses	5,000 00	
Postage	700 00	
Miscellaneous expenses	100 00	
		10,043 40
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$50 00	
Automotive	100 00	
		150 00
		$43,323 40

7 D 60. *State Board of Nursing*

Salaries:		
Executive secretary	$6,500 00	
Officers and employees	50,650 00	
Special services	1,200 00	
		$58,350 00
Materials and Supplies:		
Stationery and office	$2,000 00	
Printing, binding, photography and blueprinting	2,700 00	
Educational, recreational and library	100 00	
		4,800 00

Services Other Than Personal:		
Traveling expenses ..	$2,000 00	
Telephone and telegraph	1,000 00	
Rent: Office	5,674 50	
Rent: Office equipment	426 00	
Rent: Examination rooms	750 00	
Insurance: Other than fire	235 66	
Freight, express and cartage	200 00	
Household or office ..	170 00	
Subscriptions and membership dues ..	125 00	
Legal expenses	100 00	
Postage	3,500 00	
Examination expenses	3,500 00	
IBM services	2,800 00	
		20,481 16
Current Repairs and Maintenance:		
Office furniture, machines and equipment		185 25
Extraordinary:		
Employees' retirement system contribution		579 60
		$84,396 01

8 D 60. *State Board of Optometrists*

Salaries:		
Officers and employees	$9,040 00	
Special services	500 00	
		$9,540 00

Materials and Supplies:		
Stationery and office..	$350 00	
Printing, binding, photography and blueprinting	550 00	
Replacement: Office equipment	400 00	
		1,300 00
Services Other Than Personal:		
Traveling expenses ..	$750 00	
Telephone and telegraph	250 00	
Rent: Office	900 00	
Rent: Examination rooms	300 00	
Insurance: Other than fire	25 00	
Subscriptions and membership dues ..	200 00	
Postage	250 00	
Miscellaneous expenses	200 00	
		2,875 00
		$13,715 00

9 D 60. *State Board of Pharmacy*

Salaries:		
Secretary-Treasurer .	$8,700 00	
Officers and employees	28,140 00	
New positions	2,040 00	
Special services	1,500 00	
		$40,380 00
Materials and Supplies:		
Drugs, medical, surgical and chemical ...	$150 00	
Motor vehicular transportation	650 00	

Stationery and office..	1,000 00	
Printing, binding, photography and blueprinting	1,000 00	
Educational, recreational and library..	200 00	
Replacement: Office equipment	100 00	
		3,100 00
Services Other Than Personal:		
Traveling expenses ..	$3,500 00	
Telephone and telegraph	350 00	
Rent: Office	4,284 00	
Rent: Other	240 00	
Insurance: Other than fire	164 63	
Freight, express and cartage	20 00	
Household or office ...	50 00	
Subscriptions and membership dues ..	250 00	
Investigation, hearing and incidental	800 00	
Postage	1,250 00	
		10,908 63
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$75 00	
Automotive	200 00	
		275 00
Extraordinary:		
Employees' retirement system contribution		781 74

Additions and Improvements:	
Medical, surgical and laboratory equipment	100 00
	$55,545 37

10 D 60. *State Board of Veterinary Medical Examiners*

Salaries:	
Officers and employees	$1,200 00
Materials and Supplies:	
Other materials	250 00
Services Other Than Personal:	
Miscellaneous expenses	300 00
	$1,750 00

11 D 60. *State Board of Shorthand Reporting*

Salaries:	
Officers and employees	$250 00
Services Other Than Personal:	
Miscellaneous expenses	150 00
	$400 00

12 D 60. *State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians*

Salaries:		
Officers and employees	$6,500 00	
Special services	680 00	
		$7,180 00

Materials and Supplies:		
Stationery and office..	$500 00	
Printing, binding, photography and blueprinting	800 00	
		1,300 00
Services Other Than Personal:		
Traveling expenses ..	$500 00	
Telephone and telegraph	150 00	
Subscriptions and membership dues ..	500 00	
Postage	300 00	
		1,450 00
Additions and Improvements:		
Office equipment		220 00
		$10,150 00
Total appropriation, Division of Professional Boards		$335,766 88

The amounts hereinabove appropriated to each of the several professional boards, shall be payable out of the receipts of such boards, and any receipts in excess of the amounts specifically appropriated to each of said boards are hereby appropriated, the expenditure of which shall be subject to the approval of the State Treasurer.

Grand Totals, Department of Law and Public Safety	$13,065,306 05

DEPARTMENT OF THE TREASURY

E 10. ADMINISTRATIVE DIVISION

Treasury department.

Salaries:		
State Treasurer	$18,000 00	
Other officers and employees	83,000 00	
		$101,000 00
Materials and Supplies:		
Motor vehicular transportation	$200 00	
Stationery and office..	300 00	
Printing, binding, photography and blueprinting	200 00	
Other materials	500 00	
		1,200 00
Services Other Than Personal:		
Traveling expenses ..	$50 00	
Freight, express and cartage	25 00	
Household or office ..	100 00	
Subscriptions and membership dues ..	300 00	
		475 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$500 00	
Automotive equipment	100 00	
		600 00
		$103,275 00

E 20. *Division of Budget and Accounting*

Salaries:		
Director	$16,000 00	
Other officers and employees	740,435 00	
New positions	10,980 00	
Special services	44,950 00	
Bonus	771 00	
		$813,136 00
Materials and Supplies:		
Motor vehicular transportation	$300 00	
Stationery and office	21,315 00	
Share of cost of forms, centralized payroll	4,000 00	
Printing, binding, photography and blueprinting	12,550 00	
Replacement: Office equipment	2,500 00	
		40,665 00
Services Other Than Personal:		
Traveling expenses	$6,550 00	
Telephone and telegraph	1,000 00	
Rent: Equipment	40,680 00	
Freight, express and cartage	675 00	
Household or office	300 00	
Subscriptions and membership dues	576 50	
Other legal expenses	250 00	
Postage	1,050 00	
Specific departmental expenses	800 00	
Miscellaneous expenses	350 00	
		52,231 50

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$6,495 00	
Automotive	100 00	
		6,595 00
Additions and Improvements:		
Office equipment		2,478 50
There is appropriated in addition to the amounts set forth above, receipts from participating political subdivisions for administering the provisions of Chapter 253 of the Laws of 1951.		
		$915,106 00

E 30. *Division of Purchase and Property*

Salaries:		
Director	$13,000 00	
Other officers and employees	1,017,990 00	
New positions	11,280 00	
Special services	1,800 00	
Bonus	360 00	
		$1,044,430 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$118,700 00	
Heat, light, power, water, gas and electricity, War Memorial Building	4,500 00	
Household and organization	215 00	

Motor vehicular transportation	2,600 00	
Stationery and office..	7,100 00	
Other materials and supplies	35,000 00	
Replacement: Office equipment	500 00	
		168,615 00

Services Other Than Personal:		
Traveling expenses ..	$900 00	
Rent: Garages	48 00	
Freight, express and cartage	250 00	
Advertising	7,500 00	
Subscriptions and membership dues ..	175 00	
Legal seizure, investigation and related expenses	75 00	
Technical and laboratory testing services	100 00	
Maintenance, Stacy Park and Capitol grounds	6,000 00	
Fumigating warehouse	350 00	
Miscellaneous expenses	600 00	
		15,998 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$750 00	
Buildings and grounds	43,000 00	
Automotive equipment	900 00	
		44,650 00

Extraordinary:	
Repairs to sidewalks, State House	$1,500 00
Correct drainage problems, State House and State House Annex	2,500 00
Recondition oil paintings	1,000 00
Sandblasting balance of State House and Annex	5,000 00
Pipe covering in boiler room basement and riser in State House	2,500 00
Fire escapes and fire extinguishers for State buildings and fire extinguishers for buildings leased by State	5,000 00
Reconditioning roof—Annex	2,500 00
Remodeling washrooms—State Office building	2,500 00
New washrooms and restrooms—State House	15,000 00
Renovate and reline smoke stack—State House boiler plant..	6,500 00
Painting exterior of State-owned buildings, State House Annex, State Office building, Child Welfare, Education, Davidson, Kerney, Weights and Measures and Highway Office building	5,000 00

Two new passenger elevators, State House	85,000 00	
Building new shafts for two passenger elevators	35,000 00	
One freight elevator, State House, in present passenger elevator shaft..	65,000 00	
New doors—State House, front, east, west and entrance to Treasury, Secretary of State, and Civil Service Department	35,000 00	
Fire alarm system for Education, Kerney, Davidson, Child Welfare, Weights and Measures and Highway Office building	1,200 00	
		270,200 00
Additions and Improvements:		
Office equipment	$250 00	
General plant equipment	100 00	
		350 00
		$1,544,243 00

State Purchase Fund:

The unexpended balance of the State purchase fund as at June 30, 1953, is hereby reappropriated, together with such sums as may be returned to the State treasury for the reimbursement of said fund, so that a "purchase

revolving fund'' not exceeding $550,000.00 will be maintained for the purpose of making payments for purchases pursuant to the purchase act (Chapter 25 of Title 52 of the Revised Statutes), and for the expenses of handling, storing and transporting purchases so made, the cost of said purchases to be apportioned among the various using agencies and the appropriations current for their use, so as to reimburse the said ''purchase fund'' for said purchases when so made; said amounts so appropriated to be credited to said fund when deposited in the State treasury for disbursement in accordance with the provisions of said Chapter 25 of Title 52 of the Revised Statutes. Any sum or sums in excess of the amount hereby appropriated received by the State Treasurer from any source shall by him be deposited in the general fund of the State.

2 E 30. *Bureau of Architecture*

Salaries:		
Other officers and employees	$180,130 00	
Bonus	60 00	
		$180,190 00
Materials and Supplies:		
Motor vehicular transportation	$500 00	
Stationery and office..	750 00	
Printing, binding, photography and blueprinting	10,000 00	

Engineering and drafting	450 00	
		11,700 00
Services Other Than Personal:		
Traveling expenses ..	$500 00	
Rent: Garages	678 00	
Household or office ..	100 00	
Advertising	9,000 00	
		10,278 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$100 00	
Automotive	500 00	
		600 00
The earnings from investments and interest on deposits heretofore and hereafter received in the State Institution Construction Fund, as provided under Section 12 of Chapter 3, of the Laws of 1949, or so much thereof as may be necessary are hereby appropriated for architectural services or construction costs in connection with the State Institutional Construction Program, such funds to be allotted by the Director of the Division of Budget and Accounting and approved by the Governor.		
		$202,768 00

E 40. *Division of Taxation*

Salaries:		
Director	$13,000 00	
Other officers and employees	2,005,005 00	

New positions	46,860 00	
Special services.....	24,250 00	
Bonus	1,020 00	
		$2,090,135 00
Materials and Supplies:		
Motor vehicular transportation	$26,500 00	
Stationery and office..	18,200 00	
Printing, binding, photography and blueprinting	16,625 00	
Briefs and law books	2,000 00	
Engineering and drafting	100 00	
Motor fuels and outdoor advertising license plates	1,250 00	
Cigarette tax stamps..	7,000 00	
		71,675 00
Services Other Than Personal:		
Traveling expenses ..	$28,515 00	
Telephone and telegraph	700 00	
Rent: Office	2,140 75	
Rent: Garages	3,195 00	
Rent: Equipment	2,952 00	
Rent: Wharfage	540 00	
Insurance: Other than fire	249 65	
Freight, express and cartage	2,075 00	
Household or office ...	500 00	
Subscriptions and membership dues ..	2,165 00	
Legal seizure investigation and related expenses	3,950 00	
Postage	700 00	
Maintenance of patrol boat	2,000 00	

Patrol boat crew expenses	1,500 00	
Specific departmental expenses	200 00	
Miscellaneous expenses	150 00	
		51,532 40
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$2,860 00	
Buildings and grounds	500 00	
Automotive	6,300 00	
		9,660 00
Additions and Improvements:		
Office equipment		500 00
		$2,223,502 40

General Tax Refunds:

Upon certification of the Director of the Division of Taxation, the Director of the Division of Budget and Accounting is hereby authorized and it shall be his duty to withdraw from the State treasury, moneys to refund and pay such claims for refund as may be necessary under the authorized provisions of Title 54 of the Revised Statutes and any statutes superseded thereby, and under any statute enacted subsequent to the adoption of the Revised Statutes, 1937, imposing a tax which is collected by the Division of Taxation, and the State Treasurer shall pay same upon warrants of the Director of the Division of Budget and Accounting.

E 50. *Division of Local Government*

Salaries:		
Director	$13,000 00	
Members of board ...	12,000 00	
Other Officers and employees	164,340 00	
Bonus	240 00	
		$189,580 00
Materials and Supplies:		
Motor vehicular transportation	$1,200 00	
Stationery and office..	3,000 00	
Printing, binding, photography and blueprinting	7,500 00	
Replacement: Office equipment	250 00	
		11,950 00
Services Other Than Personal:		
Traveling expenses ..	$18,000 00	
Rent: Garages.....	168 00	
Freight, express and cartage	200 00	
Household or office ...	100 00	
Subscriptions and membership dues ..	350 00	
		18,818 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$600 00	
Automotive	500 00	
		1,100 00
		$221,448 00

E 60. *Division of Tax Appeals*

Salaries:		
President	$9,000 00	
Members of board ...	48,000 00	
Other officers and employees	48,000 00	
Special stenographic services	7,500 00	
		$112,500 00
Materials and Supplies:		
Motor vehicular transportation	$350 00	
Stationery and office.	1,500 00	
Printing, binding, photography and blueprinting	700 00	
Replacement: Office equipment	200 00	
		2,750 00
Services Other Than Personal:		
Traveling expenses ..	$3,000 00	
Rent: Garages.....	150 00	
Freight, express and cartage	10 00	
Household or office ...	30 00	
Subscriptions and membership dues ..	250 00	
		3,440 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$75 00	
Automotive	200 00	
		275 00
		$118,965 00

E 70. *Division of the New Jersey Racing Commission*

Salaries:		
Officers and employees	$28,740 00	
New positions	9,960 00	
Per diem inspectors, assistant veterinarian and clerks	84,415 00	
Special services	39,120 00	
		$162,235 00
Materials and Supplies:		
Veterinarian supplies	$1,100 00	
Motor vehicular transportation	500 00	
Stationery and office..	1,200 00	
Printing, binding, photography and blueprinting	300 00	
		3,100 00
Services Other Than Personal:		
Traveling expenses ..	$11,000 00	
Rent: Garages	360 00	
Subscriptions and membership dues ..	500 00	
Investigation and engineering inspections	1,500 00	
		13,360 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$100 00	
Automotive	200 00	
		300 00
		$178,995 00

E 90. *Division of Investments*

Salaries:		
Director	$13,000 00	
Other officers and employees	45,690 00	
New Positions	11,520 00	
		$70,210 00
Materials and Supplies:		
Stationery and office..	$400 00	
Printing, binding, photography and blueprinting	1,000 00	
Replacement: Office equipment	150 00	
		1,550 00
Services Other Than Personal:		
Traveling expenses ..	$300 00	
Advertising	2,000 00	
Subscriptions and membership dues ..	2,000 00	
		4,300 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		100 00
Additions and Improvements:		
Office equipment		550 00
		$76,710 00
Grand Totals, Department of the Treasury		$5,585,012 40

DEPARTMENT OF STATE

F 10. *Office of Secretary*

Department of State.

Salaries:		
Secretary of State ...	$13,000 00	
Chief clerk	9,000 00	
Other officers and employees	88,800 00	
Bonus	320 00	
		$111,120 00
Materials and Supplies:		
Stationery and office..	$4,000 00	
Printing, binding, photography and blueprinting	4,000 00	
Photostating	4,000 00	
		12,000 00
Services Other Than Personal:		
Traveling expenses ..	$250 00	
Election expenses ...	18,000 00	
		18,250 00
Subtotal, Department of State, Office of Secretary		$141,370 00

F 20. *Office of the Athletic Commissioner*

Salaries:		
Commissioner	$5,200 00	
Other officers and employees	26,655 00	
Per diem inspectors and physicians	12,500 00	
		$44,355 00

Materials and Supplies:		
Stationery and office..	$250 00	
Printing, binding, photography and blueprinting	500 00	
Replacement: Office equipment	450 00	
		1,200 00
Services Other Than Personal:		
Traveling expenses ..	$1,750 00	
Household or office ...	25 00	
Subscriptions and membership dues ..	100 00	
		1,875 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		50 00
Subtotal, Office of the Athletic Commissioner		$47,480 00
Grand Totals, Department of State		$188,850 00

G 10. Department of Civil Service

Department of civil service.

Salaries:		
President	$18,000 00	
Commissioners (4) ..	20,000 00	
Other officers and employees	538,935 00	
New positions	14,040 00	
Monitors and special examiners	12,500 00	
Merit rating and suggestion award program	3,000 00	

Special services: For payment to Department of Education for in-service training	12,000 00	
		$618,475 00
Materials and Supplies:		
Motor vehicular transportation	$1,250 00	
Stationery and office..	8,500 00	
Stationery: Merit rating and suggestion award program ...	300 00	
Share of cost of forms for centralized payrolls	2,000 00	
Printing, binding, photography and blueprinting	5,500 00	
Printing: Merit rating and suggestion award program	2,500 00	
Replacement: Office equipment	2,000 00	
		22,050 00
Services Other Than Personal:		
Traveling expenses ..	$5,000 00	
Traveling expenses: Merit rating and suggestion award program	150 00	
Rent: Garages	648 00	
Rent: Equipment	11,000 00	
Rent: Examination rooms	1,500 00	
Freight, express and cartage	100 00	
Household or office ..	100 00	
Advertising	6,000 00	

Subscriptions and membership dues ..	250 00	
Subscriptions: Merit rating and suggestion award program	50 00	
Legal expenses	200 00	
Miscellaneous expenses	50 00	
		25,048 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$500 00	
Automotive	400 00	
		900 00
Additions and Improvements:		
Office equipment	$1,000 00	
Office equipment: Merit rating and suggestion award program	200 00	
		1,200 00
		$667,673 00

DEPARTMENT OF BANKING AND INSURANCE

H 10. *General*

Department of banking and insurance.

Salaries:		
Commissioner	$18,000 00	
Other officers and employees	1,069,455 00	
New positions	31,320 00	
		$1,118,775 00

Materials and Supplies:		
Stationery and office..	$5,000 00	
Printing, binding, photography and blueprinting	15,000 00	
Compiling and printing valuations	450 00	
Replacement: Office equipment	1,000 00	
		21,450 00
Services Other Than Personal:		
Traveling expenses ..	$82,500 00	
Rent: Office appliances	8,032 00	
Freight, express and cartage	200 00	
Household or office ...	100 00	
Subscriptions and membership dues ..	1,350 00	
Miscellaneous expenses	50 00	
		92,232 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		1,650 00
Additions and Improvements:		
Office equipment		1,000 00
		$1,235,107 00

H 20. *Division of New Jersey Real Estate Commission*

Salaries:		
Secretary-Director ...	$9,300 00	
Commissioners	20,000 00	
Other officers and employees	63,360 00	
New positions	6,120 00	
Bonus	20 00	
		$98,800 00
Materials and Supplies:		
Motor vehicular transportation	$1,200 00	
Stationery and office..	1,000 00	
Printing, binding, photography and blueprinting	8,600 00	
Replacement: Office equipment	500 00	
		11,300 00
Services Other Than Personal:		
Traveling expenses ..	$6,000 00	
Household or office ...	150 00	
Subscriptions and membership dues ..	100 00	
Legal seizure, investigation and related expenses	1,500 00	
Miscellaneous expenses	100 00	
		7,850 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		200 00

Additions and Improvements:		
Office equipment	$1,426 30	
Motor vehicles and equipment	3,450 00	
		4,876 30
		$123,026 30
Grand Totals, Department of Banking and Insurance		$1,358,133 30

DEPARTMENT OF AGRICULTURE

I 10. *General*

Agriculture department.

Salaries and administration of the Department of Agriculture pursuant to chapter 1 of Title 4 of the Revised Statutes.

Salaries:		
Secretary	$18,000 00	
Other officers and employees	544,801 00	
New positions	30,780 00	
Special services.....	130,000 00	
		$723,581 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$1,800 00	
Farm, stable and grounds	1,250 00	
Drugs, medical, surgical and chemical ..	15,100 00	

Motor vehicular transportation	13,300 00	
Stationery and office..	7,500 00	
Printing, binding, photography and blueprinting	9,000 00	
Educational, recreational and library ..	250 00	
Other materials	750 00	
Replacement: Motor vehicles	12,000 00	
Replacement: Office equipment	1,000 00	
Field supplies and exhibits	4,500 00	
Purchase and rental of live stock for testing purposes	9,000 00	
		75,450 00

Services Other Than Personal:		
Traveling expenses ..	$27,000 00	
Rent: Garages	1,500 00	
Rent: Miscellaneous..	400 00	
Freight, express and cartage	900 00	
Household or office ..	650 00	
Subscriptions and membership dues ..	650 00	
Maintenance adult fairs, boys' and girls' 4-H exhibits and other exhibits..	30,000 00	
Miscellaneous expenses	500 00	
		61,600 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$800 00	
Buildings and grounds	1,250 00	

Automotive	4,000 00	
Scientific equipment..	500 00	
		6,550 00
Extraordinary:		
Indemnities—Condemned cattle ...		50,000 00
Additions and Improvements:		
Office equipment	$800 00	
Motor vehicles and equipment	4,800 00	
Hydraulic lift	675 00	
		6,275 00

In addition to the amounts hereinabove appropriated, there is reappropriated to the Department of Agriculture, the unexpended balance on June 30, 1953, in the account "Indemnities—Condemned Cattle" for the purpose of paying for indemnities—condemned cattle, in the year 1953-54.

$923,456 00

I 20. *Division of Milk Industry*

Salaries:		
Director	$10,000 00	
Other officers and employees	118,560 00	
Special services	500 00	
		$129,060 00
Materials and Supplies:		
Drugs, medical, surgical and chemical ...	$200 00	
Motor vehicular transportation	3,000 00	

Stationery and office..	1,900 00	
Printing, binding, photography and blueprinting	700 00	
Replacement: Motor vehicles	1,800 00	
Replacement: Office equipment	800 00	
		8,400 00
Services Other Than Personal:		
Traveling expenses ..	$3,000 00	
Rent: Garages	400 00	
Rent: Miscellaneous..	150 00	
Household or office ..	100 00	
Advertising	100 00	
Subscriptions and membership dues ..	175 00	
Miscellaneous expenses	300 00	
		4,225 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$500 00	
Automotive	1,350 00	
		1,850 00
		$143,535 00
Grand Totals, Department of Agriculture		$1,066,991 00

J 10. Department of Defense
(Administration Division)

Department of defense.

Salaries:		
Officers and employees	$263,931 41	
Bonus	60 00	
		$263,991 41
Materials and Supplies:		
Stationery and office	$3,500 00	
Printing, binding, photography and blueprinting	500 00	
		4,000 00
Services Other Than Personal:		
Subscriptions and membership dues		400 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		250 00
		$268,641 41

J 11. *National Guard and/or State Guard*

Salaries:		
Officers and employees	$545,129 76	
New positions	17,520 00	
Pension contributions for employees inducted into active military service	2,382 24	
Permanent duty military personnel	129,714 60	
New positions	9,151 92	
Fees of examining surgeons	3,000 00	
		$706,898 52

Materials and Supplies:		
Heat, light, power, water, gas and electricity	$180,000 00	
Household and organization	13,000 00	
Motor vehicular transportation	6,000 00	
Printing, binding, photography and blueprinting	1,000 00	
Replacement: Motor vehicles	6,000 00	
Special departmental supplies	1,000 00	
		207,000 00
Services Other Than Personal:		
Traveling expenses	$1,500 00	
Telephone and telegraph	30,000 00	
Rent: Buildings	16,298 00	
Insurance: Fire	39,270 29	
Insurance: Other than fire	42,659 00	
Household or office	2,000 00	
Advertising	1,000 00	
Postage	300 00	
Medical attendance for National Guard and/or State Guard	1,000 00	
Field training expenses	5,500 00	
Equipping and maintaining the National Guard	8,000 00	
		147,527 29
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$1,000 00	

New Jersey State Library

Buildings and grounds	125,000 00	
Replacement: Drill floor Paterson Armory	25,000 00	
Farm machinery	500 00	
Automotive equipment	2,000 00	
Household furniture, machinery and equipment	500 00	
Replacement: Heating plants, Atlantic City, Englewood and New Brunswick Armories	50,000 00	
		204,000 00
Extraordinary:		
Compensation Award —Major Thomas H. Schelling, Jr.	$1,303 57	
Compensation Award —Lieutenant George N. Eltz	1,303 57	
Compensation Award —Estate of M/Sgt. Arthur C. Reilly	1,248 00	
Compensation Award —Estate of M/Sgt. Eugene A. Wetzelberg	1,248 00	
		5,103 14
Additions and Improvements:		
Furniture and equipment	$1,000 00	
Farm equipment	500 00	
Household equipment	500 00	
Installation of hoists	7,500 00	
Installation of dual gas tanks and pumps	3,500 00	
Installation of flagpoles	1,000 00	
		14,000 00

In addition to the amounts hereinabove specifically appropriated to the Department of Defense, there is appropriated the armory rentals received during the fiscal year 1953-54, not exceeding $100,000.00.		
The unexpended balances in the account to provide for the administrative costs of Senate Bill 119, are hereby reappropriated.		
		$1,284,528 95

J 12. *Naval Militia*

Services Other Than Personal:		
Equipping and maintaining naval militia		$4,500 00

J 13. *Office of Civil Defense*

Salaries:		
Employees (Administrative)	$54,690 00	
Employees (District and area offices) ...	21,500 00	
Services rendered by Department of Health	8,460 00	
		$84,650 00
Materials and Supplies:		
Drugs, medical, surgical and chemical...	$3,500 00	
Stationery and office..	4,500 00	

Printing, binding, photography and blueprinting	15,000 00	
Educational, recreational and library ..	400 00	
Special departmental.	250 00	
Films	1,000 00	
Maps	1,000 00	
		25,650 00
Services Other Than Personal:		
Traveling expenses ..	$5,000 00	
Telephone and telegraph	8,000 00	
Subscriptions and membership dues ..	300 00	
Postage	6,000 00	
Sound recording service	500 00	
		$19,800 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$500 00	
Buildings and grounds	750 00	
		1,250 00
Additions and Improvements:		
Furniture, furnishings and fixtures	$750 00	
Office equipment	500 00	
		1,250 00
		$132,600 00

In addition to the amounts hereinabove specifically appropriated to the Department of Defense, there is reappropriated the unexpended

balances on June 30, 1953, of all amounts appropriated for Civil Defense.		
Grand Totals, Department of Defense		$1,690,270 36

K 10. Department of Public Utilities

Department of public utilities.

Salaries:		
President	$18,000 00	
Members of the board (2)	30,000 00	
Secretary	10,440 00	
Other officers and employees	408,435 00	
New positions	3,840 00	
Fees and expenses— Reporting hearings	12,500 00	
		$483,215 00
Materials and Supplies:		
Motor vehicular transportation	$1,200 00	
Stationery and office..	3,000 00	
Printing, binding, photography and blueprinting	2,500 00	
Replacement: Office equipment	500 00	
		7,200 00
Services Other Than Personal:		
Traveling expenses ..	$11,000 00	
Freight, express and cartage	25 00	
Household or office ..	400 00	
Subscriptions and membership dues ..	2,300 00	
		13,725 00

Current Repairs and Maintenance:		
Automotive	$500 00	
Maintenance and equipment	600 00	
		1,100 00
		$505,240 00

Department of Health

L 10. *General*

Department of health.

Salaries:		
Commissioner	$18,000 00	
Director, Division of local health services	14,000 00	
Other officers and employees	1,029,573 00	
New positions	28,380 00	
Per diem employees (Dental fees)	48,480 00	
		$1,138,433 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$900 00	
Household and organization	375 00	
Drugs, medical, surgical and chemical ...	60,000 00	
Motor vehicular transportation	4,000 00	
Stationery and office..	7,000 00	
Printing, binding, photography and blueprinting	17,000 00	
Educational, recreational and library ..	1,500 00	

Engineering and drafting	300 00	
Replacement: Office equipment	1,000 00	
Inspectors' supplies ..	550 00	
		92,625 00
Services Other Than Personal:		
Traveling expenses ..	$37,500 00	
Rent: Garages	764 00	
Rent: Tabulating machines	10,360 00	
Freight, express and cartage	1,500 00	
Household or office ..	300 00	
Subscriptions and membership dues ..	500 00	
Binding current volumes of marriage, birth and death certificates	1,500 00	
Maintenance: Boats and plants	2,800 00	
Examination services.	600 00	
Miscellaneous expenses	300 00	
		56,124 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$500 00	
Automotive	1,200 00	
Scientific equipment..	400 00	
		2,100 00
Extraordinary:		
Subventions and direct aid for health purposes	$3,227 00	

For expenditures in connection with health functions of migrant labor	7,500 00	
For expenditures in air pollution research and control..	24,945 00	
For expenditures in connection with the Chronic Illness Control Program, pursuant to Chapter 102, P. L. 1952.....	299,970 00	
		335,642 00
Additions and Improvements:		
Office equipment	$1,000 00	
Scientific equipment ..	1,300 00	
		2,300 00

The unexpended balances remaining in the accounts of the Commission on Air Pollution as of June 30, 1953, are reappropriated to the State Department of Health for use in research and control of air pollution during 1953-54.

It is expressly provided that the appropriation herein made for expenditures in connection with the Chronic Illness Control Program shall be available for the Community Mental Health Research Project of the Department of Institutions and Agencies, provided, such expenditures are approved by the Advisory Council on the Chronic Sick established under chapter 102, P. L. 1952.

$1,627,224 00

L 10. *Rabies Control Program (Payable Out of Rabies Control Trust Fund)*

Salaries:		
Officers and employees	$48,945 00	
Per diem employees—inspectors	2,400 00	
		$51,345 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$200 00	
Biologicals	1,000 00	
Specific vaccine	1,000 00	
Motor vehicular transportation	1,500 00	
Stationery and office	200 00	
Printing, binding, photography and blueprinting	500 00	
Educational, recreational and library	100 00	
Replacement: Motor vehicles	2,875 00	
		7,375 00
Services Other Than Personal:		
Traveling expenses	$2,500 00	
Telephone and telegraph	450 00	
Rent: Office	1,100 00	
Rent: Garages	350 00	
Freight, express and cartage	20 00	
Subscriptions and membership dues	30 00	
Postage	500 00	
Miscellaneous expenses	25 00	
		4,975 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$25 00	
Automotive	250 00	
		275 00
Additions and Improvements:		
Office equipment		50 00
		$64,020 00

Appropriation is hereby made for the expenditure of funds in excess of the amounts hereinabove indicated when expressly approved by the State Treasurer, but limited to the amount of the receipts in the Rabies Control Trust Fund for the fiscal year.

L 11. *Alcoholism Program*

Salaries:		
Officers and employees	$14,700 00	
Speaker service	500 00	
		$15,200 00
Materials and Supplies:		
Drugs, medical, surgical and chemical	$500 00	
Stationery and office	200 00	
Printing, binding, photography and blueprinting	300 00	
Educational, recreational and library	3,500 00	
		4,500 00

Services Other Than Personal:		
Traveling expenses ..	$400 00	
Rent; Office and clinic	3,000 00	
Household or office ..	100 00	
Subscriptions and membership dues ..	50 00	
Miscellaneous expenses	75 00	
		3,625 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		25 00
Additions and Improvements:		
Educational, scientific and recreational equipment		750 00
		$24,100 00

The unexpended balances as of June 30, 1953, in the accounts for the rehabilitation of alcoholics and the promotion of temperance education (Alcoholic Program) are hereby reappropriated for the fiscal year 1953-54.

(Section of Examination, Licensing and Registration)

L 20. *Board of Beauty Culture Control*

Salaries:		
Chairman	$3,500 00	
Members of the board	12,500 00	
Other officers and employees	40,710 00	
		$56,710 00

Materials and Supplies:		
Motor vehicular transportation	$1,500 00	
Stationery and office..	500 00	
Printing, binding, photography and blueprinting	800 00	
Educational, recreational and library ..	750 00	
Replacement: Office equipment	500 00	
		4,050 00
Services Other Than Personal:		
Traveling expenses ..	$1,750 00	
Subscriptions and membership dues ..	60 00	
Legal seizure, investigation and related expenses	1,000 00	
Miscellaneous expenses	50 00	
		2,860 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$50 00	
Automotive	350 00	
		400 00
		$64,020 00

(Section of Examination, Licensing and Registration)

L 21. *Board of Barber Examiners*

Salaries:		
Secretary-Treasurer .	$5,500 00	
Members of board ...	15,000 00	
Other officers and employees	23,130 00	
		$43,630 00
Materials and Supplies:		
Stationery and office..	$400 00	
Printing, binding, photography and blueprinting	350 00	
Replacement: Office equipment	375 00	
		1,125 00
Services Other Than Personal:		
Traveling expenses ..	$7,000 00	
Household or office ...	10 00	
Subscriptions and membership dues ..	25 00	
		7,035 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		30 00
Additions and Improvements:		
Office equipment		50 00
		$51,870 00

L 30. *Crippled Children's Commission*

Carrying out the provisions of Chapter 188, Laws of 1926, and supplements.		
Salaries:		
Officers and employees	$17,740 00	
Nursing service fees..	5,000 00	
		$22,740 00
Materials and Supplies:		
Drugs, medical, surgical and chemical ..	$1,500 00	
Stationery and office..	350 00	
Educational, recreational and library ..	30 00	
		1,880 00
Services Other Than Personal:		
Traveling expenses ..	$350 00	
Freight, express and cartage	15 00	
Subscriptions and membership dues ..	15 00	
Miscellaneous expenses	20 00	
		400 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment		25 00

Extraordinary:		
Subventions — Child Welfare:		
Hospitalization, convalescent care ...	$55,000 00	
Appliances	8,000 00	
		63,000 00
		$88,045 00
Grand Totals, Department of Health		$1,919,279 00

DEPARTMENT OF LABOR AND INDUSTRY

M 10. *Division of Labor*

Department of labor and industry.

Salaries:		
Commissioner	$18,000 00	
Other officers and employees	752,982 82	
New positions	14,576 00	
Bonus	360 00	
		$785,918 82
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$600 00	
Household and organization	500 00	
Laboratory	300 00	
Motor vehicular transportation	2,000 00	
Stationery and office..	8,000 00	
Printing, binding, photography and blueprinting	4,000 00	

Educational, recreational and library ..	200 00	
Engineering and drafting	250 00	
Replacement: Motor vehicles	1,200 00	
Replacement: Office equipment	1,000 00	
Replacement: Laboratory equipment	500 00	
Industrial Safety Campaign and printing .	750 00	
		19,300 00
Services Other Than Personal:		
Traveling expenses ..	$35,000 00	
Rent: Garages	300 00	
Rent: Office appliances	6,200 00	
Rent: Other	200 00	
Rent: Bus	700 00	
Freight, express and cartage	65 00	
Subscriptions and membership dues ..	375 00	
Governor's Industrial Safety Conference .	1,000 00	
Miscellaneous expenses	200 00	
Microfilming	2,500 00	
		46,540 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$750 00	
Buildings and grounds	1,000 00	
Automotive	800 00	
		2,550 00

Extraordinary:		
Expansion of school program		1,180 00
		$855,488 82

M 20. *Division of Workmen's Compensation*

Salaries:		
Director	$12,600 00	
Deputy directors	121,200 00	
New position	9,300 00	
Other officers and employees	377,490 00	
New positions	15,300 00	
Special services	1,000 00	
Bonus	1,000 00	
		$537,890 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$75 00	
Clinic	300 00	
Stationery and office..	4,500 00	
Printing, binding, photography and blueprinting	2,000 00	
Replacement: Office equipment	1,000 00	
		7,875 00
Services Other Than Personal:		
Traveling expenses ..	$8,000 00	
Freight, express and cartage	15 00	
Household or office ..	1,000 00	

Subscriptions and membership dues ..	600 00	
Microfilming	2,500 00	
		12,115 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$200 00	
Scientific and laboratory	100 00	
		300 00
		$558,180 00

The State Treasurer is hereby empowered and directed to transfer to the General State Fund, the sum of $100,000.00 from the excess in the fund accumulated pursuant to section 34:15–94 of the R. S., over the sum of $1,250,000.00. This transfer to consist of such excess in the sum of $50,000.00 for the fiscal year ended June 30, 1952, and $50,000.00 for the fiscal year ending June 30, 1953.

1 M 20. *Division of Workmen's Compensation*

(1% *Compensation Tax Fund*)

Salaries:	
Employees	$11,700 00
Materials and Supplies:	
Stationery and office	100 00

Services Other Than Personal:		
Traveling expenses ..	$300 00	
Miscellaneous expenses	50 00	
		350 00
Extraordinary:		
Beneficiary payments		78,070 40
There is hereby appropriated out of the 1% Compensation Tax Fund, such additional sums as may be necessary to provide beneficiary payments in excess of the amount specifically set forth above.		
		$90,220 40

DIVISION OF EMPLOYMENT SECURITY

1 M 31. *Disability Insurance Service*

(Payable out of Temporary Disability Benefits Administration Fund)

Division of employment security.

Salaries:		
Superintendent	$10,020 00	
Other officers and employees	586,965 00	
New positions	8,280 00	
Indirect personal services	300,000 00	
Special services (medical)	2,500 00	
		$907,765 00

Materials and Supplies:		
Drugs, medical, surgical and chemical ...	$50 00	
Medical dictionaries and reference books	100 00	
Stationery and office..	35,000 00	
Printing and binding .	4,500 00	
Photography, blueprinting and drafting	100 00	
		39,750 00
Services Other Than Personal:		
Traveling expenses ..	$18,000 00	
Telephone and telegraph	7,000 00	
Rent: Office	96,782 40	
Rent: Equipment	1,500 00	
Insurance: Fire	300 00	
Freight, express and cartage	200 00	
Subscriptions and membership dues ..	500 00	
Postage	17,500 00	
Miscellaneous expenses	1,000 00	
		142,782 40
Current Repairs and Maintenance:		
Office furniture, machines and equipment		3,000 00
Extraordinary:		
State share, pension retirement ...		39,133 00
Additions and Improvements:		
Office furniture, machines and equipment		1,000 00
		$1,133,430 40

In addition to the amounts hereinabove set forth, there is appropriated out of the Temporary Disability Benefits Administration Fund, such additional sums as may be required to administer the disability insurance program, provided, the expenditure of these additional funds are approved by the Director of the Division of Budget and Accounting.

M 40. *State Board of Mediation*

Salaries:		
Board members (7) ..	$8,000 00	
Other officers and employees	52,065 00	
Per diem arbitrators..	5,000 00	
Special services	2,000 00	
Transcription of statutory proceedings ..	2,000 00	
		$69,065 00
Materials and Supplies:		
Stationery and office..	$400 00	
Printing, binding, photography and blueprinting	250 00	
		650 00
Services Other Than Personal:		
Traveling expenses ..	$2,000 00	
Subscriptions and membership dues ..	900 00	
Miscellaneous expenses	50 00	
		2,950 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment		75 00
		$72,740 00

M 50. *Rehabilitation Commission (State)*

Extraordinary:		
Tuition and vocational	$120,000 00	
Artificial appliances..	15,950 00	
Hospitalization	9,000 00	
Medical examinations	8,000 00	
Medical treatments ..	13,000 00	
		$165,950 00

In addition there is appropriated to the Rehabilitation Commission, the balance on June 30, 1953, of all Federal funds, together with all Federal receipts during 1953-54. All such funds applicable to programs of prior fiscal years shall be available for both administration and case services.

Grand Totals, Department of Labor and Industry	$2,876,009 62

Department of Conservation and Economic Development

N 10. *Division of Administration*

Department of conservation and economic development.

Salaries:		
Commissioner	$18,000 00	
Other officers and employees	142,290 00	
		$160,290 00

Materials and Supplies:		
Motor vehicular transportation	$1,200 00	
Stationery and office	500 00	
Printing, binding, photography and blueprinting	3,000 00	
Educational, recreational and library	25 00	
Exhibit materials	100 00	
		4,825 00
Services Other Than Personal:		
Traveling expenses	$1,000 00	
Rent: Garages	288 00	
Freight, express and cartage	200 00	
Household or office	50 00	
Subscriptions and membership dues	550 00	
Miscellaneous expenses	60 00	
		2,148 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$1,250 00	
Buildings and grounds	200 00	
Automotive	300 00	
		1,750 00
		$169,013 00

N 20. *Division of Planning and Development*

Salaries:		
Director	$9,500 00	
Other officers and employees	1,224,453 00	

Per diem employees ..	15,250 00	
Technical and professional services	10,000 00	
Bonus	240 00	
		1,259,443 00
Materials and Supplies:		
Food	$2,600 00	
Clothing	400 00	
Heat, light, power, water, gas and electricity	21,500 00	
Farm, stable and grounds	7,000 00	
Household and organization	3,000 00	
Drugs, medical, surgical and chemical ..	250 00	
Motor vehicular transportation	11,500 00	
Stationery and office..	5,500 00	
Printing, binding, photography and blueprinting	10,000 00	
Educational, recreational and library ..	300 00	
Engineering and drafting	1,900 00	
Other materials	800 00	
Replacement: Office equipment	1,350 00	
Replacement: Other equipment	5,000 00	
Replacing maps, geology	2,500 00	
Motor boat transportation	1,000 00	
Exhibit materials	100 00	
License plates	2,500 00	
Harbormaster flags ..	300 00	
		77,500 00

Services Other Than Personal:		
Traveling expenses..	$13,500 00	
Telephone and telegraph	750 00	
Rent: Office	200 00	
Rent: Buildings	460 00	
Rent: Garages	900 00	
Rent: Other	1,091 00	
Freight, express and cartage	200 00	
Household or office ..	1,000 00	
Advertising	400 00	
Subscriptions and membership dues ..	1,350 00	
Enforcement of collection of license fees	2,800 00	
Carranza Memorial ..	400 00	
Tax lieu	6,766 46	
Miscellaneous expenses	800 00	
		30,617 46
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$800 00	
Buildings and grounds	42,000 00	
Repairs to historic sites	3,000 00	
Burial grounds—Chapter 171, P. L. 1898	75 00	
Farm machinery	500 00	
Automotive equipment	7,500 00	
Household furniture, machinery and equipment	300 00	
Recreational equipment	800 00	
Machinery and plant equipment	2,000 00	

Elevator maintenance contract	804 00	
Cranes, bulldozers, etc.	500 00	
Navigation lights	4,000 00	
Barnegat light	4,000 00	
Lights and buoys	3,000 00	
Motor boats	3,000 00	
Scientific and laboratory	400 00	
Other equipment	600 00	
Maintenance of air markers	500 00	
Extraordinary repairs at Lake Wapalanne	7,500 00	
		81,279 00
Extraordinary:		
Fire fighting costs ...	$20,000 00	
Compensation awards	2,457 08	
Promotional expenses —(New Jersey Council)	87,500 00	
		109,957 08
Additions and Improvements:		
Furniture, furnishings and fixtures	$1,000 00	
Office equipment	1,000 00	
Household equipment.	1,000 00	
Navigation buoys ...	2,000 00	
Other equipment	5,000 00	
Fort Mott development	20,000 00	
Historic sites	6,000 00	
Sewage system—School of Conservation—Stokes Forest	40,755 00	
Latrine—Voorhees ..	3,000 00	
		79,755 00
		$1,638,551 54

The receipts from the sale of bulletins, pamphlets and literature, and receipts from enterprises advantageous to the State Promotional and Development Programs, together with the $87,500.00 hereinabove set forth for promotional expenses—New Jersey Council are hereby appropriated as a revolving fund to be used for promotional expenses and for the purpose of printing and reprinting bulletins, pamphlets and literature for sale and resale.

The unexpended balance in the account for development of recreational area or areas on land owned by the State of New Jersey at and adjacent to Sandy Hook is hereby reappropriated.

Revenues derived from the operation of Island Beach, provided such facilities are acquired are hereby appropriated for maintenance and development.

2 N 20. *Morris Canal and Banking Company (Payable from Morris Canal Fund)*

Salaries:		
Other officers and employees	$16,512 00	
Life guards and watchman	5,400 00	
		$21,912 00

Materials and Supplies:		
Heat, light, power, water, gas and electricity	$100 00	
Farm, stable and grounds	300 00	
Household and organization	200 00	
Drugs, medical, surgical and chemical	100 00	
Motor vehicular transportation	200 00	
Printing, binding, photography and blueprinting	100 00	
Educational, recreational and library	50 00	
Other materials	100 00	
Replacement: Motor vehicles	1,600 00	
Replacement: Other equipment	500 00	
		3,250 00
Services Other Than Personal:		
Traveling expenses	$150 00	
Telephone and telegraph	150 00	
Miscellaneous expenses	50 00	
		350 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$20 00	
Buildings and grounds	650 00	
Farm machinery	25 00	
Automotive	100 00	
Recreational equipment	200 00	
General plant equipment	100 00	

Repairs to four dams and one retaining wall	1,000 00	
Engineering inspection of and repair to gates of four dams	3,000 00	
		5,095 00
Extraordinary:		
Pension (Chapter 205, Laws of 1946)	$720 00	
State employees' retirement contribution	850 00	
		1,570 00
Additions and Improvements:		
Educational, recreational, scientific	$250 00	
Other equipment	500 00	
Septic System — Hopatcong picnic area	3,750 00	
		4,500 00

There is appropriated in addition to the above, receipts for watchmen's services, including the balance of such receipts as of June 30, 1953.

There shall be refunded to the State fund such amounts as have heretofore been advanced from said fund to the Morris Canal Fund whenever and to the extent that the canal funds exceed the liabilities of said fund as at June 30, 1954.

$36,677 00

9 N 20. *New Jersey Pilot Commissioners*

Salaries:		
Commission members.	$10,650 00	
Secretary	600 00	
		$11,250 00
Services Other Than Personal:		
Traveling expenses		216 00
		$11,466 00

N 21. *Old Barracks Association*

For maintenance and administration of the Old Barracks, Trenton, as an historical landmark and repository.		
Salaries:		
Other officers and employees		$7,080 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$107 00	
Household and organization	30 00	
Stationery and office..	43 00	
		180 00
Services Other Than Personal:		
Telephone and telegraph		115 00
Current Repairs and Maintenance:		
Buildings and grounds		800 00
		$8,175 00

N 30. *Division of Water Policy and Supply*

Salaries:		
Director and Chief Engineer	$7,500 00	
Other officers and employees	142,356 00	
Hourly laborers and monthly gauge observers	2,790 00	
U. S. Geological Survey Co-operative services	32,036 50	
Transcript of statutory proceedings	200 00	
Bonus	120 00	
		$185,002 50
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$400 00	
Household and organization	50 00	
Motor vehicular transportation	2,000 00	
Stationery and office	650 00	
Printing, binding, photography and blueprinting	800 00	
Engineering and drafting	500 00	
Replacement: Office equipment	100 00	
		4,500 00
Services Other Than Personal:		
Traveling expenses	$4,500 00	
Rent: Garages	264 00	
Rent: Ground	50 00	
Household or office	15 00	

Advertising	100 00	
Subscriptions and membership dues ..	100 00	
Miscellaneous expenses	50 00	
		5,079 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$100 00	
Buildings and grounds	7,500 00	
Automotive	1,000 00	
Scientific equipment..	250 00	
Other equipment	150 00	
		9,000 00
Extraordinary:		
Incodel Co-operative Ground Water Survey	$10,000 00	
Pine Barren Ground Water Investigation	5,000 00	
		15,000 00
Additions and Improvements:		
Recording gauges ...	$900 00	
New gauging stations	4,000 00	
		4,900 00
All balances remaining in the appropriations for the repair, rehabilitation and improvement of the Delaware and Raritan canal as of June 30, 1953, are hereby reappropriated.		
The unexpended balance in the Interconnection Revolving Fund as of June 30, 1953, is hereby reappropriated.		
		$223,481 50

N 40. *Division of Shell Fisheries*

Salaries:		
Director	$6,900 00	
Other officers and employees	120,540 00	
		$127,440 00
Materials and Supplies:		
Clothing	$500 00	
Heat, light, power, water, gas and electricity	1,000 00	
Stationery and office..	150 00	
Printing, binding, photography and blueprinting	300 00	
Motor boat transportation supplies	8,000 00	
		9,950 00
Services Other Than Personal:		
Traveling expenses ..	$3,000 00	
Rent: Other	137 00	
Advertising	25 00	
Subscriptions and membership dues ..	50 00	
Surveying and mapping	900 00	
Miscellaneous expenses	50 00	
		4,162 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$25 00	
Motor boats and equipment	8,000 00	
		8,025 00

Additions and Improvements:		
Delaware bay oyster research	$18,398 00	
Motor vehicles and equipment	1,650 00	
Shelling beds, Atlantic coast	5,000 00	
Staking State's natural spawning oyster beds	75 00	
Shelling beds, seeds, drills (Maurice river)	15,000 00	
		40,123 00
		$189,700 00

1 N 50. *Division of Fish and Game*

(Payable Out of Hunters' and Anglers' License Fund)

Salaries:		
Director	$9,300 00	
Other officers and employees	463,710 80	
New positions	4,080 00	
Chair at Rutgers	10,000 00	
		$487,090 80
Materials and Supplies:		
Clothing	$1,500 00	
Heat, light, power, water, gas and electricity	12,000 00	
Farm, stable and grounds	15,000 00	
Household and organization	100 00	
Motor vehicular transportation	29,850 00	

Stationery and office..	2,000 00	
Printing, binding, photography and blueprinting	24,000 00	
Educational, recreational and library	1,000 00	
Other materials	1,000 00	
Replacement: Motor vehicles	13,350 00	
Replacement: Boats and motors	2,000 00	
Replacement: Plant equipment	1,000 00	
Boat transportation supplies	6,000 00	
Food for fish and game	100,000 00	
Purchase of live fish and game	60,000 00	
		268,800 00

Services Other Than Personal:		
Traveling expenses ..	$14,500 00	
Telephone and telegraph	7,500 00	
Rent: Office	6,920 00	
Rent: Garages	2,000 00	
Rent: Dock and other	3,000 00	
Insurance: Other than fire	6,907 14	
Freight, express and cartage	200 00	
Subscriptions and membership dues ..	400 00	
Court costs	500 00	
Postage	3,000 00	
Medical expenses	500 00	
Miscellaneous expenses	500 00	
		45,927 14

Current Repairs and Maintenance:		
Buildings and grounds	$6,000 00	
Automotive	10,150 00	
Plant equipment	2,500 00	
Motor boats	4,000 00	
		22,650 00
Extraordinary:		
Compensation awards	$383 00	
Reimbursement to State for employees' retirement contributions	22,000 00	
Deer management ...	15,000 00	
		37,383 00
Additions and Improvements:		
Office equipment	$200 00	
Holding pens	3,500 00	
Expansion (fish hatchery)	6,500 00	
		10,200 00
		$872,050 94

Division of Fish and Game

1 N 51. *Public Shooting and Fishing*

(Payable Out of Public Shooting and Fishing Grounds Fund)

Salaries:		
Other officers and employees		$94,274 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$500 00	

Motor vehicular transportation	12,000 00	
Stationery and office.	100 00	
Printing, binding, photography and blueprinting	500 00	
Replacement: Motor vehicles	800 00	
Purchase of live fish and game	500 00	
Operating materials and supplies	4,000 00	
Boat transportation supplies	200 00	
		18,600 00
Services Other Than Personal:		
Traveling expenses ..	$750 00	
Telephone and telegraph	1,700 00	
Rent: Garages	60 00	
Insurance	1,451 35	
Freight, express and cartage	50 00	
Miscellaneous expenses	100 00	
		4,111 35
Current Repairs and Maintenance:		
Buildings and grounds	$2,000 00	
Automotive	2,500 00	
Other equipment	2,500 00	
		7,000 00
Extraordinary:		
Contribution to State Employees' Retirement System		5,000 00
		$128,985 35

Division of Fish and Game

2 N 51. *Public Shooting and Fishing Grounds Fund*
Reimbursable by Federal Aid

Salaries:		
Salaries and wages		$50,105 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$100 00	
Motor vehicular transportation	3,500 00	
Stationery and office..	200 00	
Printing, binding, photography and blueprinting	500 00	
Replacement: Motor vehicles	2,500 00	
Operating materials and supplies	12,000 00	
		18,800 00
Services Other Than Personal:		
Traveling expenses ..	$6,000 00	
Telephone and telegraph	800 00	
Rent: Miscellaneous .	500 00	
Freight, express and cartage	300 00	
Miscellaneous expenses	300 00	
		7,900 00
Current Repairs and Maintenance:		
Building and grounds	$2,500 00	
Automotive	1,000 00	
Other equipment	1,500 00	
		5,000 00

Extraordinary:		
Contribution for State Employees' Retirement System	900 00	
		$82,705 00
Total, Appropriations Payable from Public Shooting and Fishing Grounds Fund		$211,690 35

Appropriations made to the Division of Fish and Game shall be chargeable to receipts from hunters' and anglers' licenses, pursuant to the provisions of article 1, chapter 3, of Title 23; R. S. 23:3–3, R. S. 23:3–23 to 27; all receipts, licenses and sales pursuant to the provisions of R. S. 52:18–31; all fines pursuant to the provisions of R. S. 23:10–19, together with balances of appropriations that may not have been disbursed during the fiscal year ending June thirtieth, one thousand nine hundred and fifty-three. In addition there is hereby appropriated to the Division of Fish and Game, funds in the Hunters' and Anglers' Fund and the Public Shooting and Fishing Grounds Fund in excess of the amounts specifically itemized as appropriations from said funds, and no portion of any receipts shall lapse into the general funds of the State; *provided, however,* that any such excess may only be expended when expressly approved by the State Treasurer. The total appropriations from said funds shall be limited to the amount of the receipts of the division for the fiscal year.

N 60. *Division of Veterans' Services*

Salaries:		
Director	$9,000 00	
Other officers and employees	223,260 00	
Bonus	180 00	
		$232,440 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$50 00	
Household and organization	50 00	
Drugs, medical, surgical and chemical ...	25 00	
Motor vehicular transportation	1,000 00	
Stationery and office..	1,500 00	
Printing, binding, photography and blueprinting	700 00	
Educational, recreational and library.	50 00	
Replacement: Office equipment	100 00	
		3,475 00
Services Other Than Personal:		
Traveling expenses ..	$3,000 00	
Rent: Garages	300 00	
Freight, express and cartage	100 00	
Household or office ..	250 00	
Subscriptions and membership dues ..	75 00	
Miscellaneous expenses	20 00	
		3,745 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$100 00	
Buildings and grounds	100 00	
Automotive	450 00	
		650 00
Additions and Improvements:		
Office equipment		100 00
		$240,410 00
Grand Totals, Department of Conservation and Economic Development		$3,601,215 33

Department of Education

P 10. *Commissioner's Office*

Department of education.

Salaries:		
Commissioner	$18,000 00	
Assistant commissioners	62,640 00	
Other officers and employees	296,660 00	
New positions	43,185 00	
Special services	2,500 00	
		$422,985 00
Materials and Supplies:		
Motor vehicular transportation	$1,600 00	
Stationery and office	7,500 00	
Printing, binding, photography and blueprinting	1,100 00	
Printing special bulletins	4,000 00	

Printing educational bulletins	2,500 00	
Educational, recreational and library ..	300 00	
Other materials (State exhibits)	350 00	
Replacement: Motor vehicles	1,100 00	
Replacement: Office equipment	500 00	
		18,950 00
Services Other Than Personal:		
Traveling expenses ..	$14,300 00	
Rent: Garages	400 00	
Freight, express and cartage	1,000 00	
Subscriptions and membership dues ..	450 00	
Legal seizure, investigation and related expenses	200 00	
Miscellaneous expenses	600 00	
Travel allowance—Advisory Committee	1,000 00	
		17,950 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$600 00	
Automotive	350 00	
		950 00
		$460,835 00

In addition to the $4,000.00 hereinabove specifically appropriated for printing special bulletins, there is appropriated the receipts from the sale of bulletins, and such receipts together with the appropriation hereinabove referred to shall constitute a Revolving Fund in the office of the Commissioner of Education.

The unexpended balances as at June 30, 1953 in the account for administrative expenses in research and experimental activities in television, are hereby reappropriated.

P 15. *Administration of Industrial Education, Manual Training and Vocational Schools (State Share)*

SMITH-HUGHES PROGRAM

Salaries:	
Other officers and employees	$33,585 00
Services Other Than Personal:	
Traveling expenses	2,000 00
	$35,585 00

P 16. *Administration of Industrial Education, Manual Training and Vocational Schools (State Share)*

GEORGE-BARDEN PROGRAM

Salaries:		
Other officers and employees	$37,845 00	
Special services	8,000 00	
		$45,845 00
Materials and Supplies:		
Other materials		1,500 00
Services Other Than Personal:		
Traveling expenses	$7,500 00	
Miscellaneous expenses	2,500 00	
		10,000 00
		$57,345 00

P 20. *Division of the State Library, Archives and History—General*

Salaries:		
Other officers and employees	$136,340 00	
New positions	7,800 00	
Special services	500 00	
Bonus	20 00	
		$144,660 00
Materials and Supplies:		
Motor vehicular transportation	$300 00	
Stationery and office	2,500 00	
Printing, binding, photography and blueprinting	4,500 00	

Educational, recreational and library.	32,500 00	
		39,800 00
Services Other Than Personal:		
Traveling expenses ..	$1,600 00	
Rent: Garages	72 00	
Freight, express and cartage	300 00	
Legislative reference division	160 00	
Miscellaneous expenses	100 00	
		2,232 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$150 00	
Automotive	100 00	
		250 00
Additions and Improvements:		
Office equipment		500 00
		$187,442 00

The unexpended balances in the account for microfilming as of June 30, 1953, are hereby reappropriated for use during the year 1953-54.

P 30. *Division of State Museum*

Salaries:		
Other officers and employees	$68,076 12	
Special services	1,500 00	
Fees for lectures	250 00	
		$69,826 12

Materials and Supplies:		
Clothing	$100 00	
Stationery and office..	1,500 00	
Printing, binding, photography and blueprinting	2,000 00	
Educational, recreational and library ..	600 00	
Other materials	700 00	
Replacement: Office equipment	400 00	
Replacement: Other equipment	290 00	
		5,590 00
Services Other Than Personal:		
Traveling expenses ..	$500 00	
Rent: Equipment	200 00	
Freight, express and cartage	600 00	
Subscriptions and membership dues ..	180 00	
		1,480 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$100 00	
Repairs to exhibits ..	1,000 00	
		1,100 00
Additions and Improvements:		
Educational, scientific and recreational equipment	$250 00	
Other equipment	400 00	
Remodeling and modernizing	1,000 00	
		1,650 00
		$79,646 12

P 40. *Division Against Discrimination*

Salaries:		
Assistant commissioner	$10,860 00	
Other officers and employees	67,605 00	
		$78,465 00
Materials and Supplies:		
Motor vehicular transportation	$1,800 00	
Stationery and office	700 00	
Printing, binding, photography and blueprinting	500 00	
Educational, recreational and library	500 00	
Replacement: Motor vehicles	650 00	
		4,150 00
Services Other Than Personal:		
Traveling expenses	$3,400 00	
Rent: Garages	672 00	
Legal seizure, investigation and related expenses	500 00	
Miscellaneous expenses	200 00	
		4,772 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$100 00	
Automotive	500 00	
		600 00
		$87,987 00
		$908,840 12

P 50. *State Teachers College, Glassboro*

For salaries and for maintenance.

Salaries:		
President	$8,388 00	
Other officers and employees	105,786 00	
Teachers	231,200 00	
New Positions	3,840 00	
Extra night services .	1,492 00	
		$350,706 00
Materials and Supplies:		
Food	$42,000 00	
Heat, light, power, water, gas and electricity	22,500 00	
Farm, stable and grounds	300 00	
Household and organization	2,800 00	
Drugs, medical, surgical and chemical ...	125 00	
Motor vehicular transportation	100 00	
Stationery and office..	800 00	
Printing, binding, photography and blueprinting	750 00	
Educational, recreational and library ..	8,000 00	
Industrial and vocational	200 00	
Engineering and visual aids	300 00	
Dormitory furniture..	2,500 00	
		80,375 00

Services Other Than Personal:		
Traveling expenses ..	$3,200 00	
Rent: Extension classroom	100 00	
Freight, express and cartage	200 00	
Laundry services	2,500 00	
Subscriptions and membership dues ..	350 00	
Commencement expenses	150 00	
Miscellaneous expenses	50 00	
		6,550 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$125 00	
Buildings and grounds	10,500 00	
Farm machinery	100 00	
Automotive	100 00	
Household furniture, machinery and equipment	1,000 00	
Recreational equipment	25 00	
Scientific and laboratory equipment	50 00	
		11,900 00
Additions and Improvements:		
Furniture, furnishings and fixtures	$1,000 00	
Other equipment — Clinical	600 00	
		1,600 00

In addition to the several amounts above appropriated for the Teachers College, Glassboro, there may be expended upon the approval of

the State Treasurer, any moneys received from cafeteria, dormitory, extension or summer courses, and demonstration schools, in excess of the receipts anticipated, and all balances of such funds as of June 30, 1953, are hereby reappropriated.		
		$451,131 00

P 51. *State Teachers College, Jersey City*

For salaries and for maintenance.

Salaries:		
President	$10,860 00	
Other officers and employees	77,650 55	
New positions	2,490 00	
Teachers	253,300 00	
Bonus	480 00	
		$344,780 55
Materials and Supplies:		
Food	$14,500 00	
Heat, light, power, water, gas and electricity	12,000 00	
Farm, stable and grounds	450 00	
Household and organization	2,000 00	
Drugs, medical, surgical and chemical ..	100 00	
Stationery and office..	1,000 00	
Printing, binding, photography and blueprinting	1,800 00	

Educational, recreational and library ..	9,000 00	
Other materials	100 00	
Replacement: Office equipment	275 00	
Replacement: Institutional equipment ..	750 00	
		41,975 00
Services Other Than Personal:		
Traveling expenses ..	$1,200 00	
Freight, express and cartage	50 00	
Household or office ..	325 00	
Subscriptions and membership dues ..	300 00	
Miscellaneous expenses	50 00	
Entertainment expenses	300 00	
		2,225 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$125 00	
Buildings and grounds	8,000 00	
Farm machinery	100 00	
Household furniture, machinery and equipment	350 00	
		8,575 00
Additions and Improvements:		
Office equipment and furniture	$100 00	
General plant equipment	1,000 00	
		1,100 00

In addition to the several amounts above appropriated for the Teach-

ers College, Jersey City, there may be expended upon the approval of the State Treasurer, any moneys received from cafeteria, dormitory, extension or summer courses and demonstration schools in excess of the receipts anticipated, and all balances of such funds as of June 30, 1953, are hereby reappropriated.

$398,655 55

P 52. *State Teachers College, Newark*

For salaries and for maintenance.

Salaries:		
President	$10,020 00	
Other officers and employees	78,208 25	
New positions	9,540 00	
Teachers	315,185 00	
New positions	3,840 00	
Bonus	490 00	
		$417,283 25
Materials and Supplies:		
Food	$15,000 00	
Heat, light, power, water, gas and electricity	9,300 00	
Farm, stable and grounds	300 00	
Household and organization	1,100 00	
Drugs, medical, surgical and chemical	50 00	
Stationery and office	1,600 00	

Printing, binding, photography and blueprinting	1,600 00	
Educational, recreational and library ..	10,300 00	
Replacement: Office equipment	325 00	
Replacement: Institutional equipment ..	1,000 00	
		40,575 00
Services Other Than Personal:		
Traveling expenses ..	$2,000 00	
Freight, express and cartage	100 00	
Household or office ..	200 00	
Subscriptions and membership dues ..	489 00	
Commencement and social program	300 00	
		3,089 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$250 00	
Buildings and grounds	7,000 00	
Household furniture, machinery and equipment	250 00	
Recreational equipment	100 00	
Scientific and laboratory equipment	200 00	
Other equipment	50 00	
		7,850 00

In addition to the several amounts above appropriated for the Teachers College, Newark, there may be expended upon approval of the State Treasurer, any moneys received from cafeteria, dormitory,

extension or summer courses and demonstration schools in excess of the receipts anticipated, and all balances of such funds as of June 30, 1953, are hereby reappropriated.		
		$468,797 25

P 53. *State Teachers College, Paterson*

For salaries and for maintenance.

Salaries:		
President	$10,860 00	
Other officers and employees	65,180 00	
New positions	6,720 00	
Teachers	206,980 00	
New positions	3,840 00	
Bonus	160 00	
		$293,740 00
Materials and Supplies:		
Food	$11,500 00	
Heat, light, power, water, gas and electricity	21,000 00	
Farm, stable and grounds	750 00	
Household and organization	2,750 00	
Drugs, medical, surgical and chemical ...	50 00	
Motor vehicular transportation	450 00	
Stationery and office..	1,200 00	
Printing, binding, photography and blueprinting	1,300 00	

Educational, recreational and library ..	11,000 00	
Replacement: Office equipment	500 00	
Replacement: Institutional equipment ..	3,000 00	
Replacement: Educational equipment ..	3,000 00	
		56,500 00
Services Other Than Personal:		
Traveling expenses ..	$1,700 00	
Freight, express and cartage	400 00	
Household or office ..	300 00	
Subscriptions and membership dues ..	350 00	
Commencement expenses	300 00	
		3,050 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$200 00	
Buildings and grounds	14,500 00	
Farm machinery	300 00	
Automotive	150 00	
Household furniture, machinery and equipment	300 00	
Scientific and laboratory equipment	150 00	
		15,600 00
Additions and Improvements:		
Educational, scientific and recreational equipment	$2,500 00	
Institutional equipment	1,000 00	
		3,500 00

In addition to the several amounts above appropriated for the Teachers College, Paterson, there may be expended upon the approval of the State Treasurer, any moneys received from cafeteria, dormitory, extension or summer courses and demonstration schools in excess of the receipts anticipated, and all balances of such funds as of June 30, 1953, are hereby reappropriated.		
		$372,390 00

P 54. *State Teachers College, Montclair*

For salaries and for maintenance.

Salaries:		
President	$9,495 00	
Other officers and employees	192,897 00	
New positions	10,962 00	
Teachers	530,416 00	
Bonus	330 00	
		$744,100 00
Materials and Supplies:		
Food	$84,000 00	
Heat, light, power, water, gas and electricity	34,000 00	
Farm, stable and grounds	900 00	
Household and organization	5,700 00	
Drugs, medical, surgical and chemical	200 00	

Motor vehicular transportation	250 00	
Stationery and office..	1,500 00	
Printing, binding, photography and blueprinting	2,600 00	
Educational, recreational and library ..	13,500 00	
Other materials	400 00	
Replacement: Office equipment	1,000 00	
Replacement: Institutional equipment ..	2,000 00	
Replacement: Educational equipment ..	1,000 00	
		147,050 00
Services Other Than Personal:		
Traveling expenses ..	$3,750 00	
Freight, express and cartage	300 00	
Household or office ..	1,050 00	
Subscriptions and membership dues ..	500 00	
Commencement and entertainment expenses	300 00	
		5,900 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$200 00	
Buildings and grounds	34,000 00	
Automotive	200 00	
Household furniture, machinery and equipment	300 00	
Recreational equipment	100 00	
Other equipment	200 00	
Scientific and laboratory equipment	150 00	
		35,150 00

Additions and Improvements:		
Engineering, scientific and technical equipment	$500 00	
Office equipment	300 00	
Educational equipment	750 00	
Institutional equipment	1,000 00	
		2,550 00

In addition to the several amounts above appropriated for the Teachers College, Montclair, there may be expended upon the approval of the State Treasurer, any moneys received from cafeteria, dormitory, extension or summer courses and demonstration schools in excess of the receipts anticipated, and all balances of such funds as of June 30, 1953, are hereby reappropriated.

$934,750 00

P 55. *State Teachers College, Trenton*

For salaries and for maintenance.

Salaries:		
President	$10,860 00	
Other officers and employees	258,471 00	
New positions	7,560 00	
Teachers	460,065 00	
New positions	14,040 00	
Supervision of dormitories	8,400 00	
Bonus	650 00	
		$760,046 00

Materials and Supplies:		
Food	$155,000 00	
Heat, light, power, water, gas and electricity	55,500 00	
Farm, stable and grounds	650 00	
Household and organization	6,000 00	
Drugs, medical, surgical and chemical	300 00	
Motor vehicular transportation	300 00	
Stationery and office	1,200 00	
Printing, binding, photography and blueprinting	1,600 00	
Educational, recreational and library	12,500 00	
Replacement: Office equipment	1,000 00	
Replacement: Educational equipment	2,000 00	
Replacement: Institutional equipment	2,000 00	
		238,050 00
Services Other Than Personal:		
Traveling expenses	$3,500 00	
Freight, express and cartage	100 00	
Household or office	8,500 00	
Subscriptions and membership dues	350 00	
Commencement expenses	200 00	
		12,650 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$100 00	

Buildings and grounds	20,000 00	
Farm machinery	100 00	
Automotive	100 00	
Household furniture, machinery and equipment	1,000 00	
Scientific and laboratory equipment	600 00	
		21,900 00
Additions and Improvements:		
Educational equipment	$1,000 00	
Dishwashing machine	2,765 00	
Boiler grates	2,000 00	
Repairs to wells	1,400 00	
		7,165 00
		$1,039,811 00
Total teachers colleges		$3,665,534 80

In addition to the several amounts above appropriated for the Teachers College, Trenton, there may be expended, upon the approval of the State Treasurer, any moneys received from cafeteria, dormitory, extension or summer courses and demonstration schools in excess of the receipts anticipated, and all balances of such funds as of June 30, 1953, are hereby reappropriated.

In addition to the amounts hereinabove specifically itemized there is appropriated to the various teachers colleges such sums as may be received from rentals of auditorium, fees for supervision of student teaching, and other revenues not an-

ticipated; *provided, however,* that the expenditure of such funds shall be subject to the approval of the State Treasurer.

P 60. *New Jersey School for the Deaf*

For salaries and for maintenance of the New Jersey School for the Deaf.		
Salaries:		
Superintendent	$7,140 00	
Other officers and employees	265,710 00	
New positions	2,760 00	
Teachers	274,565 00	
Special services	850 00	
		$551,025 00
Materials and Supplies:		
Food	$60,000 00	
Clothing	1,500 00	
Heat, light, power, water, gas and electricity	28,000 00	
Farm, stable and grounds	1,500 00	
Household and organization	9,500 00	
Drugs, medical, surgical and chemical ..	1,200 00	
Motor vehicular transportation	700 00	
Stationery and office..	250 00	
Educational, recreational and library ..	4,500 00	
Industrial and vocational	7,000 00	

Other materials	350 00	
Replacement: Earphones and equipment	2,400 00	
Replacement: Lighting facilities	1,000 00	
Replacement: Vocational equipment ..	2,500 00	
Replacement: Clock system	1,500 00	
Replacement: Laundry equipment	2,340 00	
Replacement: Student furnishings	1,000 00	
Replacement: Classroom equipment ...	1,000 00	
Replacement: Playground and athletic equipment	500 00	
		126,740 00
Services Other Than Personal:		
Traveling expenses ..	$700 00	
Freight, express and cartage	150 00	
Entertainment expenses	750 00	
		1,600 00
Current Repairs and Maintenance:		
Buildings and grounds	$12,000 00	
Primary cottage floors	1,400 00	
Painting	2,000 00	
Floors, Boys' Vocational Department..	1,500 00	
Automotive	650 00	
Roofs, greenhouses ..	780 00	
Renovation, shower rooms	4,600 00	
		22,930 00

Additions and Improvements:		
Fire and safety	11,857 00	
		$714,152 00

P 61. *Manual Training School, Bordentown*

For salaries, and for maintenance of the Manual Training and industrial School, Bordentown.

Salaries:		
Superintendent	$6,780 00	
Other officers and employees	119,412 00	
Teachers	136,702 00	
Student labor	6,000 00	
Special services	1,000 00	
		$269,894 00
Materials and Supplies:		
Food	$47,000 00	
Heat, light, power, water, gas and electricity	40,500 00	
Farm, stable and grounds	13,500 00	
Household and organization	10,000 00	
Drugs, medical, surgical and chemical ...	1,000 00	
Motor vehicular transportation	800 00	
Stationery and office..	300 00	
Printing, binding, photography and blueprinting	500 00	
Educational, recreational and library ..	4,500 00	

Industrial and vocational	4,500 00	
Replacement: Office equipment	400 00	
Replacement: Dormitory furniture	1,000 00	
Replacement: Physical education equipment	500 00	
		124,500 00
Services Other Than Personal:		
Traveling expenses	$800 00	
Freight, express and cartage	50 00	
Subscriptions and membership dues	20 00	
Commencement	75 00	
Entertainment expenses	750 00	
		1,695 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$100 00	
Buildings and grounds	22,000 00	
Farm machinery	800 00	
Automotive	500 00	
		23,400 00
Additions and Improvements:		
Completing heating plant	$20,000 00	
Fire protection	6,500 00	
Physical education and athletic equipment	1,000 00	
Greenhouse	15,000 00	
		42,500 00
		$461,989 00

P 62. *New Jersey School of Conservation—Lake Wapalanne*

Salaries:		
Other officers and employees		$14,000 00
Materials and Supplies:		
Food	$9,000 00	
Heat, light, power, water, gas and electricity	850 00	
Household and organization	750 00	
Drugs, medical, surgical and chemical ...	25 00	
Motor vehicular transportation	100 00	
Stationery and office..	100 00	
Printing, binding, photography and blueprinting	250 00	
Educational, recreational and library ..	100 00	
Replacement: Institutional equipment...	200 00	
		11,375 00
Services Other Than Personal:		
Traveling expenses ..	$400 00	
Telephone and telegraph	350 00	
Postage	150 00	
Miscellaneous expenses	250 00	
		1,150 00

In addition to the specific amounts hereinabove appropriated for the School of Conservation at Lake Wapalanne, there may be expended upon the approval of the State Treasurer any moneys received

from tuition, board, lodging, and meals in excess of the amounts hereinabove appropriated and all balances of such funds as of June 30, 1953, are hereby reappropriated.		
		$26,525 00

P 70. *Rutgers University, The State University of New Jersey*

General University

Salaries:		
Other officers and employees		$6,463,009 00
Materials and Supplies:		
Food	$2,000 00	
Heat, light, power, water, gas and electricity	220,000 00	
Stationery and printing (including catalogs)	160,000 00	
Educational, recreational and library ..	250,000 00	
Educational, recreational and library supplies, South Jersey Law School	32,000 00	
Supplies	125,000 00	
Equipment	100,000 00	
Equipment, College of Pharmacy	60,000 00	
Equipment, College of Engineering	25,000 00	
		974,000 00

Services Other Than Personal:		
Traveling expenses ..	$100,000 00	
Telephone and telegraph	70,000 00	
Rent: Buildings	40,000 00	
Insurance (including group insurance) ..	100,000 00	
Freight, express and cartage	5,000 00	
Household expenses (laundry)	6,000 00	
Subscriptions and membership dues ..	1,600 00	
Postage	35,000 00	
Sundry expenses	20,000 00	
Commencement expenses	15,000 00	
Investment custodian expenses	4,000 00	
Auditing and legal expenses	17,000 00	
Taxes and municipal services	83,000 00	
		496,600 00
Current Repairs and Maintenance:		
Buildings and grounds	$450,000 00	
Equipment repairs ..	32,500 00	
		482,500 00
Extraordinary:		
Research grants	$100,000 00	
Retirement allowances	59,431 00	
Expenses paid from dedicated endowment and special funds	200,200 00	
Contingent fund	20,000 00	
Interest on mortgages, notes, et cetera	77,500 00	
Debt services amortization	20,000 00	

Amortization of veterans' facilities	200,000 00	
University Press—printing, royalties, manufacturing costs, et cetera	100,000 00	
Land grant interest ..	5,800 00	
		782,931 00
		$9,199,040 00
Less Income:		
General University income deductions		3,950,705 00
Net amount State University appropriations to be used as follows:		
Administration and instruction (exclusive of scholarships).....		$5,242,535 00
Land grant interest		5,800 00

It is expressly provided that of the amount set up for the General University not less than $125,000.00 shall be earmarked for Labor-Management Institute, not less than $50,000.00 for the graduate school of social work and not less than $50,000.00 for graduate library school.

Sub-total, Appropriations, Including Allotments, General University	$5,248,335 00

P 71. *New Jersey College for Women*

Salaries:		
Other officers and employees		$1,074,185 00
Materials and Supplies:		
Food	$2,500 00	
Heat, light, power, water, gas and electricity	37,300 00	
Stationery and printing (including catalogs)	15,000 00	
Educational, recreational and library ..	10,000 00	
Supplies	24,000 00	
Equipment	18,000 00	
		106,800 00
Services Other Than Personal:		
Traveling expenses ..	$3,500 00	
Telephone and telegraph	10,000 00	
Insurance: Fire.....	10,000 00	
Insurance: Group ...	5,000 00	
Freight, express and cartage	100 00	
Household expenses .	500 00	
Sundry expenses	2,000 00	
Auditing and legal expenses	2,000 00	
Postage	3,000 00	
Commencement expenses	2,500 00	
Taxes and municipal services	17,000 00	
Investment custodian expense	1,300 00	
		56,900 00

Current Repairs and Maintenance:		
Plant repairs	$100,000 00	
Equipment repairs ..	1,500 00	
		101,500 00
Extraordinary:		
Retirement allowances	$28,383 00	
Expenses paid from special funds	47,000 00	
Contingent	3,000 00	
Interest	12,000 00	
Debt service	18,000 00	
Intra-University services	31,150 00	
		139,533 00
		$1,478,918 00
Less income deductions		537,496 00
Sub-total State Appropriation, Including Allotments, New Jersey College for Women..		$941,422 00

P 72. *Agricultural Experiment Station*

Salaries:		
Director	$7,200 00	
Other officers and employees	1,314,230 00	
		$1,321,430 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$35,000 00	
Farm, stable and grounds	60,000 00	
Household and organization	150 00	

Drugs, medical, surgical and chemical ...	22,500 00	
Motor vehicular transportation	10,000 00	
Stationery and office..	5,500 00	
Printing, binding, photography and blueprinting	12,500 00	
Replacement: Motor vehicles	7,500 00	
		153,150 00
Services Other Than Personal:		
Traveling expenses ..	$12,000 00	
Telephone and telegraph	16,000 00	
Rent: Various	3,096 00	
Freight, express and cartage	500 00	
Household or office ..	300 00	
Subscriptions and membership dues ..	1,500 00	
Development and operation of mosquito traps	300 00	
Registration of animals	300 00	
Veterinary and medical treatment	700 00	
		34,696 00
Current Repairs and Maintenance:		
Buildings and grounds	$17,500 00	
Automotive	5,000 00	
Scientific equipment..	4,500 00	
		27,000 00
Extraordinary:		
Mosquito control program in the counties of Atlantic, Burlington, Cape May, Monmouth and Ocean ..	$50,000 00	

Horse breeding research	25,000 00	
Research in fruit growing industry ..	10,000 00	
Enforcement of chapter 316, laws of 1951 concerning pesticide control	10,000 00	
		95,000 00

Additions and Improvements:

Additional laboratory equipment for State chemist	$2,000 00	
Farm equipment	4,900 00	
Office equipment	150 00	
Additional laboratory equipment for food technology department	500 00	
Additional laboratory equipment for plant physiology department	1,000 00	
Additional laboratory equipment for horticulture department.	1,000 00	
Reconstruction and major repairs to Beemerville property	7,500 00	
Additional laboratory equipment for animal husbandry department	1,000 00	
Additional laboratory equipment for entomology department	5,000 00	
Additional laboratory equipment for plant pathology department	1,000 00	

Additional laboratory equipment for seed department	2,000 00	
Booster pump for fire line	1,000 00	
New automobiles	3,000 00	
		30,050 00

The unexpended balances in the appropriations to the Agricultural Experiment Station as of June 30, 1953, are hereby reappropriated to said station for agricultural research in 1953-54.

Sub-total, Agricultural Experiment Station $1,661,326 00

P 73. SCHOLARSHIPS

Scholarships at Rutgers University and the New Jersey College for Women:

General University (includes South Jersey)	$242,000 00	
New Jersey College for Women	130,000 00	
Sub-total, Scholarships		$372,000 00

There is reappropriated the unexpended balances in the Scholarships Accounts, as of June 30, 1953, for extension of the University's services to Veterans.

Grand Total, State University, $8,223,083 00

P 74. NEWARK TECHNICAL SCHOOL AND NEWARK COLLEGE OF ENGINEERING

Extraordinary:		
For the purchase of higher education at the Newark Technical School and Newark College of Engineering		$572,947 00
Total, Department of Education		$14,573,070 92

R 10. STATE HIGHWAY DEPARTMENT

General

State highway department.

Salaries:		
Commissioner	$18,000 00	
State Highway Engineer	15,000 00	
Assistant State Highway Engineer	11,000 00	
Other officers and employees	4,408,756 00	
New positions	153,180 00	
Wages of labor	4,244,376 00	
New positions	263,160 00	
Special services, temporary and outside	15,000 00	
Bonus	260 00	
		$9,128,732 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$124,000 00	
Purchase of power, highway lighting	450,000 00	
Gasoline, oil and grease	250,000 00	
Tires and tubes	65,000 00	

Stationery and office supplies	20,000 00	
Printing, binding, photography and blueprinting	13,500 00	
Replacement: Motor vehicles	450,000 00	
Parts	140,000 00	
Supplies and materials, road construction and maintenance	1,700,000 00	
Tools	25,000 00	
Laboratory supplies ..	5,000 00	
		3,242,500 00
Services Other Than Personal:		
Traveling expenses ..	$60,000 00	
Telephone and telegraph	45,000 00	
Rent: Land and buildings	55,241 00	
Rent: Equipment ...	150,000 00	
Insurance	53,642 88	
Freight, express and cartage	5,000 00	
Advertising	3,500 00	
Postage	14,000 00	
Miscellaneous expenses	10,000 00	
		396,383 88
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$2,500 00	
Buildings and grounds	25,000 00	
Other equipment	2,500 00	
		30,000 00

Extraordinary:		
Maintenance by agreement and contract..	$550,000 00	
Maintenance and operation of bridge and maintenance of new extension Route 44 to Route 45, Salem county	3,000 00	
Compensation claims, awards, medical ...	35,000 00	
		588,000 00
Additions and Improvements:		
Furniture, furnishings and fixtures	$4,600 00	
Office equipment	7,500 00	
Autos and other road-building equipment.	275,000 00	
Sewer and gas lines, sprinkler system ...	16,700 00	
		303,800 00
It is expressly provided that miscellaneous claims not exceeding $100.00 shall be paid from maintenance funds upon the approval of the State Treasurer.		
		$13,689,415 88

DEPARTMENT OF INSTITUTIONS AND AGENCIES

S 10. *Administration, General*

Department of institutions and agencies.

Salaries:		
Commissioner	$18,000 00	
Deputy commissioners (4)	34,800 00	
Other officers and employees	515,100 00	
New positions	21,000 00	
Bonus	60 00	
		$588,960 00
Materials and Supplies:		
Motor vehicular transportation	$6,000 00	
Stationery and office..	6,500 00	
Printing, binding, photography and blueprinting	1,000 00	
Educational recreational and library	100 00	
Replacement: Office equipment	1,000 00	
		14,600 00
Services Other Than Personal:		
Traveling expenses ..	$5,000 00	
Rent: Garages	2,200 00	
Advertising	500 00	
Subscriptions and membership dues ..	1,000 00	
Deporting aliens	4,000 00	
Miscellaneous expenses	2,500 00	
		15,200 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$1,000 00	
Automotive	2,500 00	
		3,500 00
Additions and Improvements:		
Purchase of bedside cabinets and lockers for distribution to various institutions		10,000 00
		$632,260 00

S 11. *Central Parole Administration*

Salaries:		
Other officers and employees	$431,610 00	
New positions	6,960 00	
Special services	500 00	
Bonus	168 00	
		$439,238 00
Materials and Supplies:		
Motor vehicular transportation	$7,500 00	
Staticnery and office	3,500 00	
Training school supplies	500 00	
Replacement: Motor vehicles	2,500 00	
		14,000 00
Services Other Than Personal:		
Traveling expenses	$4,000 00	
Rent: Garages	750 00	
Miscellaneous expenses	500 00	
		5,250 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$750 00	
Automotive	3,000 00	
		3,750 00
Additions and Improvements:		
Motor vehicles		1,500 00
		$463,738 00

S 12. *Bureau of Assistance*

Salaries:		
Deputy Commissioner transferred from Administration General	$11,400 00	
Director	10,020 00	
Other officers and employees	271,845 00	
New positions	29,730 00	
Special services	2,000 00	
		$324,995 00
Materials and Supplies:		
Motor vehicular transportation	$2,000 00	
Stationery and office	5,500 00	
Printing, binding, photography and blueprinting	500 00	
Educational, recreational and library	200 00	
Replacement: Office equipment	1,000 00	
		9,200 00

Services Other Than Personal:		
Traveling expenses ..	$7,000 00	
Rent: Garages	864 00	
Rent: Office machines	2,832 00	
Subscriptions and membership dues ..	200 00	
		10,896 00
Current Repairs and Maintenance:		
Automotive		500 00
		$345,591 00

S 14. *New Jersey Parole Board*

Salaries:		
Chairman	$12,000 00	
Other officers and employees	32,240 00	
		$44,240 00
Materials and Supplies:		
Stationery and office		400 00
Services Other Than Personal:		
Traveling expenses ..	$450 00	
Miscellaneous expenses	100 00	
		550 00
		$45,190 00

1 S 15. *Division of State Use Employment Industrial Supervision and Revolving Fund*

There is hereby appropriated to the State Use Division, the unexpended balance of the fund known as the "State Use Working Capital Fund" and in addition thereto all receipts derived from sales, pursuant to the provisions of R. S. 30:4–100; *provided, however,* that out of the amounts hereby appropriated, the following sums are allotted:

Salaries:		
Director	$7,920 00	
Assistant directors of industries (2)	15,000 00	
Other officers and employees	537,557 75	
New positions	6,960 00	
Cash in lieu of food maintenance	3,060 00	
Inmates' wages	40,000 00	
		$610,497 75
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$45,000 00	
Stationery and office..	1,000 00	
		46,000 00
Services Other Than Personal:		
Telephone and telegraph	$2,500 00	
Rent: Royalties, leased machinery	7,000 00	
Insurance: Fire	13,500 00	
Freight, express and cartage	29,000 00	

Postage	1,000 00	
Miscellaneous expenses	11,000 00	
		64,000 00
Current Repairs and Maintenance:		
Current repairs		15,000 00
Additions and Improvements:		
Repairs, replacements and extensions of State use industries		75,000 00
		$810,497 75

In addition to the above, there is hereby allotted out of the amounts appropriated to the State Use Division, such sums as may be necessary to purchase materials for manufacture and resale.

Total, Department of Institutions and Agencies, Central Office Administration	$1,486,779 00

S 20. *Highlands Treatment Center*

Salaries:		
Other officers and employees	$18,420 00	
Cash in lieu of food ..	108 00	
		$18,528 00
Materials and Supplies:		
Food	$4,380 00	
Clothing	300 00	
Heat, light, power, water, gas and electricity	1,000 00	

Farm, stable and grounds	100 00	
Household and organization	400 00	
Motor vehicular transportation	300 00	
Stationery and office..	200 00	
Laundry service and supplies	500 00	
		7,180 00
Services Other Than Personal:		
Traveling expenses ..	$250 00	
Telephone and telegraph	400 00	
		650 00
Current Repairs and Maintenance:		
Buildings and grounds	$300 00	
Automotive	75 00	
		375 00
		$26,733 00

S 30. New Jersey State Colony, New Lisbon

For salaries, and for maintenance of the Colony for Feeble-Minded Males, on the basis of one thousand inmates.		
Salaries:		
Superintendent	$7,500 00	
Other officers and employees	625,856 00	
New positions	12,120 00	
Cash in lieu of food maintenance	28,644 00	
Special services	2,500 00	
		$676,620 00

Materials and Supplies:		
Food	$117,238 00	
Clothing	16,500 00	
Heat, light, power, water, gas and electricity	49,000 00	
Farm, stable and grounds	35,000 00	
Household and organization	16,500 00	
Drugs, medical, surgical and chemical	5,000 00	
Motor vehicular transportation	2,600 00	
Stationery and office	750 00	
Educational, recreational and library	850 00	
Industrial and vocational	1,800 00	
Other materials and supplies	1,500 00	
Replacement: Kitchen equipment	2,350 00	
Replacement: Motor vehicles	2,250 00	
Replacement: Furnishings school building	800 00	
Replacement: Laundry equipment	825 00	
		252,963 00

Services Other Than Personal:		
Traveling expenses ..	$1,200 00	
Telephone and telegraph	2,700 00	
Freight, express and cartage	100 00	
Subscriptions and membership dues ..	100 00	
Funeral expenses ...	500 00	
Entertainment expenses	700 00	
		5,300 00
Current Repairs and Maintenance:		
Buildings and grounds	$12,500 00	
Automotive equipment	800 00	
		13,300 00
Additions and Improvements:		
Linoleum in two cottages	$4,800 00	
Installation of fire escape and fireproofing	4,000 00	
		8,800 00
		$956,983 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 R. S. 30:4–176, whatever sum or sums is received from the counties to pay the cost of such maintenance of any said patient in the colony.

S 41. NEW JERSEY STATE COLONY, WOODBINE

For salaries and for maintenance of the Colony for Feeble-Minded Males, Woodbine, on the basis of one thousand ten inmates.		
Salaries:		
Superintendent	$8,400 00	
Other officers and employees	739,103 40	
New positions	36,000 00	
Cash in lieu of food maintenance	25,574 00	
Special services	2,500 00	
		$811,577 40
Materials and Supplies:		
Food	$149,930 00	
Clothing	15,000 00	
Heat, light, power, water, gas and electricity	57,500 00	
Farm, stable and grounds	7,000 00	
Household and organization	16,000 00	
Drugs, medical, surgical and chemical ...	6,000 00	
Motor vehicular transportation	1,200 00	
Stationery and office..	700 00	
Educational, recreational and library ..	2,000 00	
Other materials	500 00	
Replacement: Furniture	3,500 00	
Replacement: Playground equipment..	500 00	
Replacement: Kitchen equipment	800 00	

Replacement: Refrigerators	500 00	
Replacement: Press, hand-operated laundry	600 00	
Replacement: Feed water heater	3,600 00	
Replacement: Farm equipment	900 00	
Replacement: Hardware — Weeks cottage	1,000 00	
Replacement: Repipe C-8	2,000 00	
Replacement: Locks	1,500 00	
		270,730 00
Services Other Than Personal:		
Traveling expenses	$750 00	
Telephone and telegraph	1,800 00	
Freight, express and cartage	200 00	
Advertising	25 00	
Subscriptions and membership dues	50 00	
Funeral expenses	300 00	
Miscellaneous expenses	50 00	
Entertainment expenses	150 00	
		3,325 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$100 00	
Buildings and grounds	13,500 00	
Automotive	600 00	
		14,200 00

Additions and Improvements:		
Remodel horse barn ..	$1,500 00	
Motor vehicles—bus..	1,500 00	
Additional lighting in cottages	2,000 00	
Exhaust fans C-10 ...	1,500 00	
Renovation C-4	5,000 00	
		11,500 00
		$1,111,332 40

This colony is authorized to pay for the maintenance of any county indigent patient transferred from the colony to an institution for training of the feeble-minded, to which moneys are paid by the State pursuant to R. S. 30:4–176, whatever sum or sums received from the counties to pay the cost of such maintenance of any said patient in the colony.

S 32. State Home for Disabled Soldiers, Menlo Park

For salaries and for maintenance of the Home for Disabled Soldiers, Menlo Park, on the basis of eighty-three veterans.

Salaries:		
Superintendent	$8,400 00	
Other officers and employees	87,384 00	
New positions	2,520 00	
Cash in lieu of food maintenance	5,976 00	
Special services	1,000 00	
		$105,280 00

Materials and Supplies:		
Food	$21,834 00	
Clothing	650 00	
Heat, light, power, water, gas and electricity	7,200 00	
Farm, stable and grounds	400 00	
Household and organization	1,750 00	
Laundry supplies and services	1,100 00	
Drugs, medical, surgical and chemical	1,500 00	
Motor vehicular transportation	400 00	
Stationery and office	200 00	
Other materials	100 00	
		35,134 00
Services Other Than Personal:		
Traveling expenses	$300 00	
Telephone and telegraph	500 00	
Freight, express and cartage	25 00	
Funeral expenses	100 00	
Entertainment expenses	100 00	
		1,025 00
Current Repairs and Maintenance:		
Buildings and grounds	$1,800 00	
Automotive	225 00	
		2,025 00
		$143,464 00

S 33. STATE HOME FOR DISABLED SOLDIERS, ETC., VINELAND

For salaries and for maintenance of the Home for Disabled Soldiers, Sailors, et cetera, Vineland, on the basis of one hundred forty members.		
Salaries:		
Superintendent	$7,500 00	
Other officers and employees	156,276 00	
Cash in lieu of food maintenance	9,216 00	
Special services	1,800 00	
		$174,792 00
Materials and Supplies:		
Food	$37,375 00	
Clothing	500 00	
Heat, light, power, water, gas and electricity	19,000 00	
Farm, stable and grounds	500 00	
Household and organization	4,000 00	
Drugs, medical, surgical and chemical ...	2,500 00	
Motor vehicular transportation	400 00	
Stationery and office..	500 00	
Other materials	400 00	
Replacement: Floor covering	1,000 00	
Replacement: Furniture	1,000 00	
		67,175 00

Services Other Than Personal:		
Traveling expenses ..	$800 00	
Telephone and telegraph	600 00	
Freight, express and cartage	25 00	
Funeral expenses	150 00	
Laundry services	4,500 00	
Entertainment expenses	500 00	
		6,575 00
Current Repairs and Maintenance:		
Buildings and grounds	$5,000 00	
Automotive	350 00	
		5,350 00
Additions and Improvements:		
Install fireproof windows and doors to fire escapes		3,000 00
		$256,892 00

S 34. North Jersey Training School, Totowa

For salaries and for maintenance of the North Jersey Training School for Females, Totowa, on the basis of one thousand inmates.

Salaries:		
Superintendent	$8,400 00	
Other officers and employees	582,696 00	
New positions	21,720 00	
Cash in lieu of food maintenance	24,576 00	
Special services	3,000 00	
Inmates' wages	1,000 00	
Bonus	120 00	
		$641,512 00

Materials and Supplies:		
Food	$127,823 00	
Clothing	17,000 00	
Heat, light, power, water, gas and electricity	70,000 00	
Farm, stable and grounds	31,000 00	
Household and organization	21,000 00	
Drugs, medical, surgical and chemical	11,000 00	
Motor vehicular transportation	2,200 00	
Stationery and office	900 00	
Educational, recreational and library	1,500 00	
Industrial and vocational	1,500 00	
Replacement: Motor vehicles	2,150 00	
Replacement: Office equipment	775 00	
Replacement: Kitchen equipment	4,900 00	
Replacement: Furniture and furnishings, patients	2,500 00	
Replacement: Furniture and furnishings, employees'	2,000 00	
Replacement: Sewing machines	1,120 00	
Replacement: Electric panels and wiring, cottages	2,000 00	
Replacement: Refrigerator, hospital building	600 00	
Replacement: Laundry equipment	1,500 00	
		301,468 00

Services Other Than Personal:		
Traveling expenses ..	$500 00	
Telephone and telegraph	3,500 00	
Freight, express and cartage	50 00	
Advertising	50 00	
Funeral expenses	300 00	
Miscellaneous expenses	25 00	
Entertainment expenses	300 00	
		4,725 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$300 00	
Buildings and grounds	12,500 00	
Automotive	750 00	
		13,550 00
Extraordinary:		
Compensation award		860 71
Additions and Improvements:		
Fire Prevention: Schedule rating bureau	$5,000 00	
Refrigeration changes, food service building	6,000 00	
Playground equipment, new nursery and dormitory	900 00	
		11,900 00
		$974,015 71

S 35. NEW JERSEY REFORMATORY, ANNANDALE

For salaries and for maintenance of the New Jersey Reformatory at Annandale, on the basis of five hundred inmates.		
Salaries:		
Superintendent	$7,800 00	
Other officers and employees	503,395 00	
New positions	5,760 00	
Cash in lieu of food maintenance	18,024 00	
Special services	1,800 00	
		$536,779 00
Materials and Supplies:		
Food	$36,975 00	
Clothing	16,000 00	
Heat, light, power, water, gas and electricity	39,500 00	
Farm, stable and grounds	27,000 00	
Household and organization	8,000 00	
Drugs, medical, surgical and chemical ..	1,800 00	
Motor vehicular transportation	3,000 00	
Stationery and office..	1,000 00	
Printing, binding, photography and blueprinting	75 00	
Educational, recreational and library ..	2,500 00	
Other materials	800 00	
Replacement: Motor vehicles	2,000 00	

Replacement: Office equipment	465 00	
Replacement: Refrigeration equipment	4,000 00	
Replacement: Tractor	2,000 00	
Replacement: Bake shop equipment ...	2,863 00	
Replacement: Furnaces and stoves ...	1,500 00	
Replacement: Protective equipment ..	500 00	
Replacement: Lighting fixtures	2,000 00	
		151,978 00

Services Other Than Personal:		
Traveling expenses ..	$100 00	
Telephone and telegraph	1,400 00	
Freight, express and cartage	100 00	
Laundry service	2,250 00	
Payments to discharged inmates ...	2,000 00	
Funeral expenses	60 00	
Entertainment expenses	500 00	
Expense of returning inmates	1,000 00	
		7,410 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$200 00	
Buildings and grounds	10,500 00	
Automotive	500 00	
		11,200 00

Additions and Improvements:		
Purchase of thermostat controls	$1,200 00	
Purchase of pipe insulation	1,000 00	
Purchase of bake shop equipment	2,500 00	
Fire prevention schedule rating report ...	2,000 00	
		6,700 00
		$714,067 00

S 36. New Jersey Reformatory, Bordentown

For salaries and for maintenance of the New Jersey Reformatory, Bordentown, on the basis of six hundred inmates.

Salaries:		
Superintendent	$7,800 00	
Other officers and employees	538,454 00	
New positions	125,580 00	
Cash in lieu of food maintenance	16,272 00	
Special services	3,000 00	
Inmates' wages	10,000 00	
		$701,106 00
Materials and Supplies:		
Food	$69,357 00	
Clothing	17,000 00	
Heat, light, power, water, gas and electricity	41,900 00	
Farm, stable and grounds	28,000 00	

Household and organization	11,000 00
Drugs, medical, surgical and chemical ...	3,000 00
Motor vehicular transportation	2,000 00
Stationery and office..	1,500 00
Printing, binding, photography and blueprinting	200 00
Educational, recreational and library ..	1,500 00
Industrial and vocational	600 00
Replacement: Cell locking devices	6,000 00
Replacement: Autocall parts	2,000 00
Replacement: Furnishings, officers' living quarters	1,500 00
Replacement: Electric ranges	650 00
Replacement: Kitchen equipment	550 00
Replacement: Bake oven	2,500 00
Replacement: Furnishings at superintendent's residence.	500 00
Replacement: Bathroom and kitchen facilities at staff homes	4,500 00
Replacement: Irrigation pump and oscillators	750 00
Replacement: Two sets of outside doors ..	1,500 00
Replacement: Bulletproof glass for control room windows..	650 00

Replacement: Protective equipment ..	500 00	
		197,657 00
Services Other Than Personal:		
Traveling expenses ..	$950 00	
Telephone and telegraph	1,700 00	
Freight, express and cartage	100 00	
Subscriptions and membership dues ..	100 00	
Payments to discharged inmates ...	1,500 00	
Funeral expenses	150 00	
Miscellaneous expenses	100 00	
		4,600 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$350 00	
Buildings and grounds	13,000 00	
Automotive	900 00	
		14,250 00
Extraordinary:		
Compensation award		997 36
Additions and Improvements:		
Internal security grills	$3,000 00	
Communication with outlying custodial posts	1,000 00	
Erection of observation towers and security fence	10,000 00	
Filing cabinets	800 00	
		14,800 00
		$933,410 36

S 37. NEW JERSEY REFORMATORY FOR WOMEN, CLINTON

For salaries and for maintenance of the New Jersey Reformatory for Women, Clinton, on the basis of four hundred fifty inmates.

Salaries:		
Superintendent	$8,100 00	
Other officers and employees	428,538 00	
New positions	8,400 00	
Cash in lieu of food maintenance	27,264 00	
Special services	6,800 00	
Inmates' wages	3,000 00	
		$482,102 00
Materials and Supplies:		
Food	$47,650 00	
Clothing	11,000 00	
Heat, light, power, water, gas and electricity	42,000 00	
Farm, stable and grounds	21,000 00	
Household and organization	11,000 00	
Drugs, medical, surgical and chemical ...	6,000 00	
Motor vehicular transportation	1,500 00	
Stationery and office..	1,000 00	
Educational, recreational and library ..	1,000 00	
Industrial and vocational	500 00	
Cannery supplies	1,250 00	
Replacement: Motor vehicles	1,600 00	

Replacement: Office equipment	1,600 00	
Replacement: Furniture, furnishings ..	2,500 00	
Replacement: Farm machinery	1,000 00	
Replacement: Hospital equipment	1,000 00	
Replacement: Laundry equipment	2,200 00	
		153,800 00
Services Other Than Personal:		
Traveling expenses ..	$800 00	
Telephone and telegraph	2,325 00	
Rent: Buildings	1,000 00	
Freight, express and cartage	100 00	
Payments to discharged inmates ..	2,000 00	
Funeral expenses	100 00	
Entertainment expenses	600 00	
		6,925 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$150 00	
Buildings and grounds	8,500 00	
Automotive	500 00	
		9,150 00
Additions and Improvements:		
Additional fire prevention	$10,000 00	
Purchase of electric fans	1,000 00	
Purchase and installation of floodlights ..	1,500 00	

Repainting and concreting water tank..	2,500 00	
Purchase of milk cooler	700 00	
Purchase of industrial, vocational equipment	2,400 00	
		18,100 00
		$670,077 00

S 38. NEW JERSEY SANATORIUM FOR CHEST DISEASES, GLEN GARDNER

For salaries and for the maintenance of the New Jersey Sanatorium for Chest Diseases, on the basis of two hundred seventy-five patients.

Salaries:		
Superintendent	$10,860 00	
Other officers and employees	763,266 00	
Cash in lieu of food maintenance	68,702 00	
Special services	6,000 00	
		$848,828 00
Materials and Supplies:		
Food	$92,375 00	
Clothing	250 00	
Heat, light, power, water, gas and electricity	57,500 00	
Farm, stable and grounds	3,500 00	
Household and organization	15,000 00	
Drugs, medical, surgical and chemical ...	10,000 00	

Motor vehicular transportation	1,400 00	
Stationery and office..	1,500 00	
Educational, recreational and library ..	350 00	
Purchase specific antibiotics	12,500 00	
Replacement: Dental unit	1,600 00	
Replacement: Motor vehicles	3,000 00	
Replacement: Office equipment	575 00	
Replacement: Gutters, leaders and snow guards on roofs ...	4,000 00	
Replacement: Fire hose and equipment	500 00	
Replacement: Brick work and lining on boilers Nos. 3 and 4	3,700 00	
		207,750 00

Services Other Than Personal:		
Traveling expenses ..	$450 00	
Telephone and telegraph	3,500 00	
Freight, express and cartage	250 00	
Funeral expenses	100 00	
Miscellaneous expenses	50 00	
Entertainment expenses	250 00	
		4,600 00

Current Repairs and Maintenance:		
Buildings and grounds	$12,500 00	
Automotive equipment	700 00	
		13,200 00

Extraordinary:		
Compensation award		1,040 00
Additions and Improvements:		
Food carts, diet kitchens	$1,500 00	
Fire prevention	4,500 00	
Resurfacing deck tile, English Pavilion ..	2,500 00	
Install tile floor, wards	1,800 00	
		10,300 00
		$1,085,718 00

S 39. State Home for Boys, Jamesburg

For salaries and for maintenance of the State Home for Boys, on the basis of four hundred ten inmates.

Salaries:		
Superintendent	$7,500 00	
Other officers and employees	547,472 00	
New positions	11,820 00	
Cash in lieu of food maintenance	30,444 00	
Special services	5,100 00	
Bonus	480 00	
		$602,816 00
Materials and Supplies:		
Food	$27,685 00	
Clothing	17,500 00	
Heat, light, power, water, gas and electricity	65,500 00	
Farm, stable and grounds	28,000 00	

Household and organization	12,000 00	
Drugs, medical, surgical and chemical	3,000 00	
Motor vehicular transportation	2,500 00	
Stationery and office	1,000 00	
Educational, recreational and library	3,500 00	
Industrial and vocational	3,500 00	
Replacement: Motor vehicles	900 00	
Replacement: Kitchen equipment	2,500 00	
Replacement: Repairs laundry equipment	3,000 00	
Replacement: Fire hose	600 00	
		171,185 00
Services Other Than Personal:		
Traveling expenses	$700 00	
Telephone and telegraph	2,000 00	
Freight, express and cartage	150 00	
Funeral expenses	50 00	
Miscellaneous expenses	100 00	
Entertainment expenses	500 00	
		3,500 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$200 00	
Buildings and grounds	15,000 00	
Automotive	700 00	
		15,900 00

Additions and Improvements:		
Eliminating fire hazards	$5,000 00	
Painting cornice school building	1,500 00	
Gang mower	1,100 00	
		7,600 00
		$801,001 00

S 40. State Home for Girls

For salaries and for maintenance of the State Home for Girls on the basis of two hundred twenty-five inmates.

Salaries:		
Superintendent	$7,200 00	
Other officers and employees	391,552 00	
New positions	22,344 00	
Cash in lieu of food maintenance	15,552 00	
Special services	4,000 00	
		$440,648 00
Materials and Supplies:		
Food	$28,152 00	
Clothing	7,200 00	
Heat, light, power, water, gas and electricity	5,800 00	
Farm, stable and grounds	7,500 00	
Household and organization	8,500 00	
Drugs, medical, surgical and chemical	2,000 00	

Motor vehicular transportation	475 00	
Stationery and office..	850 00	
Educational, recreational and library ..	2,000 00	
Industrial and vocational	500 00	
Replacement: Furniture—Girls' recreation rooms	1,000 00	
Replacement: Furniture—Officers' quarters	1,000 00	
Replacement: Farm equipment—Poultry house	1,277 00	
Replacement: School equipment	1,000 00	
		67,254 00
Services Other Than Personal:		
Traveling expenses ..	$600 00	
Telephone and telegraph	2,500 00	
Freight, express and cartage	150 00	
Subscriptions and membership dues ..	150 00	
Payments to discharged inmates ...	100 00	
Funeral expenses	75 00	
Fire alarm and time services	145 00	
Entertainment expenses	350 00	
		4,070 00
Current Repairs and Maintenance:		
Buildings and grounds	$5,500 00	
Automotive	300 00	
		5,800 00

Additions and Improvements:		
Office equipment (new)	$500 00	
Purchase of projection machine	1,000 00	
Extraordinary painting	2,000 00	
		3,500 00
		$521,272 00

S 41. New Jersey State Hospital, Greystone Park

For salaries and for maintenance of the State Hospital, Greystone Park, on the basis of six thousand five hundred inmates.

Salaries:		
Medical director	$10,020 00	
Business manager	8,400 00	
Other officers and employees	4,202,973 00	
New positions	188,400 00	
Cash in lieu of food maintenance	266,226 00	
Special services	8,020 00	
Clinic	82,107 00	
Bonus	1,390 00	
		$4,767,536 00
Materials and Supplies:		
Food	$1,077,352 00	
Clothing	162,500 00	
Heat, light, power, water, gas and electricity	350,000 00	
Farm, stable and grounds	107,000 00	

Household and organization	155,000 00
Drugs, medical, surgical and chemical ..	90,000 00
Clinic	4,000 00
Motor vehicular transportation	10,000 00
Stationery and office..	3,500 00
Educational, recreational and library ..	1,000 00
Industrial and vocational	5,500 00
Supplies for nursing school	1,000 00
Tobacco and candy for working patients ..	9,000 00
Replacement: Motor vehicles	4,180 00
Replacement: Office equipment	3,000 00
Replacement: Acid extinguishers	3,500 00
Replacement: Ediphones	3,000 00
Replacement: Employees' furniture..	4,000 00
Replacement: Fire hose and equipment	2,000 00
Replacement: Kitchen equipment	7,960 00
Replacement: Laundry equipment	22,870 00
Replacement: Mastic flooring, first floor reception building..	4,000 00
Replacement: Medical equipment	6,500 00
Replacement: Plumbing, flooring, painting	10,000 00
Replacement: Water coolers	1,450 00

Replacement: Window guards and doors ..	10,000 00	
Supplies for police department	1,000 00	
		2,059,312 00

Services Other Than Personal:		
Traveling expenses ..	$2,000 00	
Telephone and telegraph	20,000 00	
Freight, express and cartage	1,000 00	
Subscriptions (medical library)	1,000 00	
Funeral expenses	6,000 00	
Clinic expenses	2,000 00	
Miscellaneous expenses	1,000 00	
		33,000 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$2,500 00	
Buildings and grounds	90,000 00	
Railroad siding	2,500 00	
Elevator repairs	4,500 00	
Automotive	3,000 00	
General plant equipment	3,000 00	
		105,500 00

Extraordinary:	
Compensation awards	10,000 00

Additions and Improvements:		
Extension to laundry .	$25,000 00	
Fire prevention	23,000 00	
Improvements to water system	3,500 00	
Irrigation equipment.	3,000 00	

Kitchen equipment ..	7,400 00	
Laundry equipment ..	25,950 00	
Medical equipment ...	1,600 00	
Sewage disposal plant	37,000 00	
		126,450 00
		$7,101,798 00

S 42. New Jersey State Hospital, Marlboro

For salaries, and for maintenance of the State Hospital, Marlboro, on the basis of three thousand three hundred inmates.

Salaries:		
Medical director	$10,860 00	
Other officers and employees	2,601,707 00	
New positions	30,180 00	
Cash in lieu of food maintenance	134,394 00	
Special services	8,000 00	
Clinic salaries	43,170 00	
Bonus	54 00	
		$2,828,365 00
Materials and Supplies:		
Food	$405,435 00	
Clothing	65,000 00	
Heat, light, power, water, gas and electricity	180,000 00	
Farm, stable and grounds	57,500 00	
Household and organization	65,000 00	
Drugs, medical, surgical and chemical ...	40,000 00	

Clinic	1,000 00	
Motor vehicular transportation	5,500 00	
Stationery and office .	3,300 00	
Educational, recreational and library..	2,800 00	
Industrial and vocational	2,500 00	
Nursing school	500 00	
Tobacco and candy for working patients	4,000 00	
Replacement: Motor vehicles	4,250 00	
Replacement: Office equipment	1,400 00	
Replacement: Dining room furniture	1,400 00	
Replacement: Farm equipment	2,900 00	
Replacement: Fire hose and equipment	1,500 00	
Replacement: Furniture, patients	2,400 00	
Replacement: Kitchen equipment	1,500 00	
Replacement: Mattresses	3,500 00	
Replacement: Laundry equipment	5,200 00	
Replacement: X-ray equipment	9,800 00	
		866,385 00

Services Other Than Personal:		
Traveling expenses ..	$1,200 00	
Telephone and telegraph	8,600 00	
Freight, express and cartage	350 00	
Advertising	300 00	
Subscriptions and membership dues ..	400 00	

Funeral expenses	1,200 00	
Clinic	500 00	
Miscellaneous expenses	125 00	
		12,675 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$800 00	
Buildings and grounds	47,500 00	
Railroad siding	500 00	
Automotive	1,500 00	
Household furniture, machinery and equipment	500 00	
Boundary fence	1,500 00	
Storeroom	8,000 00	
		60,300 00

Additions and Improvements:		
Acoustical ceilings ...	$2,500 00	
Addition to electric power system	17,300 00	
Addition to sewage disposal plant	87,000 00	
Expansion of water treatment system ..	11,000 00	
Farm equipment	2,300 00	
Fire prevention	4,000 00	
Kitchen equipment ..	2,275 00	
Street and walk lighting	6,000 00	
		132,375 00
		$3,900,100 00

S 43. NEW JERSEY STATE HOSPITAL, TRENTON

For salaries, and for maintenance of the State Hospital, Trenton, on the basis of four thousand two hundred inmates.

Salaries:		
Medical director	$10,860 00	
Other officers and employees	3,605,147 00	
New positions	63,240 00	
Cash in lieu of food maintenance	186,312 00	
Special services	4,000 00	
Clinic salaries	88,203 00	
Inmates' wages	6,000 00	
Bonus	1,082 00	
		$3,964,844 00
Materials and Supplies:		
Food	$557,224 00	
Clothing	85,000 00	
Heat, light, power, water, gas and electricity	284,000 00	
Farm, stable and grounds	80,000 00	
Household and organization	95,000 00	
Drugs, medical, surgical and chemical ..	51,500 00	
Clinic supplies	3,500 00	
Motor vehicular transportation	6,300 00	
Stationery and office..	4,000 00	
Educational, recreational and library ..	2,000 00	
Industrial and vocational	5,000 00	

Nursing school	500 00	
Tobacco	4,000 00	
Replacement: Motor vehicles	3,995 00	
Replacement: Office equipment	2,000 00	
Replacement: Farm machinery	3,500 00	
Replacement: Fire hose and equipment	3,000 00	
Replacement: Kitchen equipment	5,975 00	
Replacement: Medical equipment	2,150 00	
Replacement: Poultry building	3,500 00	
Replacement: Reconstruction patients' dining room, Chambers Farm ...	18,000 00	
Replacement: Windows in Vroom building	8,000 00	
Replacement: X-ray equipment	1,700 00	
		1,229,844 00

Services Other Than Personal:		
Traveling expenses ..	$2,000 00	
Telephone and telegraph	17,000 00	
Freight, express and cartage	350 00	
Advertising	50 00	
Subscriptions and membership dues ..	400 00	
Funeral expenses	1,500 00	
Clinic expenses	500 00	
Miscellaneous expenses	100 00	
Entertainment expenses	800 00	
		22,700 00

Current Repairs and Maintenance:		
Buildings and grounds	$55,000 00	
Automotive	2,500 00	
Repairs to fire alarm system	3,000 00	
		60,500 00
Extraordinary:		
Compensation awards		2,904 20
Additions and Improvements:		
Alterations to cow barns	$6,500 00	
Continuation of dictaphone system	3,375 00	
Fire prevention	7,000 00	
Floor covering, attendants' home	2,500 00	
Grounds equipment	1,600 00	
Ventilating system—staff kitchen	2,000 00	
		22,975 00
		$5,303,767 20

S 44. State Prison

For salaries and for maintenance of the State Prison on the basis of one thousand two hundred seventy-five inmates.

Salaries:	
Principal keeper	$8,400 00
Other officers and employees	875,108 00
New positions	84,240 00
Cash in lieu of food maintenance	24,084 00

Special services	6,000 00	
Inmates' wages	18,000 00	
		$1,015,832 00
Materials and Supplies:		
Food	$176,936 00	
Clothing	52,500 00	
Heat, light, power, water, gas and electricity	72,000 00	
Farm, stable and grounds	100 00	
Household and organization	23,000 00	
Drugs, medical, surgical and chemical ..	10,000 00	
Motor vehicular transportation	1,200 00	
Stationery and office..	1,750 00	
Printing, binding, photography and blueprinting	400 00	
Educational, recreational and library ..	3,600 00	
Industrial and vocational	300 00	
Other materials (tobacco)	1,250 00	
Replacement: Office equipment	2,000 00	
Replacement: Kitchen equipment	3,350 00	
Replacement: Laundry equipment	11,000 00	
Replacement: Protective equipment ..	1,700 00	
Replacement: Roofs, utility buildings ...	2,500 00	
Replacement: Storage water heater	1,600 00	

Replacement: Ventilating sash and frames—Wing 2 ...	3,750 00	
Replacement: Toilet facilities	7,500 00	
		376,436 00
Services Other Than Personal:		
Traveling expenses ..	$3,500 00	
Telephone and telegraph	3,300 00	
Subscriptions and membership dues ..	125 00	
Payments to discharged inmates ...	2,500 00	
Funeral expenses	250 00	
Electrocution plant ..	500 00	
Miscellaneous expenses	240 00	
		10,415 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$500 00	
Buildings and grounds	18,000 00	
Automotive	600 00	
		19,100 00
Extraordinary:		
Compensation award		1,142 44
Additions and Improvements:		
Prison van	$4,500 00	
Refrigeration unit ...	7,000 00	
Renovation, dental clinic	2,500 00	
Rubber tile, hospital .	1,000 00	
Toilet facilities, tag shop	1,500 00	
		16,500 00
		$1,439,425 44

S 45. State Prison Farm, Rahway

For salaries and for maintenance of the State Prison Farm, Rahway, on the basis of nine hundred fifty inmates.

Salaries:		
Superintendent	$7,500 00	
Other officers and employees	564,305 00	
New positions	100,440 00	
Cash in lieu of food maintenance	17,136 00	
Special services	5,440 00	
Inmates' wages	12,000 00	
		$706,821 00
Materials and Supplies:		
Food	$140,676 00	
Clothing	24,000 00	
Heat, light, power, water, gas and electricity	84,000 00	
Farm, stable and grounds	28,500 00	
Household and organization	15,000 00	
Drugs, medical, surgical and chemical ..	5,000 00	
Motor vehicle transportation	1,200 00	
Stationery and office..	1,400 00	
Educational, recreational and library ..	500 00	
Other materials	500 00	
Replacement: Elevator machinery	3,100 00	
Replacement: Farm equipment	1,600 00	

Replacement: High pressure tank	1,400 00	
Replacement: Kitchen equipment	3,025 00	
Replacement: Laundry equipment	4,500 00	
Replacement: Locks and keys	2,500 00	
Replacement: Main 8-inch cold water line	5,640 00	
Replacement: Main supply header	3,525 00	
Replacement: Protective equipment ..	2,400 00	
Replacement: Toilet facilities, inmates ..	6,000 00	
		334,466 00
Services Other Than Personal:		
Traveling expenses ..	$250 00	
Telephone and telegraph	3,300 00	
Freight, express and cartage	50 00	
Funeral expenses	100 00	
Miscellaneous expenses	50 00	
		3,750 00
Current Repairs and Maintenance:		
Buildings and grounds	$26,500 00	
Automotive	500 00	
		27,000 00
Extraordinary:		
Compensation award		871 52

Additions and Improvements:		
Extension to main mess hall	$2,650 00	
Fire prevention	3,000 00	
Plumbing facilities in towers	1,700 00	
Silo	2,500 00	
		9,850 00
		$1,082,758 52

S 46. State Prison Farm, Leesburg

For salaries and for maintenance of the State Prison Farm, Leesburg, on the basis of three hundred thirty inmates.

Salaries:		
Superintendent	$5,940 00	
Other officers and employees	135,113 00	
Cash in lieu of food maintenance	3,852 00	
Special services	1,500 00	
Inmates' wages	3,600 00	
		$150,005 00
Materials and Supplies:		
Food	$40,833 00	
Clothing	11,000 00	
Heat, light, power, water, gas and electricity	19,500 00	
Farm, stable and grounds	5,000 00	
Household and organization	3,500 00	
Drugs, medical, surgical and chemical	650 00	

Motor vehicular transportation	400 00	
Stationery and office..	500 00	
Educational, recreational and library ..	400 00	
Replacement: Mattresses	1,650 00	
Replacement: Water connections	2,700 00	
		86,133 00
Services Other Than Personal:		
Traveling expenses ..	$150 00	
Telephone and telegraph	1,800 00	
Freight, express and cartage	50 00	
Laundry expenses ...	3,400 00	
Miscellaneous expenses	25 00	
Entertainment expenses	50 00	
		5,475 00
Current Repairs and Maintenance:		
Buildings and grounds	$5,000 00	
Automotive	300 00	
		5,300 00
Additions and Improvements:		
Emergency power ...	$3,500 00	
Fire protection	2,750 00	
Hog shelters	1,500 00	
Repaint water tank ..	3,400 00	
Water softeners	2,000 00	
		13,150 00
		$260,063 00

S 47. Village for Epileptics, Skillman

For salaries and for maintenance of the Village for Epileptics, Skillman, on the basis of one thousand five hundred inmates.

Salaries:		
Superintendent	$10,860 00	
Other officers and employees	1,679,446 00	
New positions	225,060 00	
Cash in lieu of food maintenance	82,036 00	
Special services	4,000 00	
Inmates' wages	2,000 00	
Bonus	72 00	
		$2,003,474 00
Materials and Supplies:		
Food	$206,243 00	
Clothing	25,000 00	
Heat, light, power, water, gas and electricity	134,000 00	
Farm, stable and grounds	60,000 00	
Household and organization	45,000 00	
Drugs, medical, surgical and chemical ..	17,000 00	
Motor vehicular transportation	6,500 00	
Stationery and office..	2,000 00	
Printing, binding, photography and blueprinting	500 00	
Educational, recreational and library ..	2,500 00	
Industrial and vocational	1,500 00	

Tobacco and candy for working patients ..	2,000 00	
Replacement: Motor vehicles	5,660 00	
Replacement: Office equipment	1,900 00	
Replacement: Educational and occupational therapy equipment	4,000 00	
Replacement: Farm equipment	5,000 00	
Replacement: Fire hose and equipment	500 00	
Replacement: Furniture, employees' quarters	3,500 00	
Replacement: Furniture, patients' housing	10,000 00	
Replacement: Housekeeping equipment .	2,800 00	
Replacement: Mattresses	6,500 00	
		542,103 00
Services Other Than Personal:		
Traveling expenses ..	$1,250 00	
Telephone and telegraph	10,100 00	
Freight, express and cartage	200 00	
Household expenses (exterminating) ...	750 00	
Funeral expenses	300 00	
Miscellaneous expenses	100 00	
Entertainment expenses	1,000 00	
		13,700 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$550 00	
Buildings and grounds	25,000 00	
Railroad siding	4,000 00	
Automotive	2,000 00	
		31,550 00
Additions and Improvements:		
Air sanitation	$7,600 00	
Dishwashing machines	11,000 00	
Educational equipment	3,500 00	
Electric food trucks	4,800 00	
Furniture, patients' housing	5,000 00	
Microfilm camera	1,200 00	
Office equipment	4,000 00	
Road gates at Five Points	3,500 00	
Street lighting	25,000 00	
Vehicles and vehicular equipment	8,600 00	
		74,200 00
		$2,665,027 00

S 48. Vineland State School

For salaries and maintenance of the Vineland State School, on the basis of one thousand seven hundred seventy-five inmates.

Salaries:	
Superintendent	$9,600 00
Other officers and employees	900,247 00

New positions	25,260 00	
Cash in lieu of food maintenance	45,276 00	
Special services	6,500 00	
Bonus	120 00	
		$987,003 00
Materials and Supplies:		
Food	$207,126 00	
Clothing	30,000 00	
Heat, light, power, water, gas and electricity	93,000 00	
Farm, stable and grounds	44,500 00	
Household and organization	27,000 00	
Drugs, medical, surgical and chemical ..	9,000 00	
Motor vehicular transportation	1,900 00	
Stationery and office..	1,500 00	
Educational, recreational and library ..	1,600 00	
Industrial and vocational	1,500 00	
Other materials	60 00	
Replacement: Motor vehicles	2,300 00	
Replacement: Hot water lines in tunnels..	2,000 00	
Replacement: Kitchen equipment	1,200 00	
Replacement: Laundry machinery	3,000 00	
Replacement: Medical equipment	950 00	
Replacement: Miscellaneous household equipment	3,000 00	
Replacement: Water line to cottages	4,000 00	
		433,636 00

Services Other Than Personal:		
Traveling expenses ..	$1,500 00	
Telephone and telegraph	2,900 00	
Freight, express and cartage	200 00	
Advertising	100 00	
Subscriptions and membership dues ..	150 00	
Funeral expenses	1,000 00	
Entertainment expenses	1,000 00	
		6,850 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$150 00	
Buildings and grounds	19,500 00	
Automotive	900 00	
		20,550 00
Additions and Improvements:		
Automobiles	$1,500 00	
Convert cottage to root cellar	2,000 00	
Farm tractor	1,300 00	
Fire prevention	4,500 00	
Playground equipment, colony	1,300 00	
Remodel basement (B) building, clinic	3,000 00	
		13,600 00
		$1,461,639 00

This institution is authorized to pay for the maintenance of any county indigent patient transferred from the institution to an institution for training of the feeble-minded, to

which moneys are paid by the State pursuant to R. S. 30:4–176, whatever sum or sums is received from the counties to pay the cost of such maintenance of any said patient in the institution.

S 49. Arthur Brisbane Child Treatment Center

For salaries and for maintenance of the Arthur Brisbane Child Treatment Center, on the basis of sixty-four inmates.

Salaries:		
Superintendent	$8,100 00	
Other officers and employees	124,440 00	
New positions	7,260 00	
Cash in lieu of food maintenance	6,300 00	
Special services	1,500 00	
		$147,600 00
Materials and Supplies:		
Food	$18,672 00	
Clothing	1,500 00	
Heat, light, power, water, gas and electricity	7,500 00	
Farm, stable and grounds	150 00	
Household and organization	2,000 00	
Drugs, medical, surgical and chemical	800 00	
Motor vehicular transportation	600 00	
Stationery and office..	200 00	
Educational, recreational and library ..	350 00	

Industrial and vocational	200 00	
Replacement: Refrigerator	1,100 00	
		33,072 00
Services Other Than Personal:		
Traveling expenses ..	$300 00	
Telephone and telegraph	700 00	
Freight, express and cartage	25 00	
Household or office ..	1,250 00	
Miscellaneous expenses	75 00	
Entertainment expenses	250 00	
		2,600 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$100 00	
Buildings and grounds	1,650 00	
Automotive	250 00	
		2,000 00
Additions and Improvements:		
Floor covering, patients' rooms	$700 00	
Freezer	1,000 00	
		1,700 00
		$186,972 00

S 50. Diagnostic Center

For salaries and for maintenance of the Diagnostic Center, on the basis of sixty-one inmates.		
Salaries:		
Director	$10,020 00	
Other officers and employees	248,107 00	
New positions	9,480 00	
Cash in lieu of food maintenance	5,328 00	
Special services	6,000 00	
		$278,935 00
Materials and Supplies:		
Food	$17,153 00	
Clothing	200 00	
Heat, light, power, water, gas and electricity	13,000 00	
Farm, stable and grounds	200 00	
Household and organization	2,000 00	
Drugs, medical, surgical and chemical	1,500 00	
Motor vehicular transportation	750 00	
Stationery and office	1,000 00	
Educational, recreational and library	300 00	
Other materials	500 00	
Replacement: Motor vehicles	2,400 00	
Replacement: Patients' furniture	1,500 00	
		40,503 00

Services Other Than Personal:		
Traveling expenses ..	$800 00	
Telephone and telegraph	3,600 00	
Freight, express and cartage	100 00	
Household or office ..	2,000 00	
Subscriptions and membership dues ..	100 00	
Entertainment expenses	500 00	
		7,100 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$500 00	
Buildings and grounds	2,000 00	
Automotive	300 00	
		2,800 00
Additions and Improvements:		
Office equipment	$500 00	
Household equipment	450 00	
Screens and acoustic ceilings	3,400 00	
		4,350 00
		$333,688 00

S 51. Purchase of Care and Maintenance for Feeble-Minded

Extraordinary:	
Clothing, maintenance and support of the feeble-minded	$268,125 00

S 52. COMMISSION FOR THE BLIND

Salaries:		
Executive director ...	$8,700 00	
Other officers and employees	155,660 00	
New positions	66,830 00	
Special services	2,500 00	
Bonus	180 00	
		$233,870 00
Materials and Supplies:		
Motor vehicular transportation	$1,400 00	
Stationery and office..	2,600 00	
Replacement: Office equipment	100 00	
Curative workshop supplies	3,000 00	
Mobile eye clinic supplies	500 00	
Extension of home industries	1,800 00	
		9,400 00
Services Other Than Personal:		
Traveling expenses ..	$16,000 00	
Rent: Garages	360 00	
Rent: Equipment	138 00	
Expressage	1,200 00	
Subscriptions and membership dues ..	85 00	
Funeral expenses	1,000 00	
Support and instructions and rehabilitation	125,000 00	
Higher education of the blind	10,000 00	
Prevention of blindness	15,000 00	

State relief for the blind	250 00	
Entertainment for the blind	200 00	
Mobile Eye Clinic expenses	1,800 00	
Curative workshop expenses	200 00	
		171,233 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	$275 00	
Automotive	500 00	
Automotive — Mobile Eye Clinic	200 00	
Curative workshop ..	50 00	
		1,025 00

Extraordinary:		
Maintenance of summer camp	$6,000 00	
Payments to counties	8,500 00	
		14,500 00

Additions and Improvements:		
Mobile Eye Clinic equipment	$300 00	
Office equipment	250 00	
		550 00

The balance to the credit of the outdoor relief or aid to the blind—Revolving Fund—on the thirtieth day of June, one thousand nine hundred and fifty-three, is hereby reappropriated, said sum not to exceed $8,500.00.

The balance to the credit of the Revolving Industrial Fund on the thirtieth day of June, one thousand nine hundred and fifty-three, is hereby reappropriated as a Revolving Industrial Fund, in the sum of $2,000.00.		
		$430,578 00

S 53. State Board of Child Welfare

Salaries:		
Executive director ...	$10,020 00	
Other officers and employees	1,088,910 00	
New positions	24,180 00	
Special services	3,075 00	
Bonus	168 00	
		$1,126,353 00
Materials and Supplies:		
Motor vehicular transportation	$17,000 00	
Stationery and office..	12,000 00	
Educational, recreational and library ..	200 00	
Replacement: Office equipment	7,500 00	
		36,700 00
Services Other Than Personal:		
Traveling expenses ..	$5,000 00	
Telephone and telegraph	11,400 00	
Rent: Garages	7,000 00	
Rent: Office equipment	1,000 00	
Subscriptions and membership dues ..	200 00	

Social service exchanges	1,500 00	
Miscellaneous expenses	250 00	
District office expenses	2,300 00	
		28,650 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$3,500 00	
Automotive	8,000 00	
		11,500 00
Additions and Improvements:		
Office furniture and equipment		2,500 00
Revolving Fund:		
For the State Board of Child Welfare to purchase clothing and other necessary articles for children in their care and for expenses incidental thereto, the balance in the Revolving Fund, known as the State Board of Child Welfare Revolving Fund, together with all receipts are hereby reappropriated.		
		$1,205,703 00
Total, State Institutions		$31,930,203 63
Grand Total, Department of Institutions and Agencies..		$35,321,388 63

INTER- AND NON-DEPARTMENTAL ITEMS

T 10. DEBT SERVICE

Debt service.

Interest requirement on institutional construction bonds — Act of 1949	$267,870 00	
Principal requirement on institutional construction bonds — Act of 1949	1,785,000 00	
Estimated interest requirement on institutional construction bonds—Act of 1952...	500,000 00	
		$2,552,870 00
Interest requirement on emergency housing bonds	$333,730 00	
Principal requirement on emergency housing bonds	3,140,000 00	
Estimated interest requirement on State Teachers College buildings, etc., bonds—Act of 1951	300,000 00	
		3,773,730 00
1930 Bond Act:		
Interest requirement on highway improvement bonds ..	$1,081,987 50	
Principal requirement on highway improvement bonds ..	1,520,000 00	
Interest requirement on institutional construction bonds ...	220,850 00	

Principal requirement on institutional construction bonds	300,000 00	
Total Debt Service, 1930 Bond Act		$3,122,837 50
Total appropriation (From Highway Fund)		$3,122,837 50
Total, Debt Service		$9,449,437 50

T 11. Inter- and Non-Departmental Items

Telephone and Telegraph:	
Present departments and agencies whose telephone and telegraph charges are paid by the State Treasurer	$300,000 00
Rents:	
Present departments and agencies whose rents are paid by the State Treasurer	$926,000 00
Insurance	
For payment of insurance premiums not otherwise provided for, maturing during the current fiscal year, including purchase of equipment required to effect reductions in fire rates	$275,000 00
Postage:	
Present departments and agencies whose postage is paid by the State Treasurer	$280,000 00

T 20. PENSIONS AND CONTRIBUTIONS TO STATE PENSION SYSTEM FUNDS

Contributions to pension funds.

For amount required to pay pensions pursuant to various acts relative thereto:		
Heath Act Pensions	$100,000 00	
Veterans' Act Pensions	275,000 00	
Miscellaneous Special Pensions Acts	20,000 00	
Annuity for Widows of Governors....	7,500 00	
Prison Officers' Pension Fund: State Contribution ..	75,000 00	
State Employees' Retirement System — for Contingent Reserve Fund created by R. S. 43:14–12 and 43:14–14:		
State's share, on account of members' service	2,866,449 00	
		$3,343,949 00

T 30. STATE EMERGENCY FUND

Emergency fund.

For the State Treasurer, to meet any condition of emergency until legislation appropriate therefor shall be enacted; *provided, however,* that a sum not in excess of $5,000.00 shall be available for the expense of entertaining dignitaries and incidental expenses in-

cluding lunches for nonsalaried board members and others whose entertainment shall be beneficial to the State. Allotments from this appropriation shall be made only upon the written authorization of the Governor	$100,000 00	
For the State Treasurer, to pay compensation awards allowed State employees, upon approval of the Director of the Division of Budget and Accounting ..	25,000 00	
		$125,000 00

T 40. SALARY ADJUSTMENTS, INCREMENTS, BONUSES AND NEW EMPLOYEES

Salary adjustments.

To the State Treasurer, for transfer to the various agencies to cover the cost of salary increments, adjustments, bonuses and new positions during the fiscal year 1953-54, when the need for such funds is determined by the Director of Budget and Accounting	$3,333,987 00

All balances remaining in this account in excess of $1,000,000.00 as of June 30, 1953, are hereby reappropriated for use during 1953-54.

U 10. South Jersey Port Commission

South Jersey port commission.

For the purpose of carrying out the provisions of chapter 11 of Title 12 of the Revised Statutes.		
Salaries:		
Secretary	$7,500 00	
Other officers and employees	22,265 00	
		$29,765 00
Materials and Supplies:		
Motor vehicular transportation	$250 00	
Stationery and office..	250 00	
Printing, binding, photography and blueprinting	350 00	
Educational, recreational and library ..	200 00	
Engineering and drafting	100 00	
		1,150 00
Services Other Than Personal:		
Traveling expenses ..	$1,000 00	
Telephone and telegraph	175 00	
Rent: Safe deposit box	10 00	
Insurance: Other than fire	40 00	
Household or office ..	21 00	
Advertising	150 00	
Subscriptions and membership dues ..	450 00	
Postage	150 00	
Traffic and stream surveys	100 00	
Meetings of Port Commission	250 00	

Miscellaneous expenses	150 00	
		2,496 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$50 00	
Automotive	100 00	
		150 00
Additions and Improvements:		
Office equipment		50 00
		$33,611 00

U 11. PALISADES INTERSTATE PARK COMMISSION

Palisades interstate park commission.

Salaries:		
Officers and employees	$182,948 62	
Temporary seasonal patrolmen	8,640 00	
Seasonal laborers and mechanics	32,000 00	
		$223,588 62
Materials and Supplies:		
Clothing	$1,500 00	
Heat, light, power, water, gas and electricity	6,150 00	
Farm, stable and grounds	300 00	
Household and organization	500 00	
Drugs, medical, surgical and chemical ..	60 00	
Motor vehicular transportation	900 00	
Stationery and office..	400 00	

Printing, binding, photography and blueprinting	100 00	
Engineering and drafting	100 00	
Replacement: Motor vehicles	3,300 00	
Replacement: Other equipment	1,750 00	
		15,060 00
Services Other Than Personal:		
Traveling expenses ..	$50 00	
Telephone and telegraph	1,000 00	
Postage	250 00	
		1,300 00
Current Repairs and Maintenance:		
Buildings and grounds	$3,400 00	
Automotive	2,000 00	
Repair docks at Alpine	6,300 00	
Other equipment	1,000 00	
		12,700 00
Extraordinary:		
Demolition of ferry terminal foundations and racks, et cetera, at Englewood		20,000 00
Additions and Improvements:		
Replacement of water and secondary power lines	$18,000 00	
Greenbrook nature preserve: Clearing trails and foundations	5,000 00	
		23,000 00
		$295,648 62

U 12. DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Delaware river joint toll bridge commission.

Salaries:		
Officers and employees	$350,562 00	
Special services	750 00	
		$351,312 00
Materials and Supplies:		
Clothing	$10,000 00	
Heat, light, power, water, gas and electricity	10,000 00	
Farm, stable and grounds	250 00	
Household and organization	400 00	
Drugs, medical, surgical and chemical ...	150 00	
Motor vehicular transportation	1,500 00	
Stationery and office .	700 00	
Printing, binding, photography and blueprinting	300 00	
Engineering and drafting	100 00	
Books and pamphlets	25 00	
Replacement: Office equipment	100 00	
		23,525 00
Services Other Than Personal:		
Traveling expenses ..	$1,200 00	
Telephone and telegraph	2,000 00	
Insurance: Fire	2,700 00	
Insurance: Other than fire	2,695 00	
Freight, express and cartage	10 00	
Household or office ..	50 00	
Advertising	125 00	

Subscriptions and membership dues ..	26 00	
Postage	300 00	
Weighing trucks	6 00	
Miscellaneous expenses	25 00	
Expenses of New Jersey Commission ...	150 00	
		9,287 00
Current Repairs and Maintenance:		
Office furniture, machines and equipment	$100 00	
Buildings and grounds	16,000 00	
Automotive equipment	300 00	
		16,400 00
		$400,524 00
Less—		
Pennsylvania's share.	$196,845 50	
Rentals and miscellaneous receipts ...	6,683 00	
		203,528 50

In addition to the net amounts herein appropriated, any unexpended balance on June 30, 1953, comprising all receipts from Pennsylvania, rental receipts, together with all moneys received during 1953-54, from any source whatsoever, whether from the operation of bridges or from the State of Pennsylvania for its proportion of its maintenance of such bridges, are hereby appropriated to be used for maintenance of bridges and the payment to the State of Pennsylvania of their proportion of the rentals and miscellaneous receipts.

$196,995 50

U 13. COMMISSION ON INTERSTATE CO-OPERATION

Commission on interstate co-operation.

Materials and Supplies:		
Stationery and office..	$40 00	
Printing, binding, photography and blueprinting	200 00	
		$240 00
Services Other Than Personal:		
Traveling expenses ..	$300 00	
Telephone and telegraph	50 00	
Postage	50 00	
Expenses of conferences	150 00	
		550 00
Extraordinary:		
Commitments to interstate agencies		37,611 20
		$38,401 20

The unexpended balances at the end of the fiscal year June 30, 1953, held by any of the agencies for whom commitments are made, shall be repaid to the Treasury of the State of New Jersey.

U 14. INTERSTATE SANITATION COMMISSION

Interstate sanitation commission.

Extraordinary:		
New Jersey's share of the Administrative Costs of the Interstate Sanitation Commission (45%)..		$31,047 00

U 15. COMMISSION ON STATE TAX POLICY

Commission on State tax policy.

Salaries:	
Officers and employees	$9,000 00
Services Other Than Personal:	
Miscellaneous expenses	1,000 00
	$10,000 00

U 16. STATE BEACH EROSION COMMISSION

State beach erosion commission.

The unexpended balances in the account of the State Beach Erosion Commission, as of June 30, 1953, are hereby reappropriated for the fiscal year 1953-54.

U 20. COMMISSION TO INVESTIGATE COMMUNISTIC AND UN-AMERICAN ACTIVITIES

Commission to investigate communistic and un-American activities.

The unexpended balances in the Commission to Investigate Communistic and Un-American Activities as of June 30, 1953, are hereby reappropriated for the year 1953-54.

U 22. ADVISORY COMMITTEE ON THE REVISION OF STATUTES

Advisory committee on the revision of statutes.

Extraordinary:	
Expenses in connection with the Revision of Title 48 of the Revised Statutes	$25,000 00

The unexpended balances in the account of the Advisory Committee

on Revision of Statutes as of June 30, 1953, are hereby reappropriated.

These funds shall be available to the above named committee and such other committee as may be established by act of the Legislature in 1953 for the Revision of Statutes.

U 25. New Jersey Regional Planning Commission

New Jersey regional planning commission.

The unexpended balances in the New Jersey Regional Planning Commission, as of June 30, 1953, are hereby reappropriated for the year 1953-54.

U 29. Commission to Study Administration of Welfare

Commission to study administration of welfare.

The unexpended balances in this account as of June 30, 1953, are hereby reappropriated for 1953-54.

U 30. Joint Legislative Committee to Investigate and Report Upon Law Enforcement

Committee to investigate and report upon law enforcement.

The unexpended balances as at June 30, 1953, in the account for expenses in connection with carrying out the provisions of Senate Concurrent Resolution No. 2, are hereby reappropriated.

V 10. The Judiciary

The judiciary.

Salaries:		
Chief Justice	$25,000 00	
Associate Justices ...	144,000 00	
Judges	642,904 00	
Advisory Masters ...	13,678 00	
Other officers and employees	689,955 00	
New positions	35,910 00	
Bar examiners	27,150 00	
Bonus	1,560 00	
		$1,580,157 00
Materials and Supplies:		
Stationery and office.	$17,000 00	
Printing, binding, photography and blueprinting	5,000 00	
Educational, recreational and library..	17,000 00	
Replacement: Office equipment	1,500 00	
Microfilming	10,000 00	
		50,500 00
Services Other Than Personal:		
Traveling expenses ..	$8,000 00	
Rent: Miscellaneous..	500 00	
Freight, express and cartage	1,000 00	
Printing court decisions	15,000 00	
Expenses, bar examiners	2,500 00	
Expenses, judicial conferences	1,000 00	
Miscellaneous expenses	1,000 00	
		29,000 00

Current Repairs and Maintenance:		
Office furniture, machines and equipment	2,500	00
Extraordinary:		
Judicial pensions	194,100	00
Additions and Improvements:		
Office equipment	7,500	00
	$1,863,757	00
Total, General State Purposes	$117,822,030	64

STATE AID TO COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS

State aid.

D 50. DEPARTMENT OF LAW AND PUBLIC SAFETY—DIVISION OF WEIGHTS AND MEASURES

Payments to Counties and Municipalities

Payments to municipalities.

Upon certification of the Director of Weights and Measures the State Treasurer is hereby authorized to make such payments provided by Chapter 7, P. L. 1937, and Chapter 11, P. L. 1942.

DEPARTMENT OF THE TREASURY

E 40. *Payment to Counties (Five Per Cent Inheritance Taxes)*

Payments to counties.

Upon certification of the Director of the Taxation Division, the State Treasurer is hereby authorized and it shall be his duty to withdraw from the State fund such amounts as shall be required to carry out the provisions of R. S. 54:33–10, payment of five per centum (5%) of tax collected to counties, and to refund and pay such claims as may be necessary and such claims shall be paid upon the warrants of

the Director of the Division of Budget and Accounting, and there is hereby appropriated the amount necessary therefor, approximating	$300,000 00	

E 40. *Payment to Municipalities of Portion of Outdoor Advertising Tax*

In addition thereto, the State Treasurer, upon certification of the Director of the Taxation Division, is hereby authorized and it shall be his duty to withdraw from the State fund such amounts as shall be required to carry out the provisions of R. S. 54:40–7, dividing proportionately among municipalities in which billboards are located excess outdoor advertising revenues. The State Treasurer shall pay same upon warrants of the Director of the Division of Budget and Accounting and there is hereby appropriated the amount necessary therefor, approximating	18,000 00	
		$318,000 00

E 41. COUNTY BOARDS OF TAXATION

County boards of taxation.

Salaries:	
Salaries of members	$285,500 00

The appropriation hereinabove provided will be available subject to the passage of legislation adjusting salaries presently paid to various members of the County Boards of Taxation.

T 21. TEACHERS' PENSION AND ANNUITY FUND

State's Contribution

State's contribution to teachers' pension and annuity fund.

Unclassified:		
State's contribution to Teachers' Pension and Annuity Fund, for the fiscal year 1953-54, pursuant to article 3, chapter 13 of Title 18 of the R. S., which amounts are approximately as follows:		
Pension Accumulation Fund		$8,643,159 00
Pension Fund:		
Normal contribution, 18:13–81 ..	170,297 00	
Deficiency contribution, 18:13–81	2,000,000 00	
Interest 18:13–103	3,009,700 00	
Interest on appropriation	1,241 00	
		$13,824,397 00

The Director of the Division of Budget and Accounting is hereby empowered and directed to revise the amounts hereinabove set forth to such amounts which are certified

as due by the Trustees of the Teachers' Pension and Annuity Fund: provided that notwithstanding the amount certified as due by the board of trustees, a sum not to exceed $2,000,000.00 shall be paid on account of the deficiency contribution provided for under R. S. 18:13–81.

T 22. POLICE AND FIREMEN'S APPORTIONMENT FUND

Police and firemen's apportionment fund.

State's share as provided in Chapter 358, P. L. 1952 ..... $3,500,000 00

Totals, State Aid Administered by Department of the Treasury $17,927,897 00

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

DIVISION OF PLANNING AND DEVELOPMENT

N 20. *Aid for Beach Protection and Inland Waterways*

Beach protection and inland waterways.

For beach protection and maintenance of beach protection projects along the Atlantic coast, Delaware bay, Sandy Hook and the Raritan bay, including new construction or maintenance of beach protection measures, bulkheads, back fills, groins, jetties, pumping of sand, advertising and inspection

costs. Fifty per centum of the cost of each project shall be borne by each municipality participating. Any municipality participating in beach protection projects or the maintenance of projects already constructed shall deposit its fifty per centum (50%) share of participation with the State Treasurer through the Department of Conservation and Economic Development, and all projects are to be constructed under contract with and under the supervision of the Department of Conservation and Economic Development. Out of this appropriation, a sum not exceeding $10,000.00 shall be available for replacements of motor vehicles and equipment and purchase of transportation supplies; and a sum not exceeding $25,000.00 shall be available to defray the State's share of a co-operative study in conjunction with the Federal Government $1,000,000 00

Inland waterways—construction, reconstruction, maintenance, improvement and dredging of inland waterways, including bulkheading of Manasquan Canal, dredging at State-operated Marinas; *provided, however,* that $50,000.00 of the funds herein appropriated may be used for the reconstruction and repair of the walls and bulkheads surrounding Deal lake, Ocean township, Monmouth county, New Jersey, if and when a local contribution is made in an equal amount; *and provided further,* that the funds herein appropriated shall be available for replacements of motor vehicles and equipment and purchases of transportation supplies used in the Inland Waterway Program	200,000 00

Unexpended balances as of June 30, 1953, in the accounts for Beach Protection and Inland Waterway Aid set forth hereinabove are hereby reappropriated for the above enu-

merated purposes for the fiscal year 1953-54.

Sub-Total, Beach Protection and Inland Waterway Aid $1,200,000 00

Aid for Miscellaneous Projects

Miscellaneous projects.

For the repair, construction and reconstruction of Smithville dam on the Rancocas creek, in the Township of Easthampton, in the County of Burlington, pursuant to the provisions of Assembly 103 ..... $20,000 00

The amount hereinabove appropriated shall be available provided Assembly Bill 103 is enacted into law.

Flood Control in the Passaic, Morris areas $50,000 00

Division of Veterans' Services

N 60. *Veterans' Aid*

Veterans' aid.

Blind Veterans:

Payments to blind veterans pursuant to provisions of Chapter 85, P. L. 1946 ..... $30,000 00

Paraplegics, Hemiplegics, Amputees and Osteochondritics:

Payments to paraplegics, hemiplegics, amputees, osteo-

chondritics and quadriplegic veterans, pursuant to provisions of Chapter 263, P. L. 1947, as amended	80,000 00	
Veterans orphan fund, Chapter 105, P. L. 1945	6,000 00	
		$116,000 00
Total, State Aid Administered by Department of Conservation and Economic Development		$1,386,000 00

DEPARTMENT OF EDUCATION

P 80. *State Aid to School Districts*

State aid to school districts.

Salaries:		
County superintendents		$173,925 00
Materials and Supplies:		
Forms and supplies to local districts	$20,000 00	
Visual aid to local districts	65,000 00	
		85,000 00
Grants in Aid:		
Formation fund aid to county and school libraries		10,000 00
To reimburse school districts for one-half excess cost of educating crippled children		406,078 54

Manual Training:	
For payment to school districts for manual training, pursuant to Revised Statutes, article 3, chapter 15, Title 18	1,203,302 10
Vocational Schools:	
For payment to districts for vocational schools, pursuant to the provisions of article 5, chapter 15, of Title 18 of the Revised Statutes	663,260 48
Industrial Education:	
For payments to districts for industrial schools, pursuant to R. S. 18:15–24	75,000 00
Public school account (chapter 63, laws of 1946) formula	10,325,956 00
Transportation	3,725,655 51
Dependent children	520,740 00
Regional high school	456,259 84
Helping teachers, county attendance officers, supervisors of child study (salaries and expenses)	345,710 00
Deficiency fund	1,001,278 12
Emergency fund	100,000 00
State aid to local school districts, chapter 66, laws of 1948	7,894,727 85
State aid to local districts pursuant to Assembly Concurrent Resolution No. 2 of the First Special Session of 1952	1,029,138 00
	$28,016,031 44

STATE HIGHWAY DEPARTMENT

R 20. *State Aid to Counties and Municipalities*

State aid to counties.

Construction, reconstruction, maintenance, et cetera, of county roads	$8,000,000 00
Construction, reconstruction, maintenance and repairs of county roads and bridges, on the basis of $55,000.00 per county	1,155,000 00
Expenditures pursuant to chapter 62, laws of 1947, for construction, grading and maintenance of municipal roads	4,720,000 00
Construction or reconstruction of municipal roads on basis of $100,000.00 per county pursuant to chapter 460 of the laws of 1948	2,100,000 00
The total appropriation for State aid herein is for the calendar year 1954. This appropriation is due and payable on January 2, 1954.	
In addition to the amounts hereinabove specifically appropriated to the State Highway Department for State Aid to Counties and Municipalities, the balance in this account as of June 30, 1953, is hereby reappropriated.	
Total mandatory appropriations	$15,975,000 00
County and municipal aid for lighting	340,000 00
Projects Division—Operating, administrative and equipment charges	695,355 00
Total, State Aid Administered by State Highway Department	$17,010,355 00

DEPARTMENT OF INSTITUTIONS AND AGENCIES

S 54. COUNTY MENTAL HOSPITALS

County mental hospitals.

State Aid:
For the support of patients in county mental hospitals, according to Revised Statutes, section 30:4–78:

Atlantic	$134,960 00	
Burlington	95,760 00	
Camden	283,080 00	
Cumberland	71,400 00	
Essex	1,430,240 00	
Hudson	784,560 00	
		$2,800,000 00

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

S 55. COUNTY TUBERCULOSIS HOSPITALS

County tuberculosis hospitals.

State aid:
For the support of patients pursuant to subdivision C, article 4, chapter 9, of Title 30 of the Revised Statutes, in county hospitals:

Atlantic	$22,000 00
Bergen	56,200 00
Burlington	15,000 00
Camden	32,500 00
Cape May	4,100 00
Cumberland	6,600 00
Essex	150,000 00

Gloucester	4,500 00	
Hudson	134,200 00	
Hunterdon	500 00	
Mercer	28,000 00	
Middlesex	54,000 00	
Monmouth	31,000 00	
Morris	13,000 00	
Ocean	2,500 00	
Passaic	66,000 00	
Salem	2,000 00	
Somerset	5,700 00	
Sussex	300 00	
Union	71,000 00	
Warren	900 00	
		$700,000 00

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

S 56. State Subsidy—Old Age Assistance

Old age assistance.

For the purpose of making payments for Old Age Assistance pursuant to chapter 7 of Title 44 of the Revised Statutes $5,320,000 00

The unexpended balances remaining in the appropriations for reimbursement to the counties for the State Subsidy for Old Age Assistance for the fiscal year ending June 30, 1953, including State's net share of reimbursement, together with the net balance remaining, after full payment of sums due the Federal Government, of all funds recovered under 44:7–14 of the Revised Stat-

utes during the fiscal year ending June 30, 1953, or so much thereof as may be necessary, are hereby reappropriated; in addition thereto, all such funds recovered under 44:-7–14 of the Revised Statutes during the fiscal year ending June 30, 1954, or so much thereof as may be necessary, are hereby reappropriated.

S 57. STATE SUBSIDY—MAINTENANCE OF CHILDREN UNDER THE CARE OF THE BOARD OF CHILD WELFARE

Children under the care of the board of child welfare.

For the purpose of making payments for the State's share of cost of maintenance of children under the care of the Board of Child Welfare (Chapter 5 of Title 30 of the Revised Statutes) $3,000,000 00

The unexpended balances as of June 30, 1953, for the maintenance of children under the care of the Board of Child Welfare, are hereby reappropriated for such purpose during 1953-54.

There is hereby appropriated to the Board of Child Welfare any sums of money received heretofore by it from the several counties as the county's share of assistance to children, and the board is authorized and empowered to credit said sums to the several counties prorated on the basis of the total cost of assistance in each county, said sums representing credits due said counties.

S 58. STATE SUBSIDY—MUNICIPAL AID

Municipal aid.

For relief subsidies to municipalities and relief and administrative costs in State administered towns $1,500,000 00

Receipts from State administered towns during 1953-54 and the unexpended balances in the above account at June 30, 1953, are hereby appropriated for use during the fiscal year 1953-54.

S 59. *State Subsidy—Assistance to the Permanently and Totally Disabled*

For the purpose of making payments for the State's share of cost of assistance to the permanently and totally disabled, pursuant to Chapter 139, P. L. 1951 ..... $600,000 00

Total, State Aid Administered by Department of Institutions and Agencies $13,920,000 00

V 20. THE JUDICIARY

Payment to Counties for Salaries of Stenographic Reporters

Stenographic reporters.

Salaries:		
For amounts to be refunded to various counties for the State's share of salaries of stenographic reporters appointed by the Supreme Court, pursuant to Chapter 376, P. L. 1948.....	$250,000 00	
For the amount to be refunded to counties for the State's share of pensions, pursuant to R. S. 43:-6–13.1	4,333 33	
For amounts to be paid to various counties representing 40% of the salaries of county judges, pursuant to Chapter 257, Laws of 1949	188,600 00	
		$442,933 33

Notwithstanding any other provision in this act, the amount appropriated hereinabove to the Judiciary, shall be available for any deficiency in these accounts as of June 30, 1953.

Grand Totals, State Aid to Counties, Municipalities and School Districts	$78,703,216 77

Capital expenditures.

STATE CAPITAL EXPENDITURES BUDGET

DEPARTMENT OF LAW AND PUBLIC SAFETY

D 20. *Division of State Police*

D 40. *Division of Motor Vehicles*

New Buildings and Land:	
Land and buildings, Division of State Police and Division of Motor Vehicles	$300,000 00

The unexpended balances as of June 30, 1953, of the appropriation providing for buildings of the Division of State Police and Division of Motor Vehicles are hereby reappropriated.

The amounts hereinabove appropriated shall be available for the purchase of new land and buildings and/or the payments, under a rental purchase agreement, which may be entered into by the State of New Jersey.

D 40. *Division of Motor Vehicles*

Establishment and equipment of new testing stations in critical areas ...	$250,000 00

The unexpended balances as at June 30, 1953, of the appropriation providing for the establishment and equipment of new testing stations in critical areas are reappropriated for 1953-54.

J 11. National Guard and/or State Guard

National expenditures.

The unexpended balance as of June 30, 1953, in the account for "Construction, Expansion, Rehabilitation and Conversion of State-owned National Guard Armories" is reappropriated for the same use in 1953-54, and any additional Federal Aid made available by the Congress for the above purpose is appropriated for use by the Department of Defense.

For the construction of an armory or armories $60,000 00

Department of Conservation and Economic Development

N 20. *Division of Planning and Development*

Planning and development.

Lands and Buildings:

The unexpended balances as at June 30, 1953, in the accounts for Lands and Buildings, are reappropriated for the same purpose in 1953-54.

1 N 30. *Division of Water Policy*

Repair, rehabilitation and improvement of the Delaware and Raritan Canal $100,000 00

The unexpended balances in the account of the Delaware and Raritan Canal, as of June 30, 1953, are hereby reappropriated for the year 1953-54.

Division of Fish and Game

1 N 51. *Public Shooting and Fishing Grounds*

(Payable from Public Shooting and Fishing Grounds Fund)

New Buildings and Land:	
Purchase of land	$1,000 00

DEPARTMENT OF EDUCATION

P 70. *Rutgers University, The State University of New Jersey*

Rutgers University, the State University.

New Buildings and Equipment:		
New university library (second unit)	$2,000,000 00	
Oyster research laboratory	15,000 00	
Hay drying barn	4,000 00	
New Jersey College for Women service building	100,000 00	
		$2,119,000 00

The unexpended balances as at June 30, 1953, in the accounts appropriated to the State University of the State of New Jersey for capital improvements are hereby reappropriated for the same purpose in 1953-54.

P 72. *Agricultural Experiment Station*

The unexpended balance as of June 30, 1953 of the appropriation providing for the Agricultural Science Building is hereby reappropriated.

P 90. *Institution Construction Fund*

The unexpended balances remaining in the account Institution Construction Fund, as of June 30, 1953, are reappropriated for use during 1953-54.

R 11 and R 12. HIGHWAY DEPARTMENT

Highway department.

New Construction:	
Construction and Maintenance of Institutional Roads and Approaches, including Snow Removal and Purchase of Snow Fence:	
Department of Law and Public Safety—Division of State Police	$200,000 00
Department of Institutions and Agencies.	300,000 00
Department of Education	40,000 00
Department of Conservation and Economic Development—Division of Planning and Development:	
Forestry Section.	25,000 00
Parks Section ...	50,000 00
Historic Sites Section	2,500 00

New Jersey State Library

Department of Defense	100,000 00	
Department of the Treasury:		
Division of Purchase and property	10,000 00	
State University:		
General University.	50,000 00	
Palisades Interstate Park Commission..	50,000 00	
Highway Department —Fernwood	20,000 00	
		$847,500 00

The amount hereinabove appropriated for the construction of institutional roads and approaches, shall be available to provide ring paving at installations administered by the Department of Defense.

Construction of State Highway System:
Construction of roads and bridges and purchase of rights-of-way ..19,017,081 00

The unexpended balances as of June 30, 1953, in all accounts providing for construction of the State highway system are hereby reappropriated for use during 1953-54.

In addition to the amounts hereinabove appropriated for construction there is appropriated to this department, such sums as may be received from the Federal Government; the New Jersey Turnpike Authority; the Garden State Parkway Authority; the Delaware River Joint Toll Bridge Commission; and the Delaware River Authority, for construction purposes.

The amounts herein providing construction of the State highway system and the purchase of rights-of-way shall be set forth in a construction program by route numbers by the State Highway Commissioner, and shall not be expended or contracted for until such time as the Governor approves in writing.		
New Buildings and Lands:		
Installation of traffic signals	$200,000 00	
Fernwood storage buildings (2)	180,000 00	
		380,000 00
		$20,244,581 00

S 37. *New Jersey Reformatory for Women, Clinton*

New Buildings and Land:		Reformatory for women.
Dairy barns and silos		$50,000 00

S 48. *Vineland State School*

New Buildings and Land:		Vineland State school.
Farm land		$10,000 00
Total, State Capital Expenditures Budget		$23,134,581 00
Grand Total		$219,659,828 41

2. Any additional allotments of funds for highway purposes which may be made by the Federal Government to the State of New Jersey, are hereby Federal aid.

appropriated for the purposes for which such moneys are allocated, and the State Highway Commissioner is hereby authorized to carry out such projects as may be designated by the Federal Government.

Moneys used as specified.

3. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated, and except such sums as may be required to refund amounts credited to the State treasury which do not represent State revenues, and except such sums which are by law devoted to specific purposes, namely, funds required for the payment of interest on and amortization of bonded debt; Federal funds for the use of the State or its agencies; taxes for the use of taxing districts in this State; Grade Crossing Elimination Fund; Veterans Guaranteed Loan Fund; one per centum (1%) Workmen's Compensation Tax Fund; moneys received at the various Teachers' Colleges from the operation of demonstration schools; moneys directed to be paid pursuant to R. S. 54:17–4; moneys directed to be paid pursuant to R. S. 39:3–3, 1837 Surplus Revenue Fund income, State Police Retirement Fund, receipts of the State Employees' Retirement System from counties and municipalities, pursuant to chapter 15, R. S. 43; refunds of escheated property when claimed in accordance with the statutes; moneys received pursuant to chapter 199 of the laws of 1945, unclaimed accounts of patients and prisoners in State institutions; Unemployment Compensation Funds and Employment Service Funds, Cash Sickness Benefits Funds; moneys received by the several institutions representing garage rentals which moneys shall be devoted exclusively by such institution to erection of new garages where needed; funds received by the sale of articles made in occupational therapy departments of the several institutions, said funds to be devoted to the purchase of additional material and other incidental expenses, funds donated to the Crippled Children's Commission; Palisades Interstate Park Commission; funds appropriated for

institution construction; moneys received representing insurance to cover losses by fire and other casualties; moneys received by the Quartermaster-General under the provisions of article 3, chapter 2, of Title 38 of the Revised Statutes; moneys received by any State Department or agency from the sale of equipment, when such funds are received in lieu of trade-in-value in the replacement of such equipment.

Transfers.

4. In order that there be flexibility in the handling of appropriations, any department or other State agency receiving an appropriation by any act of the Legislature may apply to the State Treasurer for permission to transfer a part of any item granted to such department or agency to any other item in such appropriation. Such application shall only be made during the current year for which the appropriation was made, and if the State Treasurer shall consent thereto, he shall, subject to the approval of the State Auditor, 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 any item for capital improvement may be transferred to any other item of capital improvement on the approval of the State Treasurer.

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Proviso.

Transfers to other departments, approval.

5. The State Treasurer, subject to the approval of the State Auditor, is hereby empowered, and it shall be his duty in the disbursement of funds appropriated for the maintenance and operation of any department or branch thereof, the duties or responsibilities of which are or may hereafter be transferred to any other department or branch, to transfer such appropriations to such department or branch as shall be charged with the responsibility of administering the functions of such department or branch so transferred. The State Treasurer shall also have the authority to create such new accounts as may be necessary to carry out the intent of the Legislature.

Corrections made to conform to context.

6. The State Treasurer shall make such correction of the title, text or account number of an appropriation, necessary to make such appropriation available for the purpose or purposes intended. Such correction shall be by written ruling, reciting in appropriate details the facts thereof, and the reasons therefor, attested by the signature of said State Treasurer and filed in the Division of Budget and Accounting of said Department 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.

Transfer authorized for architectural work.

7. The State Treasurer is hereby empowered, notwithstanding any other provision of the law, to transfer from the various appropriations for construction, reconstruction, additions to and betterments of State buildings and appurtenances thereto, herein contained, to the appropriation for the bureau of architecture and construction of the Department of the Treasury a sufficient sum to pay for the cost of all architectural work, superintendence and other expert services in connection with such work.

Transfer for civil defense.

8. Notwithstanding any other provision contained in this act, the Governor is empowered to direct the State Treasurer to transfer from any account contained herein to such account for Civil Defense, as designated by the Governor, to cover any emergency occasioned by aggression or sabotage.

Petty cash fund.

9. The State Treasurer may upon application therefor, allot from appropriations made to any official, department, commission or board a sum to establish a petty cash fund, for the payment of expenses under rules and regulations established by the State Treasurer. The allotments thus made by the State Treasurer 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 State Treasurer for audit, and said State Treasurer shall likewise make regulations governing disbursements from petty cash funds.

Transfers from dedicated funds.

10. The State Treasurer is hereby empowered, notwithstanding any other provision of law, to transfer to the General State Fund out of any special, dedicated, or trust fund such proportionate share of any appropriation made herein, which may be chargeable against such special, dedicated or trust fund. Any receipts in any special, dedicated or trust fund are hereby appropriated for the purpose of such transfer.

Act effective.

11. This act shall take effect on the first day of July, one thousand nine hundred and fifty-three.

Approved April 18, 1953.

CHAPTER 103

AN ACT concerning the establishment and application of the compensation schedule for the State service for the fiscal year one thousand nine hundred and fifty-three–one thousand nine hundred and fifty-four and providing for increases within salary ranges effective July first, one thousand nine hundred and fifty-three.

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

C. 52:14-15.91. Terms defined.

1. Unless it be otherwise expressly provided or there is something in the subject or context contrary to such construction, the following words and phrases, when used in this act, shall have the meaning herein given.

"State employee" shall be construed to mean any person holding office, position or employment in the State, for which salary ranges have been fixed by the Civil Service Commission, whose compensation is paid from State funds except a person holding office, position or employment in any educational institution for which appropriations are made to the Commissioner of Education or in any educational institution conducted under contract with the State Board of Education or holding office, position or employment under the Delaware River Joint Toll Bridge Commission or under the Interstate Sanitation Commission or holding State office, position or employment who receives no compensation from State funds other than that derived from Federal sources.

"Rate" shall be construed to refer to the regular and established compensation of a State employee and shall not be considered for the purposes of this act to include such additional sums as are now being paid represented by war adjustment bonus or cost of living bonus.

C. 52:14-15.92. 1953-1954 compensation schedule.

2. There shall be established, for the fiscal year one thousand nine hundred and fifty-three–one thousand nine hundred and fifty-four, for the State service the following compensation schedule consisting of forty-two salary ranges, each range to include, from the minimum to the maximum, five equal increment steps in the amount of one hundred twenty dollars ($120.00), one hundred eighty dollars ($180.00), two hundred forty dollars ($240.00), three hundred dollars ($300.00), four hundred twenty dollars ($420.00), or six hundred dollars ($600.00), in accordance with the following table:

Compensation Schedule for the New Jersey State Service for the Fiscal Year 1953–1954

I—$120 Increment Ranges

Minimum	*First*	*Second*	*Third*	*Fourth*	*Maximum*
$2,040	$2,160	$2,280	$2,400	$2,520	$2,640
2,160	2,280	2,400	2,520	2,640	2,760
2,280	2,400	2,520	2,640	2,760	2,880
2,400	2,520	2,640	2,760	2,880	3,000
2,520	2,640	2,760	2,880	3,000	3,120
2,640	2,760	2,880	3,000	3,120	3,240
2,760	2,880	3,000	3,120	3,240	3,360
2,880	3,000	3,120	3,240	3,360	3,480
3,000	3,120	3,240	3,360	3,480	3,600
3,120	3,240	3,360	3,480	3,600	3,720
3,240	3,360	3,480	3,600	3,720	3,840
3,360	3,480	3,600	3,720	3,840	3,960

II—$180 Increment Ranges

Minimum	*First*	*Second*	*Third*	*Fourth*	*Maximum*
$3,480	$3,660	$3,840	$4,020	$4,200	$4,380
3,660	3,840	4,020	4,200	4,380	4,560
3,840	4,020	4,200	4,380	4,560	4,740
4,020	4,200	4,380	4,560	4,740	4,920
4,200	4,380	4,560	4,740	4,920	5,100
4,380	4,560	4,740	4,920	5,100	5,280
4,560	4,740	4,920	5,100	5,280	5,460
4,740	4,920	5,100	5,280	5,460	5,640

III—$240 Increment Ranges

Minimum	*First*	*Second*	*Third*	*Fourth*	*Maximum*
$4,980	$5,220	$5,460	$5,700	$5,940	$6,180
5,220	5,460	5,700	5,940	6,180	6,420
5,460	5,700	5,940	6,180	6,420	6,660
5,700	5,940	6,180	6,420	6,660	6,900
5,940	6,180	6,420	6,660	6,900	7,140
6,180	6,420	6,660	6,900	7,140	7,380

IV—$300 INCREMENT RANGES

Minimum	*First*	*Second*	*Third*	*Fourth*	*Maximum*
$6,300	$6,600	$6,900	$7,200	$7,500	$7,800
6,600	6,900	7,200	7,500	7,800	8,100
6,900	7,200	7,500	7,800	8,100	8,400
7,200	7,500	7,800	8,100	8,400	8,700
7,500	7,800	8,100	8,400	8,700	9,000
7,800	8,100	8,400	8,700	9,000	9,300
8,100	8,400	8,700	9,000	9,300	9,600

V—$420 INCREMENT RANGES

Minimum	*First*	*Second*	*Third*	*Fourth*	*Maximum*
$8,340	$8,760	$9,180	$9,600	$10,020	$10,440
8,760	9,180	9,600	10,020	10,440	10,860
9,180	9,600	10,020	10,440	10,860	11,280

VI—$600 INCREMENT RANGES

Minimum	*First*	*Second*	*Third*	*Fourth*	*Maximum*
$9,600	$10,200	$10,800	$11,400	$12,000	$12,600
10,200	10,800	11,400	12,000	12,600	13,200
10,800	11,400	12,000	12,600	13,200	13,800
11,400	12,000	12,600	13,200	13,800	14,400
12,000	12,600	13,200	13,800	14,400	15,000
12,600	13,200	13,800	14,400	15,000	15,600

C. 52:14-15.93. Allocation of class titles.

3. All class titles having or requiring salary ranges within the classified civil service of the State shall be allocated only to the ranges included in the compensation schedule referred to in section two, above, and to no other salary ranges not included in the compensation schedule; *provided,* that when any class title within the classified civil service of the State requires the allocation of a salary range or a rate which is in excess of eleven thousand two hundred and eighty dollars ($11,280.00), such a range or rate shall be determined on the basis of the exigencies of the State service by the

Proviso.

Civil Service Commission with the approval of the Governor; *provided, further,* that in cases of laborers, who are paid on an hourly basis, there shall be allocated ranges with minima and maxima and five included increment steps expressed in terms of hourly rates, the amount of the increment expressed in terms of an hourly rate representing a reasonable conversion of what the annual increment would be in accordance with the compensation schedule referred to in section two of this act. Proviso.

C. 52:14-15.94. Allocation of titles in the unclassified service.

4. All class titles having or requiring salary ranges within the unclassified civil service of the State shall, as far as practicable, and consistent with and not contrary to existing provisions of any law, be allocated to ranges included within the compensation schedule referred to in section two of this act.

C. 52:14-15.95. To be the established ranges.

5. The ranges allocated by the Civil Service Commission to all class titles within the classified civil service of the State as of July first, one thousand nine hundred and fifty-three, and the ranges allocated to new class titles added to the classification plan of the State service within the fiscal year one thousand nine hundred and fifty-three–one thousand nine hundred and fifty-four shall be the established ranges for these class titles for the fiscal year one thousand nine hundred and fifty-three–one thousand nine hundred and fifty-four.

C. 52:14-15.96. Relative position within range maintained.

6. The relative position within a salary range of the rate of each State employee in the classified and unclassified service whose class title, as of June thirtieth, one thousand nine hundred and fifty-three, is allocated to one of the ranges established by section two, chapter six, of the laws of one thousand nine hundred and fifty-two, shall be retained within the salary range, being one of the salary ranges within the compensation schedule for the New Jersey State Service established by section two of this act, allocated to his class title as of July first, one thousand nine hundred and fifty-three, by an adjustment, if required, effective July first, one thousand nine hundred and fifty-three, of

his rate to the same increment step within the salary range allocated to his class title as of July first, one thousand nine hundred and fifty-three at which his rate was located within the salary range allocated to his class title as of June thirtieth, one thousand nine hundred and fifty-three.

C. 52:14-15.97. Not to affect normal increments.

7. Any adjustment in the rate of a State employee made in accordance with section six of this act shall not vitiate or prejudice whatever eligibility such an employee may have, as determined or qualified on the basis of his performance rating, for the normal annual increment on his increment anniversary date within the salary range allocated to his title July first, one thousand nine hundred and fifty-three.

C. 52:14-15.98. War adjustment and bonus continued.

8. Any war adjustment or bonus payment, or both, now being received by any State employee shall be continued for the fiscal year one thousand nine hundred and fifty-three–one thousand nine hundred and fifty-four; except, that an amount, not exceeding the amount equivalent to one increment applicable within the salary range effective July first, one thousand nine hundred and fifty-three, being the whole or part of any war adjustment or bonus payment, or both, now being received by any State employee in the classified and unclassified service whose class title on June thirtieth, one thousand nine hundred and fifty-three is allocated to a salary range established by the Civil Service Commission, shall be converted into and considered as salary, effective July first, one thousand nine hundred and fifty-three. No conversion of war adjustment or bonus payment, or both, as herein provided, shall be made if the difference between the amount of conversion into salary and the amount of the adjustment in rate by section six of this act is less than the amount equivalent to one increment applicable within the salary range in effect July first, one thousand nine hundred and fifty-three.

C. 52:14-15.99. Application of provisions to employees of educational institutions.

9. Each person holding office, position or employment in any educational institution for which appropriations are made to the Commissioner of Education or whose compensation is paid, directly or indirectly, in whole or in part, from State funds by contract with the State Board of Education shall be entitled to the same readjustment of rate under section six of this act as he would receive if he were a State employee and his compensation were paid wholly from State funds, subject to such conditions as may be imposed by the State Treasurer, the president of the Civil Service Commission and the Director of the Division of Budget and Accounting in the Department of the Treasury, which conditions shall be as nearly like the conditions applying to State employees as the circumstances of the case will permit.

C.52:14-15.100. Application of provisions to employees of interstate commissions.

10. Each person holding office, position or employment under the Delaware River Joint Toll Bridge Commission or the Interstate Sanitation Commission shall be entitled to the same readjustment of rate under section six of this act as he would receive if he were a State employee and his compensation were paid wholly from State funds, subject to such conditions as may be imposed by the State Treasurer, the president of the Civil Service Commission and the Director of the Division of Budget and Accounting in the Department of the Treasury, which conditions shall be as nearly like the conditions applying to State employees as the circumstances of the case will permit.

C.52:14-15.101. Employees paid from Federal funds.

11. Each person holding State office, position or employment who receives no compensation from State funds other than that derived from Federal sources shall be entitled to the same readjustment of rate under section six of this act which he would receive if he were a State employee and his compensation were paid wholly from State funds; *provided,* that the Federal Government consents to the payment of his compensation on the basis of such readjustment from Federal funds or from State

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funds derived from Federal sources; *provided further, however,* that such prohibition or lack of consent on the part of the Federal Government shall not apply to those employees for whom appropriations are made to the Commissioner of Education or whose compensation is paid directly or indirectly from State funds by contract with the State Board of Education. If the Federal Government gives such consent, such readjustment of rate shall be made upon such conditions as may be imposed by the State Treasurer, the president of the Civil Service Commission and the Director of the Division of Budget and Accounting in the Department of the Treasury, which conditions shall be as nearly like the conditions applying to State employees as the circumstances of the case will permit.

C.52:14-15.102. Rules and regulations.

12. The State Treasurer, the president of the Civil Service Commission and the Director of the Division of Budget and Accounting in the Department of the Treasury shall have power to make such rules and regulations as, in their discretion, appear to be necessary in order to achieve an equitable application of the provisions of this act.

C.52:14-15.103. To submit report.

13. The president of the Civil Service Commission shall submit to the Governor on or before the first of November, one thousand nine hundred and fifty-three, a report which shall include findings with respect to the operation of the compensation plan for the State service and considered recommendations for any modification of the compensation schedule as established for the fiscal year one thousand nine hundred and fifty-three–one thousand nine hundred and fifty-four by the provisions of this act.

Note: Act effective.

14. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved April 18, 1953.

CHAPTER 104

AN ACT authorizing the sale and conveyance of certain lands belonging to the State of New Jersey in the borough of Barrington, county of Camden, to the New Jersey Turnpike Authority.

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

1. The State House Commission, acting for, on behalf and in the name of the State of New Jersey, is hereby authorized and empowered to sell and convey to the New Jersey Turnpike Authority, a body corporate and politic created by and existing under the laws of the State of New Jersey, for the consideration of thirteen thousand seven hundred seventy dollars ($13,770.00), certain lands, situate, lying and being in the borough of Barrington, county of Camden and State of New Jersey, bounded and described as follows: Authorized to convey certain lands.

All that certain lot, tract or parcel of land and premises, situate, lying and being in the Borough of Barrington, County of Camden and State of New Jersey, and more particularly described as follows: Location.

Beginning at a point in the northwesterly line of Clements Bridge Road, distant two hundred eighty feet (280.0′) northeasterly from the intersection of the northwesterly line of Clements Bridge Road with the northeasterly line of Cleveland Avenue and running; thence (1) northwesterly at right angles to Clements Bridge Road, along the northeasterly line of lands of Walter J. Lyon, two hundred fifty feet (250.0′) to a point; thence (2) southwestwardly at right angles to the first course and along the northwesterly line of lands of said Walter J. Lyon, one hundred feet (100.0′) to the northeasterly corner of lands of the Grace Presbyterian Church; thence (3) north- Description.

westwardly at right angles to the second course, one hundred seventy-five feet (175.0′) to a point; thence (4) southwestwardly at right angles to the third course, five hundred eighty feet (580.0′) to a point; thence (5) at right angles to the fourth course North forty-three degrees and seven minutes West, five hundred eighty-seven feet and nineteen hundredths of a foot (587.19′) to a point in the Borough line of Bellmawr; thence (6) along said Borough line North forty-nine degrees and thirty-five minutes East, three hundred fifty feet and thirty-nine hundredths of a foot (350.39′) to a point; thence (7) continuing on the same course in a northeasterly direction, a distance of fifty feet (50.0′) to a point where the northerly line of Cleveland Avenue intersects the Borough line of Bellmawr; thence (8) continuing along the said Borough line of Bellmawr and along lands of the grantor herein North forty-nine degrees and thirty-five minutes East, five hundred thirty-six feet (536.0′) more or less to a point in the dividing line between lands of the grantor herein on the southwest and other lands of the grantor herein, formerly Thomas H. Williams on the northeast; thence (9) along said dividing line South forty degrees and thirty minutes East, six hundred twenty feet and six tenths of a foot (620.6′) more or less to a point in the aforesaid dividing line; thence (10) still along said dividing line South sixty-five degrees and ten minutes East, one hundred eighty feet and nine-tenths of a foot (180.9′) more or less to a point; thence (11) South forty-one degrees and fifty-eight minutes East, still along said dividing line, one hundred seventy-seven feet and eighty-five hundredths of a foot (177.85′) more or less to a point in the northwesterly line of Clements Bridge Road; thence (12) South forty-six degrees and fifty-three minutes West along the northwesterly line of Clements Bridge Road, two hundred ninety-one feet (291.0′) more or less to the point of Beginning. Being the same premises by substantially the same

description conveyed by Clifford S. Richman and Aetna W. Richman, his wife, to The State of New Jersey, by deed dated February 17, 1950, recorded in Book 1451 of Deeds for Camden County, at Page 431.

2. A resolution adopted by unanimous vote of all members of the State House Commission shall be required to make the conveyance herein authorized. Such resolution duly entered on the minutes of the State House Commission shall specify the signatories necessary to execute the deed or instrument of conveyance except that such deed or instrument shall be of no force or effect unless subscribed by the State Treasurer. Resolution required.

3. This act shall take effect immediately.

Approved April 22, 1953.

CHAPTER 105

AN ACT providing for an appropriation to the Department of Labor and Industry.

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

1. There is hereby appropriated to the Department of Labor and Industry the sum of seventy thousand dollars ($70,000.00), when included in any general or supplemental appropriation act, to provide such services, including technical and clerical personnel, facilities, and equipment in the explosive branch, engineering section, Bureau of Engineering and Safety, as the Commissioner of Labor and Industry shall determine to be necessary to protect life, limb and property in the mines and quarries of the State because of the use of explosives and to promote the best interests of public safety, health and welfare. Appropriation.

2. This act shall take effect immediately.

Approved April 22, 1953.

CHAPTER 106

AN ACT to amend "An act concerning motor vehicles, and supplementing chapter three of Title 39 of the Revised Statutes," approved April seventh, one thousand nine hundred and forty-three (P. L. 1943, c. 98).

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

Section amended.

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

C. 39:3-11.5. Driving license extended.

1. Any person, who is the holder of a valid license to drive a motor vehicle at the time he or she enters the active military or naval service of the United States, in time of war or time of emergency, may continue to exercise the driving privilege therein conferred until the expiration of one hundred eighty days after the termination of the war or emergency, or for a period of three months from the date of his or her discharge or release from such service under conditions other than dishonorable, without payment of any fee therefor to the Commissioner of Motor Vehicles; *provided, however,* no such person shall exercise said privilege except when attired in official military uniform or when having in his or her possession evidence of his or her said discharge or release.

Proviso.

Term defined.

As used herein the term "in time of emergency" shall mean and include any time after June twenty-third, one thousand nine hundred and fifty, and prior to the termination, suspension or revocation of the proclamation of the existence of a national emergency issued by the President of the United States on December sixteenth, one thousand nine hundred and fifty, or termination of the existence of such national emergency by appropriate action of the President or Congress of the United States.

2. This act shall take effect immediately.

Approved April 22, 1953.

CHAPTER 107

AN ACT to amend the title of "An act concerning the appointment of officers or members of the police force in certain municipalities, and supplementing chapter forty-seven of Title 40 of the Revised Statutes," approved March twenty-second, one thousand nine hundred and forty-six (P. L. 1946, c. 25), so that the same shall read "An act concerning officers or members of the police force or paid fire department in certain municipalities, and their appointment in certain cases, and supplementing chapter forty-seven of Title 40 of the Revised Statutes," and to amend and supplement the body of said act.

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

1. The title of "An act concerning the appointment of officers or members of the police force in certain municipalities, and supplementing chapter forty-seven of Title 40 of the Revised Statutes," approved March twenty-second, one thousand nine hundred and forty-six, is amended to read "An act concerning officers or members of the police force or paid fire department in certain municipalities, and their appointment in certain cases, and supplementing chapter forty-seven of Title 40 of the Revised Statutes."

Title amended.

New title.

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

Section amended.

1. In any municipality, other than a municipality now or hereafter operating under the provisions of Title 11, Civil Service, of the Revised Statutes, having a population of less than thirty thousand inhabitants located in counties of the first class having a population of more than eight hundred

C. 40:47-3.1. Appointment to police or firemen authorized.

thousand inhabitants, a person may be appointed an officer or member of the police force or of the paid fire department if he is otherwise qualified, notwithstanding that he is not and has not been a resident of said municipality for two years preceding his appointment; *provided,* at the time of his appointment said person resided in the county in which the municipality is located, for a period of two years immediately prior to his appointment, and agrees to become a resident of the said municipality within three years from the date of his appointment, if

Proviso.

(a) not less than four weeks' notice of the examination for appointment to the police force or paid fire department has been published at least once a week in a newspaper circulating in the municipality; and

(b) no person who has been such a resident and is otherwise qualified for appointment has applied for such appointment at the time scheduled for examination.

In the event such a person fails to become a resident of the municipality within the aforementioned three years period upon the anniversary date thereof he shall cease to be a member of said police or fire department. The governing body shall cause to be served on the officer or member at least fifteen days before the expiration of the aforementioned three-year period, a notice that he is required to become a resident of the municipality within the time mentioned, and in the event such notice is not given the time for the officer or member to become a resident of the municipality is extended until such notice is given.

The officer or member of the police force or paid fire department appointed as aforesaid shall be a probationary member of the same and shall not be eligible for any additional increment of the office until he becomes a resident of the said municipality.

C. 40:47-3.2. May reside outside of municipality, limitation.

3. In any municipality having a population of less than thirty thousand inhabitants located in counties of the first class having a population of more than eight hundred thousand inhabitants, an officer or member of the police force or of the paid fire department may reside out of the municipality for one period not to exceed three years; *provided,* said officer or member resides in the county in which the municipality is located during the period he is not a resident of the municipality. Upon the expiration of the aforesaid three-year period if the officer or member of the police force or paid fire department shall not have become a resident of the municipality in which he is appointed he shall on such anniversary date cease to be an officer or member of the police force or paid fire department and a vacancy in his office shall immediately exist and he shall not exercise any of the duties of the office theretofore held by him. The governing body shall cause to be served on the officer or member at least fifteen days before the expiration of the aforementioned three-year period, a notice that he is required to become a resident of the municipality within the time mentioned, and in the event such notice is not given the time for the officer or member to become a resident of the municipality is extended until such notice is given.

Proviso.

4. This act shall take effect immediately.

Approved April 22, 1953.

CHAPTER 108

AN ACT concerning insurance companies, and amending section 17:17–1 of the Revised Statutes.

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

Section amended.

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

Kinds of insurance.

17:17–1. Ten or more persons may form a corporation for the purpose of making any kinds of insurance, as follows:

a. Against direct or indirect loss or damage to property, including loss of use or occupancy by fire, smoke; smudge; lightning; tempest on land, including windstorm, tornado and cyclone; earthquake; collapse of buildings; hail; frost or snow; weather or climatic conditions, including excess or deficiency of moisture, flood, rain or drought, rising of the waters of the ocean or its tributaries; bombardment; invasion; insurrection; riot; civil war or commotion; military or usurped power; vandalism or malicious mischief; striking employees; explosion, whether fire ensues or not, except explosion of steam boilers and flywheels; and arising from the use of elevators, aircraft, automobiles or other vehicles; against loss or damage by insects or disease to farm crops or products and loss of rental value of land used in producing the crops or products.

b. Against any kinds of loss or damage to: Vessels, craft, aircraft, cars, automobiles and vehicles of every kind, including all kinds of automobile and aircraft insurance (excepting insurance against loss by reason of bodily injury to the person), as well as all goods, freights, cargoes, merchandise, effects, disbursements, profits, moneys, bullion, precious stones, securities, choses in action,

evidence of debt, valuable papers, bottomry and respondentia interests, and all other kinds of property and interests therein, in respect to, appertaining to or in connection with any and all risks or perils of navigation, transit, or transportation, including war risks, on or under any seas or other waters, on land or in the air, or while being assembled, packed, crated, baled, compressed or similarly prepared for shipment or while awaiting the same or during any delays, storage, transshipment or reshipment incident thereto, including marine builder's risk and all personal property floater risks, and to person or to property in connection with or appertaining to a marine, inland marine, transit or transportation insurance, including liability for loss of or damage to either, arising out of or in connection with the construction, repair, operation, maintenance or use of the subject matter of the insurance (but not including life insurance or surety bonds) but, except as herein specified, not against loss by reason of bodily injury to the person.

c. Upon the lives or health of persons, and every insurance appertaining thereto, and to grant, purchase or dispose of annuities.

d. Against bodily injury or death by accident, and upon the health of persons, including a funeral benefit to an amount not exceeding one hundred dollars ($100.00) or against loss or damage to automobiles or motor vehicles, or to wagons or vehicles propelled by a horse or team of any description, resulting from collision with moving or stationary objects, against perils to property arising from the use of elevators, aircraft, automobiles or other motor vehicles, or against loss by legal liability for damage to persons or property (including, if the insured is a State or a political subdivision of a State or a municipal corporate instrumentality of one or more States, loss by voluntary payments made by the insured under circumstances where the insured would have legal liability if it were a private corporation) resulting from collision of

automobiles, aircraft, or motor vehicles, or of wagons or vehicles propelled by a horse or team with moving or stationary objects.

e. Against loss or damage resulting from accident to or injury suffered by any person for which loss or damage the insured is liable, including, if the insured is a State or a political subdivision of a State or a municipal corporate instrumentality of one or more States, loss or damage resulting from accident to or injury suffered by any person for which loss or damage the insured would be liable if it were a private corporation.

f. Against damage to property of the insured or loss of life or damage to the person or property of others for which the insured is liable (including, if the insured is a State or a political subdivision of a State or a municipal corporate, instrumentality of one or more States, loss of life or damage to the person or property of others for which the insured would be liable if it were a private corporation), caused by the explosion of steam boilers, pipes, engines, motors and machinery connected therewith or operated thereby.

g. Against loss from the defaults of persons in positions of trust, public or private, or against loss or damage on account of neglect or breaches of duty or obligations guaranteed by the insurer; and against loss by banks, bankers, brokers, financial or moneyed corporations or associations, of any bills of exchange, notes, checks, drafts, acceptances of drafts, bonds, securities, evidences of debt, deeds, mortgages, documents, gold or silver, bullion, currency, money, platinum and other precious metals refined or unrefined and articles made therefrom, jewelry, watches, necklaces, bracelets, gems, precious and semiprecious stones, and also against loss resulting from damage, except by fire, to the insured's premises, furnishings, fixtures, equipment, safes and vaults therein caused by burglary, robbery, hold-up, theft or larceny, or attempt thereat. No such indemnity indemnifying against loss of any property as specified herein shall in-

demnify against the loss of any such property occurring while in the mail or in the custody or possession of a carrier for hire for the purpose of transportation, except for the purpose of transportation by an armored motor vehicle accompanied by one or more armed guards.

h. Against loss or damage on account of encumbrances upon or defects in titles to real property. Any company organized or operating under this paragraph shall have the right, in addition to its other powers, to make searches, abstracts, examine titles to real property and chattels, and procure and furnish information in relation thereto.

i. Against loss from bad debts, commonly known as credit insurance.

j. Against loss or damage by burglary, theft, larceny, robbery, forgery, fraud, vandalism or malicious mischief, or any one or more of such hazards; and against any and all kinds of loss or destruction of or damage to moneys, securities, currencies, scrip, coins, bullion, bonds, notes, drafts, acceptances of drafts, bills of exchange and other valuable papers or documents, except while in the custody or possession of and being transported by a carrier for hire or in the mail; and against loss or damage to automobiles and aircraft by burglary, larceny, or theft, vandalism or malicious mischief, confiscation or wrongful conversion, disposal or concealment, whether held under conditional sale contract or subject to chattel mortgages, or otherwise, or any one or more of such hazards.

k. Against loss of and damage to glass, including lettering and ornamentation thereon, and the frame in which the glass is set resulting from breakage of the insured glass.

l. Against loss or damage by water or other fluid to any goods or premises arising from the breaking or leakage of sprinklers, pumps, or other apparatus erected for extinguishing fires, or of other conduits or containers, or by water entering through leaks or openings in buildings, and of water pipes and against accidental injury to such

sprinklers, pumps, conduits, containers, water pipes and other apparatus; including loss of use or occupancy of the property so damaged.

m. Upon the lives of horses, cattle and other livestock or against loss by theft of any such property or both.

n. Against loss or damage to property by smoke or smudge, or both.

o. Any specified kinds of insurance not included in any of the foregoing paragraphs and which are proper subjects of insurance.

Any company, which, by its charter, is authorized to make insurance against loss or damage to property caused by fire, lightning, or tempest on land, may, without amending its charter, be authorized by the Commissioner of Banking and Insurance to transact all of the kinds of insurance described in paragraphs "a," "b," and "l" hereof, if it is possessed of the capital stock and surplus or cash premiums required by sections 17:17–6 and 17:17–7 of this Title; and any company which, by its charter, is authorized to make insurance against loss or damage to private dwelling property and contents thereof under paragraph "a" hereof, may, without amending its charter or increasing its capital and surplus, or net cash assets if a mutual company, be permitted to transact all of the kinds of insurance described in paragraphs "f," "k," and "l," hereof, limited, however, to extending fire insurance policies to provide such coverages on private dwellings and contents thereof, notwithstanding the provisions of sections 17:17–6 and 17:17–7 of this Title; or any company which, by its charter, is authorized to make any kinds of insurance described in any of the paragraphs "a" to "o," inclusive, of section 17:17–1 of this Title, except paragraph "c," may, without amending its charter, if it is possessed of a capital stock of at least two million dollars ($2,000,000.00) and surplus of at least one million dollars ($1,000,000.00) or, if a mutual company, it is possessed of net cash assets (excess of allowable assets over all

liabilities) of at least three million dollars ($3,000,000.00), be authorized by the Commissioner of Banking and Insurance to transact any other kind or kinds of insurance that may be proper subjects of insurance, except upon the lives of persons or the granting of annuities.

2. This act shall take effect immediately.

Approved April 22, 1953.

CHAPTER 109

AN ACT vesting in Frederick F. Hooper and Florence Hooper the title to the personal estate of which Albion Bell died possessed, which is alleged to have escheated to the State of New Jersey.

WHEREAS, Albion Bell, late of the city and county of Camden, and State of New Jersey, died intestate on December sixteenth, one thousand nine hundred and thirty-five, possessed of certain personal property consisting of a one-thirteenth interest in the estate of Eleanor G. Fairfield, of Rockford, Illinois; that the interest of Albion Bell was acquired by him from his wife, Mary H. Bell, who predeceased him, dying intestate on November twenty-eighth, one thousand nine hundred and twenty-eight; and Preamble.

WHEREAS, The said Albion Bell was survived by his wife's niece and nephew, Frederick F. Hooper and Florence Hooper; and Preamble.

WHEREAS, Albion Bell left him surviving no known heirs at law or next of kin and his said wife's relatives have an equitable and moral right to the said personal property; now, therefore, Preamble.

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

Title to vest.

1. All the estate, right, title, and interest of every kind and character of which it is alleged that the State of New Jersey has or may have by right of escheat, had or going to Albion Bell, consisting of personal property from the Estate of Eleanor G. Fairfield, is hereby vested in Frederick F. Hooper and Florence Hooper, the nephew and niece of Mary H. Bell, deceased.

Private act.

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

Approved April 22, 1953.

CHAPTER 110

AN ACT to amend "An act relating to the sale by municipalities of certificates of tax sale including subsequent municipal liens held by such municipalities," approved April eighth, one thousand nine hundred and forty-three (P. L. 1943, c. 149).

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

Section amended.

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

C. 54:5-114.5. Authorized to extend time, proviso, limitation.

4. The governing body on good cause shown shall have the power to extend the time and to grant further extension or extensions of time within which the final decree must be recorded as hereinabove described; *provided,* that an application for such extension, further extension or extensions of time shall be made to the governing body, before the expiration of the two-year period or the expiration date or dates of said further extension or extensions as hereinabove provided.

If the final decree shall not have been recorded within two years from the date of the confirmation of the sale, or on the expiration of the extended time or times, then the sale be null and void, and the right, title and interest of the purchaser shall cease and revert to the municipality.

As to all sales of tax sale certificates heretofore made under this act, where the final decree has not been filed within two years from the date of the confirmation of the sale, or within the time limited by any extension or extensions theretofore granted, the governing body, on good cause shown, shall have the power to extend the time within which the final decree must be recorded; *provided,* that the first application for such extension shall be made to the governing body within two years after July third, one thousand nine hundred and fifty-two, and in the event that such application is made within said time and is granted by said governing body said final decree and the sale, right, title and interest of the purchaser in the tax sale certificate shall be valid, anything contained in this act to the contrary notwithstanding. Proviso.

2. This act shall take effect immediately.

Approved April 22, 1953.

CHAPTER 111

AN ACT concerning the State Highway Department, and adding a route to the State highway system and designating certain portions thereof as a freeway.

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

1. The State Highway Commissioner shall as soon as practical and in accordance with the procedure set forth in article one of chapter seven of R. S. 27:6-1. New route added.

Title 27 of the Revised Statutes add to the present highway system the following described route: Route No. beginning at Robbinsville in the county of Mercer and the State of New Jersey and from thence in a general south easterly direction to a point in the vicinity of "The Thomas A. Mathis Bridge" across Barnegat bay in Ocean county from Seaside Heights to Dover township.

Freeway.

2. All of the aforesaid route, over new location, is hereby designated a freeway as defined in chapter eighty-three of the laws of one thousand nine hundred and forty-five.

3. This act shall take effect immediately.

Approved April 22, 1953.

CHAPTER 112

AN ACT concerning the State Highway Department and adding a route to the State highway system and designating it as a freeway.

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

R. S. 27:6-1. New route added.

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

Beginning at the traffic circle at the southerly end of Route 68 and extending in a southerly direction to a connection with Route 70 in the vicinity of its intersection with Route 72.

Freeway.

The route hereby established is hereby designated as a freeway as defined in chapter eighty-three of the laws of one thousand nine hundred and forty-five.

2. This act shall take effect immediately.

Approved April 22, 1953.

CHAPTER 113

AN ACT concerning the State Highway Department and adding a route to the State highway system and designating it as a freeway.

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

1. The State Highway Commissioner shall, as soon as practicable in accordance with the procedure set forth in article one of chapter seven of Title 27 of the Revised Statutes, add to the State highway system the following described route: R. S. 27:6-1. New route added.

Beginning in the vicinity of the Burlington-Bristol bridge over the Delaware river and extending in a southeasterly direction to a connection with Route 70 in the vicinity of its intersection with Route 72.

The route hereby established is hereby designated as a freeway as defined in chapter eighty-three of the laws of one thousand nine hundred and forty-five. Freeway.

2. This act shall take effect immediately.

Approved April 22, 1953.

CHAPTER 114

AN ACT to amend the "Motor Vehicle Liability Security Fund Act," approved May tenth, one thousand nine hundred and fifty-two (P. L. 1952, c. 175).

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

Section amended.

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

C. 39:6-98. Funds separate, custodian, invested.

7. The fund created by this act shall be separate and apart from any other fund and from all other State moneys. The treasurer shall be the custodian of said fund; and all disbursements from said fund shall be made by the treasurer upon vouchers signed by the commissioner, as in this act provided. The moneys of said fund shall be invested and reinvested for the treasurer by the Director of the Division of Investment, Department of the Treasury, pursuant to the provisions of chapter two hundred seventy of the laws of one thousand nine hundred and fifty, as amended or supplemented, subject to the limitations contained in section eleven of said chapter, as amended or supplemented.

2. This act shall take effect immediately.

Approved April 22, 1953.

CHAPTER 115

AN ACT to amend "An act relating to the reorganization of the executive and administrative offices, departments and instrumentalities of the State Government; and establishing and concerning a Division of Investment within the Department of the Treasury," approved July first, one thousand nine hundred and fifty (P. L. 1950, c. 270).

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

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

8. The functions, powers and duties of, or relating to, investment or reinvestment of moneys of, and purchase, sale or exchange of, any investments or securities of or for, any of the following funds, namely: C. 52:18A-86. Functions, powers and duties transferred.

The 1837 Surplus Revenue Fund;
The Veterans Loan Guaranty and Insurance Fund;
The Stock Workmen's Compensation Security Fund;
The Mutual Workmen's Compensation Security Fund;
The Consolidated Police and Firemen's Pension Fund; and
The Motor Vehicle Liability Security Fund;

and the functions, powers and duties of, or relating to, investment or reinvestment of moneys and purchase, sale or exchange of any investments or securities pursuant to the provisions of chapter one hundred forty-eight of the laws of one thousand nine hundred and forty-four, and chapter one hun-

dred fifty-eight of the laws of one thousand nine hundred and forty-seven; are hereby transferred to and shall be exercised and performed by the Director of the Division of Investment established hereunder; *provided, however,* that before any investment, reinvestment, purchase, sale or exchange may be made by said director pursuant to the provisions of this section, he shall submit the details thereof to the State Treasurer, who shall, within forty-eight hours, exclusive of Sundays and public holidays, after such submission to him, file with the director his written acceptance or rejection of such proposed investment, reinvestment, purchase, sale or exchange; and the director shall have authority to make such investment, reinvestment, purchase, sale or exchange unless there shall have been filed with him a written rejection thereof by the State Treasurer as herein provided.

Proviso.

2. This act shall take effect immediately.

Approved April 22, 1953.

CHAPTER 116

AN ACT concerning distribution of legislative bills and certain other legislative documents to applicants paying therefor, and amending section 1:4–6 of the Revised Statutes.

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

Section amended.

1. Section 1:4–6 of the Revised Statutes is amended to read as follows:

Legislative bill service, fee.

1:4–6. Any person desiring a complete set of the bills, joint resolutions and concurrent resolutions introduced in any year in the Legislature, together with the usual index slips, daily memoranda and advance parts of the Journal of the Senate and Minutes of the Assembly, may file an application therefor with the Secretary of State, accompany-

ing the application with a fee of forty dollars ($40.00). Upon receipt of the application and fee, the Secretary of State shall cause the name and address of the applicant to be added to the printer's mailing list of members of the Legislature, and thereafter during the year such bills, joint resolutions, concurrent resolutions, slips, daily memoranda and advance parts of the Journal and Minutes shall be mailed by the printer to such applicant as and when the same are mailed to members of the Legislature.

2. This act shall take effect January first, one thousand nine hundred and fifty-four. Note: Act effective

Approved April 22, 1953.

CHAPTER 117

A SUPPLEMENT to "An act concerning civilian defense during emergency," approved May twenty-third, one thousand nine hundred and forty-two (P. L. 1942, c. 251), as said title was amended by chapter eighty-six of the laws of one thousand nine hundred and forty-nine.

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

1. The civil defense forces of any other State, which is a party to the Interstate Civil Defense and Disaster Compact ratified on behalf of the State of New Jersey by chapter eight of the laws of one thousand nine hundred and fifty-one, while operating within the limits of this State under the terms and conditions of said compact, shall have the same powers (including that of arrest), duties, rights, privileges and immunities as if they were performing their duties in the State in which they are normally employed or rendering services. C. App. A:9-57.25. To have same powers.

2. This act shall take effect immediately.

Approved April 22, 1953.

CHAPTER 118

AN ACT to validate certain proceedings and judgments in suits to foreclose in rem tax sale certificates by municipalities in certain cases.

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

Validates certain proceedings and judgments.

1. Any final judgment heretofore entered in the Superior Court of New Jersey in any suit instituted therein by a municipality for the purpose of foreclosing in rem any tax sale certificate or certificates, in which suit the title or caption of the proceedings designate as defendant or defendants the name or names of the person or persons alleged in said suit to have an interest in the land or lands sought to be foreclosed and which said title or caption does not include as defendant or defendants a description of said land or lands, shall be good, valid and sufficient for all purposes whatsoever.

2. This act shall take effect immediately.

Approved April 22, 1953.

CHAPTER 119

AN ACT concerning counties, and amending section 40:32–10 of the Revised Statutes.

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

Section amended.

1. Section 40:32–10 of the Revised Statutes is amended to read as follows:

May use lands for other purposes.

40:32–10. Any lands owned by the county which shall have become unsuited or inconvenient for

the use for which it was acquired, may be devoted to any other public use, including their improvement and use for free public parking spaces, except as otherwise provided by law.

2. This act shall take effect immediately.

Approved April 22, 1953.

CHAPTER 120

AN ACT concerning teachers' institutes and conventions, and amending section 18:13–118 of the Revised Statutes.

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

1. Section 18:13–118 of the Revised Statutes is amended to read as follows: Section amended.

18:13–118. When any superintendent, supervisor, principal, or teacher applies to the board of education of the district wherein he is employed for permission to attend the annual convention of the New Jersey Education Association, such permission shall be granted for a period of not more than two days in any one year. If a certificate is procured and filed with the district clerk or secretary of the board of education, signed by the secretary of the New Jersey Education Association, showing that the superintendent, supervisor, principal, or teacher was in actual attendance at all of the sessions of the convention, the superintendent, supervisor, principal, or teacher shall receive his full salary for the days he has actually attended the sessions of the convention. Permitted to attend convention.

2. This act shall take effect immediately.

Approved April 24, 1953.

CHAPTER 121

AN ACT relating to the Teachers' Pension and Annuity Fund, and amending section 18:13–69 of the Revised Statutes.

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

Section amended.

1. Section 18:13–69 of the Revised Statutes is amended to read as follows:

To increase pension amount.

18:13–69. All pensions payable prior to the month of September, one thousand nine hundred and nineteen, by the State under the provisions of an act entitled "An act to amend an act entitled 'A supplement to an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support and management thereof,"' approved October nineteenth, one thousand nine hundred and three,' approved March thirteenth, one thousand nine hundred and twelve," approved April twentieth, one thousand nine hundred and fourteen (P. L. 1914, c. 268, p. 557), shall, beginning with said month of September, one thousand nine hundred and nineteen, be paid from the pension fund created by this article; and any such pension as is below eight hundred dollars ($800.00) shall be increased to and be paid at the rate of eight hundred dollars ($800.00).

Note: Act effective.

2. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved April 24, 1953.

CHAPTER 122

AN ACT establishing the New Jersey Neuropsychiatric Institute within the Department of Institutions and Agencies, providing for the administration thereof, supplementing Title 30 of the Revised Statutes, and repealing sections 30:4–166, 30:4–167, 30:4–168 and 30:4–169 of the Revised Statutes.

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

C. 30:4-177.12. New Jersey Neuropsychiatric Institute established.

1. There is hereby created and established within the Department of Institutions and Agencies an institution or facility to be known as the New Jersey Neuropsychiatric Institute which shall include all the existing lands and buildings owned by the State of New Jersey and comprising the present Village for Epileptics at Skillman, wherein patients and employees may be maintained, kept, housed and employed and such other buildings and premises as may be provided or hereafter acquired to carry into effect the purposes hereof.

C. 30:4-177.13. Public policy.

2. It is declared to be the public policy of this State to provide the means and facilities for the study of the causes and to contribute to the knowledge of the control, prevention and the cure of neuropsychiatric disorders which have proven so inimical to the health and welfare of the citizens of the State and which, if uncontrolled, constitute a menace to the individual afflicted thereby or to society in general.

C. 30:4-177.14. Persons to be admitted.

3. The institute shall admit, retain and provide care and treatment for individuals suffering from diseases and disfunctions of the brain and nervous system, including acute alcoholics, drug addicts, cerebral palsy cases and juvenile psychotics, and who require hospital care, and without which their health and welfare and that of others in the com-

munity will be jeopardized, subject to availability of facilities for hospitalization and treatment thereof.

C. 30:4-177.15. Admissions, procedure.

4. Patients may be admitted to the institute in the following manner:

a. By transfer from other institutions under the jurisdiction of the Department of Institutions and Agencies by order of transfer signed by the commissioner thereof;

b. On application of the next of kin by blood or marriage of any adult, and by the parent, guardian or person standing in loco parentis of any minor, whose admission is sought, in the manner provided for herein;

c. By voluntary application to be approved by the superintendent.

C. 30:4-177.16. Application for admission.

5. Application for the admission of any individual to the institute, other than by transfer or voluntary request, shall be upon forms prescribed by the Commissioner of Institutions and Agencies and upon certification of two physicians that the person suffers from a disease or disfunction of the brain or nervous system, requires hospital care, and that unless such care is provided the health and welfare of the individual or that of others in society will be jeopardized.

Upon the making of such an application for the admission of an individual to the institute, the further procedure with respect thereto shall be exactly the same as that provided by law for the commitment of any person to a mental hospital except that instead of an order of commitment the judicial officer shall enter an order authorizing admission of the person, which shall contain a determination of legal settlement, indigency and rate of payment of maintenance and the individual or governmental agency chargeable with the payment thereof.

C. 30:4-177.17. Voluntary admissions.

6. Application for voluntary admission shall be made upon forms prescribed by the Commissioner of Institutions and Agencies, with the approval of the superintendent and in exactly the same

manner with regard to legal settlement, indigency and rate of payment of maintenance as is provided in Revised Statutes 30:4–46, 30:4–47 and 30:4–48.

C. 30:4-177.18. Management and operation.

7. Except as otherwise provided for herein, the management, operation and administration of the institute and the disposition and release of all persons admitted thereto, shall be in conformity with the provisions of Title 30, Revised Statutes. The board of managers now functioning for the Village for Epileptics at Skillman shall serve as the board of managers for the Neuropsychiatric Institute until their terms expire and their successors shall be appointed as provided by law.

C. 30:4-177.19. Equipment.

8. The institute shall be fully provided with all modern scientific equipment and a staff of competent specialists in the field of medicine, psychiatry, neuropsychiatry and related sciences, so that complete facilities shall be available to study the causes of neuropsychiatric disorders, including epilepsy, and to contribute to the knowledge of the control and prevention thereof.

Sections repealed.

9. Sections 30:4–166, 30:4–167, 30:4–168 and 30:4–169 of the Revised Statutes are hereby repealed.

10. This act shall take effect immediately.

Approved April 28, 1953.

CHAPTER 123

AN ACT concerning education, and amending section 18:13–113 of the Revised Statutes.

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

Section amended.

1. Section 18:13–113 of the Revised Statutes is amended to read as follows:

To keep school register.

18:13–113. Each teacher or other person who is required by the board of education of any school

district or county vocational school to keep a school register in a public school shall keep such register in the manner provided therefor, and the final salary installment of any school year shall not be paid to him until the superintendent, secretary, district clerk, principal or other person designated by said board has examined the register and found that it has been kept according to law and shall enter upon the register a certificate to that effect.

Note: Act effective.

2. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved April 29, 1953.

CHAPTER 124

AN ACT to amend and supplement "An act concerning banking and banking institutions (Revision of 1948)," approved April twenty-ninth, one thousand nine hundred and forty-eight (P. L. 1948, c. 67).

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

Section amended.

1. Section 25.1 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-25.1. Retirement benefits, banks.

25.1. Banks; retirement benefits for officers and employees.

A bank may pay retirement and other benefits to its officers and employees in the manner provided by the Banks' and Savings Banks' Officers' and Employees' Retirement and Benefit Act.

Section amended.

2. Section 196 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-196. Retirement benefits, savings banks.

196. Retirement benefits for officers and employees.

A savings bank may pay retirement and other benefits to its officers and employees in the man-

ner provided by the Banks' and Savings Banks' Officers' and Employees' Retirement and Benefit Act.

3. Definitions. C. 17:9A-27.3. Terms defined.

As used in this act, unless the context otherwise requires,

(a) "commissioner" means the Commissioner of Banking and Insurance of New Jersey;

(b) "bank" includes banks and savings banks;

(c) "board of directors" includes the board of directors of a bank, and the board of managers, or the board of trustees, of a savings bank, but excludes the executive committee of a bank or savings bank:

(d) "predecessor bank" includes

(1) a predecessor bank and a predecessor savings bank as defined in section 16 of the act to which this act is a supplement; and

(2) a bank, savings bank and national bank which has been or shall be merged into or consolidated with a bank or savings bank, as the case may be; and

(3) a bank, savings bank and national bank all or a part of whose business has been or shall be taken over by a bank or savings bank, as the case may be;

(e) "successor bank" includes

(1) a successor bank and a successor savings bank as defined in section 16 of the act of which this act is a supplement; and

(2) a bank and a savings bank into which or with which a bank or banks, savings bank or savings banks, and national bank or national banks have merged or consolidated, or shall merge or consolidate; and

(3) a bank and a savings bank which has taken over or shall take over all or a part of the business of a bank or banks, savings bank

or savings banks, or national bank or national banks;

(f) "plan" and "retirement plan" mean a plan which provides for the retirement of officers and employees of a bank or a savings bank, and for the payment to them for life, or for a stated time, of retirement benefits;

(g) "fund" and "retirement fund" mean,

(1) a fund accumulated or set aside pursuant to paragraphs (a) or (b) of section 8 of this act; and

(2) a fund to which contributions are made pursuant to paragraphs (d) and (e) of section 8 of this act; and

(3) group annuity or insurance contracts, or both, purchased pursuant to paragraphs (a), (b), (c) or (e) of section 8 of this act;

(h) "employee" means persons employed by a bank, and includes officers of a bank;

(i) "subsidiary" means a corporation at least two-thirds of whose outstanding capital stock or securities having voting rights are owned by a bank, and also means an association, trust or other entity in which a bank owns at least a two-thirds interest.

C. 17:9A-27.4. Adoption and scope of plan.

4. Adoption of plan; scope of plan.

A. A bank may, with the approval of a majority in interest of its stockholders, and a savings bank may, pursuant to resolution of its board of managers, adopt and maintain a retirement plan or plans within the limits prescribed by this act.

B. The officers and employees of a subsidiary of a bank may be included in a retirement plan of a bank with the same effect as if such officers and employees were employed by the bank, or upon such other terms and provisions as the plan may provide; but, in such case, all employer contributions and other employer charges required to be

made or paid to a fund by reason of the inclusion of the officers and employees of a subsidiary shall be made or paid by the subsidiary.

5. Payment to beneficiaries. C. 17:9A-27.5. Payments.

If a plan provides for the payment of benefits for a stated time, it may also provide that, if an employee dies within such time, the benefits shall be paid for the remainder of such time to a beneficiary or beneficiaries designated by him.

6. Contributions. C. 17:9A-27.6. Contributions.

A plan may provide that the contributions or other charges required to be made or paid to the fund out of which, or by means of which, retirement benefits are payable, shall be made or paid only by the bank, or in part by the bank and in part by the employees of the bank.

7. Alteration and rescission of plan. C. 17:9A-27.7. Alteration of plan.

A plan may be rescinded, or may be altered from time to time to the extent hereinafter authorized, in the manner provided by such plan, and in the absence of such provision, by resolution of the board of directors; except that the approval of a majority in interest of stockholders shall be required when an alteration provides for (1) the payment, in whole or in part at the cost of the bank, of retirement benefits greater than those specified in the plan, or (2) the retirement of employees at an age earlier than that specified in the plan; or (3) decreasing the period of employment specified in the plan to qualify an employee to receive retirement benefits.

8. Methods of effecting plans. C. 17:9A-27.8. Effecting plans.

A plan may be effected and maintained through

(a) a fund accumulated from the income of a bank, or set aside out of surplus, out of which retirement benefits may be paid directly, or which may be used, in whole or in part, for the purchase of annuity or insurance contracts, or both; or

(b) a trust fund or funds accumulated or set aside and administered for the purposes

and in the manner provided by paragraph (a) of this section, to be held in trust by the bank or by a trustee or trustees designated by the bank, and which shall not be subject to any law against perpetuities, restraints on alienation, or perpetual accumulations; or

(c) the purchase of group annuity or insurance contracts, or both; or

(d) a fund accumulated by contributions made thereto by two or more corporations which are banks, savings banks or national banks of this State or of any other State, pursuant to a retirement system created under the laws of this State or of the State of New York, limited in membership to such corporations and providing for the retirement of officers and employees of such corporations; or

(e) a plan (1) which is administered by a corporation not for pecuniary profit organized under the laws of this State, (2) in which two or more banks, savings banks or national banks, participate or are members; and (3) which is underwritten by a group annuity contract issued by a life insurance company authorized to transact business in this State.

C. 17:9A-27.9. Eligibility for benefits.

9. Eligibility for retirement benefits. No employee shall be eligible to receive retirement benefits under a retirement plan unless such employee

(a) has attained the age of at least 60 years, and has served the bank for at least 10 years; or

(b) has attained the age of at least 50 years, and has served the bank for at least 10 years, and has become incapacitated from any cause from continuing as such employee; or

(c) has served the bank for at least 15 years, and has become incapacitated from any cause from continuing as such employee.

10. Disposition of contributions of employee. C.17:9A-27.10. Disposition of contributions by employees.

Every plan shall provide that, upon termination of employment of an employee for any cause other than retirement pursuant to such plan, or upon the death of such employee prior to such retirement, all contributions made by such employee pursuant to such plan shall be repaid to such employee, or to a beneficiary or beneficiaries designated by him. A plan may provide that such employee shall have the option of receiving the return of his contributions in cash, or in the form of an annuity payable in such manner and subject to such conditions as may be prescribed by such plan, and such provision shall constitute a compliance with this section.

11. Disposition of contributions of employer. C.17:9A-27.11. Disposition of employer contributions.

A plan may, but need not, provide that, upon termination of employment of an employee for any cause specified in such plan, other than retirement pursuant to such plan, or upon the death of such employee prior to retirement, all or part of the contribution made by the bank on behalf of such employee, shall be paid, in the manner provided by such plan, to such employee, or to a beneficiary or beneficiaries designated by him.

12. Rights of creditors of bank. C.17:9A-27.12. Rights of creditors.

No depositor or other creditor of any bank shall have any right in or claim against any retirement fund authorized by this act.

13. Maximum retirement benefits. C.17:9A-27.13. Maximum retirement benefits.

Except to the extent authorized by section 14 of this act, no annual retirement benefit shall exceed (1) sixty per centum of the average annual salary paid to an employee during the last thirty-six months of employment preceding retirement, or (2) one-sixth of one per centum of such average annual salary multiplied by the number of months of employment, whichever is less; except that, when such average annual salary is less than the average annual salary paid during all years of an employee's employment, an annual retirement benefit may equal but shall not exceed the lesser of (1) sixty

per centum of average annual salary paid during all years of employment, and (2) one-sixth of one per centum of average annual salary paid during all years of employment, multiplied by the number of months of such employment.

C.17:9A-27.14. Excess benefits.

14. Excess benefits.

Nothing in this act shall prevent the payment to an employee of greater benefits than those permitted by section 13 of this act if such employee pays the premium or other charges or contributions required for the purchase or return of benefits in excess of the maximum limited by such section.

C:17:9A-27.15. Determining eligibility for retirement.

15. Determination of eligibility for retirement.

In determining the eligibility for retirement hereunder of any employee of a bank, (a) the period or periods during which the employment of such employee by such bank shall, in time of war or emergency, be or have been interrupted by service in the military or naval service of the United States or of this State, or in the Coast Guard or Merchant Marine of the United States, or in any auxiliary or reserve corps serving therewith, or by engagement in any war work by enlistment or induction under any selective service or similar statute, or, with leave of such bank, by engagement in any war relief, social service or other activity related to war conditions, or in time of peace, by absence on leave and engagement in training or temporary service of a similar character, and (b) a period not exceeding three months after termination of such service or engagement, and (c) a period not exceeding one year of incapacity as a result of such service or engagement, shall be included in the period of such employee's employment in such bank.

C.17:9A-27.16. Permissive provisions.

16. Eligibility for retirement; permissive provisions.

A. In determining the eligibility for retirement of an employee, a plan may provide that (a) the period during which such employee was employed by a predecessor bank, and by a bank, savings bank

or national bank toward which such predecessor bank stands in the relation of a successor bank; and (b) the period during which such employee was employed by a subsidiary, shall be included in the period of such employee's employment in such bank.

B. In determining the eligibility for retirement of an employee, a plan may, with the approval of the commissioner, provide that a period, not in excess of ten years, during which such employee was employed by an employer other than the bank, a predecessor bank, or a subsidiary, shall be included in the period of such employee's employment in such bank.

17. Disposition of plans of predecessor bank.

C.17:9A-27.17. Disposition of plans of predecessor bank.

A. A successor bank may, with the approval of the commissioner,

(a) continue any existing plan or plans, or fund or funds maintained or participated in by a predecessor bank or banks, in the same manner that such plan or plans, or fund or funds were maintained or participated in by such predecessor bank or banks, or as altered by the successor bank;

(b) modify, alter or rescind any existing plan or plans or fund or funds maintained or participated in by any predecessor bank;

(c) adopt and maintain a new plan or plans, or fund or funds for those employees or any predecessor bank or banks, who continue as employees of the successor bank, or establish a separate plan or fund, or separate plans or funds for such employees within a plan or fund, if any, maintained by the successor bank;

(d) combine two or more plans or funds maintained or participated in by each of two or more predecessor banks, or combine one or more of such plans or funds, with a plan or fund, if any, maintained by it;

(e) do such other acts in respect to a plan or plans or fund or funds maintained or partici-

pated in by a predecessor bank or banks, as may be necessary or desirable.

B. For the purposes of this act, the employees of each predecessor bank, or of one or more predecessor banks, who become employees of the successor bank, may constitute an independent employee unit or units within the successor bank.

C. When, pursuant to this act, a bank maintains more than one plan or fund, it shall be optional with the bank to determine which of such plans or funds shall include particular groups or units of employees.

C.17:9A-27.18. Attachment and garnishment.

18. Attachment and garnishment.

Any retirement benefit shall be subject to execution, attachment, garnishment or other legal process to the extent and by the same procedure as provided by law in respect to execution upon or garnishment of wages or other earnings. No such benefit shall be assignable or subject to advancement, but, in the discretion of the board of directors, all or a part thereof may be paid in accordance with the written order of a retired employee, or, in the case of his disability, may be applied by the bank for his use or benefit or for that of his dependents.

C.17:9A-27.19. Administration of plan.

19. Delegation of administration of plan.

The board of directors may delegate the administration of any plan or fund to its executive committee or to a pension committee appointed by it.

C.17:9A-27.20. Continuance of payments.

20. Continuance of payments.

A bank which, on the effective date of this act, is paying an employee a retirement benefit, pension or disability benefit not contrary to law in effect at the time of his retirement or disability, is authorized to continue the payment thereof.

C.17:9A-27.21. Continuance of prior plans.

21. Continuance of prior plans.

A bank which, on the effective date of this act, maintains or participates in a retirement plan or fund not contrary to law in effect at the time of the adoption of or any alteration of such plan or fund, is authorized to continue to maintain or par-

ticipate in such plan or fund and it may alter such plan or fund from time to time in a manner not inconsistent with the provisions of this act.

22. Approval of commissioner of adoption or alteration of plan. C.17:9A-27.22. Approval of commissioner.

Every plan or fund hereafter adopted or substantially altered, shall, before it or such alteration is placed in operation, be submitted to the commissioner for his approval. The commissioner may disapprove such plan or alteration thereof if he shall find (1) that it does not conform to law, or (2) that its adoption or alteration would be hazardous to the bank, or (3) that its provisions are unfair or inequitable. The commissioner may, from time to time, make such orders in respect to the maintenance and administration of a plan as, in his judgment, the condition of the bank may require.

23. Additional powers. C.17:9A-27.23. Additional powers.

In addition to the powers conferred by the preceding sections of this act, a bank shall have power to do all, or some, or one of the following, regardless whether or not such bank maintains or participates in a retirement plan or fund:

(1) pay premiums for insurance on the lives or health of its employees, under policies commonly known as group insurance policies;

(2) pay premiums on behalf of its employees, for hospitalization or hospital service insurance and for surgical and medical service insurance;

(3) pay reasonable amounts to aid present or former employees who are disabled by accident, illness or otherwise;

(4) pay salaries or wages in whole or in part, to employees who are disabled by accident, illness or otherwise;

(5) pay the reasonable cost of educational and recreational facilities for employees, or for the promotion of their health and general welfare.

C.17:9A-27.24. Retirement benefits not paid pursuant to plan.

24. Retirement benefits not paid pursuant to plan.

A. A bank which maintains a retirement plan may pay

(1) retirement benefits in reasonable amounts to employees whose employment has heretofore terminated or shall hereafter have terminated, and who are not entitled, for any reason, to receive payment of benefits under a retirement plan in operation; and

(2) reasonable amounts to employees whose employment has heretofore terminated or shall hereafter have terminated, and who are entitled to receive payment of retirement benefits under a retirement plan in operation, but whose benefits under such plan are, in the opinion of the board of directors, inadequate.

B. A bank which maintains no retirement plan, may pay retirement benefits in reasonable amounts to employees whose employment has heretofore terminated or shall hereafter have terminated.

C. The total paid to any employee pursuant to this section, including such amounts, if any, received by such employee as retirement benefits under such retirement plan, if any, as may be in operation, shall not exceed in any one year the maximum annual retirement benefits which may be paid to an employee pursuant to a retirement plan authorized by this act.

C.17:9A-27.25. Commissioner's powers.

25. Powers of commissioner.

If it shall appear to the commissioner that any payment made by any bank for any benefit provided for by sections 23 or 24 of this act is excessive as to any one or more or all employees of a bank, he shall have power to order that any payment thereafter made by such bank for such benefit or benefits shall be reduced to such amount as he shall deem reasonable. An order made pursuant to this section shall be subject to review in a proceeding in lieu of prerogative writ.

26. Approval by commissioner. C.17:9A-27.26. Approval by commissioner.

Whenever, under the provisions of this act, the approval of the commissioner is required, written application for such approval shall be made to the commissioner in such form as he may prescribe. The commissioner shall, within 90 days after the receipt by him of such application, approve or disapprove it, and shall notify the applying bank in writing of his determination, stating his reasons in any case where he disapproves. The disapproval of the commissioner of any application made pursuant to this section shall be subject to review in a proceeding in lieu of prerogative writ.

27. Short Title. C.17:9A-27.27. Short title.

This act may be cited as the Banks' and Savings Banks' Officers' and Employees' Retirement and Benefit Act.

28. Effective date. Act effective.

This act shall take effect immediately.

Approved April 29, 1953.

CHAPTER 125

AN ACT to establish award programs for State employees, creating the State Employees' Awards Committee in the Department of Civil Service and awards committees in the executive, judicial and legislative branches of the State Government.

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

1. There is hereby established as a function of the Department of Civil Service the supervision and administration of awards programs for State employees. C. 11:2C-1. Awards programs.

C. 11:2C-2. New Jersey State Employees' Awards Committee, members, terms, vacancies.

2. As the administrative agency of the awards program, there is established in the Department of Civil Service a committee to be known as the New Jersey State Employees' Awards Committee, which shall consist of five persons who shall be State officers or employees, and no two of whom shall be employed in the same department of the State Government, and who shall be appointed by the Governor upon nomination by the president of the Civil Service Commission. Of the members first appointed to the committee, two shall be appointed for terms of three years, two for two years and one for one year and thereafter appointments shall be made for terms of three years. Members shall serve for the terms for which they are appointed and until their successors shall have been appointed and qualified; a vacancy occurring by reason other than expiration of term shall be filled for the unexpired term.

C. 11:2C-3. No compensation.

3. Members of the committee shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in performance of their duties as members of the committee.

C. 11:2C-4. Organization.

4. The committee shall meet and organize as soon as practicable after the first appointment of members, and annually thereafter, on the call of the president of the Civil Service Commission, and select a chairman from among its members. The committee shall hold regular meetings at least once each month during the year, except during July and August, at the call of the chairman or the president of the Civil Service Commission.

C. 11:2C-5. Aid from other departments.

5. The committee is authorized to request, and shall receive, such assistance as it may require from any State Department or Agency.

C. 11:2C-6. Award programs.

6. The committee shall, under the supervision and direction of the president of the Civil Service Commission, establish, maintain and administer plans for award programs for State employees designed to promote efficiency and economy in State Governmental functions, to reward individual employees for meritorious performances and sug-

CHAPTER 122

AN ACT establishing the New Jersey Neuropsychiatric Institute within the Department of Institutions and Agencies, providing for the administration thereof, supplementing Title 30 of the Revised Statutes, and repealing sections 30:4–166, 30:4–167, 30:4–168 and 30:4–169 of the Revised Statutes.

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

C. 30:4-177.12. New Jersey Neuropsychiatric Institute established.

1. There is hereby created and established within the Department of Institutions and Agencies an institution or facility to be known as the New Jersey Neuropsychiatric Institute which shall include all the existing lands and buildings owned by the State of New Jersey and comprising the present Village for Epileptics at Skillman, wherein patients and employees may be maintained, kept, housed and employed and such other buildings and premises as may be provided or hereafter acquired to carry into effect the purposes hereof.

C. 30:4-177.13. Public policy.

2. It is declared to be the public policy of this State to provide the means and facilities for the study of the causes and to contribute to the knowledge of the control, prevention and the cure of neuropsychiatric disorders which have proven so inimical to the health and welfare of the citizens of the State and which, if uncontrolled, constitute a menace to the individual afflicted thereby or to society in general.

C. 30:4-177.14. Persons to be admitted.

3. The institute shall admit, retain and provide care and treatment for individuals suffering from diseases and disfunctions of the brain and nervous system, including acute alcoholics, drug addicts, cerebral palsy cases and juvenile psychotics, and who require hospital care, and without which their health and welfare and that of others in the com-

munity will be jeopardized, subject to availability of facilities for hospitalization and treatment thereof.

C. 30:4-177.15. Admissions, procedure.

4. Patients may be admitted to the institute in the following manner:

a. By transfer from other institutions under the jurisdiction of the Department of Institutions and Agencies by order of transfer signed by the commissioner thereof;

b. On application of the next of kin by blood or marriage of any adult, and by the parent, guardian or person standing in loco parentis of any minor, whose admission is sought, in the manner provided for herein;

c. By voluntary application to be approved by the superintendent.

C. 30:4-177.16. Application for admission.

5. Application for the admission of any individual to the institute, other than by transfer or voluntary request, shall be upon forms prescribed by the Commissioner of Institutions and Agencies and upon certification of two physicians that the person suffers from a disease or disfunction of the brain or nervous system, requires hospital care, and that unless such care is provided the health and welfare of the individual or that of others in society will be jeopardized.

Upon the making of such an application for the admission of an individual to the institute, the further procedure with respect thereto shall be exactly the same as that provided by law for the commitment of any person to a mental hospital except that instead of an order of commitment the judicial officer shall enter an order authorizing admission of the person, which shall contain a determination of legal settlement, indigency and rate of payment of maintenance and the individual or governmental agency chargeable with the payment thereof.

C. 30:4-177.17. Voluntary admissions.

6. Application for voluntary admission shall be made upon forms prescribed by the Commissioner of Institutions and Agencies, with the approval of the superintendent and in exactly the same

manner with regard to legal settlement, indigency and rate of payment of maintenance as is provided in Revised Statutes 30:4–46, 30:4–47 and 30:4–48.

C. 30:4-177.18. Management and operation.

7. Except as otherwise provided for herein, the management, operation and administration of the institute and the disposition and release of all persons admitted thereto, shall be in conformity with the provisions of Title 30, Revised Statutes. The board of managers now functioning for the Village for Epileptics at Skillman shall serve as the board of managers for the Neuropsychiatric Institute until their terms expire and their successors shall be appointed as provided by law.

C. 30:4-177.19. Equipment.

8. The institute shall be fully provided with all modern scientific equipment and a staff of competent specialists in the field of medicine, psychiatry, neuropsychiatry and related sciences, so that complete facilities shall be available to study the causes of neuropsychiatric disorders, including epilepsy, and to contribute to the knowledge of the control and prevention thereof.

Sections repealed.

9. Sections 30:4–166, 30:4–167, 30:4–168 and 30:4–169 of the Revised Statutes are hereby repealed.

10. This act shall take effect immediately.

Approved April 28, 1953.

CHAPTER 123

AN ACT concerning education, and amending section 18:13–113 of the Revised Statutes.

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

Section amended.

1. Section 18:13–113 of the Revised Statutes is amended to read as follows:

To keep school register.

18:13–113. Each teacher or other person who is required by the board of education of any school

district or county vocational school to keep a school register in a public school shall keep such register in the manner provided therefor, and the final salary installment of any school year shall not be paid to him until the superintendent, secretary, district clerk, principal or other person designated by said board has examined the register and found that it has been kept according to law and shall enter upon the register a certificate to that effect.

Note: Act effective.

2. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved April 29, 1953.

CHAPTER 124

AN ACT to amend and supplement "An act concerning banking and banking institutions (Revision of 1948)," approved April twenty-ninth, one thousand nine hundred and forty-eight (P. L. 1948, c. 67).

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

Section amended.

1. Section 25.1 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-25.1. Retirement benefits, banks.

25.1. Banks; retirement benefits for officers and employees.

A bank may pay retirement and other benefits to its officers and employees in the manner provided by the Banks' and Savings Banks' Officers' and Employees' Retirement and Benefit Act.

Section amended.

2. Section 196 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-196. Retirement benefits, savings banks.

196. Retirement benefits for officers and employees.

A savings bank may pay retirement and other benefits to its officers and employees in the man-

ner provided by the Banks' and Savings Banks' Officers' and Employees' Retirement and Benefit Act.

3. Definitions. C. 17:9A-27.3. Terms defined.

As used in this act, unless the context otherwise requires,

(a) "commissioner" means the Commissioner of Banking and Insurance of New Jersey;

(b) "bank" includes banks and savings banks;

(c) "board of directors" includes the board of directors of a bank, and the board of managers, or the board of trustees, of a savings bank, but excludes the executive committee of a bank or savings bank:

(d) "predecessor bank" includes

(1) a predecessor bank and a predecessor savings bank as defined in section 16 of the act to which this act is a supplement; and

(2) a bank, savings bank and national bank which has been or shall be merged into or consolidated with a bank or savings bank, as the case may be; and

(3) a bank, savings bank and national bank all or a part of whose business has been or shall be taken over by a bank or savings bank, as the case may be;

(e) "successor bank" includes

(1) a successor bank and a successor savings bank as defined in section 16 of the act of which this act is a supplement; and

(2) a bank and a savings bank into which or with which a bank or banks, savings bank or savings banks, and national bank or national banks have merged or consolidated, or shall merge or consolidate; and

(3) a bank and a savings bank which has taken over or shall take over all or a part of the business of a bank or banks, savings bank

or savings banks, or national bank or national banks;

(f) "plan" and "retirement plan" mean a plan which provides for the retirement of officers and employees of a bank or a savings bank, and for the payment to them for life, or for a stated time, of retirement benefits;

(g) "fund" and "retirement fund" mean,

(1) a fund accumulated or set aside pursuant to paragraphs (a) or (b) of section 8 of this act; and

(2) a fund to which contributions are made pursuant to paragraphs (d) and (e) of section 8 of this act; and

(3) group annuity or insurance contracts, or both, purchased pursuant to paragraphs (a), (b), (c) or (e) of section 8 of this act;

(h) "employee" means persons employed by a bank, and includes officers of a bank;

(i) "subsidiary" means a corporation at least two-thirds of whose outstanding capital stock or securities having voting rights are owned by a bank, and also means an association, trust or other entity in which a bank owns at least a two-thirds interest.

C. 17:9A-27.4. Adoption and scope of plan.

4. Adoption of plan; scope of plan.

A. A bank may, with the approval of a majority in interest of its stockholders, and a savings bank may, pursuant to resolution of its board of managers, adopt and maintain a retirement plan or plans within the limits prescribed by this act.

B. The officers and employees of a subsidiary of a bank may be included in a retirement plan of a bank with the same effect as if such officers and employees were employed by the bank, or upon such other terms and provisions as the plan may provide; but, in such case, all employer contributions and other employer charges required to be

made or paid to a fund by reason of the inclusion of the officers and employees of a subsidiary shall be made or paid by the subsidiary.

5. Payment to beneficiaries. C. 17:9A-27.5. Payments.

If a plan provides for the payment of benefits for a stated time, it may also provide that, if an employee dies within such time, the benefits shall be paid for the remainder of such time to a beneficiary or beneficiaries designated by him.

6. Contributions. C. 17:9A-27.6. Contributions.

A plan may provide that the contributions or other charges required to be made or paid to the fund out of which, or by means of which, retirement benefits are payable, shall be made or paid only by the bank, or in part by the bank and in part by the employees of the bank.

7. Alteration and rescission of plan. C. 17:9A-27.7. Alteration of plan.

A plan may be rescinded, or may be altered from time to time to the extent hereinafter authorized, in the manner provided by such plan, and in the absence of such provision, by resolution of the board of directors; except that the approval of a majority in interest of stockholders shall be required when an alteration provides for (1) the payment, in whole or in part at the cost of the bank, of retirement benefits greater than those specified in the plan, or (2) the retirement of employees at an age earlier than that specified in the plan; or (3) decreasing the period of employment specified in the plan to qualify an employee to receive retirement benefits.

8. Methods of effecting plans. C. 17:9A-27.8. Effecting plans.

A plan may be effected and maintained through

(a) a fund accumulated from the income of a bank, or set aside out of surplus, out of which retirement benefits may be paid directly, or which may be used, in whole or in part, for the purchase of annuity or insurance contracts, or both; or

(b) a trust fund or funds accumulated or set aside and administered for the purposes

and in the manner provided by paragraph (a) of this section, to be held in trust by the bank or by a trustee or trustees designated by the bank, and which shall not be subject to any law against perpetuities, restraints on alienation, or perpetual accumulations; or

(c) the purchase of group annuity or insurance contracts, or both; or

(d) a fund accumulated by contributions made thereto by two or more corporations which are banks, savings banks or national banks of this State or of any other State, pursuant to a retirement system created under the laws of this State or of the State of New York, limited in membership to such corporations and providing for the retirement of officers and employees of such corporations; or

(e) a plan (1) which is administered by a corporation not for pecuniary profit organized under the laws of this State, (2) in which two or more banks, savings banks or national banks, participate or are members; and (3) which is underwritten by a group annuity contract issued by a life insurance company authorized to transact business in this State.

C. 17:9A-27.9. Eligibility for benefits.

9. Eligibility for retirement benefits.

No employee shall be eligible to receive retirement benefits under a retirement plan unless such employee

(a) has attained the age of at least 60 years, and has served the bank for at least 10 years; or

(b) has attained the age of at least 50 years, and has served the bank for at least 10 years, and has become incapacitated from any cause from continuing as such employee; or

(c) has served the bank for at least 15 years, and has become incapacitated from any cause from continuing as such employee.

10. Disposition of contributions of employee. C.17:9A-27.10. Disposition of contributions by employees.

Every plan shall provide that, upon termination of employment of an employee for any cause other than retirement pursuant to such plan, or upon the death of such employee prior to such retirement, all contributions made by such employee pursuant to such plan shall be repaid to such employee, or to a beneficiary or beneficiaries designated by him. A plan may provide that such employee shall have the option of receiving the return of his contributions in cash, or in the form of an annuity payable in such manner and subject to such conditions as may be prescribed by such plan, and such provision shall constitute a compliance with this section.

11. Disposition of contributions of employer. C.17:9A-27.11. Disposition of employer contributions.

A plan may, but need not, provide that, upon termination of employment of an employee for any cause specified in such plan, other than retirement pursuant to such plan, or upon the death of such employee prior to retirement, all or part of the contribution made by the bank on behalf of such employee, shall be paid, in the manner provided by such plan, to such employee, or to a beneficiary or beneficiaries designated by him.

12. Rights of creditors of bank. C.17:9A-27.12. Rights of creditors.

No depositor or other creditor of any bank shall have any right in or claim against any retirement fund authorized by this act.

13. Maximum retirement benefits. C.17:9A-27.13. Maximum retirement benefits.

Except to the extent authorized by section 14 of this act, no annual retirement benefit shall exceed (1) sixty per centum of the average annual salary paid to an employee during the last thirty-six months of employment preceding retirement, or (2) one-sixth of one per centum of such average annual salary multiplied by the number of months of employment, whichever is less; except that, when such average annual salary is less than the average annual salary paid during all years of an employee's employment, an annual retirement benefit may equal but shall not exceed the lesser of (1) sixty

per centum of average annual salary paid during all years of employment, and (2) one-sixth of one per centum of average annual salary paid during all years of employment, multiplied by the number of months of such employment.

C.17:9A-27.14. Excess benefits.

14. Excess benefits.

Nothing in this act shall prevent the payment to an employee of greater benefits than those permitted by section 13 of this act if such employee pays the premium or other charges or contributions required for the purchase or return of benefits in excess of the maximum limited by such section.

C:17:9A-27.15. Determining eligibility for retirement.

15. Determination of eligibility for retirement.

In determining the eligibility for retirement hereunder of any employee of a bank, (a) the period or periods during which the employment of such employee by such bank shall, in time of war or emergency, be or have been interrupted by service in the military or naval service of the United States or of this State, or in the Coast Guard or Merchant Marine of the United States, or in any auxiliary or reserve corps serving therewith, or by engagement in any war work by enlistment or induction under any selective service or similar statute, or, with leave of such bank, by engagement in any war relief, social service or other activity related to war conditions, or in time of peace, by absence on leave and engagement in training or temporary service of a similar character, and (b) a period not exceeding three months after termination of such service or engagement, and (c) a period not exceeding one year of incapacity as a result of such service or engagement, shall be included in the period of such employee's employment in such bank.

C.17:9A-27.16. Permissive provisions.

16. Eligibility for retirement; permissive provisions.

A. In determining the eligibility for retirement of an employee, a plan may provide that (a) the period during which such employee was employed by a predecessor bank, and by a bank, savings bank

or national bank toward which such predecessor bank stands in the relation of a successor bank; and (b) the period during which such employee was employed by a subsidiary, shall be included in the period of such employee's employment in such bank.

B. In determining the eligibility for retirement of an employee, a plan may, with the approval of the commissioner, provide that a period, not in excess of ten years, during which such employee was employed by an employer other than the bank, a predecessor bank, or a subsidiary, shall be included in the period of such employee's employment in such bank.

17. Disposition of plans of predecessor bank.

C.17:9A-27.17. Disposition of plans of predecessor bank.

A. A successor bank may, with the approval of the commissioner,

(a) continue any existing plan or plans, or fund or funds maintained or participated in by a predecessor bank or banks, in the same manner that such plan or plans, or fund or funds were maintained or participated in by such predecessor bank or banks, or as altered by the successor bank;

(b) modify, alter or rescind any existing plan or plans or fund or funds maintained or participated in by any predecessor bank;

(c) adopt and maintain a new plan or plans, or fund or funds for those employees or any predecessor bank or banks, who continue as employees of the successor bank, or establish a separate plan or fund, or separate plans or funds for such employees within a plan or fund, if any, maintained by the successor bank;

(d) combine two or more plans or funds maintained or participated in by each of two or more predecessor banks, or combine one or more of such plans or funds, with a plan or fund, if any, maintained by it;

(e) do such other acts in respect to a plan or plans or fund or funds maintained or partici-

pated in by a predecessor bank or banks, as may be necessary or desirable.

B. For the purposes of this act, the employees of each predecessor bank, or of one or more predecessor banks, who become employees of the successor bank, may constitute an independent employee unit or units within the successor bank.

C. When, pursuant to this act, a bank maintains more than one plan or fund, it shall be optional with the bank to determine which of such plans or funds shall include particular groups or units of employees.

C.17:9A-27.18. Attachment and garnishment.

18. Attachment and garnishment.

Any retirement benefit shall be subject to execution, attachment, garnishment or other legal process to the extent and by the same procedure as provided by law in respect to execution upon or garnishment of wages or other earnings. No such benefit shall be assignable or subject to advancement, but, in the discretion of the board of directors, all or a part thereof may be paid in accordance with the written order of a retired employee, or, in the case of his disability, may be applied by the bank for his use or benefit or for that of his dependents.

C.17:9A-27.19. Administration of plan.

19. Delegation of administration of plan.

The board of directors may delegate the administration of any plan or fund to its executive committee or to a pension committee appointed by it.

C.17:9A-27.20. Continuance of payments.

20. Continuance of payments.

A bank which, on the effective date of this act, is paying an employee a retirement benefit, pension or disability benefit not contrary to law in effect at the time of his retirement or disability, is authorized to continue the payment thereof.

C.17:9A-27.21. Continuance of prior plans.

21. Continuance of prior plans.

A bank which, on the effective date of this act, maintains or participates in a retirement plan or fund not contrary to law in effect at the time of the adoption of or any alteration of such plan or fund, is authorized to continue to maintain or par-

ticipate in such plan or fund and it may alter such plan or fund from time to time in a manner not inconsistent with the provisions of this act.

22. Approval of commissioner of adoption or alteration of plan. C.17:9A-27.22. Approval of commissioner.

Every plan or fund hereafter adopted or substantially altered, shall, before it or such alteration is placed in operation, be submitted to the commissioner for his approval. The commissioner may disapprove such plan or alteration thereof if he shall find (1) that it does not conform to law, or (2) that its adoption or alteration would be hazardous to the bank, or (3) that its provisions are unfair or inequitable. The commissioner may, from time to time, make such orders in respect to the maintenance and administration of a plan as, in his judgment, the condition of the bank may require.

23. Additional powers. C.17:9A-27.23. Additional powers.

In addition to the powers conferred by the preceding sections of this act, a bank shall have power to do all, or some, or one of the following, regardless whether or not such bank maintains or participates in a retirement plan or fund:

(1) pay premiums for insurance on the lives or health of its employees, under policies commonly known as group insurance policies;

(2) pay premiums on behalf of its employees, for hospitalization or hospital service insurance and for surgical and medical service insurance;

(3) pay reasonable amounts to aid present or former employees who are disabled by accident, illness or otherwise;

(4) pay salaries or wages in whole or in part, to employees who are disabled by accident, illness or otherwise;

(5) pay the reasonable cost of educational and recreational facilities for employees, or for the promotion of their health and general welfare.

C.17:9A-27.24. Retirement benefits not paid pursuant to plan.

24. Retirement benefits not paid pursuant to plan.

A. A bank which maintains a retirement plan may pay

(1) retirement benefits in reasonable amounts to employees whose employment has heretofore terminated or shall hereafter have terminated, and who are not entitled, for any reason, to receive payment of benefits under a retirement plan in operation; and

(2) reasonable amounts to employees whose employment has heretofore terminated or shall hereafter have terminated, and who are entitled to receive payment of retirement benefits under a retirement plan in operation, but whose benefits under such plan are, in the opinion of the board of directors, inadequate.

B. A bank which maintains no retirement plan, may pay retirement benefits in reasonable amounts to employees whose employment has heretofore terminated or shall hereafter have terminated.

C. The total paid to any employee pursuant to this section, including such amounts, if any, received by such employee as retirement benefits under such retirement plan, if any, as may be in operation, shall not exceed in any one year the maximum annual retirement benefits which may be paid to an employee pursuant to a retirement plan authorized by this act.

C.17:9A-27.25. Commissioner's powers.

25. Powers of commissioner.

If it shall appear to the commissioner that any payment made by any bank for any benefit provided for by sections 23 or 24 of this act is excessive as to any one or more or all employees of a bank, he shall have power to order that any payment thereafter made by such bank for such benefit or benefits shall be reduced to such amount as he shall deem reasonable. An order made pursuant to this section shall be subject to review in a proceeding in lieu of prerogative writ.

26. Approval by commissioner. C.17:9A-27.26. Approval by commissioner.

Whenever, under the provisions of this act, the approval of the commissioner is required, written application for such approval shall be made to the commissioner in such form as he may prescribe. The commissioner shall, within 90 days after the receipt by him of such application, approve or disapprove it, and shall notify the applying bank in writing of his determination, stating his reasons in any case where he disapproves. The disapproval of the commissioner of any application made pursuant to this section shall be subject to review in a proceeding in lieu of prerogative writ.

27. Short Title. C.17:9A-27.27. Short title.

This act may be cited as the Banks' and Savings Banks' Officers' and Employees' Retirement and Benefit Act.

28. Effective date. Act effective.

This act shall take effect immediately.

Approved April 29, 1953.

CHAPTER 125

AN ACT to establish award programs for State employees, creating the State Employees' Awards Committee in the Department of Civil Service and awards committees in the executive, judicial and legislative branches of the State Government.

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

1. There is hereby established as a function of the Department of Civil Service the supervision and administration of awards programs for State employees. C. 11:2C-1. Awards programs.

C. 11:2C-2. New Jersey State Employees' Awards Committee, members, terms, vacancies.

2. As the administrative agency of the awards program, there is established in the Department of Civil Service a committee to be known as the New Jersey State Employees' Awards Committee, which shall consist of five persons who shall be State officers or employees, and no two of whom shall be employed in the same department of the State Government, and who shall be appointed by the Governor upon nomination by the president of the Civil Service Commission. Of the members first appointed to the committee, two shall be appointed for terms of three years, two for two years and one for one year and thereafter appointments shall be made for terms of three years. Members shall serve for the terms for which they are appointed and until their successors shall have been appointed and qualified; a vacancy occurring by reason other than expiration of term shall be filled for the unexpired term.

C. 11:2C-3. No compensation.

3. Members of the committee shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in performance of their duties as members of the committee.

C. 11:2C-4. Organization.

4. The committee shall meet and organize as soon as practicable after the first appointment of members, and annually thereafter, on the call of the president of the Civil Service Commission, and select a chairman from among its members. The committee shall hold regular meetings at least once each month during the year, except during July and August, at the call of the chairman or the president of the Civil Service Commission.

C. 11:2C-5. Aid from other departments.

5. The committee is authorized to request, and shall receive, such assistance as it may require from any State Department or Agency.

C. 11:2C-6. Award programs.

6. The committee shall, under the supervision and direction of the president of the Civil Service Commission, establish, maintain and administer plans for award programs for State employees designed to promote efficiency and economy in State Governmental functions, to reward individual employees for meritorious performances and sug-

gestions. Award programs may include any or all of the following: a suggestion award program, awards for heroism, an efficiency and incentive award program, awards for professional accomplishment, and awards for service.

C. 11:2C-7. Awards.

7. The committee shall, within available appropriations therefor, establish and make awards in the form of cash, medals, citation certificates, insignia or other appropriate devices to employees selected as recipients of awards by the committee or departmental committees in accordance with programs established pursuant to this act.

C. 11:2C-8. Duties.

8. The committee shall be responsible for the formulation of programs and for the supervision and direction of departmental awards committees and shall have the power to adopt and promulgate rules and regulations for the conduct and operation of awards programs. The committee shall make an annual report, through the president of the Civil Service Commission, to the Governor concerning the operation of the awards programs established pursuant to this act.

C. 11:2C-9. Departmental awards committee.

9. There shall be established in each principal department in the executive branch of the State Government an awards committee to be known as "Awards Committee of the Department of ....," to consist of not less than three members who shall be appointed by the head of the department. An awards committee of not less than three members shall be appointed by the Chief Justice from among the employees of the judicial branch of the State Government and an awards committee of not less than three members may be appointed by the head of any permanent department, board or commission in the legislative branch of the Government. The departmental awards committees and the awards committee for the judicial branch of Government established pursuant to this section shall be responsible for the conduct and operation of departmental awards programs within their respective departments or branches. De-

partmental and branch awards committees shall operate under the supervision and direction of, and in accordance with rules and regulations promulgated by, the New Jersey State Employees' Awards Committee.

10. This act shall take effect immediately.

Approved April 29, 1953.

CHAPTER 126

AN ACT concerning the improvement of lands conveyed or to be conveyed to the State by municipalities for the purpose of constructing thereon certain docks, basins or other marine accommodations, and providing for the sharing of the cost of such improvements by the State and the municipalities making such conveyance.

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

C. 12:5-10. Cost to be borne equally.

1. Whenever a municipality of this State has or shall have conveyed lands to the State upon the condition that the State shall improve such lands by constructing thereon docks, basins or other marine accommodations of the Marina type for boats and vessels, the cost of each such marine improvement shall be borne equally by the State and the municipality making such conveyance.

C. 12:5-11. Provision for payment of State's share.

2. In the case of any such conveyance heretofore made, there is hereby appropriated from the General Funds of the State, such sum as may be included in any general or supplemental appropriation act, for payment of the State's share for the said marine improvement of the lands so heretofore conveyed to the State.

3. This act shall take effect immediately.

Approved April 29, 1953.

CHAPTER 127

AN ACT to repeal section four of "An act concerning motor vehicle drivers' licenses, and supplementing chapter three of Title 39 of the Revised Statutes," approved November thirtieth, one thousand nine hundred and forty-two (P. L. 1942, c. 324).

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

1. Section four of "An act concerning motor vehicle drivers' licenses, and supplementing chapter three of Title 39 of the Revised Statutes," approved November thirtieth, one thousand nine hundred and forty-two, is repealed. C. 39:3-11.4. Section repealed.

2. This act shall take effect immediately.

Approved April 29, 1953.

CHAPTER 128

AN ACT relating to corporations, and amending sections 14:2–3 and 14:11–15 of the Revised Statutes.

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

1. Section 14:2–3 of the Revised Statutes is amended to read as follows: Section amended.

14:2–3. The certificate of incorporation shall set forth: Certificate of incorporation, contents.

a. The name of the corporation, which shall not contain the words "insurance," "safe deposit," "trust company," "bank," "banker," "banking,"

"savings," or "title," or any form thereof, or any word of similar import, but the prohibition of such use of the words "insurance," "safe deposit" or "trust company" shall not apply to or affect the name of any corporation whose certificate was filed prior to April twenty-third, one thousand eight hundred and ninety-seven, and the prohibition of such use of the word "title" shall not apply to or affect the name of any corporation whose certificate was filed prior to the taking effect of this act, and the prohibition of such use of the words "bank," "banker," "banking," or "savings," shall not apply to or affect the name of any corporation whose certificate was filed prior to the effective date of any law prohibiting or limiting the use of such word or words. The name shall not be one already in use by another existing corporation of this State, or so similar thereto as to lead to uncertainty or confusion;

b. The name of the municipality and the street and number therein, if number there be, in which its principal office in this State is to be located;

c. The name of the agent in and in charge of such principal office upon whom process against the corporation may be served;

d. The object or objects for which the corporation is formed;

e. The amount of the total authorized capital stock of the corporation which shall not be less than two thousand dollars ($2,000.00) if it is to have a par value, or the total number of shares of stock authorized; the number of shares into which the same is divided, if it is to have a par value; a statement of whether said shares are to have a par value or to be without par value; if the shares are to have a par value, the par value of each share; the amount of capital stock with which it will commence business, which shall not be less than one thousand dollars ($1,000.00); and if there be more than one class of stock created by the certificate, a description of the different classes with the terms on which created;

f. The names and post-office addresses of the incorporators and the number of shares subscribed for by each; the aggregate of such subscriptions shall be the amount with which the corporation will commence business; and

g. The period, if any, limited for the duration of the company.

The certificate may contain any provision, consistent with law, which the incorporators may choose to insert, for the management of the business and the conduct of the affairs of the corporation, and any provision creating, defining, limiting and regulating the powers of the corporation, its directors and stockholders or any class of stockholders.

Section amended.

2. Section 14:11–15 of the Revised Statutes is amended to read as follows:

Restricts the use of certain words in name.

14:11–15. No corporation, organized or doing business under this Title, shall, by any change or amendment of its name, use the words "insurance" or "safe deposit" or "trust company" or "bank" or "title" or "banking" or "banker" or "savings" or any of them or any form thereof, or any word of similar import, as part of its name, and no certificate of change or amendment shall be filed or recorded in any office in this State for the purpose of effectuating such change.

3. This act shall take effect immediately.

Approved April 29, 1953.

CHAPTER 129

AN ACT to amend "An act providing for housing for veterans of World War II and other people of the State and declaring an emergency in respect thereto," approved October first, one thousand nine hundred and forty-six (P. L. 1946, c. 323).

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

Section amended.

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

C. 55:14G-12. Administrator's powers during emergency, limitation.

12. Whenever any emergency housing project, as provided by this act, is available for occupancy in whole or in part, the administrator shall, subject to regulations approved by the Veterans' Services Council of the Department of Conservation and Economic Development, have the following powers for the duration of the emergency as herein set forth and for one year thereafter and during the same period any municipality having title to or any interest in any lands or buildings included within any emergency housing project shall have the powers set forth in subsection h hereof. The emergency hereby declared to exist shall be deemed to continue in the municipalities of the State, in which emergency housing is or shall be erected under the provisions of this act, for a period of five years from the date said housing is available for occupancy; except that such emergency shall be deemed to continue in any municipality of the State for an additional period of two years, beyond the expiration of said five-year period, if the governing body of such municipality shall, prior to the expiration of said five-year period, by resolution find that a need for emergency housing hereunder continues to exist in such municipality, and shall

file a certified copy of such resolution with the administrator.

a. To commit to any public corporation, municipality or other public agency such property for operation and management as emergency housing at such rentals and with such preferences as to occupancy and upon such terms and conditions as shall be for the best interests of the public;

b. To retain managing agents or firms engaged in such business or local housing authorities for the purposes of operating and managing such property at such rentals and with such preferences as to occupancy and upon such terms and conditions as shall be for the best interests of the public; *provided, however,* that the employment of said managing agents shall not be subject to the provisions of chapters one to eighteen, inclusive, of Title 11 of the Revised Statutes, as amended and supplemented;

c. To hire employees to operate and manage such property at such rentals and with such preferences as to occupancy and upon such terms and conditions as shall be for the best interests of the public; *provided, however,* that the employment of said employees shall not be subject to the provisions of chapters one to eighteen, inclusive, of Title 11 of the Revised Statutes, as amended and supplemented;

d. Notwithstanding the provisions of any general or special law, or the provisions of any municipal ordinance, to transfer, set over, grant and convey such property, subject to the approval of the State House Commission, to any public corporation, municipality or other public agency or private person, firm or corporation including the person, persons, firm or corporation from whom or which such property was acquired, by public or private sale or by lease, at such rentals and with such preferences as to occupancy and upon such terms and conditions as shall be for the best interests of the public, and any municipality, public corporation or other public agency is hereby authorized and

empowered to purchase from the administrator, with his consent and subject to the approval of the State House Commission, in accordance with the provisions hereof, the interest of the State of New Jersey and the administrator in such property and emergency housing, and thereafter to manage, operate and maintain such housing in accordance with the purposes of this act and to sell same in accordance with and pursuant to the provisions of law;

e. To provide, in any agreement or agreements heretofore or hereafter entered into by him that any emergency housing be disposed of by sale at any time, subject to the approval of the State House Commission, and, the provisions of any other law to the contrary notwithstanding, said sale may be public or private and may be conducted by him, subject to the approval of the State House Commission, on a lump sum or negotiated contract basis;

f. To consent to and enter into modification of or supplement to any agreement, including but not limited to any contract, lease, subordination, mortgage or other instrument, and to extend the term of any such agreement for the period of the emergency as hereinabove set forth or any lesser period;

g. To sell, with the consent of any municipality having title to or any interest in any lands or buildings included within any emergency housing project, any such lands or buildings or right or interest therein on behalf of any such municipality. Any such sale shall be conducted by the administrator in accordance with the provisions of a written contract or agreement between the administrator and the municipality, pursuant to the provisions of subsections d and e hereof and subject to the consent of the State House Commission; and

h. Any municipality may, by resolution of its governing body, the provisions of any other law to the contrary notwithstanding, authorize the administrator to sell on its behalf any lands or buildings included within any emergency housing project

in and to which it has any right, title or interest and such sale may be public or private and shall be conducted by the administrator pursuant to the provisions of subsections d and e hereof. Any such sale shall be subject to the approval of the State House Commission. The State House Commission's approval or disapproval of such sale shall be guided by the following standards: (1) Whether the sale has been conducted in such a way as to be for the best interest of the public; and (2) Whether the best available price has been obtained therefor. Any such municipality is hereby given all powers necessary, convenient or desirable to effectuate such a sale by the administrator, including but not limited to the power to cause a deed or other instrument to be executed by its duly authorized officials conveying its right, title or interest in and to any such land or building to the purchaser approved by the administrator and the State House Commission.

2. This act shall take effect immediately.

Approved April 29, 1953.

CHAPTER 130

AN ACT to supplement "An act to extend Route 38 by adding Route 38 Ext. to the State highway system," approved March thirtieth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 57), and designating the same a freeway.

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

1. The State highway route established by the act to which this act is a supplement is hereby designated as a freeway pursuant to chapter eighty-three of the laws of one thousand nine hundred and forty-five. R. S. 27:6-1. Freeway.

2. This act shall take effect immediately.

Approved April 29, 1953.

CHAPTER 131

AN ACT to amend "An act to provide for the coverage of certain persons holding office, position or employment in the service of the State and of any county, municipality or school district and of any public department, board, body, commission, institution, agency, instrumentality or authority of, or in, the State and of, or in, any county, municipality or school district in the State under the Old-Age and Survivors Insurance provisions of Title II of the Federal Social Security Act, as amended," approved June twentieth, one thousand nine hundred and fifty-one (P. L. 1951, c. 253).

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

Section amended.

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

C. 43:22-3. Agreement to extend benefits to employees.

3. The State Agency, with the approval of the Governor, is hereby authorized to enter on behalf of the State into an agreement with the Federal Security Administrator, consistent with the terms and provisions of this act, for the purpose of extending the benefits of the Federal old-age and survivors insurance system to employees with respect to services specified in such agreement which constitute "employment." Such agreement may contain such provisions relating to coverage, benefits, contributions, effective date, modification and termination of the agreement, administration, and other appropriate provisions as the State Agency and Federal Security Administrator shall agree upon, but, except as may be otherwise required by or under the Social Security Act as to the services to be covered, such agreement shall provide in effect that:

(1) Benefits will be provided for employees whose services are covered by the agreement (and their dependents and survivors) on the same basis as though such services constituted employment within the meaning of Title II of the Social Security Act;

(2) The several employers other than the State shall pay to the State Agency and the State Agency shall in turn pay to the Secretary of the Treasury the amounts severally due on behalf of the State and of such other employers, at such time or times as may be prescribed under the Social Security Act, contributions with respect to wages (as defined in section two of this act), equal to the sum of the taxes which would be imposed by sections 1400 and 1410 of the Federal Insurance Contributions Act if the services covered by the agreement constituted employment within the meaning of that act;

(3) Such agreement shall be effective with respect to services in employment covered by the agreement performed after a date specified therein but in no event may it be effective with respect to any such services performed prior to the first day of the calendar year in which such agreement is entered into or in which the modification of the agreement making it applicable to such services, is entered into; *except, however,* that any agreement or modification of an agreement entered into prior to January first, one thousand nine hundred and fifty-four, may be effective with respect to any such services performed on or after January first, one thousand nine hundred and fifty-one;

(4) All services which constitute employment as defined in section two and are performed in the employ of the State by employees of the State, shall be covered by the agreement;

(5) All services which constitute "employment" as defined in section two and performed by the employees of any employer other than the State in this State and are covered by a plan which is in conformity with the terms of the agreement and

has been approved by the State Agency shall be covered by the agreement.

2. This act shall take effect immediately.

Approved May 1, 1953.

CHAPTER 132

AN ACT to validate certain deeds or other conveyances of real property, and satisfactions or discharges of mortgages, of any dissolved corporation, or of any corporation whose charter has been forfeited or has expired.

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

Validates deeds, etc., of dissolved corporations.

1. Any deed or other conveyance of real property, of any dissolved corporation or of any corporation whose charter has been forfeited or has expired by the terms thereof, and any satisfaction or discharge of any mortgage held by any such corporation, shall be good and effectual to transfer the interest or title of such corporation, in and to such real property, to the grantee or transferee therein named, or to authorize the cancellation or satisfaction of such mortgage, if the same has been executed and signed by the directors, acting as trustees in dissolution of such corporation, notwithstanding that the same was made and executed in the names of said individual directors, as such trustees, and was not made and executed in the name of such corporation or under its corporate seal; *provided,* the same is valid in all other respects and has been of record in the office of the county clerk or register of deeds of the county wherein the real estate affected is situate, for a period of at least three years.

Proviso.

2. This act shall take effect immediately.

Approved May 1, 1953.

CHAPTER 133

AN ACT concerning the compensation to be paid to constables while attending the Superior and County Courts, and amending section 2A:11–47 of the New Jersey Statutes.

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

1. Section 2A:11–47 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:11–47. Except as otherwise provided by law, the constables of the several counties shall receive for each and every day they are engaged in attendance upon the Law Division of the Superior Court and the County Court in their respective counties, the sum of $5 or such greater sum not exceeding the sum of $10, as the boards of chosen freeholders of such respective counties may, by resolution, determine; which shall be in full and in lieu of all mileage or other allowances authorized prior to March 23, 1926. Compensation of constables.

2. This act shall take effect immediately.

Approved May 1, 1953.

CHAPTER 134

AN ACT to validate sales of land at public auction by the several municipalities of this State in certain cases.

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

1. All sales heretofore made at public auction of any lands and premises by any municipality, notwithstanding that the advertisement of sale of said Validates sales of land at public auction.

lands was not made as provided by law, are hereby validated and confirmed, and any conveyances by such municipality of said lands to the purchaser or purchasers thereof, upon payment of the purchase moneys therefor, shall be construed in all courts of this State to convey or have conveyed all the right, title, and interest of any such municipality, of, in and to said lands and premises; *provided, however,* that such sales shall have been or shall be authorized or confirmed by resolution of the governing body of such municipality.

Proviso.

2. This act shall take effect immediately.

Approved May 1, 1953.

CHAPTER 135

AN ACT to amend and supplement the "Savings and Loan Act," approved April fourth, one thousand nine hundred and forty-six (P. L. 1946, c. 56).

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

Section amended.

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

C. 17:12A-13. Contents, certificate of incorporation.

13. Contents of certificate of incorporation. The incorporators shall personally sign and prove or acknowledge as required for deeds of real estate, a certificate of incorporation, which shall state:

(1) The name of the association, which shall contain the words "savings and loan association." The name shall not be one already in use by another association in this State, nor one so similar thereto as to deceive the public or lead to uncertainty or confusion and this provision shall be subject to any law restricting or prohibiting the use of the word "bank" or "banker" or "banking"; *provided,*

Proviso.

however, that any association organized under this act may make representations describing its powers, services or functions provided for in this act.

(2) The name of the municipality in this State where the association's office for the transaction of its business will be located.

(3) That it is incorporated to operate as an association pursuant to this act for the purposes herein stated.

(4) The name, residence (including street and number, if any) post-office address and occupation of each incorporator.

(5) The amount which each incorporator agrees to subscribe for and pay into the guaranty account of the association.

Section amended.

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

C. 17:12A-18. Commissioner's decision.

18. Commissioner's decision. Within thirty days after the close of the hearing, the commissioner shall announce his decision upon such application and file in his office, a written memorandum stating the reasons therefor which shall be open to public inspection.

C. 17:12A-16.1. Guaranty account, agreement use, record of amount paid in, findings of commissioner, certificate of approval.

3. As a condition precedent to the approval of any such application, the incorporators shall execute an agreement to subscribe to, and upon the commencement of business pay into, an account of the association to be known as the "guaranty account" the aggregate sum of twenty-five thousand dollars ($25,000.00). The form of such agreement shall be approved by the commissioner. Such guaranty account shall be subordinate to the accounts of savings members. It shall be used as a guaranty against the impairment of the capital of the association and to the extent that it may be necessary for that purpose, losses and expenses of the association shall be charged to it. The account shall not be released to the owners thereof, in less than three years from the date upon which payment was made into the account. If, thereafter, the commissioner finds that the reserves established to absorb losses and the undivided profits account of the as-

sociation plus the amount remaining in the guaranty account exceeds twenty-five thousand dollars ($25,000.00) or an amount equal to five per centum (5%) of the capital of the association, whichever is greater, he shall permit the excess to be released to the owners thereof, as hereinafter provided, proportionate to their holdings.

The amount paid in by each subscriber to the guaranty account, shall be recorded on the books of the association in his name, and shall be evidenced by a certificate in a form approved by the commissioner. The amount standing to the credit of any person in such account, may be transferred to another person subject to the conditions of the account. Dividends may be declared upon the amounts standing to the credit of each owner of a proportionate interest in such account in accordance with the terms of the aforementioned agreement, but not in excess of the maximum rate of dividends declared to savings members' accounts in the association for the same period. Each owner of a proportionate interest in such guaranty account shall have one vote at any annual or special meeting of the association. Upon release, the amount released shall be transferred to a savings member's account in the association, in the name of the owner, who shall thereupon be entitled to all of the rights and privileges and shall be subject to all of the duties and liabilities of membership.

If the commissioner shall find that—

(a) the establishment of such association is in the public interest, and

(b) will be of benefit to the area proposed to be served, and

(c) may be established without undue injury to any other association or Federal association in the area in which it is proposed to locate such association, and

(d) the association will have a reasonable prospect of success, and

(e) the character, responsibility and general fitness of the incorporators are such as to command

confidence and warrant belief that the business of the association will be honestly and efficiently conducted, and

(f) the agreement with respect to the guaranty account has been executed in accordance with law, and that compliance therewith is guaranteed to his satisfaction, and

(g) the name proposed for the association conforms with the requirements of this act and that the proposed by-laws are proper—he shall approve such application and issue a certificate of approval which shall be endorsed upon or annexed to the certificate of incorporation.

4. This act shall take effect immediately.

Approved May 1, 1953.

CHAPTER 136

AN ACT to amend "An act concerning savings and loan associations and building and loan associations, and revising chapter twelve of Title 17 of the Revised Statutes," approved April fourth, one thousand nine hundred and forty-six (P. L. 1946, c. 56).

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

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

24. Change of office location. Any association may change the location of its principal office to a new location but, where the office is to be removed from one municipality to another, such change shall take place only after application to and the written approval of the commissioner of such change of location. Within ten days after the submission of any such application, the commissioner shall give C. 17:12A-24. Change of office location.

written notice by mail to the association of a time and place designated by him for a hearing on such application. The time designated for such hearing shall be not less than six weeks nor more than eight weeks after the date upon which the commissioner mails such notice. The association shall thereupon give notice by mail of such application and of the time and place designated by the commissioner for a hearing thereon at least three weeks prior to the date of such hearing to all associations located within the municipality in which it is proposed to locate the office of the association.

Upon the request of the association, the commissioner shall furnish a written list showing the names and street addresses of all associations to which such notice must be sent.

The notice shall set forth the name of the association, the street address and municipality from which its location is to be changed and the street address and municipality to which its location is to be changed. Within thirty days after the close of the hearing, the commissioner shall announce his decision upon such application and file in his office a written memorandum stating the reasons therefor, which shall be open to public inspection.

If the commissioner shall find that—

(a) the proposed change of location is in the public interest, and

(b) will be of benefit to the area to which it is proposed to remove such office, and

(c) that the removal of such office will not result in undue injury to any other association or Federal association in the area to which it is proposed to remove such office, and

(d) the association will have a reasonable prospect of success in the proposed new location, he shall approve such application.

The commissioner may, in his discretion, dispense with such hearing in the event that (a) there is no association located in the municipality in which

the applicant association intends to locate its office or (b) all associations in such municipality consent thereto in writing.

2. This act shall take effect immediately.

Approved May 1, 1953.

CHAPTER 137

AN ACT to amend "An act concerning savings and loan associations and building and loan associations, and revising chapter twelve of Title 17 of the Revised Statutes," approved April fourth, one thousand nine hundred and forty-six (P. L. 1946, c. 56).

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

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

32. Officers' powers. Each officer in addition to such powers and duties as usually pertain to his office shall have such powers and duties as the by-laws may provide and as may be delegated to him by the board. All checks, notes and drafts of the association shall be executed in a manner and form determined by resolution of the board of the association. C. 17:12A-32. Officers' powers.

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

101. Bookkeeping methods and accounting practices; destruction of books, records, et cetera. The commissioner may adopt rules and regulations with respect to bookkeeping methods and accounting practices designed to produce safety of operation and each association and its officers and employees C. 17:12A-101. Bookkeeping methods, accounting practices, destruction of records.

shall comply therewith. The commissioner may also adopt rules and regulations permitting the destruction of books, records, certificates, documents, reports, correspondence and other instruments, papers and writings of an association, which, because of age or other reasons, need not be preserved; *provided, however,* that any association may make a photographic copy of any of its documents and records relating to the accounts of its members and the operation of its business, other than its notes, bonds, mortgages and other securities and investments, and may substitute the photographic copy for the original thereof. Thereafter the photographic copy or a positive print thereof, if the same be a negative, shall be deemed for any and all purposes to be an original counterpart of the original thereof and the association may destroy or otherwise dispose of the original.

Proviso.

Any photographic copy herein described or any positive print thereof, if the same be a negative, may be of the same or a different size than the original thereof, and may be a detached copy thereof, or may be combined in the same film with copies of other documents or records of the said association.

3. This act shall take effect immediately.

Approved May 1, 1953.

CHAPTER 138

AN ACT to amend "An act concerning savings and loan associations and building and loan associations, and revising chapter twelve of Title 17 of the Revised Statutes," approved April fourth, one thousand nine hundred and forty-six (P. L. 1946, c. 56).

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

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

42. Nonshare plan. An association operating pursuant to the nonshare plan shall issue to each member an account book or, in lieu thereof, any other evidence of the account which may be approved by the commissioner. Any such association may also issue to each member, at its option, a membership certificate. Payments by savings members shall be made as provided in the by-laws. The same rate of dividend shall be declared to all savings members' accounts; except as the provisions of sections sixty-two and sixty-five of this act may otherwise permit. No such association shall impose any charge or fine against any savings member, nor retain any of the dividends credited to any member's account in the event of withdrawal of such account. C. 17:12A-42. Nonshare plan.

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

62. Dividend participation—exceptions. C. 17:12A-62. Dividend participation, exception.

(a) At least annually and after determination of the net income for the period and the establishments of reserves required or permitted by this act, the board of each association shall determine by resolution, the rate or rates of dividend, if any, which shall be declared for each class of account. Such dividends shall be taken only from the net

income or from the undivided profits account. Dividends shall be apportioned to members' accounts upon a compound interest plan. Dividends shall be added to members' accounts, except where otherwise provided by this act.

(b) Associations issuing installment share accounts may declare dividends to accounts of other classes at a rate less than, but no more than, the rate declared to installment share accounts for the same period, unless the by-laws provide for a reward profit plan in which event all dividends, except those provided for under the reward profit plan, shall be declared at the same rate. Notwithstanding any other provisions of this act, an association may apportion dividends to installment share accounts at other than a regular dividend period for the purpose of maturing such accounts; *provided, however,* that the amount of dividends so apportioned shall be no greater than the pro rata share of income for the current period applicable for dividend purposes to such accounts.

(c) Notwithstanding any other provisions of this act, an association may, if its by-laws so provide, exclude from dividends, either or both of the following classes of accounts:

(1) Those having a participation value of less than fifty dollars ($50.00).

(2) Those which are issued under a plan whereby they will be withdrawn within twenty-four months from the date upon which they are issued, or it may credit dividends to such accounts according to a schedule which it may establish, provided that such schedule shall not result in the crediting of dividends to any of such accounts at a rate greater than that applicable to any class of accounts, other than those described in subsection (c) of this section.

3. This act shall take effect immediately.

Approved May 1, 1953.

CHAPTER 139

AN ACT concerning the collection and deposit of savings of school children, and amending section 18:14–90 of the Revised Statutes.

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

1. Section 18:14–90 of the Revised Statutes is amended to read as follows: Section amended.

18:14–90. In order to encourage the habit of saving among the children in schools, the principal or superintendent of any public school, or any person designated for that purpose by the board of education or other school authority under which the school shall be, may collect once a week, or from time to time, small amounts of savings from the pupils of the school, to be deposited by the principal, superintendent, or designated person on the day of collection in any financial institution having its principal office in New Jersey, whose accounts or deposits are insured or guaranteed by any corporation created or organized under the laws of the United States, which corporation is an instrumentality of the United States or of any successor corporation having for its purpose the insurance of deposits or accounts. Pupils' savings authorized.

These moneys shall be placed to the credit of the respective pupils for whom the money has been collected, or if the amount collected at any one time is deemed insufficient for the opening of individual accounts, in the name of the principal, superintendent, or designated person, in trust, and to be by him eventually transferred to the credit of the respective pupils to whom the same belongs. In the meantime, the principal, superintendent, or designated person shall furnish to the financial institution a list giving the names, signatures, addresses,

ages, places of birth, parents' names, and such other data concerning the respective pupils as the financial institution may require.

The words "system of school savings" or "school savings" may be used in circulars, reports, and other printed or written matter used in connection with this section.

2. This act shall take effect immediately.

Approved May 1, 1953.

CHAPTER 140

AN ACT concerning the exemption of exempt firemen from jury service, and amending section 2A:69–2 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:69–2 of the New Jersey Statutes is amended to read as follows:

Exempt from jury service.

2A:69–2. The following persons shall be exempt from service on any panel of grand or petit jurors:

a. Members or employees of police forces, State or local.

b. Members of any fire department or fire patrol, volunteer or paid.

c. Persons appointed as fish and game wardens or protectors.

d. Regularly licensed and practicing physicians and dentists in this State.

e. Members of State or Federal military, naval or air forces.

f. School teachers while their schools are in session.

g. Any person who has the actual physical care and custody of a minor child and who gives written notice to the jury commissioners of the county of

his residence that jury service would interfere with the care required for such child.

h. All officers and persons regularly employed by any agency under the authority of the State Board of Control of the Department of Institutions and Agencies, or regularly employed by hospitals.

i. Telegraph and telephone operators and linemen and those directly engaged in the business of receiving and transmitting messages by telegraph or calls by telephone.

j. Any person who is the holder of an exempt firemen's certificate issued pursuant to sections 40:47–52 to 40:47–59 of the Revised Statutes or any other law.

2. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 141

AN ACT to amend "An act concerning banking and banking institutions (Revision of 1948)," approved April twenty-ninth, one thousand nine hundred and forty-eight (P. L. 1948, c. 67).

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

1. Section 60 of the act of which this act is amendatory is amended to read as follows: Section amended.

60. Definitions. C. 17:9A-60. Terms defined.

For the purposes of this article,

(1) "person" means an individual, partnership, corporation, association or body politic;

(2) "investment securities" means those marketable corporate obligations in the form of bonds, debentures or similar instruments as are commonly known as investment securities, under such further definition of investment securities as may

by regulation be prescribed by the commissioner;

(3) "total liabilities" means the aggregate of all sums, other than those specifically excepted from the application of this article by section 61, for the payment of which a person is directly or indirectly liable to a bank, including obligations upon investment securities;

(4) "controlling interest" means controlling interest as defined in section 71;

(5) "subsidiary" means a corporation in which another corporation holds a controlling interest;

(6) the total liabilities of a corporation include (a) the total liabilities of a person who holds a controlling interest in such corporation; and (b) the total liabilities of all subsidiaries of such corporation; except that, in the case of any subsidiary having capital, surplus and undivided profits aggregating five million dollars ($5,000,000.00) or more, the total liabilities of such subsidiary may, subject to the approval of the commissioner and the banking advisory board, be excluded from the total liabilities of such corporation, and the total liabilities of such corporation may, subject to like approval, be excluded from the total liabilities of such subsidiary;

(7) the total liabilities of an individual include (a) the total liabilities of a partnership or association for whose obligations such individual is liable; and (b) the total liabilities of a corporation in which such individual holds a controlling interest;

(8) the total liabilities of a partnership or association include the total liabilities of its members who are liable for its obligations.

Section amended.

2. Section 62 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-62. Limited liability.

62. Limited liability.

A. Except as provided in this article, the total liabilities of any person shall not exceed ten per centum of the aggregate of the unimpaired capital stock and the surplus of the bank.

B. The total liabilities of any person may exceed ten per centum but may not exceed twenty-five per centum of the aggregate of the unimpaired capital stock and the surplus of the bank if the amount of such total liabilities which is in excess of ten per centum of the aggregate of the unimpaired capital stock and the surplus of the bank consists of

(1) obligations as endorser or guarantor of notes, other than commercial or business paper excepted from the application of this article under paragraph (5) of section 61, having a maturity of not more than six months, and owned by the person endorsing and negotiating the same; or

(2) obligations secured by security having a value, as of each date on which liability is incurred, equal to one hundred and ten per centum of the obligations secured thereby. Such security shall be of the following character:

(a) stocks, bonds or other securities having an ascertainable market value, other than mortgages on real property or on the lease of the fee of real property, and other than contracts for the sale or purchase of real property;

(b) policies of insurance having a cash value;

(c) interests in tangible personal property evidenced by bills of lading, shipping documents, warehouse receipts, trust receipts, contracts of conditional sale, chattel mortgages or other instruments;

(d) accounts receivable; and

(e) other security as defined from time to time by the commissioner with the concurrence of the banking advisory board; or

(3) mortgage loans, as defined in section 64, to the extent that they are unconditionally insured or guaranteed by the Federal Housing Commissioner, or by the United States, or by this State.

C. The total liabilities of any person may exceed ten per centum but may not exceed one hundred per centum of the aggregate of the unimpaired capital stock and the surplus of the bank if the amount of such total liabilities which is in excess of ten per centum but not in excess of twenty-five per centum of the aggregate of the unimpaired capital stock and the surplus of the bank is secured as provided in paragraph (2) of subsection B of this section or by obligations of the United States having a face value equal to one hundred per centum of such excess, and if the amount of such total liabilities which is in excess of twenty-five per centum of the aggregate of the unimpaired capital stock and the surplus of the bank is secured by obligations of the United States having a face value equal to one hundred per centum of such excess.

D. Loans to, and investments in the obligations of any municipality or school district of this State may equal but not exceed one hundred per centum of the aggregate of the unimpaired capital stock and the surplus of a bank.

E. The commissioner and the banking advisory board may, from time to time, approve the obligations of any other State of the United States, or of any political or municipal subdivision or instrumentality thereof, or of the Port of New York Authority or other instrumentality of two or more States or of the United States, or loans to any such State, subdivision, or instrumentality, and, so long as such approval shall continue in effect, loans may be made to, and investments may be made in the obligations of any such State, subdivision or instrumentality in excess of ten per centum but not in excess of twenty-five per centum of the aggregate of the unimpaired capital stock and the surplus of a bank.

F. The total amount of investment securities of any one person held by a bank for its own account, other than investments specified in paragraph (1) of section 61 and subsections D and E of this sec-

tion, shall not exceed ten per centum of the aggregate of its unimpaired capital stock and surplus.

G. In determining whether the total liabilities of any person are within the limitations imposed by this article, a bank and its directors, officers and employees may rely upon, and be protected in relying upon, the written statements or representations of such person, made to induce such bank to permit such liabilities to be incurred.

3. Section 63 of the act of which this act is amendatory is amended to read as follows: Section amended.

63. Exempt transactions. C. 17:9A-63. Exempt transactions.

A. A bank shall not be in violation of this article if the total liabilities of a person incurred under any prior law repealed or superseded by this act exceed the limitations imposed by this article.

B. A bank shall not be in violation of this article if, at any time when a person incurs or incurred a liability to such bank, the total liabilities of such person, including the liability then incurred, do not or did not exceed the limitations imposed by this article, notwithstanding that, subsequent to the incurring of any such liability, circumstances other than the incurring of an additional liability, cause the total liabilities of such person to exceed the limitations imposed by this article.

C. Notwithstanding any provision of this article, a bank may, with the prior approval of the commissioner, do any act necessary to preserve or protect any loan, obligation or investment held by it, or any security for such loan or obligation, even though such act causes the total liabilities of any person to exceed the limitations imposed by this article; *provided,* that in no case shall the commissioner approve any act pursuant to this subsection which would cause the total liabilities of any person to exceed the limitations imposed by this article by more than fifty per centum of such limitations.

Section amended.

C. 17:9A-117. Procedure to amend certificate.

4. Section 117 of the act of which this act is amendatory is amended to read as follows:

117. Procedure.

Whenever the board of directors shall deem it advisable to amend the certificate of incorporation, it shall adopt a resolution setting forth the proposed amendment and fixing a date for a meeting of stockholders to take action thereon, upon notice given pursuant to section 81. If, at such meeting or at any adjournment thereof, the holders of at least two-thirds of the capital stock entitled to vote shall vote in favor of the proposed amendment or any modification thereof, a certificate thereof, setting forth the amendment in full and certifying that the amendment was made in the manner required by this article, shall be made and acknowledged by two officers of the bank, one of whom shall be the president or vice-president, and shall be submitted to the commissioner for his approval. If the commissioner shall find that the amendment is for a purpose authorized by law, and that all the conditions and requirements in this article and elsewhere in this act specified as prerequisites to an amendment to a certificate of incorporation have been satisfied, he shall endorse his approval upon the certificate of amendment, and shall file it in the department, and the certificate of incorporation shall thereupon be amended as set forth in the certificate of amendment.

5. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 142

AN ACT to validate certain judgments foreclosing tax sale certificates.

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

Judgments validated.

1. Any final judgment entered prior to January first, one thousand nine hundred and fifty-two, which foreclosed rights to redeem from the operation of a tax sale certificate, shall be good, valid, legal and effectual for all purposes whatsoever, notwithstanding that the publication of the notice, requiring the defendant or one or more defendants within thirty-five days from the date specified in the notice to answer the complaint in the action wherein said final judgment was rendered, was not completed thirty-five days prior to the date so specified; *provided* such publication was completed not less than thirty-four days prior to the date so specified and that no proceedings have heretofore been instituted in any court to set aside said judgment or any proceedings in connection therewith.

Proviso.

2. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 143

AN ACT regulating the buying or receiving, and selling of shell eggs for human consumption; providing restrictions concerning the improper use of the name, in whole or in part, of the State of New Jersey, or of any county or municipality thereof, for the purpose of source identification; establishing a registry for trade names and labels for eggs to be marketed for the economic protection of the egg industry; providing penalties for violations; and providing for an appropriation.

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

C. 4:3-11.1. Eggs defined.

1. As used in this act, the term "eggs" means avian eggs intended for human consumption, and marketed or to be marketed in their natural form, in shells.

C. 4:3-11.2. Source of production, permission.

2. No person shall use any term or terms in branding, labeling, marking, identifying, displaying or advertising eggs within the State of New Jersey which shall imply other than the true source of production. No person shall use the name, in whole or in part, of the State of New Jersey, or of any county or municipality thereof, for the purpose of identifying the source of production of eggs, without permission in writing from the Secretary of Agriculture obtained by application upon forms to be provided. The Secretary of Agriculture or his appointed agents, prior to the granting of such permission, shall be satisfied of the truth of such claims of the domestic origin of such eggs to be so branded, labeled, marked, identified, displayed or advertised. The Secretary of Agriculture shall have the power to apply to a court of competent jurisdiction for injunctive or other relief, to prevent any person or organization from using or at-

tempting to use any brand, label, marking, display identification or advertisement which improperly implies the State of origin, quality, grade or size of market eggs sold or offered for sale, either at wholesale or retail, packed, repacked, stored or coming to rest in New Jersey.

C. 4:3-11.3. Register trade mark or name.

3. Any person or organization using or intending to use a trade name, label, mark, brand or other identification indicating that the eggs were produced within the State of New Jersey may register facsimile copies thereof with the Secretary of Agriculture upon forms to be provided and upon compliance with regulations made and promulgated by the State Board of Agriculture. The Secretary of Agriculture shall cause to be set up a registry of such names, labels, marks, brands or other identifications for eggs and said registry shall be open for public inspection during the usual official hours.

C. 4:3-11.4. Previous markings obliterated.

4. All markings on egg cases, cartons, packages, or other containers or receptacles which have previously been used for eggs, and which bear the trade names, labels, marks, brands or other identifications of a previous user, shall be effectively obliterated before any further use for egg marketing or selling purposes.

C. 4:3-11.5. Labels and identifying marks, specifications.

5. Labels or other identifying marks on egg cases or cartons shall bear the name and address of the packer or dealer. If eggs from a source other than the State of New Jersey are packed, repacked, received or otherwise handled at any place in New Jersey, the address thereof shall not be given such prominence in the design of the label that it shall be misleading by implying that the eggs were produced in New Jersey. In all cases, the State of origin shall be indicated in type of a size at least equal to that of the type used for the name and address of the packer, repacker or receiver, and the following language shall be used:

"Produced In (State of Origin)"

"Packed By (Name of Packer or Dealer)
(P. O. Address) New Jersey"

C. 4:3-11.6. Penalty.

6. Any person who violates any of the provisions of this act shall be liable to a penalty of one hundred dollars ($100.00).

C. 4:3-11.7. Jurisdiction of courts.

7. Jurisdiction of actions or proceedings to enforce and collect penalties under this act is conferred upon the County Courts, the county district courts and the municipal courts in any county or municipality where the defendant may be apprehended or served with process or where he may reside. The court may proceed in a summary manner and the process may be either a summons or warrant and such penalties shall be enforced and collected pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.).

C. 4:3-11.8. Arrest without warrant.

8. For a violation of any provision, for which a penalty is prescribed, within the view of any constable, police officer or member of the State police, such constable, officer or member may arrest the offender without a warrant and take him before a court having jurisdiction in the county or municipality wherein such arrest is made.

C. 4:3-11.9. Commitment.

9. If judgment is rendered for the plaintiff the court shall cause a defendant, who shall fail to pay forthwith the amount of the judgment rendered against him, and all costs and charges incident thereto, to be committed to the county jail for a period of not less than five nor more than ninety days in the case of a first offense and not less than ten nor more than two hundred days for a second and each subsequent offense.

Appropriation.

10. There is hereby appropriated to the State Department of Agriculture the sum of fifteen thousand dollars ($15,000.00) for the enforcement of this act, when included in any annual or supplemental appropriation act.

11. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 144

AN ACT to amend "An act concerning moneys heretofore or hereafter allotted from the State Highway Fund to the several counties and municipalities as State aid road funds," approved March twenty-seventh, one thousand nine hundred and forty-three (P. L. 1943, c. 45).

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

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

C. 27:13-6. Special State aid road fund account, administering.

2. As soon as can be after the effective date of this act and annually thereafter, the State Highway Commissioner shall determine the amount of money which shall be placed in said special State aid road fund account and shall advise the State Treasurer of said action, so that the State Treasurer may set up said special account. If, in the opinion of the State Treasurer and the State Highway Commissioner, the best interests of the State will permit, the State Treasurer may invest and reinvest such moneys in short term obligations of the United States. Any interest accruing from the investment of such funds shall be credited to the General State Fund. Upon application of any county or municipality for which funds are held in the said special State aid road fund account and with the approval of the State Highway Commissioner, moneys so held in the said special account shall be made available for immediate expenditure as heretofore.

2. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 145

AN ACT concerning boxing and wrestling exhibitions, and amending section 5:2–17 of the Revised Statutes.

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

Section amended.

1. Section 5:2–17 of the Revised Statutes is amended to read as follows:

Decisions in boxing, wrestling and sparring contests.

5:2–17. No decision shall be given in any boxing, wrestling or sparring contest unless the title of the division, class or grade to which the contestants belong shall be at stake or unless in the judgment of the commissioner such contest should be a decision contest. In any decision contest, the decision shall be rendered by the referee immediately upon the conclusion of the contest, but the commissioner may, whenever he deems it desirable, designate two judges appointed by him who, with the referee, and by a majority vote thereof shall render a decision in any such contest.

2. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 146

AN ACT to amend "An act concerning the issuance of warrants for removal and writs of possession in actions to recover possession of premises used for dwelling purposes," approved April eleventh, one thousand nine hundred and forty-nine (P. L. 1949, c. 17).

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

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

4. This act shall take effect on July first, one thousand nine hundred and forty-nine, but shall become inoperative on and after July first, one thousand nine hundred and fifty-four, and from the effective date of this amendatory act until the said date upon which this act shall become inoperative, the prohibition against the issuance of a stay for a longer period than six months, in the act of which this act is amendatory, shall be inapplicable in any case where the landlord is a municipality, board of education, or other political subdivision of the State and the action or proceeding is brought to recover possession of premises occupied by a tenant or tenants to whom the premises were rented by the United States of America or an agency thereof by reason of the status of a veteran or veterans, and which premises have been transferred and conveyed by the United States of America or an agency thereof to the said municipality, board of education, or other political subdivision, and in any such case, the judge may stay the issuance of a warrant or writ for possession, for a period longer than six months but not beyond the operative period of this act. After August first, one thousand nine hundred and fifty, this act shall be inoperative in any mu- C. 2:58-23.12. Act inoperative.

nicipality wherein there shall be no rent control, under Federal or State regulations, or wherein rent control shall have been decontrolled, under any such regulations.

2. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 147

AN ACT to amend and supplement the "In Rem Tax Foreclosure Act (1948)," approved May twenty-eighth, one thousand nine hundred and forty-eight (P. L. 1948, c. 96), and to validate certain proceedings heretofore instituted under said act.

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

Section amended.

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

C. 54:5-104.35. Tax foreclosure list, preparation and contents.

7. The governing body of any municipality may, from time to time, determine, by resolution, to foreclose any of the tax sale certificates held by it, by the summary proceedings In Rem provided by this act. Such resolution shall list the lands against which such proceedings shall be instituted. Such list, to be known as the "tax foreclosure list," shall be prepared and certified by the tax collector. It shall schedule the lands and certificates in numerical sequence, and shall contain the following information:

(a) Schedule number.

(b) Description of the land as it appears on the tax duplicate and in the certificate of tax sale.

(c) Serial number, or, if no serial number, other identification of the certificate of tax sale.

(d) Date of tax sale.

(e) Book and page or date and instrument number of the record of the certificate in the office of the county recording officer if such certificate has been recorded at the time of the adoption of such resolution, and the prior recording of the tax certificate shall not be a prerequisite to the adoption of the resolution.

(f) The amount of the sale as set forth in the certificate.

(g) The amount of all tax liens accruing subsequent to the tax sale, including interest, penalties and costs.

(h) The amount required to redeem.

(i) The name of the person appearing as the owner of the land to be affected by the foreclosure proceedings as it appears on the last tax duplicate of the municipality, or the word "unknown" if no name appears thereon.

Validates previous proceedings

2. Any proceedings heretofore instituted under the In Rem Tax Foreclosure Act (1948) wherein the resolution did not set forth the recording of the tax certificates are hereby validated provided said tax certificates were not recorded at the time of the adoption of the resolution.

3. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 148

AN ACT concerning county hospitals for communicable diseases, amending section 30:9–37 and supplementing chapter nine, Title 30, of the Revised Statutes.

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

Section amended.

1. Section 30:9–37 of the Revised Statutes is amended to read as follows:

May erect hospitals for communicable diseases.

30:9–37. The board of chosen freeholders of any county, whenever in its judgment the public need requires, may acquire land by purchase, condemnation, gift or otherwise anywhere in the county and erect thereon suitable buildings to be used as a hospital for communicable diseases and to furnish and maintain the same. No building in which patients are housed, shall be located within less than two hundred and fifty feet of any public highway, or of any dwelling house or other inhabited building. For the purpose of this section county bonds may be issued and sold to an amount not exceeding one-tenth of one per centum (1/10 of 1%) of the county ratables.

C. 30:9-44.3. Conveyance of lands not used for hospital purposes authorized.

2. In any county of the first class having a population in excess of eight hundred thousand inhabitants, in which there has been established and is maintained a hospital for communicable diseases, it shall be lawful for the board of chosen freeholders, in its judgment, to use the whole or part of said hospital, including the lands, for any public use whatsoever which such board is otherwise authorized or required to make, or to transfer the title, or any right therein, of any land owned by the county adjacent to such hospital not required for hospital purposes, to any county board, body or commission of the county for public use.

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

Approved May 7, 1953.

CHAPTER 149

AN ACT concerning county parental schools, amending section 9:11–7, and supplementing chapter eleven of Title 9, of the Revised Statutes.

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

1. The board of trustees organized under the chapter to which this is a supplement may sell or dispose of any real estate or right or interest therein not needed for public use. All sales or disposition, except as hereinafter provided, shall be by public sale to the highest bidder, after public advertisement at least once a week for four weeks prior to the sale, in a newspaper circulating in the county. C. 9:11-10. Sale of lands not needed for public use.

The board of trustees may transfer title without public advertisement, to any real estate or any right or interest therein not needed for public use by the board, to the county for which said board of trustees was constituted.

2. Section 9:11–7 of the Revised Statutes is amended to read as follows: Section amended.

9:11–7. The moneys for the acquisition of lands and the erection of buildings for a county parental school shall be approved as to the amount of the expenditure by the board of chosen freeholders and shall then be provided by the board of chosen freeholders upon the requisition of the board of trustees herein provided for. Approval of amount required, bond issue.

If the board of chosen freeholders shall deem the amount required for such purpose to be too great to be placed in the annual appropriation for the then fiscal year, such moneys may be raised by an issue of bonds.

3. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 150

AN ACT concerning interest and usury, and amending section 31:1–1 of the Revised Statutes.

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

Section amended.

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

Contract rate of interest.

31:1–1. Except as otherwise provided by law, no person shall, upon contract, take, directly or indirectly, for loan of any money, wares, merchandise, goods and chattels, above the value of six dollars ($6.00) for the forbearance of one hundred dollars ($100.00) for a year, and after that rate for a greater or less sum or for longer or shorter time. When, however, pursuant to any such contract, interest or discount is taken or reserved for a period of less than one year, or when interest is required to be paid at intervals of less than one year, such interest or discount may be computed on a daily basis, or on a monthly basis, or on a combination of both such bases when the period for which interest or discount is taken or reserved contains one or more months and one or more days; and, in any such case, a day shall be deemed to be a one three hundredth and sixtieth part of a year, and a month shall be deemed to be a one-twelfth part of a year, regardless of the number of days

contained in such month. Any computation of interest or discount made on any such basis shall constitute a compliance with this section, and any such basis may be applied regardless whether the principal debt is payable in more than or less than one year from the time of making the loan.

2. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 151

AN ACT to amend "An act to define and regulate the business of cashing checks, drafts or money orders and to license and regulate check cashers," approved June seventh, one thousand nine hundred and fifty-one (P. L. 1951, c. 187).

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

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

24. The provisions of this act shall not apply when checks, drafts or money orders are cashed without a consideration or charge nor shall the provisions of this act apply to any banking institution or savings and loan association authorized to do business in this State. C. 17:15A-24. Provisions not to apply.

2. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 152

AN ACT concerning the number and qualification of directors of railroad corporations, and amending section 48:12–9 of the Revised Statutes.

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

Section amended.

1. Section 48:12–9 of the Revised Statutes is amended to read as follows:

Directors, number.

48:12–9. There shall be not less than seven nor more than seventeen directors of every railroad company, who shall be stockholders, and the first directors shall be those specified as such in the certificate of incorporation, and thereafter directors shall be chosen at the annual meetings of stockholders.

The directors may add to their number by selecting from the stockholders from time to time additional members to act as vice-presidents with such powers, duties and compensation as the company or directors may determine, but the number of directors shall not thereby be made more than twenty.

The number of directors may be decreased to not less than three when authorized by the affirmative vote, cast in person or by proxy, of four-fifths in interest of the holders of each class of stock having voting powers on such proposal given at a stockholders' meeting duly called for that purpose.

One of the directors shall be an actual resident of this State, but it shall not be necessary for the president or more than one director to be such resident notwithstanding the provisions of any special charter or other law.

2. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 153

AN ACT to amend the "Parking Authority Law," approved July second, one thousand nine hundred and forty-eight (P. L. 1948, c. 198).

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

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

4. Any governing body may, by resolution in the case of counties or ordinance in the case of municipalities, create a body corporate and politic, to be known as the "Parking Authority .....," inserting the name of the municipality or county creating such authority. The creating resolution in the case of counties and the creating ordinance in the case of municipalities may provide that no real property shall be acquired by the power of eminent domain without the consent of the governing body. Such authority shall constitute an agency and instrumentality of the municipality or county creating it. Thereupon the governing body shall appoint five persons as commissioners of the authority. The commissioners who are first appointed shall be designated to serve for terms of one, two, three, four and five years, respectively, from the date of their appointment, but thereafter commissioners shall be appointed as aforesaid for a term of five years, except that all vacancies shall be filled for the unexpired term. C. 40:11A-4. May create parking authority, members' liens, area of operation, filing.

A municipality which has created a parking authority may with its consent, evidenced by ordinance, be included within the area of operation of a county authority. In such case the governing body of the county shall ratify the inclusion of such municipality before such area shall be included within the area of operation of such county authority.

No municipality which has been included (with its consent) within the area of operation of a county, parking authority shall hereafter create a municipal authority.

Upon the creation of any such authority by a municipality, the clerk of the municipality shall certify a copy of the ordinance creating the parking authority, and also a copy of the resolution appointing the commissioners thereof, which documents shall be filed with the clerk of the county and be recorded in records of certificates of incorporation. In like manner, the clerk of the county shall certify the resolutions creating an authority and appointing the commissioners thereof and record such resolutions in the records of certificates of incorporation for said county. In each case the clerk of the county shall cause duplicate certified copies of said documents to be filed forthwith with the Secretary of State.

Section amended.

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

C. 40:11A-7. Condemnation procedure.

7. Right of eminent domain. An authority shall have the right to acquire by the exercise of the power of eminent domain any real property which it may deem necessary for its purposes under this chapter after the adoption by it of a resolution declaring that the acquisition of the real property described therein is necessary for such purposes unless in the resolution or ordinance creating the authority it is provided that no real property shall be acquired in said manner without the consent of the governing body, in which case said power shall not be exercised without said consent. Property already devoted to a public use may be acquired in like manner provided that no real property belonging to a public body or corporation itself possessing the power of eminent domain may be acquired without its consent.

3. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 154

AN ACT concerning the State Department of Education, and amending section 18:2–1 of the Revised Statutes.

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

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

18:2–1. There hereby is established, in the Executive Branch of the State Government a principal department which shall be known as the State Department of Education, and which shall consist of a State Board of Education and a Commissioner of Education, with such divisions, bureaus, branches, committees, officers and employees as are specifically referred to in this Title and as may be constituted or employed by virtue of the authority conferred by this Title and by any other law. State department of education, commissioner, State board, members terms, vacancies, powers and duties of board.

The State Board of Education established hereby shall consist of twelve members, not less than three of whom shall be women, and all of whom shall be citizens who have resided within the State for not less than five years immediately preceding their appointment, but there shall not be appointed from the residents of any one county more than one member.

The members shall be appointed by the Governor, by and with the advice and consent of the Senate, for terms of six years, except that of the successors of the two members whose terms will expire on June twenty-sixth, one thousand nine hundred and fifty-three, there shall be appointed for terms which shall commence on June twenty-seventh, one thousand nine hundred and fifty-three, one for a term which shall expire on June thirtieth, one thousand nine hundred and fifty-four, and one for a term which shall expire on June thirtieth, one thousand

nine hundred and fifty-seven; of the successors of the three members whose terms will expire on July first, one thousand nine hundred and fifty-three, there shall be appointed for terms which shall commence on the second day of July, one thousand nine hundred and fifty-three, one for a term which will expire on June thirtieth, one thousand nine hundred and fifty-four, and two for terms which will expire on June thirtieth, one thousand nine hundred and fifty-nine; the successor of the member whose term will expire on June twenty-sixth, one thousand nine hundred and fifty-five, shall be appointed for a term which shall commence on June twenty-seventh, one thousand nine hundred and fifty-five and shall expire on June thirtieth, one thousand nine hundred and fifty-eight; of the successors of the three members whose terms shall expire on July first, one thousand nine hundred and fifty-five, there shall be appointed for terms which shall commence on the second day of July, one thousand nine hundred and fifty-five, one for a term which will expire on June thirtieth, one thousand nine hundred and fifty-seven and two for terms which will expire on June thirtieth, one thousand nine hundred and sixty-one; the successor of the member whose term will expire on March thirteenth, one thousand nine hundred and fifty-six, shall be appointed for a term which shall commence on March fourteenth, one thousand nine hundred and fifty-six and shall expire on June thirtieth, one thousand nine hundred and sixty-two; the successor of the member whose term will expire on May fifteenth, one thousand nine hundred and fifty-six, shall be appointed for a term which shall commence on May sixteenth, one thousand nine hundred and fifty-six and shall expire on June thirtieth, one thousand nine hundred and sixty-two; and the successor of the member whose term will expire on June twenty-sixth, one thousand nine hundred and fifty-eight, shall be appointed for a term which shall commence on June twenty-seventh, one thousand nine hundred and fifty-eight and shall expire on June thirtieth, one thousand nine hundred and

sixty-four. The terms of the successors of the above-mentioned board members shall be for six years commencing on July first and expiring on June thirtieth.

Vacancies in said board occurring for any cause shall be filled in like manner but for the unexpired term only. All members shall continue in office after the expiration of their respective terms until their respective successors are appointed and qualified; but the holding over of an incumbent beyond the expiration of the term for which he was appointed shall not be held to lengthen his term but shall be held to shorten the term of his successor by the number of days the incumbent shall hold over beyond the expiration date of his term.

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

2. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 155

AN ACT to validate titles derived from in rem tax foreclosure proceedings.

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

Titles validated.

1. All titles derived from a proceeding brought under the In Rem Tax Foreclosure Act (1948) shall be valid and effectual despite the fact that the tax sale certificate was comprised partially of assessments, water rents, sewer rents or other

municipal charges and that the amount required for redemption was comprised partially of assessments, water rents, sewer rents or other municipal charges in addition to unpaid taxes, provided said proceedings were conducted otherwise in accordance with statute.

2. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 156

AN ACT concerning mutual life insurance corporations having more than ten million life insurance policies in force, and providing for the appointment, nomination and election of directors thereof.

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

C. 17:34-3.12. Manner of choosing directors.

1. The directors of any mutual life insurance corporation of this State heretofore or hereafter incorporated pursuant to the provisions of any general or special law of this State which now or hereafter shall have in excess of ten million life insurance policies of the corporation in force as set forth in any annual statement of such corporation filed with the Commissioner of Banking and Insurance of the State of New Jersey (hereinafter in this act called the Commissioner), shall be of the number and shall be chosen in the manner hereinafter set forth, any provision of law or of the certificate of incorporation or charter of such corporation now in effect to the contrary notwithstanding.

C. 17:34-3.13. Number of directors, qualifications, appointment, election.

2. Subject to the provisions of section four of this act as to the number of elected directors, the number of the directors of any such mutual life

insurance corporation to which this act applies, shall be twenty-three, all of whom shall be policyholders of the corporation. Six of such directors shall be appointed as hereinafter provided by the Chief Justice of the Supreme Court of New Jersey and are hereinafter called the public directors. Sixteen directors shall be elected in the manner hereinafter provided and are hereinafter called the elected directors. The president of the corporation shall be ex officio a director; and if he shall be a director by appointment or election at the time of his election as president or at the effective date of this act, the office of director so held by him shall become vacant.

C. 17:34-3.14. Chief justice to appoint, terms, vacancy, powers.

3. Whenever the provisions of this act shall become applicable to any such corporation, the Chief Justice of the Supreme Court of New Jersey shall thereupon appoint the six public directors for respective terms beginning on the date of appointment, such that the term of one public director shall expire on the date of the annual election of directors in each of the first six calendar years following the year in which this act becomes applicable to such corporation; thereafter one public director shall be appointed annually for a term of six years and shall hold office until his successor has been appointed and has qualified. In case any vacancy shall occur in the office of public director, such vacancy shall be filled by the appointment of another public director by the Chief Justice of the Supreme Court for the unexpired term to which such vacancy relates. The public directors shall have the same powers, privileges and duties as the other directors, and such additional powers as provided in this act.

C. 17:34-3.15. To continue in office, election of directors, terms, vacancy.

4. All directors of such corporation holding office as such at the time the provisions of this act become applicable to the corporation shall continue in office as elected directors until the expiration of the terms for which they shall have been respectively elected, notwithstanding the number of elected directors shall be greater or less than six-

teen. At the annual election of directors in the calendar year following the year in which the provisions of this act become applicable to such corporation, and at each annual election thereafter, four elected directors shall be elected, in the manner hereinafter provided, each for a term of four years, and each such elected director shall hold office until his successor has been elected and has qualified. Except as otherwise provided in this act, in case any vacancy shall occur in the office of an elected director, such vacancy shall be filled by the board of directors by a majority vote of its entire number for the unexpired term to which such vacancy relates.

C. 17:34-3.16. Elected directors, manner of electing.

5. The elected directors shall be elected in the manner hereinafter provided by the qualified voters of the corporation at the annual election of directors to be held on the date and at the place prescribed by the corporation's certificate of incorporation or charter, by-laws, or otherwise.

C. 17:34-3.17. Qualified voters, policyholder defined.

6. The qualified voters of the corporation shall consist of every policyholder who is twenty-one years of age or more and whose policy has been in force for at least one year. For the purposes of this section the term "policyholder" shall mean (1) the person insured under an individual policy of life insurance issued upon the application of such person, (2) the person who effectuates any such policy upon the life of another, (3) the person to whom any annuity or pure endowment is presently or prospectively payable by the terms of an individual annuity or pure endowment contract except where the policy or contract declares some other person to be the owner thereof, in which case such owner shall be deemed to be the policyholder, (4) the employer under a policy of group life or other form of group insurance issued to such employer covering his employees and (5) the employer under a group annuity contract issued to such employer and covering his employees. No other person shall be deemed to be a "policyholder" for the purposes of this section.

C. 17:34-3.18. Procedure for electing elected directors.

7. The board of directors shall by a vote of a majority of its entire number nominate a candidate for each office of elected director to be filled at the annual election of directors in the calendar year following the year in which this act becomes applicable to such corporation and in each year thereafter. Not more than ten months, nor less than nine months, before the date of each such annual election, the secretary of the corporation shall file a certificate of such nominations with the Commissioner, giving the name, address and occupation of each candidate, together with a statement in writing from each of such candidates that he will accept if elected. If a majority of the public directors of the corporation shall determine that other candidates should be nominated in the best interests of the corporation, its policyholders and the public, they shall file with the Commissioner not more than nine months nor less than eight months before the date of the next ensuing annual election of directors, a statement of their determination and a demand signed by a majority of them that other candidates be nominated.

C. 17:34-3.19. Method of electing when no demand is made by public director.

8. If the public directors shall file no such demand that other candidates be nominated, the election shall be according to the method prescribed in this section eight, as follows:

(a) The candidates shall be those so nominated by the board of directors and no others, subject to the nomination of substitute candidates in the case of death of a candidate as provided in paragraph (d) of this section.

(b) Tellers to receive and count the votes and to determine the validity thereof shall be appointed by the president of the corporation and such tellers shall conduct the election. Ballots shall be prepared by the corporation and shall be furnished to voters present at the election. Any qualified voter who shall make proper application to the corporation therefor in writing not later than sixty days before the date of the election, stating his name, address, policy number and date of birth, shall be

furnished a ballot not less than thirty days before the date of the election, accompanied by a gummed postpaid return envelope addressed to the corporation at the place of the election, on which the words "Ballot for Directors" shall be printed and such ballot so applied for and furnished may be cast by mail. Each qualified voter of the corporation shall be entitled to cast one vote and no ballot shall be counted unless it is cast in person by a qualified voter at the election, or, in the case of a ballot cast by mail, unless it is received by the tellers at the place of the election before the polls close on the date of the election. No ballot shall be counted unless it shall set forth the number of the voter's policy and be signed by him in person, nor if cast for any person other than one nominated as herein provided. The polls shall be open between ten o'clock in the forenoon and two o'clock in the afternoon on the date of the election, and no other business shall be transacted at the election.

(c) All ballots voted shall be received by the tellers subject to verification and ascertainment of the validity thereof and of the qualification of the voters. Immediately upon the closing of the polls, the tellers shall proceed to canvass the votes. All ballots received by the tellers shall at the conclusion of the election be placed in sealed packages and preserved by them for at least one year from the date of the election. At the conclusion of the canvass, the tellers shall report in writing the result thereof to the secretary of the corporation and he shall thereupon make a certificate setting forth the result of the election as shown by such report and shall file the same with the Commissioner.

(d) In case of the death of any candidate prior to a date fifty days before the date of the election, the board of directors shall by a vote of a majority of its entire number nominate a candidate in his place by filing not later than forty days before the date of the election a certificate similar to that required for an original nomination by the board of

directors; and in case of the death of any candidate within fifty days of the date of the election, no substitution of a candidate shall be made to take the place of the candidate so dying and the election shall nevertheless proceed. If the report of the canvass of the votes at the election shows that the candidate so dying, for whom no substitution shall have been made, would have been elected except for the fact of his death, a vacancy in the board of directors shall be deemed to have occurred as of the date of the election.

(e) No election shall be held invalid by reason of any irregularity or failure in preparation or forwarding of any ballots pursuant to this act. All voting shall be by the ballots so provided and shall be according to the provisions of this act, any existing law of the State to the contrary notwithstanding.

C. 17:34-3.20. Method of electing when demand is made by public director.

9. If the public directors shall file such demand that other candidates be nominated, the election shall be according to the method prescribed in this section nine, as follows:

(a) The Commissioner within thirty days after the receipt of such demand by the public directors, shall appoint a nominating committee of fifteen of such qualified voters who shall appear to the Commissioner to be willing and qualified to select a candidate for each of the offices of the elected directors whose terms of office expire at the date of the next ensuing election. No officer, director, employee or agent of the corporation, nor any relative thereof by blood or connection by marriage in nearer degree than second cousin, nor any person who shall have served on such a nominating committee at any previous time, shall be eligible to be named by the Commissioner to serve upon such nominating committee. The Commissioner shall forthwith cause notice of the time and place of the first meeting of such committee to be sent to each member thereof. Within thirty days following the appointment or within such further period of time not exceeding fifteen days as may be deter-

mined by the Commissioner, the nominating committee shall by a majority vote select a candidate, suitable by training and experience to serve, for each such office of elected director, other than any candidate nominated by the board of directors, and shall within such period file with the Commissioner a certificate setting forth the names, addresses and occupations of the candidates so nominated, together with a statement in writing from each of such candidates that he will accept if elected. The Commissioner shall notify the secretary of the corporation of the names, addresses and occupations of the candidates so selected by the nominating committee.

(b) When nominations shall have been made by such nominating committee, the Commissioner shall cause notice of the election to be published at least four times at intervals of not less than one week, the first publication to be not more than five months and the last publication not less than three months prior to the date of the election in at least three newspapers published in each State of the United States and in each province of the Dominion of Canada in which the corporation is authorized to do business, one of such publications in each State or province to be, whenever possible, in a newspaper published in the capital city of such State or province. Not less than four months prior to the date of the election, copies of such notice shall be posted in such offices maintained by the corporation as the Commissioner may direct, in a conspicuous place to which the general public has access, and shall remain so posted until the record date hereinafter specified. Such notice shall contain the names, addresses and occupations of the candidates nominated by the board of directors and of the candidates nominated by the nominating committee, and shall advise the policyholders as to the procedure required by this act to be followed in voting. The death of any candidate or the nomination of any candidate in his place before or after the completion of publication or posting shall not

invalidate such notice. The omission of any publication or posting herein prescribed shall not invalidate such notice nor the election to which it relates.

(c) The Commissioner shall prepare the form of ballot which shall contain: (1) the names of the candidates for director nominated by the board of directors, and so designated, and separately the names of the candidates for director nominated by the nominating committee, and so designated; (2) the following statement: "The Commissioner of Banking and Insurance of New Jersey neither approves nor disapproves the nomination of any of the aforesaid candidates"; (3) blank lines for the insertion of the policy number and signature of the qualified voter; and (4) such instructions for the proper completion of the ballot as the Commissioner may deem necessary, including a statement of the date of the election and that the ballot must be received on or before such date. Each ballot shall be accompanied by a gummed postpaid return envelope, addressed to the Commissioner, on which the words "Ballot for Directors" shall be printed. The Commissioner shall cause ballots to be mailed at least thirty days prior to the date of the election to all applicants for ballots who appear to him, after checking the applications against the records of the corporation, to be qualified voters of the corporation on the record date. No election shall be held invalid by reason of any irregularity or failure in the preparation or forwarding of any ballots pursuant to this act.

(d) Each qualified voter of the corporation shall be entitled to cast one vote and all ballots shall be cast by mail upon the forms provided and shall be according to the provisions of this act, any existing law of this State to the contrary notwithstanding. Policyholders who are qualified voters may obtain ballots by applying therefor either in person or by mail to the Commissioner, or to any office maintained by the corporation, on or before a record date which shall be seventy days prior to the date

of the election, stating in such application for a ballot, the name, address, policy number and date of birth of the applicant. The corporation shall prepare a list or other catalog of the applicants for ballots in such form as the Commissioner may direct, showing the name, address and policy number of the applicant, whether or not he is twenty-one years of age or more and whether his policy has been in force at least one year; and such list or catalog shall specify any applicants for ballots appearing not to be qualified voters of the corporation according to its records, with a statement of the reason therefor. Such list or catalog shall be transmitted at least forty days before the date of the election to the Commissioner. The Commissioner shall cause notice of disqualification to be given to any applicant who shall appear to him to be not a qualified voter of the corporation, with a statement of the reason therefor; and shall grant such applicant reasonable opportunity, within such period as may be fixed by the Commissioner in his sole discretion, to present facts in support of his application. The list or catalog shall remain on file with the Commissioner until thirty days after the election and shall be open to inspection by any qualified voter of the corporation, as the Commissioner shall determine.

(e) Ballots received by the Commissioner on or before the date of the election shall be canvassed by the Commissioner. The Commissioner may employ such persons to assist him in canvassing the ballots as he deems necessary. No ballot shall be counted unless it is received by the Commissioner on or before the date of the election, nor unless it shall set forth the number of the qualified voter's policy, be signed by him in person and be completed in accordance with the instructions appearing thereon; and no ballot shall be counted if cast for any person other than for one nominated as provided in this act, nor if cast for more than the number of elected directors whose offices are to be filled at such election. The Commissioner shall be

the sole judge as to the qualifications of the voters and the proper casting of the ballots. All ballots received by the Commissioner shall at the conclusion of the election be placed in sealed packages and preserved by him for at least one year from the date of the election. The four persons receiving the highest number of votes for the offices of elected director to be filled shall be elected for full terms. In case two or more persons shall receive the same number of votes for the same office, the Commissioner shall decide the election by lot. At the conclusion of the election, the Commissioner shall certify in writing to the secretary of the corporation the result thereof.

(f) In case of the death of any candidate prior to a date fifty days before the date of the election, the board of directors or the nominating committee, whichever shall have nominated such candidate, shall nominate a candidate in his place by filing not later than forty days before the date of the election a certificate similar to that required for the original nominations; and in case of the death of any candidate within fifty days before the date of the election, no substitution of a candidate shall be made to take the place of the candidate so dying, and the election shall nevertheless proceed. If the report of the canvass of the votes at the election shows the number of votes so cast for the candidate so dying, for whom no substitution shall have been made, was such that he would have been elected except for the fact of his death, a vacancy in the board of directors shall be deemed to have occurred as of the date of the election and the same shall be filled by a majority vote of the entire number of either the board of directors or the nominating committee, which ever shall have nominated such candidate.

(g) The Commissioner shall conduct the election, may make such reasonable regulations for the conduct of the election not inconsistent with the provisions of this act as may appear to him to be necessary or desirable, and shall authorize payment of expenses incurred by the corporation for the pur-

pose of advising policyholders, to the extent and in the manner he deems appropriate, as to the qualifications of the candidates. He may employ such persons as he may consider necessary to assist him in the performance of the duties imposed upon him under this act and may require the corporation to furnish assistance in such respects and in such manner as he may direct. All expenses incurred by the Commissioner or by the nominating committee with the approval of the Commissioner, in performing any of the duties imposed upon them by this act shall be borne by the corporation, and shall be paid by it upon the order of the Commissioner. If the Commissioner shall so request, the corporation shall advance to the Commissioner funds reasonably sufficient to defray such expenses and the Commissioner shall remit such funds to the State Treasurer as custodian thereof. The State Treasurer shall hold such funds separate from all other State moneys and shall disburse the same only upon vouchers signed by the Commissioner, who shall account to the corporation therefor.

C. 17:34-3.21. Construing.

10. The mailing of a ballot to any person shall not be construed as an admission of the validity of any policy or that such person was a policyholder; and no such mailing shall be competent evidence in any action or proceeding in which the question of the validity of any policy is involved.

C. 17:34-3.22. Provisions to apply, certificate on number of policies, copy delivered to chief justice.

11. If any annual statement of any such mutual life insurance corporation filed with the Commissioner sets forth a number of life insurance policies of the corporation in force in excess of ten million, the corporation shall be subject to the provisions of this act, any provision of law or of the certificate of incorporation or charter of the corporation now in effect to the contrary notwithstanding. The corporation shall immediately cause to be filed with the Commissioner a certificate of the number of life insurance policies so set forth in such annual statement and the Commissioner shall cause a copy thereof, duly certified by the Commissioner, to be

delivered to the Chief Justice of the Supreme Court of New Jersey.

12. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 157

AN ACT concerning the State Employees' Retirement System of New Jersey, amending sections 43:14–2, 43:14–2.2, 43:14–3, 43:14–5, 43:14–6, 43:14–9, 43:14–12, 43:14–16, 43:14–17, 43:14–18, 43:14–19, 43:14–22, 43:14–26, 43:14–27, 43:14–29, 43:14–32, 43:14–33, 43:14–35, 43:14–36 of the Revised Statutes, repealing sections 43:14–1.1, 43:14–2.1, 43:14–2.3, 43:14–2.5, 43:14–15, 43:14–39, 43:14–44, 43:14–48 of the Revised Statutes, repealing sundry acts and parts of acts, and revising parts of the statutory laws.

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

1. Section 43:14–1.1 of the Revised Statutes is repealed. Section repealed.

2. Section two, chapter two hundred ninety-nine of the laws of one thousand nine hundred and forty-nine is repealed. C. 43:14-1.2. Section repealed.

3. Section 43:14–2 of the Revised Statutes is amended to read as follows: Section amended.

43:14–2. Except as otherwise provided by section 43:14–32 of this Title, the membership of the retirement system shall consist of the membership enrolled as of July first, one thousand nine hundred and fifty-three, with all service credits then existing, and of: Membership of retirement system.

a. Persons permanently appointed after July first, one thousand nine hundred and twenty-two.

The board may deny the right to become members of the retirement system to any class of elected officials or to any class of persons not within the classified civil service, but any person who has been a member of the retirement system for one or more years and who has been or may hereafter be appointed to an office or position in the unclassified service shall be eligible to continue as a member of such system and entitled to all the rights and privileges thereunder, if he so elects. The board of trustees may deny the right to become members of the retirement system to any class of persons whose compensation is only partly paid by the State, or it may, in its discretion, make optional with persons in any such class their individual entrance into membership. State employees who come, or may elect to come, within the provisions of any other retirement system supported wholly or partly by the State shall not be eligible to membership in this retirement system. Notwithstanding any other law to the contrary all persons accepting employment in the classified service of the State shall be required to enroll in the retirement system as a condition of their employment, regardless of age.

Membership of any person in the retirement system shall cease if, in any four-year period which elapses after his last becoming a member, he renders to the State less than two years of service, but not otherwise except as provided in this chapter.

Section repealed.

4. Section 43:14–2.1 of the Revised Statutes is repealed.

Section amended.

5. Section 43:14–2.2 of the Revised Statutes is amended to read as follows:

Restoration to membership, conditions.

43:14–2.2. If a member has been discontinued from service through no fault of his own, and if he has withdrawn his accumulated contributions, his prior service credit and member service credit at the time of leaving service shall be restored in full, if such member returns to service within five years after leaving service and redeposits the total amount so withdrawn. Subject to the rules and regulations of the board such redeposit may be paid

in regular installments. Subsequent normal contributions shall be at the rate determined by the board of trustees.

If such member has not withdrawn his accumulated contributions his membership may continue, notwithstanding any provisions of this chapter, but such continuance shall not extend beyond a period of five years from the date of his discontinuance from service.

No credit for pension purposes shall be allowed to such member, covering the period of his lay-off or discontinuance, unless leave of absence was granted by the head of his department and the board, as provided for in section 43:14–27 of this Title.

Should an employee who has withdrawn his accumulated deductions as provided for in section 43:14–29, or 43:14–43 of the Revised Statutes be re-enrolled as a member and pay into the annuity savings fund the amount which he previously withdrew, with interest to the date of repayment, there shall be restored his annuity credit, and in addition, upon completion of five years thereafter, his pension credit shall be restored as it was at the time of his withdrawal.

Upon restoration to membership, subsequent normal contributions shall be at the rate determined by the board of trustees.

6. Sections 43:14–2.3 and 43:14–2.5 of the Revised Statutes are repealed. Sections repealed.

7. Section one of chapter one hundred fifty-four of the laws of one thousand nine hundred and forty-one is repealed. C. 43:14-2.6. Section repealed.

8. Section one of chapter one hundred sixteen of the laws of one thousand nine hundred and forty-three is repealed. C. 43:14-2.7. Section repealed.

9. Section one of chapter two hundred fifty-five of the laws of one thousand nine hundred and forty-seven is repealed. C. 43:14-2.10. Section repealed.

10. Section one of chapter two hundred eighty of the laws of one thousand nine hundred and forty-seven is repealed. C. 43:14-2.11. Section repealed.

C. 43:14-2.13. Section repealed.

11. Section one of chapter three hundred twenty of the laws of one thousand nine hundred and forty-seven is repealed.

C. 43:14-2.14. Section repealed.

12. Section two of chapter three hundred twenty of the laws of one thousand nine hundred and forty-seven is repealed.

Section amended.

13. Section 43:14–3 of the Revised Statutes is amended to read as follows:

State system continued, effect.

43:14–3. The State Employees' Retirement System established on January first, one thousand nine hundred and twenty-two, by an act entitled "An act for the establishment of an employees' retirement system for the employees of the State of New Jersey" (L. 1921, c. 109, § 1, p. 209) is continued. The special benefits payable under sections of this chapter as they were in effect on June thirtieth, one thousand nine hundred and fifty-three, which sections granted special privileges to certain employees, shall be continued for members or beneficiaries as of such date as if such sections had not been repealed.

Section amended.

14. Section 43:14–5 of the Revised Statutes is amended to read as follows:

Statement by department heads.

43:14–5. The head of a department or branch of the State service not included in a department employing a member shall submit to the board of trustees a statement showing the name, title, compensation, duties, date of birth and length of service of the member and any other information the board requires.

Section amended.

15. Section 43:14–6 of the Revised Statutes is amended to read as follows:

Classification of members, new members in class B.

43:14–6. The board of trustees shall classify the members in such group or groups by occupation or sex as it may determine for actuarial purposes.

The board shall further classify the membership by benefit rates as class A or class B members, as follows:

"Class A" shall include those members whose annuity shall be based on a per centum of salary, computed to be sufficient, with regular interest, to procure for the member, on retirement for service,

an annuity equal to one one-hundred-fortieth of his final compensation for each year of service as a member.

"Class B" shall include those members who have elected or who shall hereafter elect to contribute to the annuity savings fund at a higher rate per centum, computed to be sufficient, with regular interest, to procure for the member, on retirement for service, an annuity equal to one one-hundred-twentieth of his final compensation for each year of service as a member.

On and after July first, one thousand nine hundred and fifty-three, each new member shall be placed in "class B."

16. Section 43:14–9 of the Revised Statutes is amended to read as follows:

Section amended.

Actuarial information, investigation, duties of board.

43:14–9. The actuary appointed by the board shall recommend, and the board shall keep in convenient form, such data as shall be necessary for actuarial valuation of the various funds created by this chapter. Once in every five-year period after the year one thousand nine hundred and twenty-seven the actuary shall make an actuarial investigation into the mortality, service and compensation or salary experience of the members and beneficiaries as defined in this chapter and shall make a valuation of the assets and liabilities of the various funds created by this chapter. Upon the basis of such investigation and valuation the board shall:

a. Adopt for the retirement system such mortality, service and other tables as shall be deemed necessary;

b. Certify the rates of deduction from compensation computed to be necessary to pay the annuities authorized under the provisions of this chapter; and

c. Certify the rates of contribution, expressed as a proportion of the compensation of members which shall be made by the State to the contingent reserve fund.

Section amended.

17. Section 43:14–12 of the Revised Statutes is amended to read as follows:

Funds.

43:14–12. Under this chapter there shall be the expense fund, contingent reserve fund, annuity savings fund and retirement reserve fund.

Section repealed.

18. Section 43:14–15 of the Revised Statutes is repealed.

Section amended.

19. Section 43:14–16 of the Revised Statutes is amended to read as follows:

Annuity fund.

43:14–16. The annuity savings fund shall be the fund in which shall be accumulated deductions from the compensation of members to provide for their annuities and withdrawal allowances. Upon the basis of such tables as the board adopts, and regular interest, the actuary of the board shall determine for each member the proportion of compensation, which, when deducted from each payment of his prospective earnable compensation prior to service retirement and accumulated at regular interest until he retires, shall be computed to be sufficient to provide, at that time, an annuity equal to one-half of the retirement allowance then allowable for service as a member after the establishment of the retirement system. Such proportion of salary shall be computed to remain constant until he retires.

Any member who was contributing as of June thirtieth, one thousand nine hundred and forty-nine, shall continue to pay the proportion of compensation applicable to the age at enrollment, which proportion shall not be increased during the continuation of membership, and shall make any special payments either as lump sums or as installment payments required as the result of election by the member to obtain additional service credit. On and after July first, one thousand nine hundred and fifty-three, contributions at the proportions applicable to members of group 2 as of June thirtieth, one thousand nine hundred and forty-nine, shall be paid by members enrolled after June thirtieth, one thousand nine hundred and forty-nine, except that the board may from time to time adopt for

employees becoming members thereafter, new proportions of compensation to be determined as provided in the preceding paragraph. No member shall be required during the continuation of his membership to increase the proportion of compensation certified at the time of becoming a member as payable by him to the annuity savings fund.

The board shall certify to the head of each State department, and to the head of each branch of the State service not included in a State department, and the head of each such department or branch shall deduct from the compensation of each member on every payroll of the member for every payroll period subsequent to the date upon which the certification becomes effective, the proportion of his earnable compensation so computed. In determining the amount earnable by a member in a payroll period, the board may consider the rate of compensation payable to him on the first day of the payroll period as continuing throughout the payroll period and it may omit deductions from compensation for any period less than a full payroll period, if an employee was not a member on the first day of the payroll period, and to facilitate the making of deductions it may modify the deduction required by a member by such an amount as shall not exceed one-tenth of one per centum (1/10 of 1%) of the compensation upon the basis of which the deduction is to be made.

Every employee to whom this chapter applies shall be deemed to consent and agree to any deduction from his compensation required by this chapter and to all other provisions of this chapter. Notwithstanding any other law, rule or regulation affecting the salary, pay, compensation, other perquisites or tenure of a person to whom this chapter applies, or shall apply, and notwithstanding that the minimum salary, pay, compensation or other perquisite provided by law for him shall be reduced thereby, payment, less such deductions, shall be a full and complete discharge and acquittance of all claims and demands for service ren-

dered by him during the period covered by such payment.

The accumulated deductions of a member withdrawn, as provided in this chapter, shall be paid out of the annuity savings fund.

Section amended.

20. Section 43:14–17 of the Revised Statutes is amended to read as follows:

Excess refundable, shortage deducted.

43:14–17. Any contributions made by a member prior to June thirtieth, one thousand nine hundred and fifty-three, which are in excess of those required shall be refundable with regular interest to the member on demand or used at retirement to provide an annuity of equivalent actuarial value which shall be in addition to his regular retirement allowance. The actuarial equivalent of any shortage in required contributions at the time of retirement on account of misstatement of age, leave of absence, or clerical error, shall be deducted from the retirement allowance otherwise payable.

Section amended.

21. Section 43:14–18 of the Revised Statutes is amended to read as follows:

Retirement reserve fund.

43:14–18. The retirement reserve fund shall be the fund from which all retirement allowances shall be paid. Upon the retirement of a member the accumulated deductions of the member shall be transferred to the retirement reserve fund from the annuity savings fund. The reserve needed to produce the balance of the retirement allowance shall be transferred from the contingent reserve fund. The reserves in the annuity reserve fund and the pension reserve fund as of June thirtieth, one thousand nine hundred and fifty-three, shall be transferred to this fund and thereafter such funds shall be discontinued. If the pension or the annuity of a member who has been retired is subsequently canceled, the appropriate reserve shall be transferred to the annuity savings fund and the contingent reserve fund. If the pension of a disability beneficiary is reduced as a result of an increase in his earning capacity, the amount of the annual reduction in his pension shall be paid annually into the contingent reserve fund during the period of the reduction.

Any surplus or deficit developing in the retirement reserve fund shall be adjusted from time to time by transfer to or from the contingent reserve fund by appropriate action by the board.

Section amended.

22. Section 43:14–19 of the Revised Statutes is amended to read as follows:

Employees who are subject to provisions.

43:14–19. All employees entering the classified civil service of the State on and after January first, one thousand nine hundred and twenty-two, shall be subject to the provisions of this chapter. Upon the employment of a person to whom this chapter may apply, his employer shall inform him of his duties and obligations under this chapter as a condition of his employment.

Section amended.

23. Section 43:14–22 of the Revised Statutes is amended to read as follows:

Management of funds, investments, interest.

43:14–22. The members of the board of trustees shall be the trustees of the funds created by this chapter and may invest them in the bonds of the several school districts of this State, or in the bonds of the United States, this State, or any county or municipality of this State. No investment shall be made in the bonds of any municipality the total indebtedness of which, including the school debt, shall exceed thirty per centum (30%) of the assessed valuation of all the real and personal property therein; but in ascertaining the total indebtedness, credit shall be allowed only for such moneys or property as shall be in the sinking fund. No investment shall be made in the bonds of any county the total indebtedness of which shall exceed in the aggregate fifteen per centum (15%) of the total assessable valuation of all taxable property therein. Subject to like terms, conditions, limitations and restrictions, the trustees may hold, purchase, sell, assign, transfer or dispose of any of the securities and investments in which any of the funds created by this chapter shall have been invested as well as of the proceeds of the investments and any moneys belonging to the fund.

The board of trustees at the end of each year shall allow interest on the balance of each of the

funds as of the beginning of the year, with the exception of the expense fund, at the regular interest rate applicable thereto to cover the interest creditable to the respective funds for the year. The amounts so allowed shall be due and payable to the funds and shall be credited annually thereto by the board.

Section amended.

24. Section 43:14–26 of the Revised Statutes is amended to read as follows:

Obligations of State, basis of State's appropriation.

43:14–26. Regular interest charges payable, the creation and maintenance of reserves in the contingent reserve fund, the maintenance of retirement reserves as provided for in this chapter and the payment of all retirement allowances and other benefits granted by the board of trustees under the provisions of this chapter are hereby made obligations of the State. All income, interest and dividends derived from deposits and investments authorized by this chapter shall be used for the payment of these obligations of the State.

Upon the basis of each actuarial determination and appraisal provided for in this chapter, the board of trustees shall prepare and submit to the Governor in each year an itemized estimate of the amounts necessary to be appropriated by the State to the various funds to provide for payment in full during the ensuing fiscal year of the obligations of the State accruing during that year. The Legislature shall make an appropriation sufficient to provide for such obligations of the State. The amounts so appropriated shall be paid into the various funds created by this chapter.

Section amended.

25. Section 43:14–27 of the Revised Statutes is amended to read as follows:

Computing service for retirement purposes, rules and regulations.

43:14–27. In computing for retirement purposes the total service of a member about to be retired, the board of trustees shall credit him with the time of all service rendered by him to the State since he last became a member, and in addition if a service certificate heretofore issued to him is in full force and effect, with all the service certified on the certificate, and with no other service. A service

certificate or modified service certificate, shall be final and conclusive for retirement purposes as to service certified therein, unless in any four-year period which elapses subsequent to its issuance the member to whom it was issued fails to render to the State two additional years of service, in which case it shall be void.

For the purpose of computing service for retirement purposes, the board shall fix and determine by appropriate rules and regulations how much service in any year shall equal a year of service and part of a year of service. Not more than one year shall be credited for all service in a calendar year. In computing the service or in computing final compensation, no time during which a member was absent on leave without pay shall be credited, unless such leave of absence was for three months or less, or unless the service was allowed for retirement purposes, both by the head of the department, or other branch of the State service not included in a department in which the member was employed, and the board of trustees. Any such member shall be required to contribute, either in a lump sum or by installment payments, an amount calculated, in accordance with the rules and regulations of the board of trustees, to cover the contributions he would have paid for any service or compensation credited for the period of such official leave of absence without pay.

Section amended.

26. Section 43:14–29 of the Revised Statutes is amended to read as follows:

Withdrawal or death allowances.

43:14–29. A member who withdraws from service or ceases to be an employee for any cause other than death or retirement shall receive all, or such part as he demands, of the accumulated deductions standing to the credit of his individual account in the annuity savings fund. Except as provided for in section 43:14–2.2 of this Title, he shall cease to be a member two years from the date he discontinued service as an employee, or, if prior thereto, upon the date when payment to him on demand of his accumulated deductions exceeds one-half of the

accumulated deductions. The board of trustees may, in its discretion, withhold, for not more than one year after a member ceases to be an employee, all or part of his accumulated deductions, if he previously withdrew from the annuity savings fund all or part of his accumulated deductions and failed to redeposit that amount to the credit of his individual account in the fund.

Should a member resign after having completed twenty-five years of service, before reaching service retirement age, he may elect to receive, in lieu of the payment provided for above, an annuity which is the actuarial equivalent of his accumulated deductions, and in addition a pension which when added to the annuity will produce a total retirement allowance of one-seventieth of his final compensation for each year of service credited as Class A service and one-sixtieth of his final compensation for each year of service credited as class B service, reduced by one-half per centum (½%) for each month that the member lacks of being age sixty, and with the optional privileges provided for in section 43:14–38 of the Revised Statutes.

If a contributor dies before retirement his accumulated deductions shall be paid to such person as he shall have nominated by written designation duly executed and filed with the board of trustees; or should such beneficiary not survive him to the executor or administrator of his estate; *provided, however,* if there is no beneficiary nor executor or administrator of his estate, payment may be made after the expiration of thirty days from the death of the member to such person or persons related to such member by blood or by marriage as may appear in the judgment of the board of trustees to be equitably entitled thereto.

Proviso.

Notwithstanding the foregoing provision, the widow of a contributor with credit for twenty or more years of total service who dies before retirement and on whose account no benefit is payable under the provisions of section 43:14–37 of this

Title as the result of death in active service in the actual performance of duty, may, if she is the person duly designated to receive the contributor's accumulated deductions, elect to receive in lieu thereof an annuity payable to her which shall be the actuarial equivalent of such accumulated deductions and a pension which shall be equal to such annuity, but the said pension element shall in no case exceed four hundred twenty dollars ($420.00) a year; *provided, further,* that such widow may elect to receive not more than one-half of such accumulated deductions in a lump sum, in which event the annuity payable to her shall be the actuarial equivalent of such accumulated deductions not paid in a lump sum, but the amount of the pension otherwise payable shall not be changed thereby. If the member has not had twenty years of service or if such person as he shall have nominated is other than a widow, such person as he shall have nominated may elect to receive the amount of accumulated deductions payable in one sum or in equal installments as an annuity certain over a period of years or as a life annuity, using regular interest for computing such installments.

Proviso.

27. Section 43:14–32 of the Revised Statutes is amended to read as follows:

Section amended.

43:14–32. Once each year the board of trustees may, and upon his application shall, require any disability beneficiary who is under the age of sixty years to undergo medical examination by a physician or physicians designated by the board. The examination shall be made at the residence of the beneficiary or any other place mutually agreed upon. If the physician or physicians thereupon report and certify to the board that the disability beneficiary is not totally incapacitated either physically or mentally for the performance of duty and that he is engaged in or is able to engage in a gainful occupation, and if the board concurs in the report, then the amount of his pension shall be reduced to an amount which, when added to the amount then earnable by him, shall not exceed the

Annual examination of disability beneficiary.

amount of his final compensation. If subsequent medical examination of such a beneficiary shows that his earning capacity has changed since the date of his last examination, then the amount of his pension may be further altered; but the new pension shall not exceed the amount of pension originally granted or an amount which, when added to the amount earnable by the beneficiary, shall not exceed the amount of his final compensation.

If a disability beneficiary, while under age of sixty years, refuses to submit to at least one medical examination in any year by a physician or physicians designated by the board, his pension shall be discontinued until withdrawal of his refusal, and if his refusal continues for one year, all his rights in and to the pension shall be forfeited.

Upon application to the head of the department in which he was employed at the time of his retirement, any beneficiary, while under the age of sixty years, may, in the discretion of the head of the department, be restored to active service as an employee. No disability beneficiary entering the employ of the State shall be compelled or permitted to become a member of the State Employees' Retirement System, or to receive any benefits other than those previously awarded to him, as long as his annual rate of compensation is less than his final compensation at the time of his retirement. Any beneficiary under the age of sixty years, who is restored to active service at an annual rate of compensation equal to or greater than his final compensation at the time of his retirement, or whose annual rate of compensation is increased at any time after his restoration to service, to a rate equal to or greater than his final compensation at the time of his retirement, shall thereupon again become a member of the retirement system. His retirement allowance shall be canceled, and notwithstanding anything in this chapter to the contrary, his annuity reserve shall be transferred from the retirement reserve fund to his individual account in the annuity savings

fund. Deductions shall be made from his compensation at the rate applicable to him prior to his retirement. Any service certificate on the basis of which his service was computed at the time of his retirement shall be restored to full force and effect, and he shall be credited with all service as a member standing to his credit at the time of his retirement; except that such a beneficiary again becoming a member after having attained the age of fifty years shall receive a pension on subsequent retirement based on all his service as a member since his last return to membership, and in addition he shall receive a pension equal to the pension on which he was retired at the time of his last retirement, but the total pension upon subsequent retirement shall not be a greater proportion of his final compensation than the proportion to which he would have been entitled had he remained in service during the period of his prior retirement.

Section amended.

28. Section 43:14–33 of the Revised Statutes is amended to read as follows:

Allowance on ordinary disability retirement.

43:14–33. A member upon retirement for ordinary disability 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;

b. A pension which, when added to the annuity, will produce a total retirement allowance of nine-tenths of the sum of one-seventieth of his final compensation for each year of service credited as class A service and one-sixtieth of his final compensation for each year of service credited as class B service; *provided, however,* that in no event shall the allowance be based upon less than seenteen years of service, unless the member would have had less than seventeen years of service at age sixty, in which event he shall be given credit for the years to age sixty.

Proviso.

Section amended.

29. Section 43:14–35 of the Revised Statutes is amended to read as follows:

Retirement for age.

43:14–35. Retirement from service shall be as follows:

a. A member who shall have reached sixty years of age may retire from service by filing with the board of trustees a written statement, duly attested, stating at which time subsequent to the execution and filing thereof he desires to be retired. The board of trustees shall retire him at the time specified or at such other time within thirty days after the date so specified as the board finds advisable.

b. A member who shall have reached seventy years of age shall be retired by the board for service forthwith, or at such time within ninety days thereafter as it deems advisable, except that an employee reaching seventy years of age may be continued in service from time to time upon written notice to the board of trustees by the head of the department where the employee is employed.

Section amended.

30. Section 43:14–36 of the Revised Statutes is amended to read as follows:

Allowance on service retirement.

43:14–36. A member, upon retirement for service, shall receive a retirement allowance consisting of:

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

b. A pension which, when added to the annuity, will produce a retirement allowance of one-seventieth of his final compensation for each year of service credited as class A service and one-sixtieth of his final compensation for each year of service credited as class B service.

c. If in the case of a member who is age sixty or over on June thirtieth, one thousand nine hundred and fifty-three, who if he retired immediately, would have an annuity in excess of one one-hundred-fortieth of his final compensation for each year of membership service credited as a class A member and one one-hundred-twentieth of his final

compensation for each year of membership service credited as a class B member, the amount of such excess annuity determined as of such date shall not be used in determining the pension on immediate or subsequent retirement.

31. Section 43:14–39 of the Revised Statutes is repealed. Section repealed.

32. Chapter two hundred of the laws of one thousand nine hundred and forty-six is repealed. C. 43:14-40.1. Section repealed.

33. Section 43:14–44 of the Revised Statutes is repealed. Sections repealed.

34. Section 43:14–48 of the Revised Statutes is repealed.

35. Chapter fifty of the laws of one thousand nine hundred and thirty-nine is repealed. C. 43:14-49 to C. 43:14-56. Chapter repealed.

36. This act shall take effect July first, one thousand nine hundred and fifty-three. Note: Act effective.

Approved May 7, 1953.

CHAPTER 158

AN ACT to relocate, fix and establish the boundary line between the borough of Collingswood and the township of Haddon, in the county of Camden and State of New Jersey, and to fix and determine the respective rights and liabilities of the said municipalities by reason of such relocation of said boundary line.

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

1. The boundary line between the borough of Collingswood and the township of Haddon, in the county of Camden and State of New Jersey, be and the same is hereby relocated, fixed and estab- Boundary line fixed.

lished so that the following-described line will constitute such boundary line, viz.:

Description.

Beginning at a point in the center line of the Pennsylvania and Reading Seashore Lines (Philadelphia and Atlantic City Railroad) Right-of-way in the division line between the City of Camden and the Township of Haddon, said point being 70.00 feet more or less Northwardly from the extended center line of Grand Avenue and extending; thence Southwardly, along the center line of said Railroad Right-of-way 1840.00 feet more or less to a point in the center line of the Main Branch of Newton Creek, which is a common corner to the Township of Haddon, the Borough of Oaklyn and the Borough of Collingswood.

Beginning at a point in the center line of Newton Creek, common corner to the Township of Haddon, the Borough of Oaklyn and the Borough of Collingswood, which point is on the Northeasterly extension of a line lying parallel to and 15.00 feet Northwestwardly from the Southeasterly line of Clinton Avenue and extending; thence (1) Southwardly, Southeastwardly and Eastwardly 1440.00 feet more or less to the center line of Lees Lane; thence (2) Northwardly, and Northeastwardly, along the center line of Lees Lane 1710.00 feet more or less to a point; thence (3) Southeastwardly, along a line parallel to and 175.00 feet Southwestwardly from the Southwesterly line of Linwood Avenue 78.00 feet more or less to a point in the Northerly corner of Lot 19, Block E as shown on "Plan of Collingswood Manor, Haddon Twp., Camden County, N. J., dated February 1923"; thence (4) continuing Southeastwardly along the Northeasterly line of Lots 19, 18, 17, 16, 15, 14, 13, 12, 11 and 10 and partly along the Northeasterly line of Lot 9, Block E, of said Plan 545.00 feet more or less to a point in a corner of said Lot 9; thence (5)

Northeastwardly along the Northwesterly line of Lot 9, 25.00 feet to a point corner to same; thence (6) Southeastwardly, along a line parallel to and 150.00 feet Southwestwardly from the Southwesterly line of Linwood Avenue 50.00 feet to a point in the Southerly corner of land of George Stevenson; thence (7) Northeastwardly along Stevenson's Southeasterly line 175.00 feet to a point in the center line of Linwood Avenue; thence (8) Southeasterly along the center line of Linwood Avenue 565.00 feet more or less to a point in the extended Northwesterly line of Lot 1, Block A, of aforementioned Plan; thence (9) Northeastwardly along the extended and the Northwesterly line of said Lot 1,200.00 feet more or less to a point in the Northerly corner of said Lot 1; thence (10) Southeastwardly along the Northeasterly lines of Lots 1, 2 and 3, Block A, crossing Ogden Avenue and along the Northeasterly lines of Lots 1 to 8, inclusive, Block B of said Plan, and partly along the Northeasterly line of Lot 9, Block B, 635.00 feet more or less to a point; thence (11) Northeastwardly, along a line parallel to and 161.29 feet Northwestwardly from the Northwesterly line of Cuthbert Boulevard (formerly Cuthbert Road) 200.00 feet more or less to a point in the center line of Stokes Avenue 198.29 feet to a point in the old center line of Cuthbert Road; thence (13) Northeastwardly, along the old center line of Cuthbert Road 1430.00 feet more or less to the center line of Haddon Avenue; thence (14) Northeastwardly, along the center line of Haddon Avenue 240.00 feet more or less to a point in the Southerly extension of the Westerly line of the "Plan of the French Estates, dated January 1923"; thence (15) Northwestwardly, along said extended line and the Westerly line of the French Estates, 950.00 feet more or less to a point lying midway between Addison Avenue and Penn Ave-

nue; thence (16) Northeastwardly, parallel with and midway between Addison Avenue and Penn Avenue 54.00 feet more or less to a point in the Southeasterly corner of land of Jasper Geary; thence (17) Northwestwardly, along the Southwesterly line of Geary 150.00 feet to a point in the center line of Penn Avenue; thence (18) Northeastwardly, along the center line of Penn Avenue 130.00 feet more or less to a point in the Southeasterly extension of the Southwesterly line of land of Ida E. Dewees; thence (19) Northwestwardly, along the said extended line and the Southwesterly line of land of Dewees 125.00 feet to a point; thence (20) Northeastwardly, along a line parallel to Penn Avenue 125.00 feet more or less to a point in the center line of Oriental Avenue; thence (21) Northwestwardly, along the center line of Oriental Avenue 225.00 feet to the center line of Linden Avenue; thence (22) Northeastwardly, along the center line of Linden Avenue 135.00 feet more or less to a point in the Westerly line of "Plan E. of French Estates dated December, 1925"; thence (23) Northwestwardly, along the French Estates line 315.00 feet more or less to a point in the South corner of Lot No. 77 of said Plan E; thence (24) Northeastwardly, along the Southeasterly line of said Lot 77 and along the Southeasterly line of Lot 76, 178.92 feet more or less to a point corner to land of one R. DeCherchio; thence (25) Northwestwardly, along DeChercio's line and extension thereof 230.00 feet more or less to the center line of Homestead Avenue; thence (26) Northeastwardly, along the center line of Homestead Avenue 240.00 feet more or less to the center line of Lawnside Avenue; thence (27) Southwestwardly, along the center line of Lawnside Avenue 150.00 feet more or less to a point in the Westerly line of the French Estates; thence (28) Northwestwardly, along the French Es-

tates line and crossing Fern Avenue 445.00 feet more or less to a point in the Southwesterly corner of the Earl R. Lippincott Realty Company, known as the Bluebird Tract; thence (29) Northwestwardly, along the Bluebird Tract lines 2020.00 feet more or less to a point; thence (30) Southwestwardly, along a line parallel with and 175.00 feet Northwestwardly from the Northwesterly line of King Avenue 270.00 feet more or less to a point in the Northeasterly line of Center Street; thence (31) Northwestwardly, along the Northeasterly line of Center Street 350.00 feet more or less to the center line of Cooper River.

Portions annexed to respective municipalities.

2. Such portions of the land situate in the said township of Haddon are hereby set off therefrom and annexed to and included in the said borough of Collingswood, and such portions of the land situate in the said borough of Collingswood are hereby set off therefrom and annexed to and included in the said township of Haddon, as are necessary to relocate, fix and establish the boundary line at the location aforesaid between the said borough and township.

Disposition of taxes and moneys.

3. All sums of money that may be collected on account of unpaid taxes, apportioned to the effective date of this act, now on or against the said portions of land set off from the said township of Haddon and annexed to the said borough of Collingswood by this act, or on account of unpaid assessments now on or against the said portions of land, shall be and remain the property of the said township of Haddon; but the said borough of Collingswood shall not be responsible or liable for the collection or payment of such unpaid taxes or assessments.

Disposition of taxes and moneys.

4. All sums of money that may be collected on account of unpaid taxes, apportioned to the effective date of this act, now on or against the said portions of land set off from the said borough of Collingswood and annexed to the said township of Haddon

by this act, or on account of unpaid assessments now on or against the said portions of land, shall be and remain the property of the said borough of Collingswood; but the said township of Haddon shall not be responsible or liable for the collection or payment of such unpaid taxes or assessments.

Fiscal effect on Haddon township.

5. The said township of Haddon shall not be required to surrender any of its assets, shall not be relieved of any of its indebtedness or liabilities, shall not become entitled to any of the assets of the said borough of Collingswood, and shall not be responsible or liable for any of the indebtedness or liabilities of the said borough of Collingswood, on account or by reason of the relocating, fixing and establishing of said boundary line or the setting off and annexation of land effected by this act.

Fiscal effect on borough of Collingswood.

6. The said borough of Collingswood shall not be required to surrender any of its assets, shall not be relieved of any of its indebtedness or liabilities, shall not become entitled to any of the assets of the said township of Haddon, and shall not be responsible or liable for any of the indebtedness or liabilities of the said township of Haddon, on account or by reason of the relocating, fixing and establishing of said boundary line or the setting off and annexation of land effected by this act.

7. This act shall take effect immediately.

Approved May 7, 1953.

CHAPTER 159

AN ACT concerning workmen's compensation, and amending section 34:15–13 of the Revised Statutes.

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

1. Section 34:15–13 of the Revised Statutes is amended to read as follows: Section amended.

34:15–13. In case of death, compensation shall be computed, but not distributed, on the following basis: Death, rate of compensation.

a. For one dependent, thirty-five per centum (35%) of wages.

b. For two dependents, forty per centum (40%) of wages.

c. For three dependents, forty-five per centum (45%) of wages.

d. For four dependents, fifty per centum (50%) of wages.

e. For five dependents, fifty-five per centum (55%) of wages.

f. For six or more dependents, sixty per centum (60%) of wages.

g. The term "dependents" shall apply to and include any or all of the following who are dependent upon the deceased at the time of accident or the occurrence of occupational disease, or at the time of death, namely: Husband, wife, parents, 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. Dependency shall be conclusively presumed as to the decedent's widow and natural children under eighteen years of age who were actually a part of the decedent's household at the

time of his death. Every provision of this article applying to one class shall be equally applicable to the other. Should any dependent of a deceased employee die during the period covered by such weekly payments or should the widow of a deceased employee remarry during such period, the right of such dependent or of such widow to compensation under this section shall cease. The foregoing schedule applies only to persons wholly dependent, and in the case of persons only partially dependent, except in the case of the widow and children who were actually a part of the decedent's 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 ($10.00) minimum shall not apply to such compensation. In determining the number of dependents, where the deceased employee was a minor, the number of persons dependent upon the deceased employee shall be determined in the same way as if the deceased employee were an adult, notwithstanding any rule of law as to the person entitled to a minor's wages.

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 Division of Workmen's Compensation, 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.

i. If death results from the accident or occupational disease, whether there be dependents or not, expenses of the last sickness of the deceased employee shall be paid in accordance with the provisions for medical and hospital service as set forth in section 34:15–15 of this Title. Also the cost of

burial, not to exceed two hundred and fifty dollars ($250.00), shall be paid to the dependent or other person having paid said costs of burial. In the event that the said dependent or other person has paid less than two hundred and fifty dollars ($250.00) the said dependent or other person shall be reimbursed in the amount paid and, if the costs of burial exceed the amount so paid, the difference between the said amount and two hundred and fifty dollars ($250.00) or so much thereof as may be necessary to pay the costs of burial, shall be paid to the undertaker or embalmer. In the event that no part of the costs of burial has been paid, the amount of such cost of burial, not to exceed two hundred and fifty dollars ($250.00), shall be paid to the undertaker or embalmer.

j. In computing compensation to those named in this section, except husband, wife, parents and stepparents, only those under eighteen or over forty years of age shall be included and then only for that period in which they are under eighteen or over forty; *provided, however,* that payments to such physically or mentally deficient persons as are for such reason dependent shall be made during the full compensation period of three hundred weeks. Proviso.

k. The maximum compensation in case of death shall be thirty dollars ($30.00) per week and the minimum ten dollars ($10.00) per week, except in the case of partial dependency as provided in this section. This compensation shall be paid during three hundred weeks and if at the expiration of three hundred weeks there shall be one or more dependents under eighteen years of age compensation shall be continued for such dependents until they reach eighteen years of age at the schedule provided under paragraphs "a" to "f" of this section.

2. This act shall take effect July first, one thousand nine hundred and fifty-three. Note: Act effective.

Approved May 15, 1953.

CHAPTER 160

AN ACT concerning education relating to certain newly-created school districts, and amending section 18:5–5 of the Revised Statutes.

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

Section amended.

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

School in new district, control for current year, name of new district.

18:5–5. (a) The board of education of the district from which the newly-created district was set off, hereinafter referred to as the original district, shall have control of all the schools and schoolhouses in both the newly-created district and in the remainder of the original district, hereinafter referred to as the remainder district, and shall out of the appropriations theretofore granted the board of education of the original district pay the salaries of the teachers, janitors and other persons employed therein, until the end of the then current school year. At the end of the current school year, all books, documents and records shall be turned over to the board of education of the new district or the remainder district, whichever has the larger or largest amount of taxable property as ascertained from the last published report of the Director, Division of Taxation in the Department of the Treasury.

(b) Whenever a new district is created under Revised Statutes, Title 18, article five, section three, the members of the board of education of the original district who reside in the area of the newly-created district shall be members of the board of education of the newly-created district and the members of the board of education of the original district who reside in the area not set off to the newly-created district shall be members of the board of education of the remainder district. In

each case such members shall continue in office as members of the respective boards until the date or dates when their respective terms of office would have expired as members of the board of education of the original district. The county superintendent of schools shall appoint such additional members of the board of education of the newly-created district as shall be required to complete the full membership of the board of education for that district, and shall likewise appoint such additional members of the board of education of the remainder district as shall be required to complete the full membership of the board of education for that district. In each case such appointees shall serve only until the next election in the district for members of the board of education.

(c) The name of the newly-created district shall be "The Board of Education of the (township, town, borough or city, as the case may be, wherein the school district is situate) of (here insert the name of the municipality) in the county of..... ....." and the name of the remainder district shall be "The Board of Education of the (township, town, borough or city, as the case may be, wherein the school district is situate) of (here insert the name of the municipality) in the county of .....".

2. This act shall take effect immediately.

Approved May 15, 1953.

CHAPTER 161

AN ACT concerning education relating to certain newly-created school districts, and amending section 18:7–10 of the Revised Statutes.

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

Section amended.

1. Section 18:7–10 of the Revised Statutes is amended to read as follows:

New district may elect three, five, seven or nine members.

18:7–10. Whenever a new district, except a regional school district, or a consolidated school district or a new district created under the terms of section 18:5–3 of the Revised Statutes is created there shall be placed upon the official ballot to be voted upon, at the first annual school meeting, the question whether the board shall consist of three, five, seven or nine members.

The balloting for board members shall take place as if nine members were to be elected, three for terms of three years, three for terms of two years, and three for terms of one year.

If it shall be determined as a result of the balloting that the board shall consist of nine members, the three candidates receiving the highest number of votes for each of said terms shall be declared elected.

If it shall be determined that the board shall consist of seven members, the three candidates receiving the highest number of votes for the three-year terms, the two candidates receiving the highest number of votes for the two-year terms, and the two candidates receiving the highest number of votes for the one-year term shall be declared elected.

If it shall be determined that the board shall consist of five members, the two candidates receiving the highest number of votes for the three-year terms, the two candidates receiving the highest

number of votes for the two-year terms, and the candidate receiving the highest number of votes for the one-year term shall be declared elected.

If it shall be determined that the board shall consist of three members, each candidate receiving the highest number of votes for each of the terms shall be declared elected.

Annually thereafter there shall be elected a person or persons for the term of three years in the place of the member or members whose terms shall have expired.

2. This act shall take effect immediately.

Approved May 15, 1953.

CHAPTER 162

AN ACT relating to county bridge commissions, and amending section 27:19–36 of the Revised Statutes.

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

1. Section 27:19–36 of the Revised Statutes is amended to read as follows: Section amended.

27:19–36. The commission shall operate, manage and control the bridges under its charge in their entirety, fix the rate of tolls, establish rules and regulations for the use of such bridges and provide penalties for the failure to pay such tolls, and for violation of such rules and regulations, in the use of such bridges, provide for the lighting and policing thereof, select such employees as are deemed necessary and fix their compensation, make necessary repairs and provide maintenance, and insure the bridges and all property connected therewith against every manner of loss or injury. Powers and duties of bridge commission.

By resolution of its board of chosen freeholders, any county may covenant and agree with any bridge commission as to the laying out or continuance of use and maintenance of any road or highway connecting with or contributing vehicular traffic to any bridge or approach of the commission or connecting two or more such bridges, and any county which created such commission or consented to the acquisition or construction of any such bridge or approach may covenant and agree with such commission for the maintenance and operation by such county of any such road or highway or any such approach or any part thereof, or for the payment by such county of all or any part of the expense of such maintenance and operation. Every such covenant or agreement by a county shall be and constitute a valid and legally binding obligation of the county and shall be deemed to be made with or for the benefit of, and shall be enforceable by, the holder or holders of any bonds, notes or other evidences of indebtedness of such commission, as well as by such commission.

2. This act shall take effect immediately.

Approved May 15, 1953.

CHAPTER 163

AN ACT concerning hospital, physicians and dentist liens, providing a method for their enforcement, and amending sections 2A:44–36, 2A:44–39, 2A:44–40, 2A:44–41, 2A:44–42, 2A:44–43, 2A:44–44 and 2A:44–46 of the New Jersey Statutes.

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

1. Section 2A:44–36 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:44–36. Every hospital in this State, and every licensed physician or dentist practicing in this State, shall have a lien in the manner set forth in this article for services rendered, by way of treatment, care or maintenance after, to any person who shall have sustained personal injuries in an accident as a result of the negligence or alleged negligence of any other person. Hospital and physician to have a lien.

2. Section 2A:44–39 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:44–39. The amount of the lien of the physician or dentist for services rendered to a person as a result of an accident shall be based on the reasonable value thereof, but not to exceed twenty-five per centum (25%) of the amount of any award, report, decision, judgment or settlement to the injured person. Amount of lien.

3. Section 2A:44–40 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:44–40. No hospital, physician or dentist shall be entitled to a lien under this article where the person was injured as a result of an accident coming within the scope of any workmen's compensation law. Application of article.

Section amended.

4. Section 2A:44–41 of the New Jersey Statutes is amended to read as follows:

Notice of lien, filing, indexing.

2A:44–41. No hospital, physician or dentist shall be entitled to a lien under this article, unless a notice in writing containing the name and address of the injured person, the date and location of the accident, the date of the first treatment, care or maintenance, the name and address of the hospital, physician or dentist, and, if ascertainable by reasonable diligence, the names and addresses of the persons alleged to be liable for damages sustained by such injured person, shall be filed in the office of the county clerk of the county in which such injuries shall have occurred, prior to the payment of any moneys to such injured person or his legal representatives as damages for such injuries, but in no event later than ninety days after the accident.

Every county clerk shall, at the expense of the county, provide a suitable, well-bound book, to be called the hospital lien docket and a similar book to be called the physician and dentist lien docket and shall enter therein respectively any liens claimed under this article.

As to each claim filed there shall be entered in the proper book the name of the injured person, the date of the accident, the name of the hospital, physician or dentist making the claim, as the case may be, and the name of the person alleged to be responsible for the injury.

The county clerk shall make a proper index for each book in the name of the injured person. The county clerk shall for filing each notice of a lien claim, and for each search in his office, receive the fees fixed by law.

Section amended.

5. Section 2A:44–42 of the New Jersey Statutes is amended to read as follows:

Notice to injured person liable for damage.

2A:44–42. Within ten days after the filing of the notice of lien, the hospital, physician or dentist shall send by registered mail or serve personally, a copy of such notice with a statement of the date

of the filing thereof to or upon the injured person and the person alleged to be liable for damages sustained by such injured person, if such name and address can be ascertained by reasonable diligence. If the hospital, physician or dentist shall neglect to give such notice where the name and address of the person injured or the person allegedly causing the injury are known or should be known, the lien shall be void.

Section amended.

6. Section 2A:44–43 of the New Jersey Statutes is amended to read as follows:

Release of claim, enforcement of lien.

2A:44–43. After the filing and service of the notice of lien, as provided by this article, no release of any judgment, claim or demand by the injured persons shall be valid or effectual as against such lien and the person making any payment to such injured person or his legal representatives, as compensation for the injuries sustained shall for a period of one year from the date of such payment, remain liable to the hospital, physician or dentist for the amount of the lien and any such hospital, physician or dentist within such period may enforce such lien by action against the person making any such payment. In any such action the defendant may contest the charges by the hospital, physician, or dentist, if not in accordance with this article.

Section amended.

7. Section 2A:44–44 of the New Jersey Statutes is amended to read as follows:

Statement by physician of injuries and amount.

2A:44–44. Any person legally liable or against whom a claim is asserted, or his representative, for damages for injuries sustained shall, upon written request, be furnished by any physician or dentist asserting a lien under this article with a statement of the injuries sustained by the injured person and an itemized statement of the charges and services rendered to date. Failure of a physician or dentist to provide such statement shall constitute a valid defense in an action brought to enforce a lien under this article.

Section amended.

Certificate of payment or release filed.

8. Section 2A:44–46 of the New Jersey Statutes is amended to read as follows:

2A:44–46. Any hospital, physician or dentist having filed a lien under this article, shall upon payment or release thereof, file or cause to be filed in the office of the county clerk wherein the lien is filed, a duly acknowledged certificate of such payment or release and authorizing the county clerk to discharge the lien. Thereupon such clerk shall file said certificate in the name of the injured person, and the lien shall be discharged. For this service the clerk shall be paid the fee fixed by law.

9. This act shall take effect immediately.

Approved May 15, 1953.

CHAPTER 164

AN ACT authorizing the New Jersey Highway Authority to establish, construct, acquire, maintain, repair and operate a project consisting of a ferry service for the transportation of persons and property between a point in Cape May county, New Jersey, and a point in Lewes, Delaware, together with terminal and other facilities appropriate thereto; providing for issuance of bonds or notes of the Authority and the terms and security thereof; providing for the collection of tolls and other charges to pay the cost of acquisition, construction, maintenance, repair and operation of such project and to pay such bonds and notes and the interest thereon; supplementing and amending "The New Jersey Highway Authority Act," approved April fourteenth, one thousand nine hundred and fifty-two (P. L. 1952, c. 16), and repealing the Cape May-Lewes Ferry Act of one thousand nine hundred and fifty-one (P. L. 1951, c. 15).

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

C. 27:12B-27. Cape May-Lewes Ferry Act of 1953.

1. This act shall be known as, and may be cited as the "Cape May-Lewes Ferry Act of 1953."

C. 27:12B-28. Highway authority authorized to establish, construct, operate, etc., Cape May-Lewes Ferry.

2. The New Jersey Highway Authority is hereby authorized to establish, construct, acquire, maintain, repair and operate a project, to be known as the "Cape May-Lewes Ferry," consisting of a ferry service for the transportation of passengers and freight between a point in Cape May county, New Jersey, and a point in Lewes, Delaware, together with terminal and other facilities appropriate thereto.

C. 27:12B-29. Project of authority.

3. The Cape May-Lewes Ferry shall be deemed to be a project for all purposes of the New Jersey Highway Authority Act (P. L. 1952, c. 16), which this act supplements and amends.

Section amended.

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

C. 27:12B-3. Terms defined.

3. As used in this act the following words and terms shall have the following meanings, unless the context shall indicate another or different meaning or intent:

(a) "Authority" means the New Jersey Highway Authority, created by section four of this act, or, if said Authority shall be abolished, the board, body or commission succeeding to the principal functions thereof or to whom the powers given by this act to the Authority shall be given by law.

(b) "Commissioner" means the State Highway Commissioner.

(c) "Department" means the State Highway Department.

(d) "Project" or "highway project" means any express highway, superhighway or motorway at such locations and between such termini as herein established or as may hereafter be established by law, and acquired or to be acquired or constructed or to be constructed under the provisions of this act by the Authority, over which abutters have no easement or rights of lift, air or direct access by reason of the fact that their properties abut

thereon, together with such adjoining park or recreational areas and facilities as the Authority, with the concurrence of the Department of Conservation and Economic Development, shall find to be necessary and desirable to promote the public health and welfare and feasible for development pursuant to this act, and shall include but not be limited to all bridges, tunnels, overpasses, underpasses, interchanges, traffic circles, grade separations, entrance plazas, approaches, toll houses, service areas, service stations, service facilities, communications facilities, and administration, storage and other buildings which the Authority may deem necessary for the operation of such project, together with all property, rights, easements and interests which may be acquired by the Authority for the construction or the operation of such project.

"Project" or "ferry project" also means a ferry service for the transportation of passengers and freight between such termini as are herein established or as may hereafter be established by law, and shall include but shall not be limited to ferries and other craft, bulkheads, docks, piers, wharves, warehouses, ferry terminals and stations, parking areas, service stations, service facilities, communication facilities and administration and other buildings which the Authority may deem necessary for the operation of such project, together with all property, rights, easements and interests, including land under water and riparian rights, which may be acquired by the Authority for the construction or operation of such project.

(e) "Bonds" or "revenue bonds" means bonds of the Authority authorized under the provisions of this act or any amendment thereof or supplement thereto.

(f) "Public highway" means and shall include any public highway, road or street in the State, whether maintained by the State or by any county, city, borough, town, township, village, or other political subdivision.

(g) "Feeder road" means any road which in the opinion of the Authority is necessary to create or facilitate access to a project.

(h) "Owner" means and shall include all individuals, copartnerships, associations, private or municipal corporations and all political subdivisions of the State having any title or interest in any property, rights, easements and interests authorized to be acquired by this act.

Section amended.

5. Section five of the act of which this act is amendatory is amended to read as follows:

C. 27:12B-5. Corporate body, powers.

5. The Authority shall be a body corporate and politic and shall have perpetual succession and shall have the following powers:

(a) To adopt by-laws for the regulation of its affairs and the conduct of its business;

(b) To adopt an official seal and alter the same at pleasure;

(c) To maintain an office at such place or places within or without the State as it may designate;

(d) To sue and be sued in its own name;

(e) To acquire, construct, maintain, repair and operate projects;

(f) To acquire, lease, build, improve, maintain and operate one or more ferry boats and other craft between a point in Cape May county, New Jersey, and a point in Lewes, Delaware, and to transport passengers and freight between said points by means of such boats;

(g) To acquire in co-operation with the Department of Conservation and Economic Development limited roadside areas adjoining said projects and transfer any or all of such areas to the Department of Conservation and Economic Development so that said department may maintain such areas as roadside parks;

(h) To issue bonds or notes of the Authority and to provide for the rights of the holders thereof as provided in this act;

(i) To fix and revise from time to time and charge and collect tolls or other charges for transit

over or use of any project acquired or constructed by it;

(j) To establish and enforce rules and regulations for the use of any project;

(k) To acquire, hold and dispose of real and personal property in the exercise of its powers and the performance of its duties under this act;

(l) To acquire in the name of the Authority by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exercise of the power of eminent domain, any land and other property, including land under water and riparian rights, within or without the State of New Jersey, which it may determine is reasonably necessary for any project or for the relocation or reconstruction of any public highway by the Authority under the provisions of this act or for the construction of any feeder road which the Authority is or may be authorized to construct and any and all rights, title and interest in such land and other property, including public lands, parks, playgrounds, reservations, highways or parkways, owned by or in which any county, city, borough, town, township, village, or other political subdivision of the State of New Jersey has any right, title or interest, or parts thereof or rights therein and any fee simple absolute or any lesser interest in private property, and any fee simple absolute in, easements upon, or the benefit of restrictions upon abutting property to preserve and protect projects;

(m) To locate and designate, and to establish, limit and control such points of ingress to and egress from each project as may be necessary or desirable in the judgment of the Authority to insure the proper operation and maintenance of such project, and to prohibit entrance to such project from any point or points not so designated;

(n) To take title or any lesser interest to any land or other property in the State of Delaware in any manner permitted by the laws of Delaware. Whenever such property located in the State of

Delaware cannot be acquired by the Authority in its name or in that of its nominee or trustee by agreement, and the Highway Department of the State of Delaware is willing to condemn such property for the use of the project if reimbursed by the Authority for the condemnation money or damages awarded in such condemnation and the expenses thereof, the Authority is authorized and empowered to enter into an agreement of reimbursement with the Highway Department of the State of Delaware for such condemnation money or damages and expenses and to secure the same by a deposit of cash or otherwise and to reimburse the Highway Department of the State of Delaware or other proper department or agency of the State of Delaware for all condemnation money or damages and costs legally awarded or incurred in such condemnation;

(o) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act;

(p) To construct, maintain, repair and operate any feeder road or any public highway connecting parts of a project or two or more projects which in the opinion of the Authority will increase the use of a project or projects, to take over for maintenance, repair and operation any existing public highway as a feeder road, and to realign any such existing public highway and build additional sections of road over new alignment in connection with such existing public highway;

(q) To appoint such additional officers (who need not be members of the Authority) and employ such consulting engineers, attorneys, accountants, construction and financial experts, superintendents, managers and other employees and agents as the Authority deems advisable and as may be necessary in its judgment; to fix their compensation; and to promote and discharge such officers, employees and agents; all without regard to the provisions of Title 11 of the Revised Statutes;

(r) To receive and accept from any Federal agency, subject to the approval of the Governor, grants for or in aid of the acquisition or construction of any project, and to receive and accept aid or contributions, except appropriations by the Legislature, from any source, of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made;

(s) To do all acts and things necessary or convenient to carry out the powers and duties expressly provided in this act; and

(t) To exercise all of the foregoing powers in the State of Delaware in so far as permitted by the laws of that State, and to apply to the authorities in the State of Delaware for all franchises, permits and licenses necessary to exercise such powers.

Nothing contained in this act shall be construed to authorize or empower the Authority to acquire State property by the exercise of the power of eminent domain.

C. 27:12B-30. Chapter 15, P. L. 1951 repealed.

6. The Cape May-Lewes Ferry Act of one thousand nine hundred and fifty-one (P. L. 1951, c. 15), is repealed.

7. This act shall take effect immediately.

Approved May 18, 1953.

CHAPTER 165

AN ACT to amend "An act relating to public health; providing for the establishment in the Executive Branch of the State Government of a State Department of Health, defining its organization, functions, powers and duties, providing thereby for the consolidation and co-ordination of public health activities; abolishing the offices of Perth Amboy Port health officer and deputy Perth Amboy Port health officer; transferring to, and vesting in said State Department of Health the functions, powers and duties of the Perth Amboy Port health officer and of the deputy Perth Amboy Port health officer, amending section 26:1–1, repealing sections 26:2–1 to 26:2–55, inclusive, 26:4–111, 26:4–114, 26:4–115, and supplementing Title 26 of the Revised Statutes," approved May twenty-second, one thousand nine hundred and forty-seven (P. L. 1947, c. 177).

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

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

Section amended.

C. 26:1A-7. State Sanitary Code, contents, publication, copies available.

7. The Public Health Council shall have power, by the affirmative vote of a majority of all its members, to establish, and from time to time amend and repeal, such reasonable sanitary regulations not inconsistent with the provisions of this act or the provisions of any other law of this State as may be necessary properly to preserve and improve the public health in this State. The regulations so established shall be called the State Sanitary Code.

The State Sanitary Code may cover any subject affecting public health, or the preservation and improvement of public health and the prevention of disease in the State of New Jersey. In addition thereto, and not in limitation thereof, said State Sanitary Code may contain sanitary regulations: (a) prohibiting nuisances hazardous to human health; (b) prohibiting pollution of any water supply; (c) regulating the use of privies and cesspools; (d) regulating the disposition of excremental matter; (e) regulating the control of fly and mosquito breeding places; (f) regulating the detection, reporting, prevention and control of communicable and preventable diseases; (g) regulating the conduct of public funerals; (h) regulating the conduct of boarding homes for children; (i) regulating the conduct of maternity homes and the care of maternity and infant patients therein; (j) regulating the conducts of camps; (k) regulating the production, distribution and sale of certified milk; (l) regulating the preparation, handling, transportation, burial or other disposal, disinterment and reburial of dead human bodies; and (m) prescribing standards of cleanliness for public eating rooms and restaurants.

Prior to the final adoption by the council of any sanitary regulation or amendment thereto or repealer thereof the council shall hold a public hearing thereon. The council shall cause to be published, at least once, not less than fifteen days prior to such hearing, in each of the counties of the State in a newspaper published in each of said counties, or if no newspaper be published in any such county, then in a newspaper circulated in such county, a notice of such hearing, specifying the time when and the place where such hearing will be held, together with a brief summary of the proposed regulation, amendment or repealer and a statement that copies of the text thereof may be obtained from the State Commissioner of Health or from the board of health of any municipality in the State.

The State Department of Health shall prepare and make available on request therefor, copies of the text of such proposed regulations and changes therein in the manner described in such public notice.

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

8. Every sanitary regulation or amendment thereto or repealer thereof adopted in accordance with the provisions of section seven of this act shall state the date on which it takes effect, and shall be published by the filing of a copy thereof, duly signed by the chairman of the council, in the office of the Secretary of State and the sending of copies thereof, by the commissioner, to each local board of health and to the clerk of each municipality within the State. Copies shall be printed in such manner as the Public Health Council may from time to time determine, the same to be made available to the public on request. The commissioner, or one of the division directors designated by him, shall, for a fee of one dollar ($1.00) each, furnish copies of the State Sanitary Code and its amendments certified by the chairman of the council and such certified copies shall be received in evidence in all court or other judicial proceedings in the State. C. 26:1A-8. Effective date, filing fees for copies.

3. This act shall take effect immediately.

Approved May 22, 1953.

CHAPTER 166

AN ACT concerning crimes, and amending sections 2A:85–8, 2A:85–9, 2A:85–12 and 2A:85–13 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:85–8 of the New Jersey Statutes is amended to read as follows:

Second offense, punishment.

2A:85–8. Any person convicted of a high misdemeanor under the laws of this State, or of a crime under the laws of the United States or any other State or country, which crime would be a high misdemeanor under the laws of this State, and who thereafter is convicted of a misdemeanor or a high misdemeanor under the laws of this State, may be sentenced to imprisonment in the State Prison for not more than double the maximum period for which he might have been sentenced for a first offense.

Conviction of two or more of such crimes or high misdemeanors charged in one indictment or accusation, or in two or more indictments or accusations consolidated for trial, shall be deemed to be only one conviction.

Section amended.

2. Section 2A:85–9 of the New Jersey Statutes is amended to read as follows:

Third offense, punishment.

2A:85–9. Any person twice convicted of high misdemeanors under the laws of this State, or of crimes under the laws of the United States or any other State or country, which crimes would be high misdemeanors under the laws of this State, and who thereafter is convicted of a misdemeanor or a high misdemeanor under the laws of this State, may be sentenced to imprisonment in the State Prison for not more than three times the maximum period for which he might have been sentenced for a first offense.

Conviction of two or more of such crimes or high misdemeanors charged in one indictment or accusation, or in two or more indictments or accusations consolidated for trial, shall be deemed to be only one conviction.

Section amended.

3. Section 2A:85–12 of the New Jersey Statutes is amended to read as follows:

Habitual criminal, punishment.

2A:85–12. Any person convicted on three separate occasions of high misdemeanors in this State, or of crimes under the laws of the United States or any other State or country, which crimes would be high misdemeanors under the laws of this State, or whose convictions for such offenses in this State or under the laws of the United States or any other State or country shall total three or more, and who thereafter is convicted of a misdemeanor or a high misdemeanor under the laws of this State, is hereby declared to be an habitual criminal, and the court in which such fourth or subsequent conviction is had, may impose upon the person so convicted a sentence in the State Prison for any term of years or for life.

Conviction of two or more of such crimes or high misdemeanors charged in one indictment or accusation, or in two or more indictments or accusations consolidated for trial, shall be deemed to be only one conviction.

Section amended.

4. Section 2A:85–13 of the New Jersey Statutes is amended to read as follows:

Procedure on sentencing repeating offenders.

2A:85–13. If at any time, before sentence, it shall appear that a person convicted of a misdemeanor or a high misdemeanor under the laws of this State has previously been convicted as set forth either in sections 2A:85–8, 2A:85–9 or 2A:85–12 of this Title, and it also appears to the court by whom such person is to be sentenced that the offenses resulting in such conviction are such as to warrant the imposition of a penalty greater than the maximum which may be imposed upon a person convicted of such misdemeanor or high misdemeanor who had not previously been convicted as aforesaid, then the court shall direct the prosecutor of the county

in which such conviction was had to file an accusation accusing the said person of such previous convictions. Whereupon, the court in which such conviction was had, shall cause the said person to be brought before it and shall inform him of the allegations contained in such accusation and of his right to be tried as to the truth thereof, and shall require such person to plead to the accusation. If such person refuses to plead or remains silent or pleads not guilty, a not guilty plea shall be entered and a jury shall be impanelled to inquire whether said person is guilty as outlined in sections 2A:85–8, 2A:85–9 and 2A:85–12 of this Title, respectively.

If the jury finds said person guilty or if he pleads guilty or non vult, the court may sentence him to the punishment prescribed in sections 2A:85–8, 2A:85–9 and 2A:85–12, as the case may be.

The said person shall have the right to waive, in writing, the trial by jury provided in this section, and if he shall do so, the court, in its discretion, may accept the waiver and try and decide the issue without a jury, and if the said person is found guilty, the court may impose the same sentence as though said person had been found guilty by the jury.

5. This act shall take effect immediately.

Approved May 22, 1953.

CHAPTER 167

AN ACT relating to the State Highway Department, and supplementing Title 27 of the Revised Statutes.

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

C. 27:1-16.2. Deputy State highway commissioner, designating, filing, revoking.

1. The State Highway Commissioner may designate as Deputy State Highway Commissioner one of the officers of the State Highway Department. Such designation shall be in writing and shall be filed with the Secretary of State. The Deputy State Highway Commissioner so designated shall, during the absence or inability to act, through sickness or other cause, of the State Highway Commissioner, have the same powers and perform all the duties which are conferred and imposed by law upon the State Highway Commissioner until the State Highway Commissioner shall return to duty. Any such designation may be revoked at any time by the State Highway Commissioner and a new designation made in writing similarly filed.

C. 27:1-16.3. State highway engineer to act.

2. If at any time there is no such designation in effect and on file with the Secretary of State, then the State Highway Engineer in the State Highway Department shall, during the absence or inability to act through sickness or other cause of the State Highway Commissioner, have the same powers and perform all the duties which are conferred and imposed by law upon the State Highway Commissioner until the State Highway Commissioner shall return to duty or make and file a designation as hereinabove authorized.

3. This act shall take effect immediately.

Approved May 26, 1953.

CHAPTER 168

AN ACT relating to certain persons holding the office, position or employment of clerk of the municipal court in boroughs.

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

C. 2A:8-13.1. Tenure and retirement.

1. Any person holding office, position or employment as clerk of the municipal court in any borough who has held such office, position or employment and the office, position or employment of clerk of the recorder's court in said borough continuously for ten years or more shall hold and continue to hold said office, position or employment during good behavior and shall not be removed therefrom for political or other reasons except for good cause, upon written charges and after a public, fair and impartial hearing; *provided, however,* that the governing body of the borough shall first pass a resolution by a majority vote of its members approving and authorizing the tenure of office herein provided, and that any such person may be retired when he shall have attained seventy years of age.

Proviso.

2. This act shall take effect immediately.

Approved May 26, 1953.

CHAPTER 169

AN ACT to amend "An act making certain bonds, notes, and instruments of the Port of New York Authority negotiable," approved April second, one thousand nine hundred and forty-seven (P. L. 1947, c. 45).

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

1. Upon the concurrence of the State of New York herein, in the manner indicated in section two hereof, the States of New Jersey and New York agree that section one of the act of which this act is amendatory is amended to read as follows: C. 7:5-11. Section amended.

1. Upon the concurrence of the State of New York herein, in the manner indicated in section two hereof, the States of New Jersey and New York agree that any bond, note or instrument heretofore or hereafter issued by the Port of New York Authority containing a provision that upon the happening of a specified event or events it shall be exchanged for or converted into a General and Refunding Bond, Consolidated Bond or Note or other negotiable bond, note or instrument of the Port of New York Authority shall, notwithstanding such provision, be and be deemed to be also a negotiable instrument under the law of each State; *provided,* that it conforms in all other respects to the requirements for negotiable instruments under the law of such State. Bonds and notes negotiable. Proviso.

2. This act shall take effect upon the enactment into law by the State of New York of legislation having an identical effect with this act, but if the State of New York shall have already enacted such legislation this act shall take effect immediately. Note: Act effective.

Approved May 29, 1953.

CHAPTER 170

AN ACT prescribing proceedings and penalties for violations of a rule and regulation of the Port of New York Authority relating to smoking at, on or in air or marine terminals owned or operated by the Port of New York Authority within the State of New Jersey.

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

C. 32:1-146.4. Rules and regulation concerning smoking, enforcement.

1. The Port of New York Authority (hereinafter called the "Port Authority") having duly adopted the following rule and regulation, hereinafter set forth in this section, in relation to smoking at, on, or in air terminals and marine terminals operated by it within the territorial limits of the State of New Jersey, the penalties and procedures for its enforcement prescribed in section two shall apply to violations thereof.

(1) No person shall smoke, carry or possess a lighted cigarette, cigar, pipe, match or other lighted instrument capable of causing naked flame in or about any area, building or appurtenance of an air terminal, owned or operated by the Port Authority, or in or upon any area, bulkhead, dock, pier, wharf, warehouse, building, structure, or shed of a marine terminal, owned or operated by the Port Authority, where smoking has been prohibited by the Port Authority and where appropriate signs to that effect have been posted, or on the open deck of any ship, lighter, carfloat, scow or other similar floating craft or equipment when berthed or moored at such dock, wharf, pier or to a vessel made fast thereto.

C. 32:1-146.5. Violations, penalties, trial, procedure.

2. Any violation within the State of the rule and regulation set forth in section one hereof shall be punishable, for a first offense, by a fine of not more than fifty dollars ($50.00) or imprisonment for not

more than thirty days or by both such fine and imprisonment; for a second offense, by a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) or imprisonment for not more than sixty days or by both such fine and imprisonment; for a third or any other subsequent offense, by a fine of not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00) or by imprisonment for not more than sixty days or by both such fine and imprisonment. Such a violation shall be tried in a summary way and shall be within the jurisdiction of and may be brought in the county district court, or any criminal judicial district court, municipal court, or existing police, magistrate's or recorder's court, in the county where the offense was committed. The rules of the Supreme Court shall govern the practice and procedure in such proceedings. Proceedings under this section may be instituted on any day of the week, and the institution of the proceedings on a Sunday or a holiday shall be no bar to the successful prosecution thereof. Any process served on a Sunday or a holiday shall be as valid as if served on any other day of the week.

3. This act shall take effect immediately.

Approved May 29, 1953.

CHAPTER 171

AN ACT prescribing proceedings and penalties for violations of certain rules and regulations of the Port of New York Authority relating to peddling, soliciting of business, entertaining, begging or loitering at, on or in air, bus or marine terminals owned or operated by the Port of New York Authority within the State of New Jersey.

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

C. 32:1-146.6. Rules and regulations, peddling, begging, loitering, enforcement.

1. The Port of New York Authority (hereinafter called the "Port Authority") having duly adopted the following rules and regulations, hereinafter set forth in this section, in relation to peddling, soliciting of business, entertaining, begging or loitering at, on or in air, bus or marine terminals operated by it within the territorial limits of the State of New Jersey, the penalties and procedures for its enforcement prescribed in section two shall apply to violations thereof.

(1) No person, unless duly authorized by the Port Authority, shall, in or upon any area, platform, stairway, station, waiting room or any other appurtenance of an air or bus terminal, owned or operated by the Port Authority, or in or upon any area, bulkhead, dock, pier, wharf, warehouse, building, structure, shed, waiting room or any other appurtenance of a marine terminal, owned or operated by the Port Authority:

(a) sell, or offer for sale any article of merchandise; or

(b) solicit any business or trade, including the carrying of baggage for hire; the shining of shoes or bootblacking; or

(c) entertain any persons by singing, dancing or playing any musical instrument; or

(d) solicit alms.

(2) No person, who is unable to give satisfactory explanation of his presence, shall loiter in or about any toilet, area, station, station platform, waiting room or any other appurtenance of an air or bus terminal, owned or operated by the Port Authority, or in or about any toilet, area, bulkhead, dock, pier, wharf, warehouse, building, structure, shed, waiting room or any other appurtenance of a marine terminal, owned or operated by the Port Authority.

C. 32:1-146.7. Violations, penalties, trial, procedure.

2. Any violation within the State of these rules and regulations set forth in section one hereof shall be punishable by a fine not exceeding ten dollars ($10.00) or by imprisonment not exceeding thirty days, or by both such fine and imprisonment. Such a violation shall be tried in a summary way and shall be within the jurisdiction of and may be brought in the county district court, or any criminal judicial district court, municipal court, or existing police, magistrate's or recorder's court, in the county where the offense was committed. The rules of the Supreme Court shall govern the practice and procedure in such proceedings. Proceedings under this section may be instituted on any day of the week, and the institution of the proceedings on a Sunday or a holiday shall be no bar to the successful prosecution thereof. Any process served on a Sunday or a holiday shall be as valid as if served on any other day of the week.

3. This act shall take effect immediately.

Approved May 29, 1953.

CHAPTER 172

AN ACT with respect to suits against The Port of New York Authority upon certain leases at New York International Airport and agreeing with the State of New York with respect thereto.

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

C. 32:1-169. Consent to suit.

1. Upon the concurrence of the State of New York in accordance with section six hereof, the States of New York and New Jersey consent to suits, actions or proceedings (including proceedings to enforce arbitration agreements and to enter judgments upon awards resulting therefrom) of any form or nature, at law, in equity or otherwise by any person or corporation engaged in the business of scheduled transportation by aircraft, against The Port of New York Authority (hereinafter referred to as the "Port Authority"), and to appeals therefrom and reviews thereof, upon or for the enforcement of any written contract for the use or occupancy of space, premises or facilities at New York International Airport, in the County of Queens, City of New York, State of New York, executed on or after January first, one thousand nine hundred fifty-three, between the Port Authority and any such person or corporation, or by any such person or corporation so contracting with the Port Authority upon any cause of action arising out of such use or occupancy pursuant to any such written contract.

C. 32:1-170. Conditions upon which consent is given.

2. The foregoing consent is granted upon the condition that in suits, actions or proceedings, thereunder for judgments, orders or decrees restraining or enjoining the Port Authority from committing or continuing to commit breaches of such written contract, no such judgment, order or decree shall be entered except upon at least two

days' prior written notice to the Port Authority of the proposed entry thereof; and upon an appeal taken by the Port Authority from such judgment, order or decree, the service of the notice of appeal shall perfect the appeal, without an undertaking or other security.

C. 32:1-171. Venue.

3. The venue in any suit, action or proceeding against the Port Authority to which consent is given by this act shall be laid within a county or a judicial district, established by one of said two States or by the United States and situated wholly or partially within the Port of New York District. The Port Authority shall be deemed to be a resident of each such county or judicial district for the purpose of such suits, actions or proceedings and shall be deemed to be a citizen of both of said two States.

C. 32:1-172. Construction.

4. Nothing herein contained shall be deemed to revoke, rescind or affect any consents to suits, actions or proceedings against the Port Authority heretofore given by the two said States or the terms and conditions upon which such consents are given.

C. 32:1-173. To constitute an agreement.

5. This act together with the act of the State of New York concurring herein in accordance with section six hereof, shall constitute an agreement between the States of New York and New Jersey supplementary to and amendatory of the compact between the two said States dated April thirtieth, one thousand nine hundred twenty-one.

C. 32:1-174. Act effective.

6. This act shall take effect upon the enactment into law by the State of New York of legislation having an identical effect with the provisions of this act; but if the State of New York shall have already enacted such legislation, then this act shall take effect immediately.

Approved May 29, 1953.

CHAPTER 173

AN ACT concerning certain pensioners, and amending section 43:3–5 of the Revised Statutes.

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

Section amended.

1. Section 43:3–5 of the Revised Statutes is amended to read as follows:

Application of chapter.

43:3–5. The provisions of this chapter shall not apply to any appointment of a temporary nature made or created by any rule or order of procedure of any court of this State, so as to interfere with any rule or order of procedure in such courts for the proper administration of justice therein; nor shall the provisions of this chapter apply to any person appointed to the office of court crier in any court where the term of such office is indefinite, or to any person who is appointed to the office of magistrate of any municipal court in a municipality having a population of less than five thousand, where the salary paid to such municipal magistrate is less than the amount of his pension; nor to the appointment and employment of any pensioned former municipal manager as an engineer or consultant or member of any commission or board by any municipality, county or by the State, or as a teacher or lecturer in any school or educational institution in the State; nor to the employment, by the State or by any county, municipality or school district in any position or employment, at a salary or compensation of not more than seven hundred fifty dollars ($750.00) per year, of any person who retires or has retired under the Teachers' Pension and Annuity System created pursuant to article three of chapter thirteen of Title 18 of the Revised Statutes; nor to any person who has or who may hereafter receive permanent disability in the performance of his duty while serving as a member of

the Armed Forces of the United States, the New Jersey State Police, or the police department of any county or municipality in this State.

2. This act shall take effect immediately.

Approved May 29, 1953.

CHAPTER 174

AN ACT regulating the operation or conduct of motor vehicle races and exhibitions of motor vehicle driving skill and the tracks or places at which the same are operated and conducted, providing for the issuance of licenses therefor, and repealing "An act concerning motor vehicle racing and exhibitions of motor vehicle driving skill, providing for the issuance of licenses therefor, the inspection of tracks and maintenance of guard rails and fences for the protection of spectators and prescribing penalties for violations thereof," approved May twenty-seventh, one thousand nine hundred and fifty-two (P. L. 1952, c. 299).

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

1. No person shall operate or conduct any motor vehicle races or exhibitions of motor vehicle driving skill, or any track or other place for the holding of such races or exhibitions, unless a license to operate and conduct the same shall be first obtained from the Department of Law and Public Safety, which license said department may, in its discretion, issue to any applicant therefor upon compliance with the provisions of this act and the rules and regulations issued pursuant thereto, and

C. 5:7-8. License required, fee.

the payment of a fee of one hundred dollars ($100.00) in the manner hereinafter provided.

C. 5:7-9. Application for license, form and contents.

2. Application for a license to operate or conduct a track or other place for the holding of such races or exhibitions shall be made in writing to the department at least thirty days prior to the date on which any race or exhibition, or series of races or exhibitions, shall be held thereon, which application shall describe the track or place desired to be licensed and shall contain such further information as the department may require and such application shall be accompanied by a fee of one hundred dollars ($100.00) of which seventy-five dollars ($75.00) shall be returned to the applicant if the license be refused.

C. 5:7-10. Conditions for granting license.

3. No license shall be issued for the operation or conduct of any such track or other place unless

(a) There is provided and maintained on the outer circumference of the track and around the entire outer circumference thereof, and in case spectators are permitted in the infield or within the inner circumference of the track, also on the inner circumference of the track and around the entire inner circumference thereof,

(1) a guard or hub rail of hard wood or other suitable material supported by posts of similar material of at least six inches in width and six inches in thickness, or round posts not less than seven inches in diameter, which are set in the ground at least four feet and shall extend above the ground at least two feet and are spaced not more than six feet apart, upon which are mounted on the side of the posts toward the track two planks of hard wood or other suitable material, at least ten inches in width by three inches in thickness, fastened on the face of the posts and running horizontally and parallel to each other and there is attached on the opposite side of the posts and not more than eight inches from the top thereof a three-quarter inch steel cable running around

the circumference of the track and securely fastened with eyebolts to the posts or

(2) such other protective devices of a type or character as shall be approved by the department, after hearing in accordance herewith, and

(b) There is provided along any part of the track where spectators are permitted to be, whether outside of the track or in the infield, a fence of a type approved by the department, six feet in height, and located not less than four feet away from the edge of the track, and

(c) The applicant shall have complied with all rules and regulations made by the department under this act relating to matters of track construction and condition, guard rails, pit facilities, lighting and similar safety measures.

C. 5:7-11. Expiration and revocation of license.

4. Each license so issued shall expire on the thirty-first of December following the date of its issuance. Any such license may be revoked at any time, however, for failure of the licensee to comply with the requirements of this act and of the rules and regulations made thereunder relating to the issuance of licenses. A licensee shall be afforded at least three days' notice of revocation and a reasonable opportunity to be heard prior thereto. A license which has been revoked may be reinstated by the department upon compliance with the requirements of this act and payment of a reinstatement fee of twenty dollars ($20.00).

C. 5:7-12. Conditions complied with.

5. No license shall be issued for the holding of any motor vehicle race or exhibition of motor vehicle driving skill unless the department is satisfied that all provisions of this act and of the rules and regulations made under this act governing the physical conditions surrounding or relating to such track or place have been complied with, that all gateways into the track will be provided with guard personnel sufficient in the judgment of the department for the protection of spectators, but not more than one guard shall be required for a single gate

or two guards for a double gate, and that provision is made for the protection of spectators against accident by the carrying of appropriate insurance as hereinafter provided.

C. 5:7-13. Insurance coverage required.

6. No license shall be issued for the holding of any motor vehicle race or exhibition of motor vehicle driving skill until the person applying for the license shall have filed with the department evidence satisfactory to it of the issuance of an insurance policy approved by the department and conditioned, in the case of a race or exhibition at a track or other place accommodating less than one thousand people, for the payment of not less than twenty-five thousand dollars ($25,000.00) to any one person obtaining judgment, and not less than fifty thousand dollars ($50,000.00) on all judgments recovered, and for the payment of not less than fifty thousand dollars ($50,000.00) to any one person obtaining judgment, and not less than one hundred thousand dollars ($100,000.00) on all judgments recovered, in the case of all other races or exhibitions, upon a claim or claims arising out of the same transaction or transactions, connected with the same subject of action (to be apportioned ratably among judgment creditors according to the amount of their respective judgments) for damages because of bodily injury, including death at any time resulting therefrom, caused to any person or persons, other than the driver, and all pit area personnel as the result of an accident occurring as a result of the conduct of any motor vehicle race or exhibition of motor vehicle driving skill, for which the license is granted, under which policy the liability of the company shall become absolute when loss or damage covered by the policy occurs, and satisfaction by the insured of a final judgment for the loss or damage shall not be a condition precedent to the right or duty of said company to make payment on account of the loss or damage and which policy shall not be cancellable or annulled as to any loss or damage by an agreement between the carrier and the insured after the insured has

become responsible for the loss or damage or in any other event, except on ten days prior notice to the department.

C. 5:7-14. Rules and regulations.

7. The department shall formulate and prescribe rules and regulations not inconsistent with this act, which shall be formulated in each year after holding a public hearing in the months of January or February, notice whereof shall be sent by mail to each licensed track owner of the preceding year at least ten days before the hearing. Said rules and regulations shall prescribe the types or character of protective devices designed to protect participants in and spectators attending any such race or exhibition, including, but not limited to, the matters of track construction and condition, guard rails, pit facilities, lighting, inspection of vehicles and equipment, physical conditions of drivers, fire protection and medical and ambulance facilities and generally governing the conduct of all motor vehicle races and exhibitions of motor vehicle driving skill to be held within this State and governing the issuance of licenses therefor.

C. 5:7-15. Power to inspect.

8. The department shall have power at all convenient times to inspect any race track or place of exhibition, licensed by it or for which application for license has been made to it, for which any license for the holding of any motor vehicle race or exhibition of motor vehicle driving skill has been applied for or issued.

C. 5:7-16. Services of present employees, civil service.

9. The department is authorized and directed, insofar as possible, to utilize the services of employees of the several divisions of the department to perform the functions and duties charged to it under this act and to appoint and remove, subject to the provisions of Title 11 of the Revised Statutes, such additional personnel necessary to assist it in the performance of the duties imposed by this act.

C. 5:7-17. Disposition of fees.

10. All fees received by the department pursuant to this act shall be paid and accounted for by it to the State Treasurer for credit to the general funds of the State.

C. 5:7-18. Fines.

11. Any person, partnership, association or corporation managing, operating, or conducting a motor vehicle race or exhibition of motor vehicle driving skill, except in accordance with a license issued therefor, or violating any of the provisions of this act, shall be a disorderly person, and upon conviction shall be punished for each such offense, by a fine of not less than two hundred dollars ($200.00) and not more than one thousand dollars ($1,000.00) or by imprisonment for not more than one year, or by both such fine and imprisonment.

C. 5:7-19. Chapter 299, Laws 1952 repealed.

12. "An act concerning motor vehicle racing and exhibitions of motor vehicle driving skill, providing for the issuance of licenses therefor, the inspection of tracks and maintenance of guard rails and fences for the protection of spectators and prescribing penalties for violations thereof," approved May twenty-seventh, one thousand nine hundred and fifty-two, is repealed but all licenses and permits issued thereunder shall continue in full force and effect until the expiration thereof.

13. This act shall take effect immediately.

Approved May 29, 1953.

CHAPTER 175

AN ACT concerning shooting preserves, and amending sections 23:3–28, 23:3–29, 23:3–32 and 23:3–36 of the Revised Statutes.

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

1. Section 23:3–28 of the Revised Statutes is amended to read as follows: Section amended.

23:3–28. As used in sections 23:3–29 to 23:3–39 of this Title: Terms defined.

a. A wholly inclosed preserve means an area of land the boundaries of which are surrounded by a fence at least six feet in height, constructed of a woven wire not larger than two-inch mesh for game birds and at least eight feet in height for quadrupeds.

b. Propagating in a semiwild state means propagating on land the boundaries of which are clearly defined by a fence, road, ditch, wire, water or highway, and posted at intervals of not more than five hundred feet with signs to be prescribed by the division.

c. A commercial pheasant, quail and partridge-shooting preserve shall mean land, the boundaries of which shall be clearly defined by posting at intervals of not more than two hundred feet with signs to be prescribed by the Division of Fish and Game.

d. "Pheasant" shall mean the species commonly known as English Ringneck, Melanistic Mutant, Mongolian, Formosan, Chinese or artificially propagated variety thereof.

e. "Partridge" shall mean the species commonly known as Hungarian partridge and Chukar partridge.

f. "Quail" shall mean the species commonly known as the "Bob White Quail."

Section amended.

2. Section 23:3–29 of the Revised Statutes is amended to read as follows:

License required, raising and selling game birds or animals, fee.

23:3–29. A person desiring to engage in the business of raising and selling game birds or game animals, or both, in a wholly inclosed preserve of which he is the owner or lessee, or to have in captivity game birds or game animals, or to propagate pheasants, partridge or quail, or any of them, in a semiwild state on lands of which he is the owner or lessee, may apply in writing to the division for a license to do so. The license fee shall be two dollars ($2.00) per annum for each of the above purposes.

The division, when it appears that the application is made in good faith, shall, upon the payment of the fee for each license, issue to the applicant such of the following license or licenses as may be applied for:

a. Propagating license permitting the licensee to propagate game birds or game animals, or both, in the wholly inclosed preserve the location of which is stated in the license and the application therefor, and to sell such propagated game birds or game animals, or both, and ship them from the State alive at any time and to kill the same and sell the carcasses for food subject to the conditions prescribed by sections 23:3–28 to 23:3–39 of this Title;

b. License to propagate pheasants, partridge or quail, or any of them, in a semiwild state on lands of which the applicant is the owner or lessee, when the applicant shall have produced evidence satisfactory to the division that he has released, or already has, on land described in the application and license, at least ten female and two male pheasants or at least six female and six male quail or partridge or such total number of pheasants, partridge and quail, to each one hundred acres of land, or a proportionate number of such birds for less than one hundred acres, prior to May first in the calendar year for which the license is to be issued;

c. License to keep game birds and animals in captivity; or

d. A person desiring to operate a "commercial pheasant, quail and partridge-shooting preserve" on lands of which he is the owner or bona fide lessee may apply in writing to the division for a license so to do. The license fee shall be one hundred dollars ($100.00) per annum and the form of the application and license shall be determined by the division.

The division may, upon payment of the fee, issue to the applicant such a license when it appears that:

(1) The operation of such shooting preserve shall not conflict with a prior reasonable public interest; and

(2) The applicant shall produce evidence satisfactory to the division that he has released on lands described in the application and license, a total of at least ten female and two male pheasants or six female and six male quail or partridge for the first one hundred acres of land or portion thereof, or a proportionate number of birds for any acreage in excess of the first one hundred acres, prior to May first in the calendar year for which the license is to be issued; and

(3) The applicant shall have produced evidence satisfactory to the division that he will raise or purchase for liberation and liberate on the shooting preserve a total of at least five hundred pheasants, quail and partridge or combination thereof between September first of the year for which the license was issued and the following March fifteenth.

3. Section 23:3–32 of the Revised Statutes is amended to read as follows: Section amended.

23:3–32. No pheasants, partridge or quail propagated in a semiwild state shall be sold. No such pheasants, partridge or quail shall be possessed or transported outside of licensed areas unless each Pheasants and quail, special shipping tags required.

bird shall have been tagged with the special tag prescribed by sections 23:3–28 to 23:3–39 of this Title. Except as to the additional tags hereinafter provided for, no licensee raising pheasants, partridge or quail in a semiwild state shall procure from the division during any year of operation more tags to be affixed to the dead bodies of pheasants, partridge or quail propagated in a semiwild state than four times the number of female pheasants, partridge or quail released prior to May first in each year. Additional tags may be provided to any licensee in number equal to four-fifths of the number of birds released after May first in each year. The tags shall be of a special kind provided for the purpose. The number of birds taken in any year, either alive or dead, on lands on which pheasants, partridge or quail are propagated in a semiwild state shall not exceed the number of tags obtained from the division. Pheasants and partridge propagated in a semiwild state may be taken by shooting only from November tenth to January twentieth, except where the licensee shall have produced evidence satisfactory to the division that he has liberated on the land during the year covered by his license, or that he has in his possession on the land or in some other designated place or places and will liberate on the land prior to February twenty-eighth a total of at least one hundred pheasants and partridge or combination thereof for any acreage up to one hundred acres and at least one pheasant or partridge for each additional acre, in which case the licensee or any person or persons authorized by him so to do may take pheasants and partridge by shooting from November tenth to the next following February twenty-eighth, both days inclusive, on the land described in his license. The number of pheasants and partridge so taken by shooting shall not exceed four-fifths of the total number of pheasants and partridge liberated on said land during the year covered by such license. Section 23:4–17 of this Title relating to the tracking of game in the snow or the killing of game while

there is snow on the ground and section 23:4–24 of this Title relating to hunting on Sunday shall not apply to any person authorized to shoot pheasants and partridge under sections 23:3–28 to 23:3–39 of this Title. Quail propagated in a semiwild state may be taken by shooting only from November tenth to the next following February twenty-eighth, both days inclusive. No pheasants, partridge or quail propagated in a semiwild state shall be trapped without the written permission of the division.

Under a "commercial pheasant, quail and partridge-shooting preserve" license, pheasants and partridge may be taken by shooting only on lands described in the application and license, without regard to sex and daily bag limit, by fully licensed hunters authorized by the licensee to shoot on said land between September first and the following March fifteenth, both dates inclusive.

All pheasants, quail and partridge liberated on a "commercial pheasant, quail and partridge-shooting preserve" for which a license has been issued shall first be banded with a leg band which shall bear upon it a symbol identifying the shooting preserve, and a description of said band and symbol shall be set forth in the application for license. No pheasants, quail or partridge shall be possessed or transported outside the licensed area, unless each bird shall have been tagged with a suitable tag or seal supplied by the division, and no licensee shall receive from the division, during any year of operation, more tags to be affixed to the bodies of pheasants, quail and partridge than four times the number of female pheasants, quail and partridge released prior to May first in each year, in addition to one tag for each pheasant, quail and partridge liberated during the shooting period hereinbefore specified.

Section amended.

Expiration of licenses, renewal of propagating license.

4. Section 23:3–36 of the Revised Statutes is amended to read as follows:

23:3–36. All licenses under sections 23:3–28 to 23:3–39 of this Title shall expire on March fifteenth of each year. No renewal of a propagating license for pheasants, partridge or quail in a semiwild state or for a "commercial pheasant, quail and partridge-shooting preserve" license shall be granted until the required number of birds have been released as provided in section 23:3–29 of this Title, or until the applicant for renewal shall have submitted evidence satisfactory to the division showing that the minimum number of birds required in said section 23:3–29 are present on his property.

5. This act shall take effect immediately.

Approved May 29, 1953.

CHAPTER 176

AN ACT concerning the local bond law, and amending section 40:1–34 of the Revised Statutes.

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

Section amended.

1. Section 40:1–34 of the Revised Statutes is amended to read as follows:

Periods of usefulness.

40:1–34. The governing body shall determine the period of usefulness of any purpose according to the reasonable life, but such period shall in no event be greater than the period of usefulness stated in the following subdivisions, such period being computed from the date of the bonds:

a. Airport improvements, ten years.

b. Ambulances when purchased new, five years.

c. Bridges of brick, stone, concrete or metal, including retaining walls and approaches, thirty years.

d. Buildings, including the original furnishings and equipment therefor, for the periods hereafter prescribed which in the case of new construction shall be computed from the date of the bonds:

(1) Of fireproof construction, that is a building of which all walls, floors, partitions, stairs and roof are wholly of incombustible material, except the window frames, top flooring and wooden handrails on the stairs, forty years.

(2) Of nonfireproof construction, that is a building the outer walls of which are wholly of incombustible material, except the window frames and doors, but which in other respects does not meet the requirements of fireproof construction, twenty-five years.

(3) Of frame construction, that is a building the outer walls of which are not of incombustible material or which does not in other respects meet the requirements of the building above described, fifteen years.

(4) In the case of the construction of additions to or the substantial reconstruction of a building, the period of usefulness shall be determined to be not greater than one-half the period as above defined, of the type of construction of the original building.

(5) In the case of the acquisition of existing structures, the period of usefulness shall be not greater than one-half the period as above defined of the type of construction of the building to be acquired.

e. Cemetery improvements, ten years.

f. Dikes, bulkheads, jetties and similar devices to prevent the encroachment of the sea:

(1) Of stone or concrete, fifteen years.
(2) Of wood or partly wood, ten years.

g. Electric light or power systems, twenty years.

h. Elimination of grade crossings, thirty-five years.

hh. Additional furnishings, five years.

i. Additional equipment and machinery, or replacement of equipment and machinery, fifteen years.

ii. Voting machines, fifteen years.

j. Fire engines and other fire apparatus, when purchased new, but not fire equipment purchased separately, ten years.

k. Garbage, refuse or ashes incinerator or disposal plant, ten years.

l. Gas system, twenty years.

m. Golf course improvements, ten years.

n. Harbor improvements or marine terminals, including docks, forty years.

o. House connections to publicly-owned gas, water, or sewer systems from the service main in the street to the curb or property line, five years.

p. Acquisition of land and riparian rights for any public purpose, including original dredging, grading, drainage and planting thereof, forty years.

q. Park improvements, fifteen years.

r. Playground improvements, including stadia of concrete or other incombustible materials, twenty years.

s. Sewer system, whether sanitary or storm water, forty years.

t. Signal systems for fire or police or teletype system and other telephone and telegraph systems, ten years.

u. Sidewalks, curbs and gutters of stone, concrete or brick, ten years.

v. Snow removal and street cleaning machinery and trucks, when purchased new, five years.

w. Streets or roads:

(a) Construction of a bituminous surface treated road, gravel base, thickness not less than six inches, five years.

(b) Construction or reconstruction of a bituminous macadam surface consisting of three inches bituminous penetration on a four-inch macadam base, ten years.

Construction or reconstruction of a one-inch bituminous concrete surface on two-inch modified bituminous penetration with a four-inch macadam base, ten years.

Construction or reconstruction of one-and-one-half-inch bituminous concrete surface using a suitable existing roadway as a base course, ten years.

(c) Construction or reconstruction of a two-course bituminous or sheet asphalt surface three inches thick on a cement concrete foundation not less than six inches thick, fifteen years.

Construction or reconstruction of a two-course bituminous concrete or sheet asphalt surface three inches thick using a suitable existing roadway as base course such as brick, granite block, plain cement concrete, macadam or bituminous-treated macadam, fifteen years.

(d) Construction or reconstruction of a reinforced cement concrete pavement not less than eight inches thick, twenty years. A plain cement concrete pavement less than eight inches thick, fifteen years.

(e) Construction or reconstruction of a plain concrete base course not less than six inches thick with a one-course bituminous concrete surface two inches thick, fifteen years.

Construction or reconstruction of plain concrete base course not less than eight inches thick with a two-inch bituminous concrete course or a three-inch sheet asphalt pavement, twenty years.

(f) Construction or reconstruction of a bituminous concrete or sheet asphalt-flexible base pavement consisting of a two-course bituminous concrete or sheet asphalt surface not less than three inches thick on a three-inch bituminous penetration base on not less than five inches of macadam, twenty years.

New Jersey State Library

The words "construction" or "reconstruction" in this subdivision shall mean the construction or reconstruction of foundations, and the repair and construction of surface courses.

x. Vehicles other than those specified elsewhere in this section shall be determined to have a period of usefulness of less than five years.

y. Water supply or distribution system (except as provided in subdivision "z" hereof), forty years.

z. Water supply system, the acquisition of lands, rights in land or water rights, the acquisition, construction or reconstruction of reservoirs, dams, canals, purification plants, acqueducts or mains not less than thirty inches in diameter, such items being in connection with the acquisition, construction or reconstruction of said system, if the cost of any or all of such items is in excess of three million dollars ($3,000,000.00), whether to a single municipality or to two or more participating municipalities. The cost hereinabove referred to shall be determined by order of the Board of Public Utility Commissioners, which board is hereby authorized and empowered to make such determination. All proceedings before said board under the provisions of this section shall conform, with respect to notice, hearings and service and effective date of orders, to the provisions of chapter two of the Title, Public Utilities (§ 48:2–1 et seq.); *provided, however,* this subdivision shall apply only to bonds issued to fund notes or temporary bonds now outstanding or renewals thereof, issued for such purpose, fifty years.

Proviso.

aa. Any permanent structure of concrete, stone, or similar durable construction not included in the foregoing, thirty years.

bb. Any purpose not specifically included in any of the foregoing, fifteen years.

2. This act shall take effect immediately.

Approved May 29, 1953.

CHAPTER 177

AN ACT to amend the title of "An act relating to the authorization, acquisition, financing and operation of sewage disposal systems by or on behalf of any county or any one or more municipalities, providing for the creation of sewerage authorities to undertake the same, for the issuance of bonds and other obligations therefor, and for service charges to meet the expense thereof, repealing article three of chapter sixty-three of Title 40 (sections 40:63–140 et seq.) of the Revised Statutes, and supplementing Title 40 of the Revised Statutes," approved April twenty-third, one thousand nine hundred and forty-six (P. L. 1946, c. 138), so that the same shall read "An act relating to the authorization, acquisition, financing and operation of sewage disposal systems and compensating reservoirs by or on behalf of any county or any one or more municipalities, providing for the creation of sewerage authorities to undertake the same, for the issuance of bonds and other obligations therefor, and for service charges to meet the expense thereof, repealing article three of chapter sixty-three of Title 40 (sections 40:63–140 et seq.) of the Revised Statutes, and supplementing Title 40 of the Revised Statutes," and to amend the body of said act.

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

1. The title of "An act relating to the authorization, acquisition, financing and operation of sewage disposal systems by or on behalf of any county or Title amended.

any one or more municipalities, providing for the creation of sewerage authorities to undertake the same, for the issuance of bonds and other obligations therefor, and for service charges to meet the expense thereof, repealing article three of chapter sixty-three of Title 40 (sections 40:63–140 et seq.) of the Revised Statutes, and supplementing Title 40 of the Revised Statutes," approved April twenty-third, one thousand nine hundred and forty-six, is amended to read "An act relating to the authorization, acquisition, financing and operation of sewage disposal systems and compensating reservoirs by or on behalf of any county or any one or more municipalities, providing for the creation of sewerage authorities to undertake the same, for the issuance of bonds and other obligations therefor, and for service charges to meet the expense thereof, repealing article three of chapter sixty-three of Title 40 (sections 40:63–140 et seq.) of the Revised Statutes, and supplementing Title 40 of the Revised Statutes."

New title.

Section amended.

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

C. 40:14A-2. Public policy, implementing.

2. It is hereby declared to be in the public interest and to be the policy of the State to foster and promote by all reasonable means the relief of waters in or bordering the State from pollution and thus to reduce and ultimately abate the menace to the public health resulting from such pollution. It is the purpose and object of this act to further and implement such policy by

(1) Authorizing counties, or municipalities either separately or in combination with other municipalities, by means and through the agency of a sewerage authority, to acquire, construct, maintain, operate or improve works for the collection, treatment, purification or disposal of sewage or other wastes, and, if necessary, works for the impounding, transportation and release of water for the replenishment in periods of drought or at other necessary times of all or a part of waters in or bordering the State diverted into a sewer, sewage

treatment or sewage disposal system operated by the sewerage authority;

(2) Authorizing service charges to occupants or owners of property for direct or indirect connection with and the use or services of such works, and providing for the establishment, collection and enforcement of such charges;

(3) Creating as a body corporate and politic sewerage authorities to have full responsibility and powers with respect to such works and the establishment, collection, enforcement, use and disposition of all such service charges;

(4) Providing for the financing of such works, for the issuance of bonds therefor, and for the payment and security of such bonds; and

(5) In general, granting to counties and municipalities and to such sewerage authorities discretionary powers to provide for sewerage services designed to relieve pollution of such waters at the expense of the users of such services or of counties or municipalities or other persons contracting for or with respect to the same.

Section amended.

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

C. 40:14A-3. Terms defined.

3. As used in this act, unless a different meaning clearly appears from the context:

(1) "Municipality" shall mean any city of any class, any borough, village, town, township, or any other municipality other than a county or a school district, and except when used in sections four or twenty-one of this act, any agency thereof or any two or more thereof acting jointly or any joint meeting or other agency of any two or more thereof;

(2) "County" shall mean any county of any class;

(3) "Governing body" shall mean, in the case of a county, the board of chosen freeholders, and, in the case of a municipality, the commission, council, board or body, by whatever name it may be known, having charge of the finances of the municipality;

(4) "Person" shall mean any person, association, corporation, nation, State or any agency or subdivision thereof, other than a county or municipality of the State or a sewerage authority;

(5) "Sewerage authority" shall mean a public body created pursuant to section four of this act;

(6) Subject to the exceptions provided in section four of this act, "district" shall mean the area within the territorial boundaries of the county, or of the municipality or municipalities, which created or joined in the creation of a sewerage authority;

(7) "Local unit" shall mean the county, or any municipality, which created or joined in the creation of a sewerage authority;

(8) "Sewerage system" shall mean the plants, structures and other real and personal property acquired, constructed or operated or to be acquired, constructed or operated by a sewerage authority for the purposes of the sewerage authority, including sewers, conduits, pipe lines, mains, pumping and ventilating stations, sewage treatment or disposal systems, plants and works, connections, and outfalls, compensating reservoirs, and other plants, structures, boats, conveyances, and other real and personal property, and rights therein, and appurtenances necessary or useful and convenient for the collection, treatment, purification or disposal in a sanitary manner of any sewage, liquid or solid wastes, night soil or industrial wastes;

(9) "Cost" shall mean, in addition to the usual connotations thereof, the cost of acquisition or construction of all or any part of a sewerage system and of all or any property, rights, easements, privileges, agreements and franchises deemed by the sewerage authority to be necessary or useful and convenient therefor or in connection therewith, including interest or discount on bonds, cost of issuance of bonds, engineering and inspection costs and legal expenses, cost of financial, professional and other estimates and advice, organization, administrative, operating and other expenses of the sewerage authority prior to and during such ac-

quisition or construction, and all such other expenses as may be necessary or incident to the financing, acquisition, construction and completion of said sewerage system or part thereof and the placing of the same in operation, and also such provision or reserves for working capital, operating, maintenance or replacement expenses or for payment or security of principal of or interest on bonds during or after such acquisition or construction as the sewerage authority may determine, and also reimbursements to the sewerage authority or any county, municipality or other person of any moneys theretofore expended for the purposes of the sewerage authority or to any county or municipality of any moneys theretofore expended for in connection with sanitation facilities;

(10) "Real property" shall mean lands both within and without the State, and improvements thereof or thereon, or any rights or interests therein;

(11) "Construct" and "construction" shall connote and include acts of construction, reconstruction, replacement, extension, improvement and betterment of a sewerage system;

(12) "Industrial wastes" shall mean liquid or other wastes resulting from any processes of industry, manufacture, trade or business or from the development of any natural resource;

(13) "Sewage" shall mean the water-carried wastes created in and carried, or to be carried, away from residences, hotels, apartments, schools, hospitals, industrial establishments, or any other public or private building, together with such surface or ground water and industrial wastes as may be present;

(14) "Pollution" means the condition of water resulting from the introduction therein of substances of a kind and in quantities rendering it detrimental or immediately or potentially dangerous to the public health, or unfit for public or commercial use;

(15) "Ordinance" means a written act of the governing body of a municipality adopted and otherwise approved and published in the manner or mode of procedure prescribed for ordinances tending to obligate such municipality pecuniarily;

(16) "Resolution" means a written act of the governing body of a local unit adopted and otherwise approved in the manner or mode of procedure prescribed for resolutions tending to obligate such local unit pecuniarily; and

(17) "Bonds" shall mean bonds or other obligations issued pursuant to this act;

(18) "Compensating reservoir" shall mean the structures, facilities and appurtenances for the impounding, transportation and release of water for the replenishment in periods of drought or at other necessary times of all or a part of waters in or bordering the State diverted into a sewer, sewage treatment or sewage disposal system operated by the sewerage authority.

Section amended.

4. Section six of the act of which this act is amendatory is amended to read as follows:

C. 40:14A-6. Purposes, to prevent pollution, means.

6. (a) The purposes of every sewerage authority shall be the relief of waters in or bordering the State from pollution arising from causes within the district and the relief of waters in, bordering or entering the district from pollution or threatened pollution, and the consequent improvement of conditions affecting the public health.

(b) Every sewerage authority is hereby authorized and directed, subject to the limitations of this act, to acquire, in its own name but for the local unit or units, by purchase, gift, condemnation or otherwise, and, notwithstanding the provisions of any charter, ordinance or resolution of any county or municipality to the contrary, to construct, maintain, operate and use such trunk, intercepting and outlet sewers, conduits, pipelines, pumping and ventilating stations, treatment plants or works at such places within or without the district, such compensating reservoirs within the county in which the district lies, and such other plants, structures,

boats and conveyances, as in the judgment of the sewerage authority will provide an effective and satisfactory method for promoting the purposes of the sewerage authority.

(c) Every sewerage authority is hereby authorized and directed, when in its judgment its sewerage system or any part thereof will permit, to collect from any and all public systems within the district all sewage and treat and dispose of the same in such manner as to promote the purposes of the sewerage authority.

Section amended.

5. Section twenty of the act of which this act is amendatory is amended to read as follows:

C. 40:14A-20. Powers of sewerage authority.

20. Every sewerage authority is hereby empowered, in its own name but for the local unit or units, to acquire by purchase, gift, grant or devise and to take for public use real property, within or without the district, which may be deemed by the sewerage authority necessary for its purposes, including public lands, waters, parks, roads, playgrounds and reservations within the district, public and private rights in waters without the district but within the county in which the district lies, and any property within the district owned by or in which any county, municipality or political subdivision of the State, or public body or agency of such political subdivision, has any right, title or interest. Such sewerage authority is hereby empowered to acquire and take such real property by condemnation, in the manner provided by chapter one of Title 20, Eminent Domain, of the Revised Statutes (R. S. 20:1–1 et seq.) and, to that end, may invoke and exercise in the manner or mode of procedure prescribed in said chapter, either in its own name or in the name of any local unit or units, all of the powers of such local unit or units to acquire or take property for public use.

In addition to other powers conferred by this act or by any other law, and not in limitation thereof:

(a) In connection with construction or operation of any part of a sewerage system, every sewerage

authority shall have power to make reasonable regulations for the installation, construction, maintenance, repair, renewal, relocation and removal of tracks, pipes, mains, conduits, cables, wires, towers, poles or any other equipment and appliances (herein called "facilities") of any public utility, as defined in section 48:2–13 of the Revised Statutes, in, on, along, over or under any real property, including public lands, waters, parks, roads, streets, highways, playgrounds and reservations.

(b) Whenever in connection with construction or operation of any part of a sewerage system, any sewerage authority shall determine that it is necessary that any such facilities, which now are, or hereafter may be, located in, on, along, over or under any such real property, including public lands, waters, parks, roads, streets, highways, playgrounds and reservations, should be relocated in such real property, including public lands, waters, parks, roads, streets, highways, playgrounds and reservations, or should be removed therefrom, the public utility owning or operating such facilities shall relocate or remove the same in accordance with the order of the sewerage authority; *provided, however,* that the cost and expenses of such relocation or removal, including the cost of installing such facilities in a new location, or new locations, and the cost of any lands or any rights or interest in lands, or any other rights acquired to accomplish such relocation or removal, less the cost of any lands or any rights or interests in lands or any other rights of the public utility paid to the public utility in connection with the relocation or removal of such property, shall be paid by the sewerage authority and may be included in the cost of such sewerage system. In case of any such relocation or removal of facilities, as aforesaid, the public utility owning or operating the same, its successors or assigns, may maintain and operate such facilities, with the necessary appurtenances, in the new location or new locations for as long a period, and upon the same terms and con-

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ditions, as it had the right to maintain and operate such facilities in their former location.

6. This act shall take effect immediately.

Approved May 29, 1953.

CHAPTER 178

AN ACT concerning the salaries of assistant prosecutors in certain counties of the third class, and supplementing chapter one hundred fifty-eight of Title 2A of the New Jersey Statutes.

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

C.2A:158-17.3. Salary, assistant county prosecutor.

1. In counties of the third class of this State having a population of not less than ninety-five thousand and not more than one hundred and twenty-five thousand inhabitants, the annual salary of the assistant county prosecutor may be fixed by the county prosecutor and the judge of the county court of the county at not more than four thousand dollars ($4,000.00), payable at the same times and in the same manner as other county salaries are paid.

2. This act shall take effect immediately.

Approved June 4, 1953.

CHAPTER 179

AN ACT concerning the salaries of county clerks in certain counties of the third class, and supplementing chapter thirty-eight of Title 40 of the Revised Statutes.

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

C. 40:38-6.10. Salary, county clerk.

1. In counties of the third class of this State having a population of more than ninety-five thousand and less than one hundred twenty-five thousand, the annual salary of the county clerk may be increased by resolution of the board of chosen freeholders of such county or by an appropriation provision in the county budget, to not more than seventy-five hundred dollars ($7,500.00), payable at the same time and in the same manner as other county salaries are now paid.

2. This act shall take effect immediately.

Approved June 4, 1953.

CHAPTER 180

AN ACT concerning the salaries of sheriffs in certain counties of the third class, and supplementing chapter forty-one of Title 40 of the Revised Statutes.

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

C. 40:41-7.9. Salary, sheriff.

1. In counties of the third class of this State having a population of more than ninety-five thousand and less than one hundred twenty-five thou-

sand, the annual salary of the sheriff may be increased by resolution of the board of chosen freeholders of such county or by an appropriation provision in the county budget, to not more than seventy-five hundred dollars ($7,500.00), payable at the same time and in the same manner as other county salaries are now paid.

2. This act shall take effect immediately.

Approved June 4, 1953.

CHAPTER 181

AN ACT authorizing the sale and conveyance of certain lands belonging to the State of New Jersey in the city of Jersey City, county of Hudson, to the City of Jersey City.

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

Sale authorized, terms.

1. The State Board of Education acting for, on behalf of and in the name of the State of New Jersey, hereby is authorized to grant and convey certain lands of the State heretofore acquired for State Normal School purposes at Jersey City, but now not necessary for such purpose, in consideration of the payment by the City of Jersey City to the State Board of Education of the sum of eighteen hundred dollars ($1,800.00) and the extinguishment of the right of the City of Jersey City to claim reimbursement from the State Board of Education by reason of certain recent improvements to Culver Avenue west of the Hudson County Boulevard in the city of Jersey City, resulting in benefits to said property of the State Board of Education in the sum of eight thousand, two hundred thirty-six dollars and fifty-five cents ($8,236.55), and such further consideration and upon such terms and condi-

tions as shall be agreed to by the said State Board of Education and the State House Commission, which property to be so granted and conveyed by the said State Board of Education to the city of Jersey City is more particularly described as follows:

Description.

BEGINNING at a point in the northerly line of Bayview Avenue, distant North forty-two degrees, four minutes west (N 42° 04′ W) eight hundred and fifty-one and eighty-one one-hundredths (851.81) feet from the westerly line of Hudson Boulevard and running thence (1) North thirty-six degrees, thirty-five minutes East (N 36° 35′ E) two hundred and four and fifty-three one-hundredths (204.53′) feet to the southerly line of Culver Avenue, thence (2) South forty-one degrees, fifty-three minutes, forty seconds East (S 41° 53′ 40″ E), along the southerly line of Culver Avenue, fifty-three and fifteen one-hundredths (53.15′) feet, thence (3) South forty-nine degrees, forty-three minutes, fifty-four seconds West (S 49° 43′ 54″ W) along the line of Sterling Avenue two hundred and forty-eight one-hundredths (200.48′) feet, thence (4) North forty-two degrees, four minutes West (N 42° 04′ W) six and sixty one-hundredths (6.60′) feet to the place of beginning.

The above described plot being known as Lot C4, in City Block 1298, and containing five thousand nine hundred and eighty-eight and thirty-four one-hundredths (5,988.34′) square feet, or 0.1375 acres.

Together with all the right, title and interest which the State Board of Education or the State of New Jersey may have in Culver Avenue, Jersey City, N. J.

2. This act shall take effect immediately.

Approved June 4, 1953.

CHAPTER 182

AN ACT to amend the title of "An act relating to law enforcement, establishing a Law Enforcement Council within the Department of Law and Public Safety, defining its functions, powers and duties, and supplementing the 'Department of Law and Public Safety Act of 1948,' approved October fifteenth, one thousand nine hundred and forty-eight (P. L. 1948, c. 439)," approved May twenty-first, one thousand nine hundred and fifty-two (P. L. 1952, c. 253), so that the same shall read "An act relating to law enforcement, establishing a Law Enforcement Council, defining its functions, powers and duties, and transferring certain appropriations," and to amend and supplement the body of said act.

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

Title amended.

1. The title of "An act relating to law enforcement, establishing a Law Enforcement Council within the Department of Law and Public Safety, defining its functions, powers and duties, and supplementing the 'Department of Law and Public Safety Act of 1948,' approved October fifteenth, one thousand nine hundred and forty-eight (P. L. 1948, c. 439)," approved May twenty-first, one thousand nine hundred and fifty-two, is amended to read "An act relating to law enforcement, establishing a Law Enforcement Council, defining its functions, powers and duties, and transferring certain appropriations."

New title.

Section amended.

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

C.52:1B-43.1. Law Enforcement Council established.

1. There is hereby established a Law Enforcement Council, hereinafter referred to as the council.

Section amended.

3. Section two of the act of which this act is amendatory is amended to read as follows:

C.52:17B-43.2. Members, appointment, terms, vacancies.

2. The council shall consist of five members. Each member of the council shall be appointed by the Governor, with the advice and consent of the Senate, for a term ending on July first, one thousand nine hundred and fifty-five. The terms shall commence on July first, one thousand nine hundred and fifty-three, but in the case of a vacancy in the present membership of the council prior to July first, one thousand nine hundred and fifty-three, the term of the person appointed to fill such vacancy shall commence upon his appointment and confirmation and shall continue until July first, one thousand nine hundred and fifty-five. Vacancies in the membership in the council, which expire on July first, one thousand nine hundred and fifty-three, shall be filled for terms expiring on July first, one thousand nine hundred and fifty-five.

Section amended.

4. Section six of the act of which this act is amendatory is amended to read as follows:

C.52:17B-43.6. Powers.

6. The council or any member thereof shall have the power to administer oaths, and to examine witnesses under oath.

The council shall also have the power to compel by its subpœna the attendance and testimony of witnesses and the production of evidence, including but not limited to any information, books, records, papers and documents, relative to any matter under its examination or investigation or which may aid it in the performance of its functions and duties hereunder. Any such subpœna shall be signed and issued by the chairman of the council or by any other member of the council duly authorized by him.

If any person subpœnaed to appear before the council refuses or fails to so appear or to be examined, or to answer any question or to produce any evidence when ordered so to do by the council, the council or the Attorney-General may apply to the Superior Court for an order directing such person to show cause before the court why he should not

comply with the subpœna or direction or order of the council, and upon the return of such order the court shall examine such person, under oath, and thereupon make such order as may be appropriate or required, and any refusal or failure to obey such order of the court may be punished by said court as a contempt thereof.

The chairman of the council shall have the power to certify to official acts.

Witnesses subpœnaed under this section shall be paid the same fees and mileage as are paid witnesses in courts of law.

Any hearing conducted by the council may be either private or public, as the council shall in its judgment determine; and any one or more members of the council may conduct any such hearing when authorized by the council. At any private hearing conducted by the council, the names of the witnesses called and their testimony may not be divulged or made public except by resolution of a majority of the members of the council.

A witness at any public or private hearing shall have the right to have present at such hearing counsel of his own choice, for the purpose of advising him concerning his constitutional rights, but for no other purpose.

5. Section seven of the act of which this act is amendatory is amended to read as follows: Section amended.

7. The council may employ such legal, technical and clerical assistants as may be necessary to aid it in the performance of its functions and duties hereunder and provide such facilities as may be required for the execution of its functions and duties hereunder. C.52:17B-43.7. Legal and technical assistants.

6. Section eight of the act of which this act is amendatory is amended to read as follows: Section amended.

8. The council may employ and, within the limits of available appropriations therefor, fix the compensation of such additional personnel as may be necessary. C.52:17B-43.8. Additional personnel.

The assignment of any person to the council pursuant to section seven hereof shall not in any

way deprive such person of any tenure rights or of any right or protection provided him by Title 11 of the Revised Statutes, Civil Service, or under any pension law or retirement system.

Section amended.

7. Section ten of the act of which this act is amendatory is amended to read as follows:

C.52:17B-43.10. Appropriation transferred.

10. Appropriations to the Department of Law and Public Safety for administration expenses in carrying out the provisions of chapter two hundred fifty-three of the laws of one thousand nine hundred and fifty-two, heretofore made or to be made in any supplemental or general appropriation act, are hereby transferred to the Law Enforcement Council and shall be made available to said council.

Section amended.

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

C.52:17B-43.11. Act inoperative.

11. This act shall take effect immediately but shall become inoperative on and after July first, one thousand nine hundred and fifty-five, unless the operation thereof is extended by further act of the Legislature.

Note: See Sec. 3—Members to continue.

9. The members of the council in office on the effective date of this act shall continue to serve as such members until the appointment and qualification of their respective successors hereunder.

10. This act shall take effect immediately.

Approved June 9, 1953.

CHAPTER 183

AN ACT concerning the salaries of surrogates in certain counties of the third class, and supplementing chapter five of Title 2A of the New Jersey Statutes.

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

C. 2A:5-3.5. Surrogates, salaries.

1. In counties of the third class of this State having a population of more than ninety-five thousand and less than one hundred twenty-five thousand, the annual salary of the surrogate may be increased by resolution of the board of chosen freeholders of such county or by an appropriation provision in the county budget, to not more than seventy-five hundred dollars ($7,500.00), payable at the same time and in the same manner as other county salaries are now paid.

2. This act shall take effect immediately.

Approved June 11, 1953.

CHAPTER 184

AN ACT concerning the practice of beauty culture, and amending sections 45:4A–2, 45:4A–8, 45:4A–18, 45:4A–23 and 45:4A–24 of the Revised Statutes and "An act concerning the practice of beauty culture, and amending sections 45:4A–2, 45:4A–8, 45:4A–10, 45:4A–11, 45:4A–14, 45:4A–15, 45:4A–18 and 45:4A–23 of the Revised Statutes, and supplementing chapter four-A of Title 45 of the Revised Statutes," approved March fifteenth, one thousand nine hundred and forty-three (P. L. 1943, c. 9), and supplementing chapter four-A of Title 45 of the Revised Statutes.

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

Section amended.

1. Section 45:4A–2 of the Revised Statutes is amended to read as follows:

Board, members, qualifications, appointment, terms, compensation.

45:4A–2. The control of beauty culture shall be governed, as heretofore, by a board to be known as the board of beauty culture control in the State Department of Health and consisting of six members. Four of the members of the board to be appointed under the provisions of this chapter shall have been engaged in the occupation of beauty culture for a period of at least five years preceding the date of their appointment; one member shall have been engaged in the business of conducting a school for the teaching of beauty culture for a period of at least five years preceding the date of appointment; and one member shall not, at the time of the appointment, be directly or indirectly identified with the business of beauty culture in any of its branches. At least two members of the board shall be women. All members of the board shall

be citizens of the United States and of the State of New Jersey for at least five years prior to the date of their appointment. All members of this board shall be appointed by the Governor. The members shall serve for a period of three years. Each member shall hold his office until his successor has been appointed and qualified. The Governor may remove any member of the board for cause and appoint some other person to fill the vacancy. Appointments made to fill vacancies caused by death, resignation or removal shall be for the unexpired term only. Members of the board shall receive as compensation for their services twenty-five hundred dollars ($2,500.00) per annum and necessary traveling expenses, which shall include only the cost of transportation to and from the place of the performance of their duties.

The present members of the board shall continue in office until the expiration of their respective terms and the additional member of the board shall take office on the seventh day of October, one thousand nine hundred and forty-six.

Section amended.

2. Section 45:4A–8 of the Revised Statutes is amended to read as follows:

Requirements for examination or certificate of registration, license, etc., proviso.

45:4A–8. No person shall be permitted by the department to take an examination or receive an original certificate of registration or license as an operator unless such person shall be at least sixteen years of age and a graduate of the eighth grade or the equivalent thereof and has been registered as a student and has had a school term of training, as hereinafter provided in this chapter, in a licensed beauty school of this State or an approved beauty school of another State, territory, the District of Columbia, or foreign country; *provided, however,*

(1) That the department may permit a person to take an examination without the prior studentship herein required if such person shall establish to the satisfaction of the department that he or she has been an operator in the active practice of beauty culture in New Jersey for at least twelve

months within the five years next preceding June twenty-ninth, one thousand nine hundred and thirty-five; and

(2) The department may permit any person to take an examination without the prior studentship herein required if such person shall establish to the satisfaction of the department that he or she has practiced beauty culture for not less than three years in another State, territory, the District of Columbia, or foreign country; and

(3) The department shall, upon application and without examination, issue a certificate of registration or license as an operator to any person over the age of sixteen years who has been duly licensed by another State, territory or the District of Columbia upon compliance with standards and requirements not lower, in the judgment of the department, than those of this State, but only if such State, territory or district extends similar reciprocity to licensees of this State and if such application is accompanied by a certified copy of such license and the required license fee.

No person shall be permitted to take an examination or receive an original certificate of registration or license to teach beauty culture unless such person shall be at least eighteen years of age and shall have completed two years of high school or the equivalent and has been engaged in the active practice of beauty culture as a licensed operator of this State for not less than two years, or has had training of not less than a total of two thousand hours within a period of not less than twelve months in a licensed beauty school of this State or an approved beauty school of another State, territory, or the District of Columbia.

No person shall be permitted to take an examination or receive an original certificate of registration or license to demonstrate appliances, methods or cosmetics used or to be used in the practice of beauty culture unless such person shall be at least eighteen years of age and shall have been duly licensed as a beauty culture operator in the State of New Jersey.

No person shall receive an original certificate of registration or license as a manager-operator, unless such person shall be at least nineteen years of age and has been a licensed operator of this State for a period of three years, except that the department shall, upon application and without examination, issue a certificate of registration or license as a manager-operator to any person who is at least nineteen years of age and has been a licensed operator or teacher of this State for a period of three years and the department may permit a person to take an examination for such registration or certificate, if the applicant is at least nineteen years of age and has been a licensed operator or teacher of this State for two years.

No person shall be permitted to receive an original certificate of registration as a student without having first furnished the department with satisfactory proof of his or her enrollment in a duly registered or licensed beauty school of this State.

No person, partnership or corporation shall be permitted to receive an original shop certificate of registration or license to use or maintain premises for the practice of beauty culture unless such person, partnership or corporation shall have first furnished the department with satisfactory proof that such shop or premises are to be used or maintained in compliance with the requirements of the rules and regulations prescribed by authority of sections 45:4A–13 and 45:4A–16 of this Title.

No person, partnership or corporation shall be permitted to receive a temporary license to use or maintain premises for the demonstration of appliances, methods or cosmetics to be used in the practice of beauty culture unless such person, partnership or corporation shall have furnished the department with satisfactory proof that the demonstration is to be conducted by a licensed demonstrator in compliance with the requirements of the rules and regulations prescribed by authority of sections 45:4A–13 and 45:4A–16 of this Title. Such temporary license to use or maintain premises for

demonstration shall be valid only at the time and place specified therein and for a period of time designated by the board.

A duly licensed manager-operator shall at all times supervise and be in charge of the conduct of premises licensed for the practice of beauty culture thereon. Each application for shop license, together with each application for renewal thereof, shall state the name, residence address and license number of the manager-operator intended to supervise and be in charge of the licensed premises during the licensing period applied for. Any change of manager-operator of licensed premises shall be forthwith reported in writing to the board by the person, partnership or corporation to whom such shop license has been issued.

Section amended.

3. Section 45:4A–18 of the Revised Statutes is amended to read as follows:

Fees, disposition

45:4A–18. The registration fee for the issuance of licenses or certificates of registration with or without examination shall be as follows: Twenty-five dollars ($25.00) for the initial year and six dollars ($6.00) a year thereafter for registration of beauty shops; one hundred dollars ($100.00) for the initial year and fifty dollars ($50.00) a year thereafter for private schools of beauty culture; seven dollars ($7.00) a year for manager-operators; ten dollars ($10.00) a year for demonstrators, or teachers; four dollars ($4.00) a year for operators or manicurists only; twenty dollars ($20.00) for initial operators issued by reciprocity; twenty dollars ($20.00) for restoration of practicing licenses; two dollars ($2.00) for students for the entire school term; ten dollars ($10.00) for each temporary license to use premises for demonstration; two dollars ($2.00) for student's temporary permit to practice on Saturdays only; fifteen dollars ($15.00) for temporary permit to practice while an applicant is scheduled for examination; two dollars ($2.00) for a duplicate license; and ten dollars ($10.00) for examination fee for license. Annual renewal fee shall be the same as above. The

above fees for registration and certificate shall be paid in advance to the Department of Beauty Culture Control and by it paid into the State treasury.

Section amended.

4. Section 45:4A–23 of the Revised Statutes is amended to read as follows:

Term and renewal of licenses and certificates, extensions.

45:4A–23. All certificates or licenses or renewals shall expire on the thirtieth day of June next succeeding, except shop certificates of registration or licenses to use or maintain premises for the practice of beauty culture, which shall expire on the last day of August next succeeding, and certificates or licenses for operators and manicurists which shall expire on the last day of September next succeeding, unless renewed for the next year. Certificates or licenses may be renewed by application made prior to the last day of June, the last day of August or the last day of September, as the case may be, of each year and the payment of the renewal fee provided in this chapter. In case of loss or destruction of the original certificate of registration or license, a duplicate certificate may be issued upon payment of two dollars ($2.00).

All shop certificates of registration or licenses to use or maintain premises for the practice of beauty culture, which otherwise would expire on June thirtieth, one thousand nine hundred and fifty-one, shall be extended to, and shall expire on, the last day of August, one thousand nine hundred and fifty-one, without the payment of any additional fee.

Section amended.

5. Section 45:4A–24 of the Revised Statutes is amended to read as follows:

Enforcement, penalties, jurisdiction process, commitment.

45:4A–24. (a) The board of beauty culture control in the Bureau of Examination and Licensing in the State Department of Health shall have power to enforce this chapter.

(b) Any person, partnership or corporation violating this act shall forfeit and pay a penalty of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00) for the first offense, not less than one hundred dollars ($100.00) nor more than two hundred dollars ($200.00) for the

second offense, and not less than two hundred dollars ($200.00) nor more than three hundred dollars ($300.00) for the third and each subsequent offense, which penalty shall be sued for and recovered by and in the name of said board.

(c) Every county district court and municipal court shall have jurisdiction of proceedings for the collection and enforcement of a penalty imposed because of the violation, within the territorial jurisdiction of the court, of any provision of this act. The penalty shall be collected and enforced in summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). Process shall issue at the suit of the plaintiff, and shall be either in the nature of a summons or warrant. The court shall, if judgment be rendered for the plaintiff, cause any such defendant, who may refuse or fail forthwith to 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.

Section amended.

6. Section five of chapter nine of the laws of one thousand nine hundred and forty-three is amended to read as follows:

C. 45:4A-23.1. Expiration, application for new license.

5. Any person to whom a license shall have been duly issued, may at any time within one year of the expiration date of such license make application for and obtain a license of like kind without re-examination; any such person making such application after one year from the expiration date of previous license, shall be required to make application therefor and submit to examination, as if such applicant had never been the holder of any license issued by this board, unless he shall make application for the restoration of such license within four years after the expiration date thereof, in which case he may have such license restored without examination upon the payment of the current renewal fee and a restoration fee of twenty dollars ($20.00); *provided, however,* that where any person had or shall have the privilege of mak-

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ing application for and obtaining a license without examination under this section at the time of his entrance into the military or naval forces of the United States during the present war, he may make such application for a license without examination at any time within a period of one year after his honorable discharge from such military or naval forces.

C. 45:4A-10.2. Supervision, beauty culture school.

7. Every beauty school licensed for the instruction of beauty culture shall be at all times under the immediate supervision and conduct of a person duly licensed to teach beauty culture and each application for a school license or for a renewal thereof shall state the name, residence address and license number of such teacher.

Note: Act effective.

8. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved June 11, 1953.

CHAPTER 185

AN ACT to amend and supplement "An act to regulate the occupation of barbering, to provide for the licensing of persons to carry on such occupation and to create the State Board of Barber Examiners to provide rules regulating the proper conduct and sanitation of the occupation of barbering for the protection of the public health and to provide penalties for violation thereof," approved May seventeenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 197).

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

Section amended.

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

C. 45:4-44. Fees.

18. The fee to be paid by an applicant for examination to determine his fitness to receive a certifi-

cate of registration to practice barbering is fifteen dollars ($15.00) and for the issuance of a certificate, five dollars ($5.00).

The fee for the annual renewal of a certificate of registration to practice barbering is five dollars ($5.00).

The fee for the restoration of an expired certificate of registration to practice barbering is ten dollars ($10.00).

The fee for an apprentice certificate is three dollars ($3.00). All apprentice certificates on file when this act becomes effective shall expire July first, one thousand nine hundred and thirty-eight, and any person who continues to practice as an apprentice shall file for a renewal of such certificate for the fee of one dollar and fifty cents ($1.50) as provided for herein.

The fee for a license to operate a barber school or college in accordance with the provisions of this act shall be two hundred and fifty dollars ($250.00) per annum and such license to be renewed on or before the first day of July of each year, the renewal fee thereof to be two hundred and fifty dollars ($250.00).

The fee to be paid for a license as a registered teacher in approved barber schools and colleges shall be twenty-five dollars ($25.00) per annum, such license to be renewed on or before the first day of July of each year, the renewal fee thereof to be twenty-five dollars ($25.00).

Section amended.

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

C. 45:4-48. Organization, salaries, quorum, expenses.

22. Said Board of Barber Examiners shall organize and elect a chairman and a secretary-treasurer from its own members. It shall adopt and use a common seal for the authentication of its audit and records. The secretary-treasurer shall keep a record of all proceedings of the board and shall remit all funds received to the Treasurer of the State of New Jersey.

The secretary-treasurer shall be bonded in the sum of three thousand dollars ($3,000.00) with

sureties approved by the Secretary of State, conditioned for the faithful performance of his duties, and shall take the oath provided by law for such public office.

The secretary-treasurer of the board shall receive a compensation of five thousand five hundred dollars ($5,500.00) per annum and devote his full time to the supervision of office and field workers and to the performance of the other duties of his office.

A majority of the board in meeting duly assembled may perform and exercise all the duties and powers developed upon the board.

The other members of the board shall receive a compensation of five thousand dollars ($5,000.00) per annum and in addition thereto, all members of the board, including the secretary-treasurer, shall be reimbursed and receive their necessary traveling expenses, which shall include only the cost of transportation to and from the place of performance of their duties, incurred in the proper discharge of their duties. They shall devote their full time to the performance of the duties of their respective offices as such members.

All expenses, salaries, et cetera, shall be paid only from the receipts received for barber fees, and at no time shall the expenses exceed the receipts received from barber fees.

C. 45:4-33.1. Notice of examination, construction.

3. Notice to an applicant for an examination to determine his fitness to receive a certificate of registration to practice barbering and failure of such applicant to appear at such examination shall be construed to be an opportunity to qualify. Such notice may be by ordinary mail addressed to the applicant at his last address available from existing records. Should an applicant fail to appear at two scheduled examinations his examination fee shall be declared forfeited.

Note: Act effective.

4. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved June 11, 1953.

CHAPTER 186

AN ACT to amend "An act concerning the regulation and licensing of barber shops, and amending and supplementing 'An act to regulate the occupation of barbering, to provide for the licensing of persons to carry on such occupation and to create the State Board of Barber Examiners to provide rules regulating the proper conduct and sanitation of the occupation of barbering for the protection of the public health and to provide penalties for violation thereof,' approved May seventeenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 197)," approved April twenty-third, one thousand nine hundred and forty-six (P. L. 1946, c. 133).

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

Section amended.

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

C. 45:4-50.5. License issued, renewals, term, fee.

5. If the board is satisfied that such shop or premises are to be used and maintained in compliance with the provisions of the act of which this act is amendatory and supplementary, the board shall cause a license to be issued forthwith to such applicant, which license shall remain in full force and effect until July first, following its issue. Such license may be renewed annually until the next succeeding July first, upon application during the month of July and payment of a renewal fee of five dollars ($5.00) or upon application thereafter upon payment of a renewal fee of ten dollars ($10.00).

Note: Act effective.

2. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved June 11, 1953.

CHAPTER 187

AN ACT concerning traffic regulations, and amending section 39:4–130 of the Revised Statutes.

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

1. Section 39:4–130 of the Revised Statutes is amended to read as follows: Section amended.

39:4–130. The driver of a vehicle or street car involved in an accident resulting in injury to or death of any person, or damage to property of any one person in excess of one hundred dollars ($100.00) shall by the quickest means of communication give notice of such accident to the local police department or to the nearest office of the county police of the county or of the State Police, and in addition shall within five days after such accident forward a written report of such accident to the division on forms furnished by it. Reporting accident, procedure, license revoked.

Whenever the driver of a vehicle is physically incapable of giving immediate notice or making a written report of an accident as required in this section and there was another occupant in the vehicle at the time of the accident capable of giving notice or making a report, such occupant shall make or cause to be made said notice or report not made by the driver.

Whenever the driver is physically incapable of making a written report of an accident as required by this section and such driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall make such report not made by the driver.

The director may revoke or suspend the operator's license privilege and registration privilege of a person who violates this section.

2. This act shall take effect immediately.

Approved June 11, 1953.

CHAPTER 188

AN ACT concerning motor vehicles, and supplementing article three of chapter three of Title 39 of the Revised Statutes.

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

C. 39:3-66.1. Turn signal equipment required.

1. No person shall operate any motor vehicle or motor-drawn vehicle manufactured after July first, one thousand nine hundred and fifty-four, and registered in this State unless such motor vehicle or motor-drawn vehicle is equipped with turn signals of a type approved by the Director of the Division of Motor Vehicles in the Department of Law and Public Safety.

C. 39:3-66.2. Penalties.

2. Any person violating the provisions of this act shall be subject to a fine of not more than twenty-five dollars ($25.00) or imprisonment for a term not exceeding ten days, or both.

3. This act shall take effect immediately.

Approved June 11, 1953.

CHAPTER 189

AN ACT concerning regional school districts, and supplementing chapter eight of Title 18 of the Revised Statutes.

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

C. 18:8-6.4. Board of education of new union-graded school district.

1. Whenever one or more school districts shall have decided to unite with a union-graded district or a regional board of education comprised of less than nine constituent districts, pursuant to section 18:8–3 of the Revised Statutes, the board of educa-

tion of the union-graded district or the regional board of education, in office on June thirtieth next ensuing, shall be the board of education of the new union-graded school district or regional board of education and the members of such board of education shall continue in office for the duration of their terms.

C. 18:8-6.5. Membership reapportioned.

2. The membership of the board of education shall be reapportioned forthwith pursuant to section 18:8–5 of the Revised Statutes so that each new district shall have the representation to which it is entitled.

C. 18:8-6.6. Designating terms.

3. In designating the term or terms of the board member or members representing each new district, the county superintendent or county superintendents of schools of the county or counties in which the districts are respectively situated shall designate the term or terms of the members with the least remaining time to serve from the constituent districts which lose membership by reason of the reapportionment of membership pursuant to section two of this act; but members shall continue in office for the terms for which they were elected or appointed. Whenever it shall be necessary to designate terms for more than one new constituent district at the same time, such designation of terms shall be made according to the alphabetical order of the new districts.

C. 18:8-6.7. Appointments from each new district.

4. The county superintendent or county superintendents shall appoint to represent each new district the number of board members to which such district is entitled by the reapportionment of membership pursuant to section two of this act, and each such member shall serve until the first Monday in March succeeding the next annual election for board members. At such annual election, a member or members shall be elected for the term or terms designated by the county superintendent or county superintendents pursuant to section three of this act.

5. This act shall take effect immediately.

Approved June 11, 1953.

CHAPTER 190

AN ACT concerning narcotic drugs, and supplementing chapter eighteen of Title 24 of the Revised Statutes.

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

C. 24:18-24.1. Physician to report.

1. Every physician shall, within twenty-four hours after determining that any person is suffering from the effect of the use of a narcotic drug as defined in section 24:18–2 of the Revised Statutes, taken for purposes other than the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings, report such determination to the office of the Superintendent of the State police or mail a report thereof to that office.

C. 24:18-24.2. Disorderly person.

2. Any person who fails to make any report required of him by this act is a disorderly person.

Note: Act effective.

3. This act shall take effect October first, one thousand nine hundred and fifty-three.

Approved June 11, 1953.

CHAPTER 191

AN ACT to validate certain final decrees and final judgments entered in foreclosure of certificates of tax sales in which a municipality was complainant or plaintiff notwithstanding the prior sale of the lands and premises affected thereby by such municipality.

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

Validates certain final decrees and judgments.

1. All final decrees heretofore entered in the Court of Chancery of this State or final judgments heretofore entered in the Superior Court, Chancery Division, of this State, to foreclose certificates of tax sale wherein a municipality was complainant (or plaintiff) for the purpose of effectively barring the equity of redemption of the owner of some estate or interest in or the holder of some encumbrances on the lands and premises affected thereby, who may have been omitted as parties defendant in any prior suit to foreclose said certificates of tax sale, shall be valid and effectual notwithstanding the sale of the said lands and premises prior thereto by the said municipality in pursuance to section 40:60–26 of the Revised Statutes.

2. This act shall take effect immediately.

Approved June 11, 1953.

CHAPTER 192

AN ACT authorizing the foreclosure of tax sale certificates, previously foreclosed, by municipalities against persons having estates or interest in, or encumbrances upon, the lands covered thereby, in certain cases.

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

C. 54:5-86.1. Foreclosure of interest in property of omitted party.

1. Any owner of lands purchased by such owner or his ancestor in title from a municipality, title to which lands was acquired by the municipality under a tax sale certificate and the foreclosure thereof, may request the municipality to foreclose such tax sale certificate as against any person having an estate or interest in, or encumbrance upon, said lands who was omitted as a party to the foreclosure action.

C. 54:5-86.2. Municipality's right to foreclose.

2. The municipality, in any such case, shall have the right to foreclose the tax sale certificate against the omitted party, in any manner provided by law for the foreclosure of a tax sale certificate, notwithstanding the prior sale of the property by the municipality.

C. 54:5-86.3. Court given jurisdiction, costs.

3. In any such action, the owner shall be made a party and the court shall have jurisdiction fully to determine and protect the rights and interests of the respective parties and the expense of bringing and maintaining such action may be borne by the municipality.

4. This act shall take effect immediately.

Approved June 11, 1953,

CHAPTER 193

AN ACT concerning annual leave for vacation purposes of certain employees in the classified service of the State, and supplementing chapter fourteen of Title 11 of the Revised Statutes.

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

C. 11:14-1.1. Annual leave, computing.

1. In determining the annual leave for vacation purposes to which any employee in the classified service of the State service shall be entitled pursuant to section 11:14–1 of the Revised Statutes, credit shall be given for all continuous, full-time service which such employee shall have served, whether the same shall have been served under temporary or permanent appointment in an office, position or employment in the classified or unclassified service of the State service.

2. This act shall take effect immediately.

Approved June 11, 1953.

CHAPTER 194

AN ACT to amend "An act to provide for the creation, setting apart, maintenance and administration of a county employees' pension fund in counties having a population of from three hundred thousand to three hundred twenty-five thousand inhabitants," approved August twelfth, one thousand nine hundred and forty-eight (P. L. 1948, c. 310).

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

Section amended.

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

C. 43:10-18.55. Members and conditions for membership.

6. The members and certain conditions of membership in the retirement system created by this act shall be as follows:

(a) All persons who shall hereafter become employees before they become forty years of age, shall, after they complete three months of service, and be found physically and mentally fit to the satisfaction of the pension commission herein provided for, become members of the county employees' retirement system created under this act, and shall recive no pension or retirement allowance from any other pension or retirement system supported wholly or in part by the county, nor shall they be required to make contributions to any other pension or retirement system of said county, anything to the contrary notwithstanding.

Such persons shall not be given credit for pension purposes hereunder for any prior service;

Proviso.

provided, however, that where any such employee has had prior service as an employee in any State, county or municipal position, such employee shall be given credit for pension purposes hereunder for such prior service upon written application

therefor to the pension commission within one year after becoming a member of this retirement system and upon payment into the retirement system herein provided, for a period of time equal to the length of prior service for which credit is allowed, of a sum of money equal in amount to five per centum (5%) of salary, said five per centum (5%) of salary being based upon the salary received by such employee at the time of the making of said application. Said sum of money may be paid in one lump sum or by semimonthly deductions from salary, whichever method the applicant may elect, together with the regular deductions provided by this act, until completed; *provided, however,* that such prior service shall be credited only as paid for. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided a sum of money equal in amount to the employees' principal payment, or payments. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission.

Proviso.

(b) All employees at the time of the adoption of this act, who were under the age of forty years at the time of their appointment or election to public office in the county government, and were not members of any retirement system supported wholly or in part by the county, and who did not become members of the retirement system created under this act before January first, one thousand nine hundred and forty-nine, may now become members of the retirement system created under this act upon written application made to the pension commission within ninety days from the adoption of this amendatory act, under Plan (B1) and Plan (B2) as defined in said act and upon payment for prior service as provided under either of said plans.

(B1) To receive credit for service rendered to the county prior to joining this retirement system such employee shall pay into this retirement sys-

tem a sum of money equal to three per centum (3%) of salary received either since June first, one thousand nine hundred and thirty-seven, or since August first, one thousand nine hundred and thirty-eight, depending upon which of the said two dates such employee first became eligible to membership in the county employees' retirement system of such county established under "An act to provide for the maintenance of old faithful servants of the several counties of the State of New Jersey" (P. L. 1918, c. 164); or article one of chapter ten and chapter nine of Title 43 of the Revised Statutes of one thousand nine hundred and thirty-seven; or since the date of his entrance into county service, if he became an employee after June first, one thousand nine hundred and thirty-seven. Such payment may be made either (1) in one sum, or (2) by equal semimonthly installments to be deducted together with each regular deduction from his salary, whichever method the applicant may elect, for the retirement system provided for under this act; *provided, however,* that in case an employee chooses to pay for such prior county service by method (2) aforesaid, that is by equal semimonthly installments, such employee shall receive credit for so much of such prior county service as is thus paid for, and no more. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided for a sum of money equal in amount to the employee's principal payment. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission. Any such employee who elects to become a member of this retirement system under the aforesaid plan shall, upon his application to the pension commission prior to January first, one thousand nine hundred and forty-nine, be given credit for pension purposes hereunder for any prior service or services rendered as an employee of the State, and of any municipalities or other political subdivisions of the State, upon payment into the retirement

Proviso.

system herein provided, for a period of time equal to the length of prior service for which credit is allowed, of a sum of money equal in amount to three per centum (3%) of salary, said three per centum (3%) of salary being based upon the salary received by such employee at the time of the making of said application. Said sum of money may be paid in one lump sum or by semimonthly deductions from salary, whichever method the applicant may elect, together with the regular deductions provided by this act, until completed; *provided, however,* that such prior service shall be credited only as paid for. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided for, a sum of money equal in amount to the employee's principal payment or payments. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission.

Proviso.

(B2) The regular deductions from the salary of any employee electing to become a member under this plan (B2) shall commence upon the filing of such written application and such employee shall not receive credit for any service rendered theretofore in any State, county, or municipal office or position.

(c) All employees who, at the time of the adoption and approval of this act, are members of any of the following retirement systems in effect in said county:

County detectives in counties of the first, second, third, and fifth classes (article two of chapter ten of Title 43 of the Revised Statutes);

Probation officers of counties of over eighty-three thousand inhabitants (article five of chapter ten of Title 43 of the Revised Statutes);

Sheriff's employees in counties of the first and second classes (article six of chapter ten of Title 43 of the Revised Statutes);

County superintendents of weights and measures and assistant county superintendents of weights and measures ("An act providing for the retirement of persons employed in the department of weights and measures of any county in this State, and providing a pension for such persons so retired," filed June twenty-first, one thousand nine hundred and thirty-eight (P. L. 1938, c. 397));

County park police in counties of more than two hundred thousand population (sections 40:37–157 to 40:37–174, inclusive, of the Revised Statutes);

Court interpreters in counties of the second class (article nine of chapter ten of Title 43, of the Revised Statutes);

shall on January first, one thousand nine hundred and forty-nine, automatically become members of the county employees' retirement system provided for by this act, and all such employees shall be deemed to agree and consent to the transfer of such membership unless they, or any one or more of them shall, before January first, one thousand nine hundred and forty-nine, by written notice to the pension commission of their respective retirement systems operating in such county, elect to withdraw therefrom their contributions theretofore made, without interest. Any such member electing to withdraw from such membership shall thereafter be ineligible for membership in any retirement system of such county, or for any pension payable, in whole or in part, by funds of such county under the provisions of any statute of this State except sections 43:4–1 to 43:4–5, inclusive, of the Revised Statutes.

All such employees who become members of the county employees' retirement system provided for by this act and other county employees mentioned in paragraph (b) who become members of the said county employees' retirement system and who have held elective office in the county government, shall

be given credit for pension purposes hereunder for all services, including services performed in any elective office, rendered to the county prior to January first, one thousand nine hundred and forty-nine; *provided, however,* that where any such employee had theretofore agreed, under the provisions of article one of chapter ten of Title 43 of the Revised Statutes, to pay for any part or all of such service rendered to the county prior to January first, one thousand nine hundred and forty-nine, the transfer or approval of such employee's membership into this system shall include the transfer to this system of all conditions and obligations of such prior agreement made by such employee and such employee shall be deemed to agree and consent to the transfer to this system of such conditions and obligations until the conditions of such agreement have been fully complied with. Employees mentioned in paragraph (b) who have held elective office in the county government prior to January first, one thousand nine hundred and forty-nine, who were not members of the aforesaid systems defined in paragraph (c) herein, shall be given credit for pension purposes for all services including services performed in any elective office, rendered to the county prior to January first, one thousand nine hundred and forty-nine, upon such employee agreeing and consenting in writing to pay for any part or all of such services rendered to the county prior to January first, one thousand nine hundred and forty-nine at the rate of three per centum (3%) of the salary received for a period of time equal to the length of the prior elective service for which credit is allowed, plus interest thereon at a rate to be determined by the pension commission. Proviso.

Except as otherwise provided by section eight of this act, where any such employee's membership shall be transferred to this retirement system on January first, one thousand nine hundred and forty-nine, such employee shall be given credit for pension purposes hereunder for any prior service

or services rendered as an employee of the State and of any municipalities or other political subdivisions of the State, upon application therefor to the pension commission within one year after the transfer of such membership, and upon payment into the retirement system herein provided, for a period of time equal to the length of prior service for which credit is allowed, of a sum of money equal in amount to three per centum (3%) of salary, said three per centum (3%) of salary being based upon the salary received by such employee at the time of the making of said application. Said sum of money may be paid in one lump sum or by semimonthly deductions from salary, whichever method the applicant may elect, together with the regular deductions provided by this act, until completed; *provided, however,* that such prior service shall be credited only as paid for. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided a sum of money equal in amount to the employee's principal payment or payments. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission.

(d) Any person who at the time of the adoption of this act was a county employee and not a member of this retirement system and who became a county employee or held elective office in the county government prior to such employee reaching the age of forty-five years and prior to January first, one thousand nine hundred and forty-nine, may become a member of this retirement system upon written application made to the pension commission within ninety days after the adoption of this act upon such employee complying with all of the following conditions:

(D1) Submit to a medical examination and be found mentally and physically fit to the satisfaction of the pension commission.

(D2) Pay into this retirement system, in addition to the regular deductions provided by this act, a sum of money equal to five per centum (5%) of salary received by such employee for the period of time elapsing since such person first became a county employee or assumed elective office in the county, said five per centum (5%) of salary being based upon the salary received by such employee at the time of the making of application for membership in this system. Said sum of money must be paid in one lump sum, together with interest thereon at a rate to be determined by the pension commission, and upon the same being paid, the county shall, within a reasonable time thereafter, pay into this retirement system a sum of money equal in amount to such employee's principal payment. Upon making the aforesaid payment, such employee shall be given credit for pension purposes for such period of prior service rendered to the county.

2. This act shall take effect immediately.
Approved June 11, 1953.

CHAPTER 195

AN ACT concerning the salaries to be paid to the mayor and councilmen in boroughs in counties of the third class, and amending section 40:87–60 of the Revised Statutes.

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

Section amended.

1. Section 40:87–60 of the Revised Statutes is amended to read as follows:

Salaries, mayor and councilmen.

40:87–60. The salaries of the mayor and councilmen shall be governed by article six of chapter forty-six of this Title (§ 40:46–23 et seq.), except in boroughs in counties of the third class, in which boroughs they may be fixed by ordinance at the rate of ten dollars ($10.00) per meeting for each councilman and the mayor but not to exceed five hundred dollars ($500.00) per year, and except in boroughs in counties of the fourth class and boroughs in counties of the sixth class, in which boroughs they shall be fixed by ordinance as in the case of other salaries. All other officers shall be paid such salary or compensation as the council may by ordinance fix.

2. This act shall take effect immediately.

Approved June 11, 1953.

CHAPTER 196

AN ACT validating certain final decrees rendered in the former Court of Chancery and providing for the effect of such decrees, in certain cases.

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

Validates certain final decrees of former Court of Chancery.

1. Wherever a final decree for the foreclosure of a tax sale certificate has heretofore and at least nine years prior to the passage of this act, been entered and recorded in an action or proceeding in the former Court of Chancery and the said action or proceeding was commenced and maintained by a complainant who was a tenant in common with one or more of his co-tenants who were made defendants in such action, the said decree shall be valid and binding upon the co-tenant or co-tenants, defendants in said action, to the same effect and with the same force as though the respective interests of said complainant and the said defendant or defendants, in respect to the title to the property affected by the tax sale certificate and the foreclosure thereof, were separate and distinct and not in common; *provided,* no proceeding shall have been heretofore instituted or shall be instituted within three months after the passage of this act, in any court of this State, by any such co-tenant, to obtain any relief against the said complainant relating to the said property by reason of or arising out of such co-tenancy or said final decree.

2. This act shall take effect immediately.

Approved June 11, 1953.

CHAPTER 197

AN ACT concerning taxation, and amending section 54:3–6 of the Revised Statutes.

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

Section amended.

1. Section 54:3–6 of the Revised Statutes is amended to read as follows:

Salaries, county tax boards.

54:3–6. The salaries of the members of the several boards shall be paid in equal monthly installments by the State Treasurer upon warrants drawn by the Director of the Division of Budget and Accounting in the Department of the Treasury, and shall be as follows: In counties having a population of more than five hundred thousand, an annual salary of sixty-five hundred dollars ($6,500.00); in counties having between two hundred and seventy-five thousand and five hundred thousand inhabitants, an annual salary of five thousand dollars ($5,000.00); in counties having between two hundred thousand and two hundred and seventy-five thousand inhabitants, an annual salary of forty-five hundred dollars ($4,500.00); in counties having between one hundred and fifty thousand and two hundred thousand inhabitants, an annual salary of four thousand dollars ($4,000.00); except as hereinafter provided, in counties having between seventy-five thousand and one hundred and fifty thousand inhabitants, an annual salary of thirty-five hundred dollars ($3,500.00); except as hereinafter provided, in counties having not more than seventy-five thousand inhabitants, an annual salary of three thousand dollars ($3,000.00); in counties bordering upon the Atlantic ocean, and having not less than fifty thousand nor more than one hundred and fifty thousand inhabitants, an annual salary of four thousand dollars ($4,000.00).

The president of each county board shall, in addition to the above, receive the further sum of five hundred dollars ($500.00) per annum.

2. This act shall take effect July first, one thousand nine hundred and fifty-three. Note: Act effective.

Approved June 11, 1953.

CHAPTER 198

AN ACT establishing a State Apprenticeship Council in the Division of Labor in the Department of Labor and Industry and prescribing its functions, powers and duties.

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

1. State Apprenticeship Council. The Governor shall appoint, with the advice and consent of the Senate, a State Apprenticeship Council in the Division of Labor in the Department of Labor and Industry, composed of three representatives each from employer and employee organizations respectively and one representative of the general public, who shall be the chairman. The council by majority vote may designate one of its members, other than the chairman, as vice-chairman to act in the absence or disability of the chairman. Each member shall be appointed for a term of three years. Each member shall hold office until his successor is appointed and has qualified, and any vacancy shall be filled by appointment for the unexpired portion of th term. The Commissioner of Education and the Commissioner of Labor and Industry shall ex officio be members of such council without vote. The members of the council shall receive no compensation for their services. C. 34:1A-36. State apprenticeship council, members, terms, powers and duties.

The council may: (a) establish suggested standards for apprenticeship agreements in conformity with the provisions of this act; (b) adopt such rules and regulations as may be necessary to carry out the intent and purposes of this act; (c) compile such data as may be deemed necessary to determine trends of employment opportunity in various trades; (d) terminate or cancel any apprenticeship agreement in accordance with the provisions of such agreement; (e) perform such other duties as may be necessary to give full effect to the provisions of this act.

The council shall annually make a report to the Commissioner of Labor and Industry of its activities and findings.

C. 34:1A-37. Personnel, duties.

2. Personnel. The Commissioner of Labor and Industry shall appoint a person to be in charge of apprentice training in the Division of Labor in the Department of Labor and Industry. The Commissioner of Labor and Industry is authorized to appoint such clerical, technical, and professional assistants and may also designate such available personnel as shall be necessary to effectuate the purposes of this act. The personnel appointed under this act, shall receive annual compensations in accordance with their respective positions as classified by the Civil Service Commission and within the ranges established therefor and within the limits of available appropriations.

The person in charge of apprentice training shall further the purposes of this act, and his duties shall include (a) encouragement and promotion of the making of such apprenticeship agreements as may conform to the standards established by or in accordance with this act; (b) settlements of differences arising out of apprenticeship agreements when such differences cannot be adjusted locally or in accordance with established trade procedure; (c) supervision of the execution of agreements and maintenance of standards; (d) acting as secretary of the council and of State joint apprenticeship committees; (e) registration of such apprentice-

ship agreements as the council shall authorize as conforming to the standards herein; (f) keeping a record of apprenticeship agreements and upon performance thereof issuing certificates of completion of apprenticeship; (g) co-operation with other State apprenticeship councils and the Federal Committee on Apprenticeship in promoting and maintaining bona fide apprenticeships.

C. 34:1A-38. Related and supplemental instruction.

3. Related and supplemental instruction. Related and supplemental instruction for apprentices, co-ordination of instruction with job experience, and the selection of teachers and co-ordinators for such instruction shall be the responsibility of State and local vocational education boards.

In accordance with statutory provisions, the State Department of Education shall be responsible for and provide related training as required by apprenticeship programs set up under this act. The State Apprenticeship Council may accept other related instruction facilities where vocational education related instruction facilities are not available or where registered apprenticeship programs designate other facilities for related instruction.

C. 34:1A-39. Joint apprenticeship committees.

4. Local, regional and State joint apprenticeship committees. Local and State joint apprenticeship committees may be approved, in any trade or group of trades, in trade areas or regions of the State by the council, whenever the apprentice training needs of such trade or group of trades or such areas or regions justify such establishment. Such local, regional or State joint apprenticeship committees shall be composed of an equal number of employer and employee representatives chosen from names submitted by the respective local or State employer and employee organizations in such trade or group of trades and also such additional members representing local boards of education or other educational agencies as may be deemed advisable. In a trade or group of trades in which there is no bona fide employer or employee organization, the joint committee shall be composed of persons known to represent the interests of employers and of em-

ployees respectively, or a State joint apprenticeship committee may be approved as, or the council may act itself as, the joint committee in such trade or group of trades. Subject to a review by the council and in accordance with the standards established by the council, such committees may devise standards for apprenticeship agreements and give such aid as may be necessary in their operation, in their respective trades and localities.

C. 34:1A-40. Standards for apprenticeship agreements.

5. Standards for apprenticeship agreements. Standards for apprenticeship agreements may be as follows:

(1) A statement of the trade or craft to be taught and the required hours for completion of apprenticeship which shall be not less than four thousand hours of reasonably continuous employment.

(2) A statement of the processes in the trade or craft divisions in which the apprentice is to be taught and the approximate amount of time to be spent at each process.

(3) A statement of the number of hours to be spent by the apprentice in work and the number of hours to be spent in related and supplemental instruction, which instruction shall be not less than one hundred forty-four hours per year.

(4) A statement that apprentices shall be not less than sixteen years of age.

(5) A statement of the progressively increasing scale of wages to be paid the apprentice.

(6) Provision for a period of probation during which the apprenticeship council, or the person in charge of apprenticeship when authorized by the council, shall be directed to terminate an apprenticeship agreement at the request in writing of any party thereto. After the probationary period the apprenticeship council, or the person in charge of apprenticeship, when authorized by the council, shall be empowered to terminate the registration of an apprentice upon agreement of the parties.

(7) Provision that the services of the person in charge and the apprenticeship council may be utilized for consultation regarding the settlement

of differences arising out of the apprenticeship agreement where such differences cannot be adjusted locally or in accordance with the established trade procedure.

(8) Provision that if an employer is unable to fulfill his obligation under the apprenticeship agreement he may transfer such obligation to another employer.

(9) Such additional standards as may be prescribed in accordance with the provisions of this act.

C. 34:1A-41. Apprenticeship agreement defined.

6. Apprenticeship agreements. For the purposes of this act an apprenticeship agreement shall be deemed to be:

(1) An individual written agreement between an employer and an apprentice, or (2) a written agreement between an employer or an association of employers, and an organization of employees describing conditions of employment for apprentices, or (3) a written statement describing conditions of employment for apprentices in a plant where there is no bona fide employee organization.

C. 34:1A-42. Application of act.

7. Limitation. The provisions of this act shall apply to a person, firm, corporation or craft only after such person, firm, corporation or craft has voluntarily elected to conform with its provisions.

C. 34:1A-43. Provisions severable.

8. Separability. If any provision of this act or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

C. 34:1A-44. Act effective.

9. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved June 15, 1953.

CHAPTER 199

AN ACT authorizing the State House Commission to sell at public sale certain lands and premises belonging to the State of New Jersey in the city of Long Branch, 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:*

State House Commission authorized to sell certain land.

1. The State House Commission, acting for and on behalf of and in the name of the State of New Jersey and upon being certified by the Commissioner of Conservation and Economic Development that the lands hereinafter described are no longer required for public purposes, is hereby authorized and empowered to sell at public sale and convey at a sales price, which such commission shall determine adequate, the following described land:

Location and description.

All that certain piece, tract or parcel of land and premises, hereinafter particularly described, situate, lying and being in the city of Long Branch in the county of Monmouth and State of New Jersey.

Beginning at a point in the easterly side of Ocean avenue distant in a course north nineteen (19) degrees, twenty (20) minutes east six hundred ninety-two (692) feet four (4) inches from the intersection of the said easterly site of Ocean avenue with the southerly side of Lincoln avenue as shown on a map entitled "Map of lands belonging to Lewis B. Brown and others situated at Long Branch New Jersey" filed December fifteenth, one thousand eight hundred and seventy-one in the office of the clerk of Monmouth county aforesaid; running thence north nineteen (19) degrees, twenty (20) minutes east along Ocean avenue

one hundred fifty (150) feet; thence south seventy (70) degrees, forty (40) minutes east five hundred thirty-eight (538) feet to the top edge or bank of high ground as shown on said map; thence southwardly along such top edge or bank of high ground one hundred fifty (150) feet; and thence north seventy (70) degrees, forty (40) minutes west five hundred thirty-eight (538) feet to the point or place of beginning, be the said several dimensions more or less.

2. The terms, conditions and provisions of said deed shall be as determined by the said State House Commission not inconsistent with the provisions hereof. Terms and conditions.

3. This act shall take effect immediately.

Approved June 22, 1953.

CHAPTER 200

AN ACT to amend "An act relating to the Teachers' Pension and Annuity Fund, repealing section 18:5–50.1, and amending sections 18:13–25, 18:13–43, 18:13–49, 18:13–52, 18:13–57, 18:13–72, 18:13–78, 18:13–90, 18:13–94 and 18:13–105, and supplementing Title 18 of the Revised Statutes," approved April twenty-fourth, one thousand nine hundred and forty-six (P. L. 1946, c. 145).

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

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

11. The special reserve fund shall be the fund to which all profits on the sale of securities, made on or after July first, one thousand nine hundred and C. 18:13-79.1. Special reserve fund.

forty-six, shall be transferred and to which transfers from the annuity savings fund as a result of withdrawals shall be made. All losses from the sale of securities on and after January first, one thousand nine hundred and fifty-three, shall be charged against the profits deposited in said special reserve fund arising as aforesaid on the sale of securities. Moneys transferred from the annuity savings fund as aforementioned shall be transferred from the special reserve fund to be credited to the interest account to meet the interest to be annually credited by the board of trustees to the various funds pursuant to section 18:13-103 of the Revised Statutes.

2. This act shall take effect immediately.

Approved June 22, 1953.

CHAPTER 201

AN ACT to amend and supplement the Local Units Permissive Consolidation Act (1939) (L. 1939, c. 343).

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

Section amended.

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

C. 40:43-66.6. Consolidation plan, duty of committee.

6. Consolidation Plan; Duty of Committee. It shall be the duty of a joint committee to formulate a plan for consolidation of the municipalities represented on the committee. A consolidation plan shall provide for and set forth:

(1) The name, type, and form of government of the proposed new municipality; but the plan shall be in agreement with the proposals of consolidation petitions with respect to these three matters to the extent that all of the petitions are in explicit accord on one or more thereof;

(2) Whether the municipal charter, if any, of one of the municipalities proposed for consolidation shall become the charter of the proposed new municipality;

(3) Details of adjustment of the indebtedness and other obligations of the municipalities proposed for consolidation, and of the school districts therein, in such manner as to preserve a fair and equitable burden of taxation for debt service;

(4) The transfer of property and assets of the consolidating municipalities to the proposed new municipality;

(5) The extent to which the municipalities proposed for consolidation may authorize or issue bonds or other obligations or incur contractual duties during the period between the date of a referendum held pursuant to this act, and the date of consolidation, as defined in section seventeen;

(6) Ward boundaries, not inconsistent with the general election laws of the State, which will be the basis for membership on the governing body of the proposed new municipality, whenever such membership is to be by ward representation in whole or in part;

(7) The date upon which consolidation shall be deemed effective, subject to the provisions of section seventeen; and

(8) One of the following methods of treatment of the ordinances, rules and regulations of the municipalities proposed for consolidation:

a. The ordinances, rules and regulations of one municipality shall take effect throughout the consolidated territory.

b. The ordinances, rules and regulations of one municipality shall be effective for ninety days after the date of consolidation, but not thereafter unless re-enacted.

c. The joint committee shall remain effective as a codification committee which will present a proposed new code of ordinances, based upon the ordinances of the consolidating munici-

palities, to the new council for enactment within ninety days after the date of consolidation, with such amendments and supplements as the new council may deem desirable. Pending the enactment of such code of ordinances, the ordinances of the consolidating municipality having the largest population shall remain effective throughout the consolidated territory.

A consolidation plan may also fix the date for a referendum thereon and may contain any additional provisions, including the disposition of special districts and intermunicipal agreements, not inconsistent with the constitution and general laws of the State, relating to the terms and conditions of consolidation.

Section amended.

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

C. 40:43-66.20. Boundaries.

20. Ward Boundaries. The ward boundaries provided for and set forth in the Approved Plan shall be those of the new municipality until changed in accordance with law. For the purposes of determining such ward boundaries, the joint committee shall have all the powers of a governing body and of ward commissioners and the procedure hereunder shall be in lieu of any other procedure prescribed by law for the determination of ward boundaries under any form of government.

C.40:43-66.24a. Tax levy for debt apportioned.

3. Tax Levy for debt apportioned. Whenever a consolidation plan provides that property within a consolidating municipality or school district therein, shall remain subject to separate taxation, after consolidation, for the payment of interest and principal on any pre-existing indebtedness, such property shall be taxed and assessed therefor at the same time and in the same manner as provided by law for general taxation of real property for the support of the municipality or school district, as the case may be.

4. This act shall take effect immediately.

Approved June 22, 1953.

CHAPTER 202

AN ACT to enter into a compact with the State of New York for the reduction of criminal and corrupt practices in the handling of waterborne freight within the port of New York district and the regularization of the employment of waterfront labor, to provide for assessment of the expenses thereof against certain employers, and, in the absence of such compact, to accomplish such objectives within the New Jersey portion of the Port of New York district, and making an appropriation therefor.

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

PART I

Section 1. Compact. The State of New Jersey hereby agrees with the State of New York, upon the enactment by the State of New York of legislation having the same effect as this section, to the following compact:

C. 32:23-1. Compact.

ARTICLE I

FINDINGS AND DECLARATIONS

1. The States of New Jersey and New York hereby find and declare that the conditions under which waterfront labor is employed within the Port of New York district are depressing and degrading to such labor, resulting from the lack of any systematic method of hiring, the lack of adequate information as to the availability of employment, corrupt hiring practices and the fact that persons conducting such hiring are frequently criminals and persons notoriously lacking in moral char-

C. 32:23-2. Findings and declarations, degrading conditions.

acter and integrity and neither responsive or responsible to the employers nor to the uncoerced will of the majority of the members of the labor organizations of the employees; that as a result waterfront laborers suffer from irregularity of employment, fear and insecurity, inadequate earnings, an unduly high accident rate, subjection to borrowing at usurious rates of interest, exploitation and extortion as the price of securing employment and a loss of respect for the law; that not only does there result a destruction of the dignity of an important segment of American labor, but a direct encouragement of crime which imposes a levy of greatly increased costs on food, fuel and other necessaries handled in and through the Port of New York district.

C. 32:23-3. Public loaders, no valid economic purpose.

2. The States of New Jersey and New York hereby find and declare that many of the evils above described result not only from the causes above described but from the practices of public loaders at piers and other waterfront terminals; that such public loaders serve no valid economic purpose and operate as parasites exacting a high and unwarranted toll on the flow of commerce in and through the Port of New York district, and have used force and engaged in discriminatory and coercive practices including extortion against persons not desiring to employ them; and that the function of loading and unloading trucks and other land vehicles at piers and other waterfront terminals can and should be performed, as in every other major American port, without the evils and abuses of the public loader system, and by the carriers of freight by water, stevedores and operators of such piers and other waterfront terminals or the operators of such trucks or other land vehicles.

C. 32:23-4. Corruption of stevedores.

3. The States of New Jersey and New York hereby find and declare that many of the evils above described result not only from the causes above described but from the lack of regulation of the occupation of stevedores; that such stevedores have

engaged in corrupt practices to induce their hire by carriers of freight by water and to induce officers and representatives of labor organizations to betray their trust to the members of such labor organizations.

C. 32:23-5. Regulation required.

4. The States of New Jersey and New York hereby find and declare that the occupations of longshoremen, stevedores, pier superintendents, hiring agents and port watchmen are affected with a public interest requiring their regulation and that such regulation shall be deemed an exercise of the police power of the two States for the protection of the public safety, welfare, prosperity, health, peace and living conditions of the people of the two States.

ARTICLE II

DEFINITIONS

As used in this conpact:

C. 32:23-6. Terms defined.

"The Port of New York district" shall mean the district created by Article II of the compact dated April thirtieth, one thousand nine hundred and twenty-one, between the States of New York and New Jersey, authorized by chapter one hundred fifty-four of the laws of New York of one thousand nine hundred and twenty-one and chapter one hundred fifty-one of the laws of New Jersey of one thousand nine hundred and twenty-one.

"Commission" shall mean the waterfront commission of New York harbor established by Article III hereof.

"Pier" shall include any wharf, pier, dock or quay.

"Other waterfront terminal" shall include any warehouse, depot or other terminal (other than a pier) which is located within one thousand yards of any pier in the Port of New York district and which is used for waterborne freight in whole or substantial part.

"Person" shall mean not only a natural person but also any partnership, joint venture, association,

corporation or any other legal entity but shall not include the United States, any State or territory thereof or any department, division, board, commission or authority of one or more of the foregoing.

"Carrier of freight by water" shall mean any person who may be engaged or who may hold himself out as willing to be engaged, whether as a common carrier, as a contract carrier or otherwise (except for carriage of liquid cargoes in bulk in tank vessels designed for use exclusively in such service or carriage by barge of bulk cargoes consisting of only a single commodity loaded or carried without wrappers or containers and delivered by the carrier without transportation mark or count) in the carriage of freight by water between any point in the Port of New York district and a point outside said district.

"Waterborne freight" shall mean freight carried by or consigned for carriage by carriers of freight by water.

"Longshoreman" shall mean a natural person, other than a hiring agent, who is employed for work at a pier or other waterfront terminal, either by a carrier of freight by water or by a stevedore.

(a) physically to move waterborne freight on vessels berthed at piers, on piers or at other waterfront terminals, or

(b) to engage in direct and immediate checking of any such freight or of the custodial accounting therefor or in the recording or tabulation of the hours worked at piers or other waterfront terminals by natural persons employed by carriers of freight by water or stevedores, or

(c) to supervise directly and immediately others who are employed as in subdivision (a) of this definition.

"Pier superintendent" shall mean any natural person other than a longshoreman who is employed for work at a pier or other waterfront terminal by a carrier of freight by water or a stevedore and

whose work at such pier or other waterfront terminal includes the supervision, directly or indirectly, of the work of longshoremen.

"Port watchman" shall include any watchman, gateman, roundsman, detective, guard, guardian or protector of property employed by the operator of any pier or other waterfront terminal or by a carrier of freight by water to perform services in such capacity on any pier or other waterfront terminal.

"Longshoremen's register" shall mean the register of eligible longshoremen compiled and maintained by the commission pursuant to Article VIII.

"Stevedore" shall mean a contractor (not including an employee) engaged for compensation pursuant to a contract or arrangement with a carrier of freight by water, in moving waterborne freight carried or consigned for carriage by such carrier on vessels of such carrier berthed at piers, on piers at which such vessels are berthed or at other waterfront terminals.

"Hiring agent" shall mean any natural person, who on behalf of a carrier of freight by water or a stevedore shall select any longshoreman for employment.

"Compact" shall mean this compact and rules or regulations lawfully promulgated thereunder.

Article III

WATERFRONT COMMISSION OF NEW YORK HARBOR

C. 32:23-7. Waterfront commission created.

1. There is hereby created the waterfront commission of New York harbor, which shall be a body corporate and politic, an instrumentality of the States of New York and New Jersey.

C. 32:23-8. Members, appointment, compensation, terms, proviso, vacancies.

2. The commission shall consist of two members, one to be chosen by the State of New Jersey and one to be chosen by the State of New York. The member representing each State shall be appointed by the Governor of such State with the advice and consent of the Senate thereof, without regard to the State of residence of such member, and shall

receive compensation to be fixed by the Governor of such State. The term of office of each member shall be for three years; *provided, however,* that the members first appointed shall be appointed for a term to expire June thirtieth, nineteen hundred fifty-six. Each member shall hold office until his successor has been appointed and qualified. Vacancies in office shall be filled for the balance of the unexpired term in the same manner as original appointments.

C. 32:23-9. Conducting business of commission.

3. The commission shall act only by unanimous vote of both members thereof. Any member may, by written instrument filed in the office of the commission, designate any officer or employee of the commission to act in his place as a member whenever he shall be unable to attend a meeting of the commission. A vacancy in the office of a member shall not impair such designation until the vacancy shall have been filled.

Article IV

GENERAL POWERS OF COMMISSION

C. 32:23-10. Powers and duties.

In addition to the powers and duties elsewhere prescribed in this compact, the commission shall have the power:

1. To sue and be sued;
2. To have a seal and alter the same at pleasure;
3. To acquire, hold and dispose of real and personal property by gift, purchase, lease, license or other similar manner, for its corporate purposes;
4. To determine the location, size and suitability of accommodations necessary and desirable for the establishment and maintenance of the employment information centers provided in Article XII hereof and for administrative offices for the commission;
5. To appoint such officers, agents and employees as it may deem necessary, prescribe their powers, duties and qualifications and fix their compensation and retain and employ counsel and private consultants on a contract basis or otherwise;

6. To administer and enforce the provisions of this compact;

7. To make and enforce such rules and regulations as the commission may deem necessary to effectuate the purposes of this compact or to prevent the circumvention or evasion thereof, to be effective upon publication in the manner which the commission shall prescribe and upon filing in the office of the Secretary of State of each State. A certified copy of any such rules and regulations, attested as true and correct by the commission, shall be presumptive evidence of the regular making, adoption, approval and publication thereof;

8. By its members and its properly designated officers, agents and employees, to administer oaths and issue subpœnas throughout both States to compel the attendance of witnesses and the giving of testimony and the production of other evidence;

9. To have for its members and its properly designated officers, agents and employees, full and free access, ingress and egress to and from all vessels, piers and other waterfront terminals or other places in the port of New York district, for the purposes of making inspection or enforcing the provisions of this compact; and no person shall obstruct or in any way interfere with any such member, officer, employee or agent in the making of such inspection, or in the enforcement of the provisions of this compact or in the performance of any other power or duty under this compact;

10. To recover possession of any suspended or revoked license issued under this compact;

11. To make investigations, collect and compile information concerning waterfront practices generally within the port of New York district and upon all matters relating to the accomplishment of the objectives of this compact;

12. To advise and consult with representatives of labor and industry and with public officials and agencies concerned with the effectuation of the purposes of this compact, upon all matters which

the commission may desire, including but not limited to the form and substance of rules and regulations, the administration of the compact, maintenance of the longshoremen's register, and issuance and revocation of licenses;

13. To make annual and other reports to the Governors and Legislatures of both States containing recommendations for the improvement of the conditions of waterfront labor within the port of New York district, for the alleviation of the evils described in Article I and for the effectuation of the purposes of this compact. Such annual reports shall state the commission's finding and determination as to whether the public necessity still exists for (a) the continued registration of longshoremen, (b) the continued licensing of any occupation or employment required to be licensed hereunder and (c) the continued public operation of the employment information centers provided for in Article XII;

14. To co-operate with and receive from any department, division, bureau, board, commission, or agency of either or both States, or of any county or municipality thereof, such assistance and data as will enable it properly to carry out its powers and duties hereunder; and to request any such department, division, bureau, board, commission, or agency, with the consent thereof, to execute such of its functions and powers, as the public interest may require.

C. 32:23-11. Exercise of powers.

The powers and duties of the commission may be exercised by officers, employees and agents designated by them, except the power to make rules and regulations. The commission shall have such additional powers and duties as may hereafter be delegated to or imposed upon it from time to time by the action of the Legislature of either State concurred in by the Legislature of the other.

ARTICLE V

PIER SUPERINTENDENTS AND HIRING AGENTS

C. 32:23-12. License required.

1. On or after the first day of December, nineteen hundred and fifty-three, no person shall act as a pier superintendent or as a hiring agent within the port of New York district without first having obtained from the commission a license to act as such pier superintendent or hiring agent, as the case may be, and no person shall employ or engage another person to act as a pier superintendent or hiring agent who is not so licensed.

C. 32:23-13. Application, contents.

2. A license to act as a pier superintendent or hiring agent shall be issued only upon the written application, under oath, of the person proposing to employ or engage another person to act as such pier superintendent or hiring agent, verified by the prospective licensee as to the matters concerning him, and shall state the following:

(a) The full name and business address of the applicant;

(b) The full name, residence, business address (if any), place and date of birth and social security number of the prospective licensee;

(c) The present and previous occupations of the prospective licensee, including the places where he was employed and the names of his employers;

(d) Such further facts and evidence as may be required by the commission to ascertain the character, integrity and identity of the prospective licensee; and

(e) That if a license is issued to the prospective licensee, the applicant will employ such licensee as pier superintendent or hiring agent, as the case may be.

C. 32:23-14. Grounds for not granting license.

3. No such license shall be granted

(a) Unless the commission shall be satisfied that the prospective licensee possesses good character and integrity;

(b) If the prospective licensee has, without subsequent pardon, been convicted by a court of the

United States, or any State or territory thereof, of the commission of, or the attempt or conspiracy to commit, treason, murder, manslaughter or any felony or high misdemeanor or any of the following misdemeanors or offenses: illegally using, carrying or possessing a pistol or other dangerous weapon; making or possessing burglar's instruments; buying or receiving stolen property; unlawful entry of a building; aiding an escape from prison; unlawfully possessing or distributing habit-forming narcotic drugs; and violation of this compact. Any such prospective licensee ineligible for a license by reason of any such conviction may submit satisfactory evidence to the commission that he has for a period of not less than five years, measured as hereinafter provided, and up to the time of application, so conducted himself as to warrant the grant of such license, in which event the commission may, in its discretion, issue an order removing such ineligibility. The aforesaid period of five years shall be measured either from the date of payment of any fine imposed upon such person or the suspension of sentence or from the date of his unrevoked release from custody by parole, commutation or termination of his sentence;

(c) If the prospective licensee knowingly or wilfully advocates the desirability of overthrowing or destroying the government of the United States by force or violence or shall be a member of a group which advocates such desirability, knowing the purposes of such group include such advocacy.

C. 32:23-15. License issued, notice to applicant, temporary permit.

4. When the application shall have been examined and such further inquiry and investigation made as the commission shall deem proper and when the commission shall be satisfied therefrom that the prospective licensee possesses the qualifications and requirements prescribed in this article, the commission shall issue and deliver to the prospective licensee a license to act as pier superintendent or hiring agent for the applicant, as the case may be, and shall inform the applicant of his action. The commission may issue a temporary

permit to any prospective licensee for a license under the provisions of this article pending final action on an application made for such a license. Any such permit shall be valid for a period not in excess of thirty days.

C. 32:23-16. Limitation, construction.

5. No person shall be licensed to act as a pier superintendent or hiring agent for more than one employer, except at a single pier or other waterfront terminal, but nothing in this article shall be construed to limit in any way the number of pier superintendents or hiring agents any employer may employ.

C. 32:23-17. Duration of license.

6. A license granted pursuant to this article shall continue through the duration of the licensee's employment by the employer who shall have applied for his license.

C. 32:23-18. Grounds for revoking or suspending license.

7. Any license issued pursuant to this article may be revoked or suspended for such period as the commission deems in the public interest or the licensee thereunder may be reprimanded for any of the following offenses:

(a) Conviction of a crime or act by the licensee or other cause which would require or permit his disqualification from receiving a license upon original application;

(b) Fraud, deceit or misrepresentation in securing the license, or in the conduct of the licensed activity;

(c) Violation of any of the provisions of this compact;

(d) Addiction to the use of or trafficking in morphine, opium, cocaine or other narcotic drug;

(e) Employing, hiring or procuring any person in violation of this compact or inducing or otherwise aiding or abetting any person to violate the terms of this compact;

(f) Paying, giving, causing to be paid or given or offering to pay or give to any person any valuable consideration to induce such other person to violate any provision of this compact or to induce any public officer, agent or employee to fail to perform his duty hereunder;

(g) Consorting with known criminals for an unlawful purpose;

(h) Transfer or surrender of possession of the license to any person either temporarily or permanently without satisfactory explanation;

(i) False impersonation of another licensee under this compact;

(j) Receipt or solicitation of anything of value from any person other than the licensee's employer as consideration for the selection or retention for employment of any longshoreman;

(k) Coercion of a longshoreman by threat of discrimination or violence or economic reprisal, to make purchases from or to utilize the services of any person;

(l) Lending any money to or borrowing any money from a longshoreman for which there is a charge of interest or other consideration; and

(m) Membership in a labor organization which represents longshoremen or port watchmen; but nothing in this section shall be deemed to prohibit pier superintendents or hiring agents from being represented by a labor organization or organizations which do not also represent longshoremen or port watchmen. The American Federation of Labor, the Congress of Industrial Organizations and any other similar federation, congress or other organization of national or international occupational or industrial labor organizations shall not be considered an organization which represents longshoremen or port watchmen within the meaning of this section although one of the federated or constituent labor organizations thereof may represent longshoremen or port watchmen.

ARTICLE VI

STEVEDORES

C. 32:23-19. License required.

1. On or after the first day of December, nineteen hundred and fifty-three, no person shall act as a stevedore within the Port of New York district without having first obtained a license from the

commission, and no person shall employ a stevedore to perform services as such within the Port of New York district unless the stevedore is so licensed.

C. 32:23-20. Written application, contents.

2. Any person intending to act as a stevedore within the Port of New York district shall file in the office of the commission a written application for a license to engage in such occupation, duly signed and verified as follows:

(a) If the applicant is a natural person, the application shall be signed and verified by such person and if the applicant is a partnership, the application shall be signed and verified by each natural person composing or intending to compose such partnership. The application shall state the full name, age, residence, business address (if any), present and previous occupations of each natural person so signing the same, and any other facts and evidence as may be required by the commission to ascertain the character, integrity and identity of each natural person so signing such application.

(b) If the applicant is a corporation, the application shall be signed and verified by the president, secretary and treasurer thereof, and shall specify the name of the corporation, the date and place of its incorporation, the location of its principal place of business, the names and addresses of, and the amount of the stock held by stockholders owning five percent or more of any of the stock thereof, and of all officers (including all members of the board of directors). The requirements of subdivision (a) of this section as to a natural person who is a member of a partnership, and such requirements as may be specified in rules and regulations promulgated by the commission, shall apply to each such officer or stockholder and their successors in office or interest as the case may be.

In the event of the death, resignation or removal of any officer, and in the event of any change in the list of stockholders who shall own five percent or more of the stock of the corporation, the secretary of such corporation shall forthwith give notice of

that fact in writing to the commission, certified by said secretary.

C. 32:23-21. Grounds for not granting license.

3. No such license shall be granted

(a) If any person whose signature or name appears in the application is not the real party in interest required by section 2 of this article to sign or to be identified in the application or if the person so signing or named in the application is an undisclosed agent or trustee for any such real party in interest;

(b) Unless the commission shall be satisfied that the applicant and all members, officers and stockholders required by section 2 of this article to sign or be identified in the application for license possess good character and integrity;

(c) Unless the applicant is either a natural person, partnership or corporation;

(d) Unless the applicant shall be a party to a contract then in force or which will take effect upon the issuance of a license, with a carrier of freight by water for the loading and unloading by the applicant of one or more vessels of such carrier at a pier within the port of New York district;

(e) If the applicant or any member, officer or stockholder required by section 2 of this article to sign or be identified in the application for license has, without subsequent pardon, been convicted by a court of the United States or any State or territory thereof of the commission of, or the attempt or conspiracy to commit, treason, murder, manslaughter or any felony or high misdemeanor or any of the misdemeanors or offenses described in subdivision (b) of section 3 of Article V. Any applicant ineligible for a license by reason of any such conviction may submit satisfactory evidence to the commission that the person whose conviction was the basis of ineligibility has for a period of not less than five years, measured as hereinafter provided and up to the time of application, so conducted himself as to warrant the grant of such license, in which event the commission may, in its discretion issue an order removing such ineligi-

bility. The aforesaid period of five years shall be measured either from the date of payment of any fine imposed upon such person or the suspension of sentence or from the date of his unrevoked release from custody by parole, commutation or termination of his sentence;

(f) If, on or after July first, nineteen hundred fifty-three, the applicant has paid, given, caused to have been paid or given or offered to pay or give to any officer or employee of any carrier of freight by water any valuable consideration for an improper or unlawful purpose or to induce such person to procure the employment of the applicant by such carrier for the performance of stevedoring services;

(g) If, on or after July first, nineteen hundred fifty-three, the applicant has paid, given, caused to be paid or given or offered to pay or give to any officer or representative of a labor organization any valuable consideration for an improper or unlawful purpose or to induce such officer or representative to subordinate the interests of such labor organization or its members in the management of the affairs of such labor organization to the interests of the applicant.

C. 32:23-22. License issued, temporary permit.

4. When the application shall have been examined and such further inquiry and investigation made as the commission shall deem proper and when the commission shall be satisfied therefrom that the applicant possesses the qualifications and requirements prescribed in this article, the commission shall issue and deliver a license to such applicant. The commission may issue a temporary permit to any applicant for a license under the provisions of this article pending final action on an application made for such a license. Any such permit shall be valid for a period not in excess of thirty days.

C. 32:23-23. Term of license, renewals.

5. A license granted pursuant to this article shall be for a term of two years or fraction of such two-year period, and shall expire on the first day of December of each odd numbered year. In the

event of the death of the licensee, if a natural person, or its termination or dissolution by reason of the death of a partner, if a partnership, or if the licensee shall cease to be a party to any contract of the type required by subdivision (d) of section 3 of this article, the license shall terminate ninety days after such event or upon its expiration date, whichever shall be sooner. A license may be renewed by the commission for successive two-year periods upon fulfilling the same requirements as are set forth in this article for an original application.

C. 32:23-24. Grounds for revoking or suspending license.

6. Any license issued pursuant to this article may be revoked or suspended for such period as the commission deems in the public interest or the licensee thereunder may be reprimanded for any of the following offenses on the part of the licensee or of any person required by section 2 of this article to sign or be identified in an original application for a license:

(a) Conviction of a crime or other cause which would permit or require disqualification of the licensee from receiving a license upon original application;

(b) Fraud, deceit or misrepresentation in securing the license or in the conduct of the licensed activity;

(c) Failure by the licensee to maintain a complete set of books and records containing a true and accurate account of the licensee's receipts and disbursements arising out of his activities within the Port of New York district;

(d) Failure to keep said books and records available during business hours for inspection by the commission and its duly designated representatives until the expiration of the fifth calendar year following the calendar year during which occurred the transactions recorded therein;

(e) Any other offense described in subdivisions (c) to (i) inclusive, of section 7 of Article V.

ARTICLE VII

PROHIBITION OF PUBLIC LOADING

C. 32:23-25. Public loading to be eliminated.

1. The States of New Jersey and New York hereby find and declare that the transfer of cargo to and from trucks at piers and other waterfront terminals in the port of New York district has resulted in vicious and notorious abuses by persons commonly known as "public loaders." There is compelling evidence that such persons have exacted the payment of exorbitant charges for their services, real and alleged, and otherwise extorted large sums through force, threats of violence, unauthorized labor disturbances and other coercive activities, and that they have been responsible for and abetted criminal activities on the waterfront. These practices which have developed in the port of New York district impose unjustified costs on the handling of goods in and through the port of New York district, and increase the prices paid by consumers for food, fuel and other necessaries, and impair the economic stability of the port of New York district. It is the sense of the Legislatures of the States of New York and New Jersey that these practices and conditions must be eliminated to prevent grave injury to the welfare of the people.

C. 32:23-26. Practice against public policy of the States, exceptions.

2. It is hereby declared to be against the public policy of the States of New Jersey and New York and to be unlawful for any person to load or unload waterborne freight onto or from vehicles other than railroad cars at piers or at other waterfront terminals within the port of New York district, for a fee or other compensation, other than the following persons and their employees:

(a) Carriers of freight by water, but only at piers at which their vessels are berthed;

(b) Other carriers of freight (including but not limited to railroads and truckers), but only in connection with freight transported or to be transported by such carriers;

(c) Operators of piers or other waterfront terminals (including railroads, truck terminal operators, warehousemen and other persons), but only at piers or other waterfront terminals operated by them;

(d) Shippers or consignees of freight, but only in connection with freight shipped by such shipper or consigned to such consignee;

(e) Stevedores licensed under article VI, whether or not such waterborne freight has been or is to be transported by a carrier of freight by water with which such stevedore shall have a contract of the type prescribed by subdivision (d) of section 3 of article VI.

Nothing herein contained shall be deemed to permit any such loading or unloading of any waterborne freight at any place by any such person by means of any independent contractor, or any other agent other than an employee, unless such independent contractor is a person permitted by this article to load or unload such freight at such place in his own right.

Article VIII

LONGSHOREMEN

C. 32:23-27. Longshoremen to register.

1. The commission shall establish a longshoremen's register in which shall be included all qualified longshoremen eligible, as hereinafter provided, for employment as such in the Port of New York district. On or after the first day of December, nineteen hundred fifty-three, no person shall act as a longshoreman within the Port of New York district unless at the time he is included in the longshoremen's register, and no person shall employ another to work as a longshoreman within the Port of New York district unless at the time such other person is included in the longshoremen's register.

C. 32:23-28. Applicant to furnish information.

2. Any person applying for inclusion in the longshoremen's register shall file at such place and in such manner as the commission shall designate a

written statement, signed and verified by such person, setting forth his full name, residence address, social security number, and such further facts and evidence as the commission may prescribe to establish the identity of such person and his criminal record, if any.

C. 32:23-29. Grounds for refusing to register.

3. The commission may in its discretion deny application for inclusion in the longshoremen's register by a person

(a) Who has been convicted by a court of the United States or any State or territory thereof, without subsequent pardon, of treason, murder, manslaughter or of any felony or high misdemeanor or of any of the misdemeanors or offenses described in subdivision (b) of section 3 of Article V or of attempt or conspiracy to commit any of such crimes;

(b) Who knowingly or willingly advocates the desirability of overthrowing or destroying the government of the United States by force or violence or who shall be a member of a group which advocates such desirability knowing the purposes of such group include such advocacy;

(c) Whose presence at the piers or other waterfront terminals in the Port of New York district is found by the commission on the basis of the facts and evidence before it, to constitute a danger to the public peace or safety.

C. 32:23-30. Temporary registration.

4. Unless the commission shall determine to exclude the applicant from the longshoremen's register on a ground set forth in section 3 of this article it shall include such person in the longshoremen's register. The commission may permit temporary registration of any applicant under the provisions of this article pending final action on an application made for such registration. Any such temporary registration shall be valid for a period not in excess of thirty days.

C. 32:23-31. Powers to reprimand.

5. The commission shall have power to reprimand any longshoreman registered under this article or to remove him from the longshoremen's register for such period of time as it deems in the public interest for any of the following offenses:

(a) Conviction of a crime or other cause which would permit disqualification of such person from inclusion in the longshoremen's register upon original application;

(b) Fraud, deceit or misrepresentation in securing inclusion in the longshoremen's register;

(c) Transfer or surrender of possession to any person either temporarily or permanently of any card or other means of identification issued by the commission as evidence of inclusion in the longshoremen's register, without satisfactory explanation;

(d) False impersonation of another longshoreman registered under this article or of another person licensed under this compact;

(e) Wilful commission of or wilful attempt to commit at or on a waterfront terminal or adjacent highway any act of physical injury to any other person or of wilful damage to or misappropriation of any other person's property, unless justified or excused by law; and

(f) Any other offense described in subdivisions (c) to (f) inclusive of section 7 of Article V.

C. 32:23-32. Recovery of identification card.

6. The commission shall have the right to recover possession of any card or other means of identification issued as evidence of inclusion in the longshoremen's register in the event that the holder thereof has been removed from the longshoremen's register.

C. 32:23-33. Construing.

7. Nothing contained in this article shall be construed to limit in any way any rights of labor reserved by Article XV.

Article IX

REGULARIZATION OF LONGSHOREMEN'S EMPLOYMENT

C. 32:23-34. Removal from longshoremen's register.

1. On or after the first day of December, one thousand nine hundred and fifty-four, the commission shall, at regular intervals, remove from the longshoremen's register any person who shall have been registered for at least nine months and who

shall have failed during the preceding six calendar months either to have worked as a longshoreman in the Port of New York district or to have applied for employment as a longshoreman at an employment information center established under article XII for such minimum number of days as shall have been established by the commission pursuant to section two of this article.

C. 32:23-35. Determining minimum number of days.

2. On or before the first day of June, one thousand nine hundred and fifty-four, and on or before each succeeding first day of June or December, the commission shall, for the purposes of section one of this article, establish for the six-month period beginning on each such date a minimum number of days and the distribution of such days during such period.

C. 32:23-36. Standards for establishing minimum of days.

3. In establishing any such minimum number of days or period, the commission shall observe the following standards to accomplish the following objectives:

(a) To encourage as far as practicable the regularization of the employment of longshoremen;

(b) To bring the number of eligible longshoremen more closely into balance with the demand for longshoremen's services within the Port of New York district without reducing the number of eligible longshoremen below that necessary to meet the requirements of longshoremen in the Port of New York district;

(c) To eliminate oppressive and evil hiring practices affecting longshoremen and waterborne commerce in the Port of New York district;

(d) To eliminate unlawful practices injurious to waterfront labor; and

(e) To establish hiring practices and conditions which will permit the termination of governmental regulation and intervention at the earliest opportunity.

C. 32:23-37. Procedure for reinstatement.

4. A longshoreman who has been removed from the longshoremen's register pursuant to this article may seek reinstatement upon fulfilling the same requirements as for initial inclusion in the long-

shoremen's register, but not before the expiration of one year from the date of removal, except that immediate reinstatement shall be made upon proper showing that the registrant's failure to work or apply for work the minimum number of days above described was caused by the fact that the registrant was engaged in the military service of the United States or was incapacitated by ill health, physical injury, or other good cause.

C. 32:23-38. Temporary registration.

5. Notwithstanding any other provision of this article, the commission shall at any time have the power to register longshoremen on a temporary basis to meet special or emergency needs.

Article X

PORT WATCHMAN

C. 32:23-39. License required.

1. On or after the first day of December, nineteen hundred fifty-three, no person shall act as a port watchman within the Port of New York district without first having obtained a license from the commission, and no person shall employ a port watchman who is not so licensed.

C. 32:23-40. Written application, contents.

2. A license to act as a port watchman shall be issued only upon written application, duly verified, which shall state the following:

(a) The full name, residence, business address (if any), place and date of birth and social security number of the applicant;

(b) The present and previous occupations of the applicant, including the places where he was employed and the names of his employers;

(c) The citizenship of the applicant and, if he is a naturalized citizen of the United States, the court and date of his naturalization; and

(d) Such further facts and evidence as may be required by the commission to ascertain the character, integrity and identity of the applicant.

C. 32:23-41. Grounds for not granting license.

3. No such license shall be granted

(a) Unless the commission shall be satisfied that the applicant possesses good character and integrity;

(b) If the applicant has, without subsequent pardon, been convicted by a court of the United States or of any state or territory thereof of the commission of, or the attempt or conspiracy to commit, treason, murder, manslaughter or any felony or high misdemeanor or any of the misdemeanors or offenses described in subdivision (b) of section 3 of Article V;

(c) Unless the applicant shall meet such reasonable standards of physical and mental fitness for the discharge of his duties as may from time to time be established by the commission;

(d) If the applicant shall be a member of any labor organization which represents longshoremen or pier superintendents or hiring agents; but nothing in this Article shall be deemed to prohibit port watchmen from being represented by a labor organization or organizations which do not also represent longshoremen or pier superintendents or hiring agents. The American Federation of Labor, the Congress of Industrial Organizations and any other similar federation, congress or other organization of national or international occupational or industrial labor organizations shall not be considered an organization which represents longshoremen or pier superintendents or hiring agents within the meaning of this section although one of the federated or constituent labor organizations thereof may represent longshoremen or pier superintendents or hiring agents;

(e) If the applicant knowingly or wilfully advocates the desirability of overthrowing or destroying the government of the United States by force or violence or shall be a member of a group which advocates such desirability, knowing the purposes of such group include such advocacy.

C. 32:23-42. License issued, temporary permit.

4. When the application shall have been examined and such further inquiry and investigation made as the commission shall deem proper and when the commission shall be satisfied therefrom that the applicant possesses the qualifications and require-

ments prescribed by this article and regulations issued pursuant thereto, the commission shall issue and deliver a license to the applicant. The commission may issue a temporary permit to any applicant for a license under the provisions of this article pending final action on an application made for such a license. Any such permit shall be valid for a period not in excess of thirty days.

C. 32:23-43. Term of license.

5. A license granted pursuant to this article shall continue for a term of three years. A license may be renewed by the commission for successive three-year periods upon fulfilling the same requirements as are set forth in this article for an original application.

C. 32:23-44. Revocation or suspension, grounds.

6. Any license issued pursuant to this article may be revoked or suspended for such period as the commission deems in the public interest or the licensee thereunder may be reprimanded for any of the following offenses:

(a) Conviction of a crime or other cause which would permit or require his disqualification from receiving a license upon original application;

(b) Fraud, deceit or misrepresentation in securing the license; and

(c) Any other offense described in subdivisions (c) to (i), inclusive, of section 7 of article V.

Article XI

HEARINGS, DETERMINATIONS AND REVIEW

C. 32:23-45. Hearings.

1. The commission shall not deny any application for a license or registration without giving the applicant or prospective licensee reasonable prior notice and an opportunity to be heard.

C. 32:23-46. Prescribed procedure for revoking, etc.

2. Any application for a license or for inclusion in the longshoremen's register, and any license issued or registration made, may be denied, revoked, cancelled, suspended as the case may be, only in the manner prescribed in this article.

C. 32:23-47. Proceedings to revoke, etc., procedure.

3. The commission may on its own initiative or on complaint of any person, including any public

official or agency, institute proceedings to revoke, cancel or suspend any license or registration after a hearing at which the licensee or registrant and any person making such complaint shall be given an opportunity to be heard, provided that any order of the commission revoking, cancelling or suspending any license or registration shall not become effective until fifteen days subsequent to the serving of notice thereof upon the licensee or registrant unless in the opinion of the commission the continuance of the license or registration for such period would be inimicable to the public peace or safety. Such hearing shall be held in such manner and upon such notice as may be prescribed by the rules of the commission, but such notice shall be of not less than ten days and shall state the nature of the complaint.

C. 32:23-48. Temporary suspension.

4. Pending the determination of such hearing pursuant to section 3 the commission may temporarily suspend a license or registration if in the opinion of the commission the continuance of the license or registration for such period is inimicable to the public peace or safety.

C. 32:23-49. Power of subpœna, conduct of hearing.

5. The commission, or such member, officer, employee or agent of the commission as may be designated by the commission for such purpose, shall have the power to issue subpœnas throughout both States to compel the attendance of witnesses and the giving of testimony or production of other evidence and to administer oaths in connection with any such hearing. It shall be the duty of the commission or of any such member, officer, employee or agent of the commission designated by the commission for such purpose to issue subpœnas at the request of and upon behalf of the licensee, registrant or applicant. The commission or such person conducting the hearing shall not be bound by common law or statutory rules of evidence or by technical or formal rules of procedure in the conduct of such hearing.

C. 32:23-50. Action on findings and determination.

6. Upon the conclusion of the hearing, the commission shall take such action upon such findings and determination as it deems proper and shall execute an order carrying such findings into effect. The action in the case of an application for a license or registration shall be the granting or denial thereof. The action in the case of a licensee shall be revocation of the license or suspension thereof for a fixed period or reprimand or a dismissal of the charges. The action in the case of a registered longshoreman shall be dismissal of the charges, reprimand or removal from the longshoremen's register for a fixed period or permanently.

C. 32:23-51. Judicial review.

7. The action of the commission in denying any application for a license or in refusing to include any person in the longshoremen's register under this compact or in suspending or revoking such license or removing any person from the longshoremen's register or in reprimanding a licensee or registrant shall be subject to judicial review by a proceeding instituted in either State at the instance of the applicant, licensee or registrant in the manner provided by the law of such State for review of the final decision or action of administrative agencies of such State; *provided, however,* that notwithstanding any other provision of law the court shall have power to stay for not more than thirty days an order of the commission suspending or revoking a license or removing a longshoreman from the longshoremen's register.

Article XII

EMPLOYMENT INFORMATION CENTERS

C. 32:23-52. "Shape-up" to be eliminated.

1. The States of New Jersey and New York hereby find and declare that the method of employment of longshoremen and port watchmen in the Port of New York district, commonly known as the "shape-up," has resulted in vicious and notorious abuses, of which such employees have been the principal victims. There is compelling evidence that the "shape-up" has permitted and encouraged extor-

tion from employees as the price of securing or retaining employment and has subjected such employees to threats of violence, unwilling joinder in unauthorized labor disturbances and criminal activities on the waterfront. The "shape-up" has thus resulted in a loss of fundamental rights and liberties of labor, has impaired the economic stability of the Port of New York district and weakened law enforcement therein. It is the sense of the Legislatures of the States of New Jersey and New York that these practices and conditions must be eliminated to prevent grave injury to the welfare of waterfront laborers and to the people at large and that the elimination of the "shape-up" and the establishment of a system of employment information centers are necessary to a solution of these public problems.

C. 32:23-53. To establish employment information centers.

2. The commission shall establish and maintain one or more employment information centers in each State within the Port of New York district at such locations as it may determine. No person shall, directly or indirectly, hire any person for work as a longshoreman or port watchman within the Port of New York district, except through such particular employment information center or centers as may be prescribed by the commission. No person shall accept any employment as a longshoreman or port watchman within the Port of New York district, except through such an employment information center. At each such employment information center the commission shall keep and exhibit the longshoremen's register and any other records it shall determine to the end that longshoremen and port watchmen shall have the maximum information as to available employment as such at any time within the Port of New York district and to the end that employers shall have an adequate opportunity to fill their requirements of registered longshoremen and port watchmen at all times.

C. 32:23-54. Employer to furnish information.

3. Every employer of longshoremen or port watchmen within the port of New York district shall furnish such information as may be required by the rules and regulations prescribed by the commission with regard to the name of each person hired as a longshoreman or port watchman, the time and place of hiring, the time, place and hours of work, and the compensation therefor.

C. 32:23-55. Wage payment regulations.

4. All wage payments to longshoremen or port watchmen for work as such shall be made by check or cash evidenced by a written voucher receipted by the person to whom such cash is paid. The commission may arrange for the provision of facilities for cashing such checks.

ARTICLE XIII

EXPENSES OF ADMINISTRATION

C. 32:23-56. Expenses of commission.

1. By concurrent legislation enacted by their respective Legislatures, the two States may provide from time to time for meeting the commission's expenses. Until other provision shall be made, such expense shall be met as authorized in this article.

C. 32:23-57. Budget to be submitted.

2. The commission shall annually adopt a budget of its expenses for each year. Each budget shall be submitted to the Governors of the two States and shall take effect as submitted; *provided,* that either Governor may within thirty days disapprove or reduce any item or items, and the budget shall be adjusted accordingly.

C. 32:23-58. Assessing and collection of expenses from employers, limitation, reserve.

3. After taking into account such funds as may be available to it from reserves, Federal grants or otherwise, the balance of the commission's budgeted expenses shall be assessed upon employers of persons registered or licensed under this compact. Each such employer shall pay to the commission an assessment computed upon the gross payroll payments made by such employer to longshoremen, pier superintendents, hiring agents and port watchmen for work or labor performed within the port of New York district, at a rate, not in excess of two

per cent, computed by the commission in the following manner: the commission shall annually estimate the gross payroll payments to be made by employers subject to assessment and shall compute a rate thereon which will yield revenues sufficient to finance the commission's budget for each year. Such budget may include a reasonable amount for a reserve but such amount shall not exceed ten per cent of the total of all other items of expenditure contained therein. Such reserve shall be used for the stabilization of annual assessments, the payment of operating deficits and for the repayment of advances made by the two States.

C. 32:23-59. Legislatures to make annual appropriation.

4. The amount required to balance the commission's budget, in excess of the estimated yield of the maximum assessment, shall be certified by the commission, with the approval of the respective Governors, to the Legislatures of the two States, in proportion to the gross annual wage payments made to longshoremen for work in each state within the port of New York district. The Legislatures shall annually appropriate to the commission the amount so certified.

C. 32:23-60. Regulation for collection and auditing assessments.

5. The commission may provide by regulation for the collection and auditing of assessments. Such assessments hereunder shall be payable pursuant to such provisions for administration, collection and enforcement as the States may provide by concurrent legislation. In addition to any other sanction provided by law, the commission may revoke or suspend any license held by any person under this compact, or his privilege of employing persons registered or licensed hereunder, for non-payment of any assessment when due.

C. 32:23-61. Assessments in lieu of other charges, procedures established for hearing protests.

6. The assessment hereunder shall be in lieu of any other charge for the issuance of licenses to stevedores, pier superintendents, hiring agents and port watchmen or for the registration of longshoremen or use of an employment information center. The commission shall establish reasonable procedures for the consideration of protests by affected employees concerning the estimates and computation of the rate of assessment.

ARTICLE XIV

GENERAL VIOLATIONS; PROSECUTIONS; PENALTIES

C. 32:23-62. Failure to testify, etc., punishment.

1. The failure of any witness, when duly subpœnaed to attend, give testimony or produce other evidence, whether or not at a hearing, shall be punishable by the Superior Court in New Jersey and the Supreme Court in New York in the same manner as said failure is punishable by such court in a case therein pending.

C. 32:23-63. Penalty for false testimony, etc.

2. Any person who, having been sworn or affirmed as a witness in any such hearing, shall wilfully give false testimony or who shall wilfully make or file any false or fraudulent report or statement required by this compact to be made or filed under oath, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars ($1,000.00) or imprisonment for not more than one year or both.

C. 32:23-64. Punishment for other violations.

3. Any person who violates or attempts or conspires to violate any other provision of this compact shall be punishable as may be provided by the two States by action of the Legislature of either State concurred in by the Legislature of the other.

C. 32:23-65. Impeding orderly registration, punishment.

4. Any person who interferes with or impedes the orderly registration of longshoremen pursuant to this compact or who conspires to or attempts to interfere with or impede such registration shall be punishable as may be provided by the two States by action of the Legislature of either State concurred in by the Legislature of the other.

C. 32:23-66. Intimidation or injury, punishment.

5. Any person who directly or indirectly inflicts or threatens to inflict any injury, damage, harm or loss or in any other manner practices intimidation upon or against any person in order to induce or compel such person or any other person to refrain from registering pursuant to this compact shall be punishable as may be provided by the two States by action of the Legislature of either State concurred in by the Legislature of the other.

6. In any prosecution under this compact, it shall be sufficient to prove only a single act (or a single holding out or attempt) prohibited by law, without having to prove a general course of conduct, in order to prove a violation. C. 32:23-67. Proof required in prosecutions.

ARTICLE XV

COLLECTIVE BARGAINING SAFEGUARDED

1. This compact is not designed and shall not be construed to limit in any way any rights granted or derived from any other statute or any rule of law for employees to organize in labor organizations, to bargain collectively and to act in any other way individually, collectively, and through labor organizations or other representatives of their own choosing. Without limiting the generality of the foregoing, nothing contained in this compact shall be construed to limit in any way the right of employees to strike. C. 32:23-68. Collective bargaining not to be limited.

2. This compact is not designed and shall not be construed to limit in any way any rights of longshoremen, hiring agents, pier superintendents or port watchmen or their employers to bargain collectively and agree upon any method for the selection of such employees by way of seniority, experience, regular gangs or otherwise; *provided*, that such employees shall be licensed or registered hereunder and such longshoremen and port watchmen shall be hired only through the employment information centers established hereunder and that all other provisions of this compact be observed. C. 32:23-69. Compact not to limit right to collective bargaining, proviso.

ARTICLE XVI

AMENDMENTS; CONSTRUCTION; SHORT TITLE

1. Amendments and supplements to this compact to implement the purposes thereof may be adopted by the action of the Legislature of either State concurred in by the Legislature of the other. C. 32:23-70. Concurrence on adopting amendments.

2. If any part or provision of this compact or the application thereof to any person or circum- C. 32:23-71. Provisions severable.

stances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this compact or the application thereof to other persons or circumstances and the two States hereby declare that they would have entered into this compact or the remainder thereof had the invalidity of such provision or application thereof been apparent.

C. 32:23-72. Construing.

3. In accordance with the ordinary rules for construction of interstate compacts this compact shall be liberally construed to eliminate the evils described therein and to effectuate the purposes thereof.

C. 32:23-73. Short title.

4. This compact shall be known and may be cited as the "Waterfront Commission Compact."

Part II

C. 32:23-74. Expenses of administration, return filed.

§ 2. Expenses of administration. A. 1. Every person subject to the payment of any assessment under the provisions of section 3 of Article XIII of the compact shall file on or before the fifteenth day of the first month of each calendar quarter-year a separate return, together with the payment of the assessment due, for the preceding calendar quarter-year during which any pay roll payments were made to longshoremen, pier superintendents, hiring agents or port watchmen for work performed as such within the district. Returns covering the amount of assessment payable shall be filed with the commission on forms to be furnished for such purpose and shall contain such data, information or matter as the commission may require to be included therein. The commission may grant a reasonable extension of time for filing returns, or for the payment of assessment, whenever good cause exists. Every return shall have annexed thereto a certification to the effect that the statements contained therein are true.

2. Every person subject to the payment of assessment hereunder shall keep an accurate record of his employment of longshoremen, pier superintendents, hiring agents or port watchmen, which shall show the amount of compensation paid and such other information as the commission may require. Such records shall be preserved for a period of three years and be open for inspection at reasonable times. The commission may consent to the destruction of any such records at any time after said period or may require that they be kept longer, but not in excess of six years. Records kept.

3. (a) The commission shall audit and determine the amount of assessment due from the return filed and such other information as is available to it. Whenever a deficiency in payment of the assessment is determined the commission shall give notice of any such determination to the person liable therefor. Such determination shall finally and conclusively fix the amount due, unless the person against whom it is assessed shall, within thirty days after the giving of notice of such determination, apply in writing to the commission for a hearing, or unless the commission on its own motion shall reduce the same. After such hearing, the commission shall give notice of its decision to the person liable therefor. A determination of the commission under this section shall be subject to judicial review, if application for such review is made within thirty days after the giving of notice of such decision. Any determination under this section shall be made within five years from the time the return was filed and if no return was filed such determination may be made at any time. Returns audited, hearing.

(b) Any notice authorized or required under this section may be given by mailing the same to the person for whom it is intended at the last address given by him to the commission, or in the last return filed by him with the commission under this section, or, if no return has been filed then to such address as may be obtainable. The mailing of such notice shall be presumptive evidence of the receipt Notice.

of same by the person to whom addressed. Any period of time, which is determined according to the provision of this section, for the giving of notice shall commence to run from the date of mailing of such notice.

Enforcing payment of assessment.

4. Whenever any person shall fail to pay, within the time limited herein, any assessment which he is required to pay to the commission under the provisions of this section the commission may enforce payment of such fee by civil action for the amount of such assessment with interest and penalties.

Secretary of State as agent, service of process, filing proof of service.

5. The employment by a nonresident of a longshoreman, or a licensed pier superintendent, hiring agent or port watchman in either State or the designation by a nonresident of a longshoreman, pier superintendent, hiring agent or port watchman to perform work in such State shall be deemed equivalent to an appointment by such nonresident of the Secretary of State of such State to be his true and lawful attorney upon whom may be served the process in any action or proceeding against him growing out of any liability for assessments, penalties or interest, and a consent that any such process against him which is so served shall be of the same legal force and validity as if served on him personally within such State and within the territorial jurisdiction of the court from which the process issues. Service of process within either State shall be made by either (1) personally delivering to and leaving with the Secretary of State or a deputy Secretary of State of such State duplicate copies thereof at the office of the Department of State in the capital city of such State, in which event such Secretary of State shall forthwith send by registered mail one of such copies to the person at the last address designated by him to the commission for any purpose under this section or in the last return filed by him under this section with the commission or as shown on the records of the commission, or if no return has been filed, at his last known office address within or without such

State, or (2) personally delivering to and leaving with the Secretary of State or a deputy Secretary of State of such State a copy thereof at the office of the Department of State in the capital city of such State and by delivering a copy thereof to the person, personally without such State. Proof of such personal service without such State shall be filed with the clerk of the court in which the process is pending within thirty days after such service and such service shall be complete ten days after proof thereof is filed.

Refund.

6. Whenever the commission shall determine that any moneys received as assessments were paid in error, it may cause the same to be refunded, provided an application therefor is filed with the commission within two years from the time the erroneous payment was made.

Rules and regulations.

7. In addition to any other powers authorized hereunder, the commission shall have power to make reasonable rules and regulations to effectuate the purposes of this section.

Interest and penalties.

8. When any person shall wilfully fail to pay any assessment due hereunder he shall be assessed interest at a rate of one per centum (1%) per month on the amount due and unpaid and penalties of five per centum (5%) of the amount due for each thirty days or part thereof that the assessment remains unpaid. The commission may, for good cause shown, abate all or part of such penalty.

False information, penalty.

9. Any person who shall wilfully furnish false or fraudulent information or shall wilfully fail to furnish pertinent information, as required, with respect to the amount of assessment due, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars ($1,000.00), or imprisonment for not more than one year, or both.

Depositaries.

10. All funds of the commission shall be deposited with such responsible banks or trust companies as may be designated by the commission. The commission may require that all such deposits be secured by obligations of the United States or of the States of New Jersey or New York of a

market value equal at all times to the amount of the deposits, and all banks and trust companies are authorized to give such security for such deposits. The moneys so deposited shall be withdrawn only by check signed by both members of the commission or by such other officers or employees of the commission as it may from time to time designate.

Annual audit.

11. The accounts, books and records of the commission, including its receipts, disbursements, contracts, leases, investments and any other matters relating to its financial standing shall be examined and audited annually by independent auditors to be retained for such purpose by the commission.

States reimbursed.

B. The commission shall reimburse each State for any funds advanced to the commission exclusive of sums appropriated pursuant to section four of Article XIII of the compact.

C. 32:23-75. Transfer of employees.

§ 3. Officers and employees. Any employee in the State, county or municipal civil service in either State who, on or before December 1, 1954, shall transfer to service with the commission may be given one or more leaves of absence without pay for a total period of not to exceed three years and may, before the expiration of such three-year period and without further examination or qualification return to his former position or be certified by the appropriate civil service agency for retransfer to a comparable position in such State, county or municipal civil service if such a position is then available.

Federal employees.

The commission may, by agreement with any Federal agency from which any officer or employee, on or before December 1, 1954, may transfer to service with the commission, make similar provision for the retransfer of such officer or employee to such Federal agency.

Pensions to continue.

Notwithstanding the provisions of any other law in either State, any officer or employee in the State, county or municipal civil service in either State who shall transfer, on or before December 1, 1954, to service with the commission and who is a member of any existing State, county or municipal pen-

sion or retirement system in New Jersey or New York, shall continue to have all rights, privileges, obligations and status with respect to such fund, system or systems as if he had continued in his State, county or municipal office or employment, but during the period of his employment by the commission, all contributions to any pension or retirement fund or system to be paid by the employer on account of such officer or employee, shall be paid by the commission. The commission may, by agreement with the appropriate Federal agency, make similar provisions relating to continuance of retirement system membership for any Federal officer or employee so transferred.

C. 32:23-76. Penalties.

§ 4. Penalties. Any person who shall violate any of the provisions of the compact or of section two hereof, for which no other penalty is prescribed, shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars ($500.00) or by imprisonment for not more than one year, or both.

C. 32:23-77. Federal funds.

§ 5. Federal funds. The officer heretofore designated by each State as the agent of such State as required by an act of the Congress of the United States, effective June sixth, nineteen hundred thirty-three, entitled "An act to provide for the establishment of a national employment system and for co-operation with the States in the promotion of such system and for other purposes," otherwise referred to as "Wagner-Peyser Act" or any act amendatory or supplemental thereto or in substitution thereof, may be designated as the agency of such State and of the other State which is a party to this compact, as such act of Congress requires; and as such agent is hereby authorized, empowered and directed to co-operate with the United States employment service under and pursuant to the terms, conditions, provisions and requirements of such act in so far as the same may relate to any of the purposes of this compact, and he shall have and exercise all powers necessary therefor. Such officer is hereby further authorized and empowered,

subject to the direction of the commission and the provisions of this act, to take such steps and to formulate such plans and to execute such projects as may be necessary or appropriate to obtain for and on behalf of each State the full benefits, advantages and privileges derivable under and pursuant to such acts of Congress in so far as they are derivable for the effectuation of the purposes of this compact.

PART III

C. 32:23-78. New Jersey commission established.

§ 6. Commission established for New Jersey. A. Unless and until the provisions of the compact contained in section one of this act shall have been concurred in by the State of New York, the consent of Congress given thereto, and the commission, provided for therein, established:

Provisions to apply, proviso.

1. The provisions of such compact and sections two, three, four and five of this act shall apply to and be in full force and effect within the State of New Jersey, except as limited by this section, and any violation of such compact or section shall be a violation of the laws of the State of New Jersey; *provided, however,* that (with respect to the definitions contained in such compact):

(a) "The Port of New York district" shall mean only that portion of the district within the State of New Jersey;

(b) The "commission," hereinafter referred to in this section as the "New Jersey commission," shall mean and consist of the member appointed by the Governor of this State by and with the advice and consent of the Senate, and he shall possess and exercise all the powers and duties of the commission set forth in section one of this act and any other powers and duties conferred herein;

(c) The powers and duties of any other officer or agency of this State prescribed by section one or otherwise by this act shall be effective as if the provisions of the compact were effective as a statute of this State; and

(d) The New Jersey commission shall not be deemed to be a body corporate and politic and shall be in the Department of Labor and Industry of this State.

Commission to co-operate.

2. The New Jersey commission is authorized to co-operate with a similar commission of the State of New York, to exchange information on any matter pertinent to the purposes of this act, and to enter into reciprocal agreements for the accomplishment of such purposes, including but not limited to the following objectives:

(a) To provide for the reciprocal recognition of any license issued or registration made by either commission;

(b) To give reciprocal effect to any revocation, suspension or reprimand with respect to any licensee, and any reprimand or removal from a longshoremen's register;

(c) To provide that any act or omission by a licensee or registrant in either State which would be a basis for disciplinary action against such licensee or registrant if it occurred in the State in which the license was issued or the person registered shall be the basis for disciplinary action in both States;

(d) To provide that longshoremen registered in either State, who perform work or who apply for work at an employment information center within the other State shall be deemed to have performed work or to have applied for work in the State in which they are registered.

No residence requirement.

3. Notwithstanding any other provision of law, the officers, employees and agents of the commission established by this section may be appointed or employed without regard to their State of residence. Such commission may appoint or employ the same person to a similar office or employment in this State as he holds in a similar commission or agency of the State of New York.

Rate of assessment.

B. Notwithstanding any other provision of this act, for the purpose of providing for the commission's expenses of administration during the re-

mainder of the calendar year following the effective date of this act, and until June 30, 1954, the assessment for such expense shall be at the rate of one and one-half per centum (1½%). Such assessment shall be made, collected and enforced in accordance with Article XIII of the compact and section 2 of this act.

C. 32:23-79. Loitering prohibited.

§ 7. Prohibition against loitering. Any person who shall, without a satisfactory explanation, loiter upon any dock, wharf, pier, bulkhead, terminal, warehouse, or other waterfront facility in that portion of the Port of New York district within the State of New Jersey, shall be a disorderly person.

C. 32:23-80. Collection of funds for unions, forbids, penalty.

§ 8. Collection of funds for unions having officers or agents who are felons. No person shall solicit, collect or receive any dues, assessments, levies, fines or contributions, or other charges within the State of New Jersey from employees registered or licensed pursuant to the provisions of this act for or on behalf of any labor organization representing any such employees if any officer or agent of such organization has been convicted by a court of the United States, or any State or territory thereof, of treason, murder, manslaughter or any felony, high misdemeanor or misdemeanor involving moral turpitude, unless he has been subsequently pardoned therefor by the Governor or other appropriate authority of the State or jurisdiction in which such conviction was had or has received a certificate of good conduct or other relief from disabilities arising from the fact of conviction from a board of parole or similar authority.

As used in this section, the term "labor organization" shall mean and include any organization which exists and is constituted for the purpose in whole or in part of collective bargaining, or of dealing with employers concerning grievances, terms and conditions of employment, or of other mutual aid or protection; but it shall not include a federation or congress of labor organizations organized on a national or international basis even

though one of its constituent labor organizations may represent persons so registered or licensed.

Any person who shall violate this section shall be guilty of a misdemeanor punishable by a fine of five hundred dollars ($500.00) or imprisonment for one year, or both.

C. 32:23-81. Appropriation.

§ 9. Appropriation. The sum of two hundred thousand dollars ($200,000.00) or such part thereof as may be necessary is hereby appropriated to the commission, out of any available funds in the State treasury, for the purposes of the compact set forth in section 1 of this act, payable on the audit and warrant of the comptroller on voucher certified by the commission. The amount so appropriated shall, together with such amounts as may be similarly appropriated by the State of New York, be held by the commission as an advance of operating funds, repayable to the respective States in installments from time to time, in proportion to their initial contributions.

C. 32:23-82. Short title.

§ 10. Short title. This act shall be known and may be cited as the "Waterfront Commission Act."

C. 32:23-83. Provisions severable.

§ 11. Separability of act. If any part or provision of this act or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this compact or the application thereof to other persons or circumstances and the two States hereby declare that they would have entered into this compact or the remainder thereof had the invalidity of such provision or application thereof been apparent.

C. 32:23-84. Act effective.

§ 12. Effective date. Sections one to five, inclusive, of this act shall take effect upon the enactment into law by the State of New York of legislation having an identical effect with said sections; but if the State of New York shall have already

enacted such legislation, then sections one to five, inclusive, of this act shall take effect immediately. Sections seven and eight of this act shall take effect September first, nineteen hundred fifty-three. Sections six, nine, ten, eleven and twelve shall take effect immediately.

Approved June 30, 1953.

CHAPTER 203

AN ACT to amend the Waterfront Commission Act, in relation to the effective date of the prohibition against public loading, and the authorization to receive Federal funds for the purposes of such act.

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

Section amended.

1. Section five of the act of which this act is amendatory is hereby repealed, and a new section five is added to such act to read as follows:

C. 32:23-77. Federal funds.

§ 5. Federal funds. A. The Waterfront Commission of New York Harbor is hereby designated on its own behalf or as agent of the State of New Jersey and the State of New York, as provided by the act of Congress of the United States, effective June sixth, one thousand nine hundred and thirty-three, entitled "An act to provide for the establishment of a national employment system and for co-operation with the States in the promotion of such system and for other purposes," as amended, for the purpose of obtaining such benefits of such act of Congress as are necessary or appropriate to the establishment and operation of employment information centers authorized by section one of this act.

B. The commission shall have all powers necessary to co-operate with appropriate officers or agencies of either State or the United States, to take such steps to formulate such plans and to execute such projects (including but not limited to the establishment and operation of employment information centers) as may be necessary to obtain such benefits for the operation of the commission in accomplishing the purposes of this act.

C. The officer or agency heretofore designated by each of the two States, pursuant to said act of June sixth, one thousand nine hundred and thirty-three, as amended, is authorized and empowered, upon the request of the commission and subject to its direction, to exercise the powers and duties conferred upon the commission by the provisions of this section.

Section amended.

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

C. 32:23-84. Sections to become effective.

§ 12. Effective date. Sections one to five, inclusive, of this act shall take effect upon the enactment into law by the State of New York of legislation having an identical effect with said sections; but if the State of New York shall have already enacted such legislation, then sections one to five, inclusive, of this act shall take effect immediately. Sections seven and eight of this act shall take effect September first, one thousand nine hundred and fifty-three. Sections six, nine, ten, eleven and twelve shall take effect immediately. Notwithstanding the foregoing provisions of this section, the prohibition against public loading contained in Article VII of section one shall in no event be effective prior to December first, one thousand nine hundred and fifty-three.

Note: Act effective.

3. This act shall take effect upon the enactment into law by the State of New York of legislation having identical effect with this act; but if the State of New York shall already have enacted such legislation, then this act shall take effect immediately.

Approved June 30, 1953.

CHAPTER 204

AN ACT concerning the limitation of criminal prosecutions, and amending section 2A:159–2 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:159–2 of the New Jersey Statutes is amended to read as follows:

Offenses not punishable with death.

2A:159–2. Except as otherwise expressly provided by law no person shall be prosecuted, tried or punished for any offense not punishable with death, unless the indictment therefor shall be found within five years from the time of committing the offense or incurring the fine or forfeiture. This section shall not apply to any person fleeing from justice.

2. This act shall take effect immediately.

Approved June 30, 1953.

CHAPTER 205

AN ACT to amend the title of "An act establishing salaries of the members of the Division of the Real Estate Commission in the Department of Banking and Insurance and concerning real estate broker's and real estate salesman's licenses, and amending sections 45:15–6, 45:15–9, 45:15–11 and 45:15–15 of the Revised Statutes," approved April seventh, one thousand nine hundred and fifty-three (P. L. 1953, c. 77), so that the same shall read "An act concerning real estate broker's and real estate salesman's licenses, and amending sections 45:15–9, 45:15–11 and 45:15–15 of the Revised Statutes."

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

1. The title of "An act establishing salaries of the members of the Division of the Real Estate Commission in the Department of Banking and Insurance and concerning real estate broker's and real estate salesman's licenses, and amending sections 45:15–6, 45:15–9, 45:15–11 and 45:15–15 of the Revised Statutes," approved April seventh, one thousand nine hundred and fifty-three, is amended to read "An act concerning real estate broker's and real estate salesman's licenses, and amending sections 45:15–9, 45:15–11 and 45:15–15 of the Revised Statutes." Title amended. New title.

2. This act shall take effect immediately.

Approved June 30, 1953.

CHAPTER 206

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

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

Section amended.

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

Check-up to prevent fraudulent voting, procedure for removing name, application to vote.

19:31–15. For the purpose of preventing fraudulent voting and of eliminating names improperly registered, the commissioner in counties having a superintendent of elections, and the county board in all other counties, may within ninety days after each general election preceding the general election at which members of the House of Representatives are elected send by government reply postal card to each registrant who failed to vote at such election, at his registered address, a notice substantially as follows:

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

.....
Commissioner of Registration"

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

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

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

Signed....."

The county board in counties not having a superintendent of elections may also, and in addition to the method hereinbefore provided, direct at any

time an authorized clerk or clerks to make any personal investigation which the commissioner or county board may deem necessary to establish the fact of continued residence or of removal of any registrant.

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

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

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

In case of registrants so found to have died, been disqualified or improperly registered, the county board in counties not having a superintendent of elections shall cause the permanent registration

forms of such persons to be transferred to the inactive or death file as the case may be.

The county board in counties not having a superintendent of elections before removing, for any reason whatsoever, the permanent registration forms of any registrant from the signature copy registers, or before transferring such forms to the inactive file shall cause to be published a notice setting forth the proposed action of the county board. This notice shall contain the list of the names and registered addresses of all registrants to be affected by the proposed action. Such notice and list shall be published at least two entire days prior to the removal of such names and shall be published in at least one, and if the county board deems necessary, two or more newspapers published within the county, one of which newspapers, at least, shall be published in the municipality affected, if there be one published therein; otherwise, one which shall have a circulation in said municipality. At least one of such newspapers shall be a daily newspaper, but if there be no daily newspapers published in the county then such notices shall be published as above provided in weekly papers. The notice and list shall in addition specify the reason or reasons for the contemplated removal or transfer of the permanent registration forms of the registrants affected. The notice and list shall be published in the manner above provided prior to the second Tuesday preceding any election.

Any person affected by any action of the county board in counties not having a superintendent of elections shall, during the two weeks immediately preceding any election and on election day, have the right to make application to any judge of the County Court of that county, for the purpose of obtaining an order entitling him to vote in the district in which he actually resides. The burden of proof shall be upon the applicant. The judge of the County Court if satisfied that the applicant is entitled, under the law, to vote at such election, and after determining the election district in which

such person actually resides, may issue an order directing the district board of that district to permit such person to vote. Such person must reregister before voting at any subsequent election by court order or otherwise. If the applicant shall be refused the right to vote, due to inability of the district board or of the commissioner or of the county board to find the permanent registration forms of such applicant, then in addition such applicant shall establish by reference to the registry lists of former elections, that he was previously registered. Such evidence shall be deemed sufficient to establish the fact that the applicant was formerly registered. If the order is directed to a district board, the district board shall certify and return the order at the close of the election to the commissioner.

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

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

The commissioner in counties having a superintendent of elections, before signing such order in writing to any district board, shall give notice of his proposed action to such registered person (1) personally, or (2) by leaving the same at the person's registered place of residence with a person above the age of fourteen years, if any such person

can be found, and if not, by affixing the same to the outer door of such place of residence or to any other portion of such premises if no building be found thereon, or (3) by sending the same by mail addressed to the person at his registered place of residence at least two entire days before the issuance of the order; and the commissioner shall cause a list of the names of such persons, with their registry addresses, to be published at least two entire days before the issuance of the order in at least one, and if the commissioner deems necessary, two or more newspapers published within the county, at least one of which shall be a daily newspaper, if there be one published therein; otherwise, one which shall be published most frequently. Such published notice, in addition to containing the names and addresses of such persons, shall give notice to them of the proposed action of the commissioner. No such order in writing shall be signed by the commissioner subsequent to the Tuesday preceding an election.

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

The commissioner in counties having a superintendent of elections shall cause such order to be delivered to the district board at the same time as the challenge lists are delivered, which order shall

be receipted for by the judge of the district board, who shall use the order in conjunction with the registry list, so that no person whose name appears upon the order shall be allowed to vote. Such order shall be signed and certified to by each member of the district board to the effect that no person whose name appears therein has been allowed to vote. The order shall be returned to the commissioner at the same time and together with the challenge lists. Upon receipt of such order the commissioner shall thereupon transfer the permanent registration forms of the person named in such order to the inactive, death or conviction file, as the case may be, and he shall not be permitted to vote at any subsequent election, by court order or otherwise, unless he has reregistered.

Any person affected by the action of the commissioner in counties having a superintendent of elections shall, during the week immediately preceding the election and on the election day, have the right to make application to a judge of the County Court of the county for the purpose of obtaining an order entitling him to vote in the district in which he actually resides. The burden of proof shall be upon the applicant. The judge of the County Court if satisfied that the applicant is entitled under the law to vote at such election and after determining the election district in which the person actually resides may issue an order directing the district board of that district to permit such person to vote. If the applicant shall be refused the right to vote, due to the inability of the district board or of the commissioner or of the county board to find the permanent registration forms of such applicant, then in addition such applicant shall establish by reference to the registry lists of former elections that he was previously registered. Such evidence shall be deemed sufficient to establish the fact that the applicant was formerly registered. The district board shall certify and return the order to the commissioner at the close of the election, who thereupon shall restore the permanent registration

forms of such person to the active file. Before the issuance of such order, the commissioner shall be heard personally, or by his chief deputy or assistants, as to the reasons why he has issued an order denying such person the right to vote. The commissioner or any one representing him shall have full power to cross-examine any witness. The judge of the County Court making such order shall cause a full record of the proceedings of the application to be taken stenographically, transcribed and filed in the office of the county clerk of the county, which record shall be open and public record. All costs and expenses of such proceedings shall be paid by the county.

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

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

Approved June 30, 1953.

CHAPTER 207

AN ACT relating to workmen's compensation, and supplementing article two of chapter fifteen of Title 34 of the Revised Statutes.

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

C. 34:15-15.1. Order for repayment to insurance carrier.

1. Whenever the expenses of medical, surgical or hospital services, to which the petitioner would be entitled to reimbursement if such petitioner had paid the same as provided in section 34:15–15 of the Revised Statutes, shall have been paid by any insurance company or other organization by virtue of any insurance policy, contract or agreement which may have been procured by or on behalf of such petitioner, or shall have been paid by any person, organization or corporation on behalf of such petitioner, the deputy directors or referees of the Division of Workmen's Compensation are authorized to incorporate in any award, order or approval of settlement, an order requiring the employer or his insurance carrier to reimburse such insurance company, corporation, person or organization in the amount of such medical, surgical or hospital services so paid on behalf of such petitioner.

Approved June 30, 1953.

CHAPTER 208

AN ACT concerning the transfer of patients and inmates between charitable and correctional institutions maintained by the State and the several counties, and amending section 30:4–87 of the Revised Statutes.

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

Section amended.

1. Section 30:4–87 of the Revised Statutes is amended to read as follows:

Transfer of patients and inmates, criminal insane.

30:4–87. Determination by the original order for commitment as to settlement and indigency shall apply to and govern upon the transfer of a patient or inmate. The rate of payment of maintenance shall be that fixed pursuant to law for the institution to which the patient or inmate is transferred. With the transfer there shall pass to the institution to which the inmate or patient is transferred copies of all records, papers and documents relating to the admission or commitment of the inmate or patient, medical records, securities for the payment of maintenance, and the like. If, for any reason, there has been no determination of settlement or indigency, these facts shall be determined as in an original application, upon the initiative of the chief executive officer of the institution in which such inmate or patient is when transfer is desired. Due notice of the transfer shall be given to the director of the board of chosen freeholders of the county in which such inmate or patient is determined to have a legal settlement, if any, of such transfer having been made.

Criminal insane shall be transferred to the house of detention for criminal insane established at the New Jersey State Hospital at Trenton.

Act effective.

2. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved June 30, 1953.

CHAPTER 209

AN ACT concerning sales of real estate under statutes or judicial proceedings, and amending section 2A:61–1 of the New Jersey Statutes.

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

1. Section 2A:61–1 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:61–1. In all cases whatsoever where any sheriff, coroner, master, executor, administrator, guardian, commissioner, auditor or other officer or person is authorized or required by any public statute or the direction of any court of competent jurisdiction in this State to make sales of real estate, he shall, unless otherwise specially directed or authorized by law, before making such sale, give notice of the time and place of such sale by public advertisement, signed by himself, and set up in the office of the sheriff of the county or counties where such real estate is situate and at the premises to be sold at least three weeks next before the time appointed for such sale. Such notice need not be set up at any other place. Advertisements of sales, publication, fees.

Such officer or person, shall also cause such notice to be published four times, at least once a week, during four consecutive weeks, in two newspapers, to be by him designated,

(a) both printed and published in the county wherein the real estate to be sold is situate, one of which shall be either a newspaper printed and published at the county seat of such county or a newspaper printed and published in the municipality in such county having the largest population according to the latest census or

(b) one printed and published in such county and one circulating in such county, if less than two newspapers are printed and published in such county, or

(c) both circulating in such county, if no newspapers are printed and published in such county.

The first publication shall be at least twenty-one days prior and the last publication not more than eight days prior to the time appointed for the sale of such real estate.

Whenever, in the opinion of any such officer or person the ends of justice shall require it, or the sale so being conducted by him will be benefited thereby, the notice of such sale may be published in three of such newspapers instead of two as required by the second paragraph of this section, if there be that number printed and published in the county wherein the real estate to be sold is situate.

Where real estate is to be sold at public sale, the court, on motion made on notice, may order the sheriff or other officer to publish with the notice of the sale, a diagram of the premises, in lieu of the actual description.

The officer or person so advertising in the newspapers shall be entitled therefor, in addition to his other fees, to the sum of one dollar and fifty cents ($1.50), except where it is otherwise specifically provided.

2. This act shall take effect immediately.

Approved June 30, 1953.

CHAPTER 210

AN ACT to amend "An act concerning banking and banking institutions (Revision of 1948)," approved April twenty-ninth, one thousand nine hundred and forty-eight (P. L. 1948, c. 67).

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

1. Section 181 of the act of which this act is amendatory is amended to read as follows: Section amended.

181. Mortgage loans. C. 17:9A-181. Mortgage loans.

A–1. A savings bank may make or invest in mortgage loans in the manner and subject to the limitations prescribed by this section. For the purposes of this section, "mortgage loan" shall include every indebtedness secured by mortgage on real property, or on a lease of the fee of real property (in any case in which such lease is lawful security for such mortgage loan), except as otherwise provided by subsection Q of this section, and a savings bank shall be deemed to have made a mortgage loan when

(a) it lends or participates in lending money to a borrower upon the security of real property; or

(b) it acquires, by purchase or otherwise, a mortgage loan or any share or part of or interest in a mortgage loan which is not subordinate to any share or part thereof or interest therein held by any other person.

A savings bank may sell, assign or otherwise dispose of a share or part of or interest in a mortgage loan held by it to any other person.

A–2. For all purposes of compliance with the applicable provisions and restrictions of subsections D, E, F and G of this section as to the percent-

age of the mortgage loan to the appraised value of the mortgaged property, and the term of and rate of amortization of such loan, the date of the acquisition by a savings bank of a mortgage loan or a share or part thereof or interest therein shall, as respects such savings bank, be deemed to be the date as of which the mortgage loan was made, and the unpaid amount of the principal then due shall be deemed to be the amount of such mortgage loan.

B. No savings bank shall make a mortgage loan at any time when the total cost of acquisition by the savings bank of all real property owned by it, other than real property held for the purposes specified in subparagraph (a) of paragraph (5) of section 24, and the total of all principal balances owing to the savings bank on mortgage loans, less all write-offs and reserves with respect to such real property and mortgage loans, together exceeds, or by the making of such loan will exceed, seventy per centum (70%) of its deposits. For the purposes of this subsection, principal balances owing on mortgage loans made pursuant to subsection Q of this section shall, only to the extent of seventy-five per centum (75%) of such balances, be included in the total of all principal balances owing to the savings bank on mortgage loans.

C. Every mortgage loan shall be evidenced by a note or bond, and shall be secured by a mortgage on the fee of real property located within this State, or, if outside this State, upon the fee of real property located within fifty miles of the principal office of the savings bank. Every mortgage shall be certified to be a first lien by an attorney-at-law of the State in which the real property is located, or certified or guaranteed to be a first lien by a corporation authorized to guarantee titles to land in such State. For the purposes of this section, a mortgage shall be deemed to be a first lien, notwithstanding the existence of a prior mortgage or mortgages held by the savings bank, or a lien for current taxes or assessments not due or payable at the time the loan is made, and notwithstanding the

existence of leases, building restrictions, easements, encroachments, or covenants which, in the opinion of an officer of the savings bank designated for that purpose by the board of managers, do not materially lessen the value of the real property to be mortgaged.

D. When the real property offered as security for a mortgage loan consists of a lot of land upon which there is a one-family dwelling, or upon which such a dwelling is in the course of construction or is to be constructed, the amount of the mortgage loan shall not exceed (a) eighty per centum (80%) of the appraised value of the real property, or (b) twenty-five thousand dollars ($25,000.00), whichever is lesser.

E. When the real property offered as security for a mortgage loan consists of a lot of land upon which there is a two-, a three-, or a four-family dwelling, or upon which such a dwelling is in the course of construction or is to be constructed, the amount of the mortgage loan shall not exceed eighty per centum (80%) of the first thirty thousand dollars ($30,000.00) of the appraised value of the real property, plus fifty per centum (50%) of the excess, if any, of such appraised value over thirty thousand dollars ($30,000.00).

F. The instrument evidencing a mortgage loan made pursuant to either subsection D or subsection E of this section shall require that

(1) interest shall be paid on such loan monthly, and that equal monthly payments be made in reduction of such loan of an annual rate equal to at least five per centum (5%) of the original amount of such loan; or

(2) that a constant sum be paid monthly in an amount sufficient for current interest and for the payment of the loan in full in not more than twenty years from the making of such loan.

G. When the real property offered as security for a mortgage loan consists of a lot of land upon which there is a building or buildings other than dwellings of the nature described in subsections D and E of this section, or upon which such other buildings are in the course of construction or are to be constructed, the amount of the mortgage loan shall not exceed sixty-six and two-thirds per centum (66⅔%) of appraised value of such real property. The instrument evidencing a mortgage loan made pursuant to this subsection shall require that the loan be repaid in full in not more than ten years from the date it is made; and (a) if the amount of such loan, when made, exceeds fifty per centum (50%) of the appraised value of the real property, that payments shall be made in reduction thereof at least semiannually, at an annual rate equal to at least two per centum (2%) of the original amount of such loan; or (b) if the amount of such loan, when made, does not exceed fifty per centum (50%) of the appraised value of the real property, that payments shall be made in reduction thereof at least semiannually, at an annual rate equal to at least one per centum (1%) of the original amount of such loan. When, however, the amount of such loan does not, when made, exceed fifty per centum (50%) of the appraised value of such real property, and the instrument evidencing such loan requires that it be paid in full in not more than five years from the date it is made, the instrument need not require that any payment be made in reduction of such loan prior to its maturity date.

H. When the real property offered as security for a mortgage loan is of the nature described in subsections D or E of this section, and the amount of the loan does not exceed sixty-six and two-thirds per centum (66⅔%) of the appraised value of such real property, the instrument evidencing such loan shall be sufficient if it conforms to the requirements of either subsection F or subsection G of this section.

I. A mortgage loan may be made for the purpose of enabling a borrower to construct a building or buildings upon real property owned by him, and in such a case, the appraised value of the real property shall include the value of the building or buildings to be constructed, but at no time shall a greater sum be advanced on account of such loan than, in the opinion of (1) the appraisers hereinafter provided for, or (2) one of such appraisers and an officer of the savings bank designated for that purpose by the board of managers, is warranted by the state of completion of the buildings in process of construction. For the purposes of compliance with the applicable requirements of subsections F or G of this section as to the term of and the rate of amortization of a loan made pursuant to this section, such loan shall be deemed to have been made when the final advance shall be made to the borrower on such loan, or eighteen months from the date of the mortgage securing such loan, whichever is earlier.

J. When the real property offered as security for a mortgage loan consists of unimproved land, and the proceeds of such loan are not to be used to construct a building on such land, the amount of such loan shall not exceed thirty per centum (30%) of the appraised value of such real property. The instrument evidencing a loan made pursuant to this subsection shall require that such loan be paid in full in not more than five years from the date it is made. No loan made pursuant to this subsection shall exceed ten thousand dollars ($10,000.00), or one-quarter of one per centum (¼ of 1%) of the deposits of the savings bank, whichever is greater; nor shall any such loan be made at any time when the total of all such loans exceeds, or if the making of such loan would cause such total to exceed one per centum (1%) of the deposits of the savings bank.

K. No mortgage loan shall be made except upon a certificate signed by two or more appraisers who shall be either members of the board of managers

or such other persons as the board of managers shall designate. The certificate shall certify that the appraisers have inspected the real property to be mortgaged, shall set forth or incorporate by reference all factors which, in their judgment, are materially determinative of the value of the real property, and shall disclose as separate items the value placed upon land and upon improvements, if any. The appraisers shall also certify that, in their opinion, the real property furnishes adequate security for the amount of the loan to be made. The certificate shall be filed with the permanent records of the savings banks, and shall be preserved until the savings bank has no interest, as mortgagee or otherwise, in the real property.

L. Purchase money mortgage loans made by a savings bank on the sale of real property owned by it shall not be subject to the preceding subsections or to subsection P of this section, except that such loans shall be included in determining whether the total amount of mortgage loans held by a savings bank exceeds seventy per centum (70%) of its deposits.

M. In addition to the mortgage loans authorized by the preceding subsections of this section, a savings bank may make mortgage loans secured by

(1) a mortgage which is a first lien upon the lease of the fee of real property in this State of a camp meeting association; *provided,*

(a) that the real property is subject to no lien or encumbrance other than such lease, or of the character permissible under subsection C of this section;

(b) that the lease shall have an unexpired term of not less than twenty-five years, or shall be renewable to the lessee, his heirs and assigns, for a term of not less than twenty-five years;

(c) that the camp meeting association has consented to the making of such mortgage loan;

(d) that the amount of such loan shall not exceed sixty-six and two-thirds per centum (66⅔%) of the appraised value of the leasehold estate; and

(e) that the commissioner has approved the making of such loans by savings banks upon leases of real property of such camp meeting association;

All the provisions of this section shall be applicable to loans made pursuant to this subsection except to the extent that such provisions are inconsistent with this subsection.

N. The instrument evidencing a mortgage loan may be in such form, and may contain such provisions, not inconsistent with law, as the savings bank may choose to insert for the protection of its lien and the preservation of its interest in the real property mortgaged to it.

O. Notwithstanding the limitations prescribed by the preceding subsections or by subsection P of this section, a savings bank may

(1) for the purposes of preventing or mitigating loss, or of preserving the lien of its mortgage, or of conserving the value of the real property affected by its mortgage, (a) extend the time for the payment of principal or interest, (b) modify or waive any of the terms or conditions of the instrument evidencing a mortgage loan, (c) settle or compromise all or part of the amount due or to grow due on a mortgage loan, (d) sell or assign the mortgage loan, or a share or part thereof or interest therein, for such consideration as it shall deem proper, and (e) advance funds for the payment of any tax, lien, charge or claim whatsoever; and

(2) make a loan in addition to an existing mortgage loan or loans held by it, upon the security of the same real property and secured

by the existing mortgage or mortgages, in an amount not to exceed the difference between the balance due on the existing mortgage or mortgages and the original amount thereof, or the sum of two thousand five hundred dollars ($2,500.00), whichever is less; *provided, however,* that no such additional loan shall be made which shall increase the total amount due upon such mortgages over the amount which could be loaned upon the security of such real property. Such additional loan shall be repaid in equal monthly installments, beginning within one year from the date of such loan, with the payments adjusted so that the additional loan shall be repaid in full either before or at the maturity of the existing mortgage. If the unexpired term of such mortgage or mortgages shall have been reduced to ten years or less such term may be extended for an additional period of not more than ten years. Adjustment of payments and extension of mortgage terms pursuant to this section shall comply with the provisions of subsection F, G, or H of this section. If so provided in the original mortgage or a supplement or amendment thereto, persons who acquire any rights in or liens upon the mortgaged real property subsequent to the recording of the original mortgage or such supplement or amendment, as the case may be, shall hold such rights and liens subject to the prior lien of the original mortgage and such supplement or amendment, if any, as security for such additional loan; and in such case, no title certificate or insurance under subsection C of this section shall be required with respect to such additional loan.

P. Except as otherwise provided by this section, no savings bank shall make a mortgage loan if the making of such loan would cause the total of all unpaid balances of such loans held by the savings bank upon the security of the same real prop-

erty or leasehold, to exceed the limitations imposed by this section upon the amount of a mortgage loan which may be made upon the security of such real property or such leasehold.

Q. A savings bank may invest in

(1) (a) veterans' loans made pursuant to Title III of the act of Congress of June twenty-second, one thousand nine hundred and forty-four, known as the "Servicemen's Readjustment Act of 1944," as amended, supplemented, revised or recodified from time to time, which the Administrator of Veterans' Affairs or other officer or agency which succeeds to his powers and functions under said act has insured or guaranteed or has made a commitment to insure or guarantee, to the extent and in the manner provided in said act or the regulations made thereunder; and

(b) veterans' loans made and insured or guaranteed in part as provided in paragraph (1) (a) of this subsection of this section, and, as to the balance thereof, insured or guaranteed by an insurer or guarantor named or described in paragraph (2) of this subsection of this section.

(c) the provisions and restrictions contained in this section, except those relating to the percentage of the mortgage loan to the appraised value of the real property, the term of the loan and the rate of amortization, shall apply to investments made pursuant to paragraph (1) of this subsection of this section.

(2) (a) mortgages or deeds of trust or other securities of the character of mortgages which are first liens on the fee of real property or a lease of the fee of real property, wherever located, which (i) the United States, or (ii) the Federal Housing Commissioner under the act of Congress of June twenty-seventh, one thousand nine hundred and thirty-four, known

as the "National Housing Act," as amended, supplemented, revised or recodified from time to time, or other officer or agency which succeeds to his powers and functions, or (iii) the State of New Jersey or an officer or agency thereof, or (iv) any other officer or agency of the United States or of this State which the commissioner shall have approved for the purposes of this section as an insurer or guarantor, has fully insured or guaranteed or made a commitment to fully insure or guarantee.

(b) mortgages or deeds of trust or other securities made pursuant to paragraph two (a) of this subsection of this section shall not be subject to the provisions and restrictions of this section, except that they shall be included in determining whether total mortgage investments are within the limitation prescribed by subsection B of this section.

2. This act shall take effect immediately.
Approved June 30, 1953.

CHAPTER 211

AN ACT concerning elections, providing for absentee voting, repealing "An act to provide for voting by persons in active service, as members of any branch or department of the United States Army, Navy or Marine Corps, or as reservists, absent from their respective places of residence and undergoing training under Army or Navy direction at places other than those of such persons' respective residences, and persons having served as soldiers, sailors, marines or nurses in the Armed Forces of the United States in any war, who are patients in veterans' hospitals located in places other than those of their respective residences, who prior to entering such service or being admitted as such patients were residents of this State and who possess the constitutional qualifications of legal voters of this State and are not otherwise disqualified to vote in this State, and repealing 'An act to afford certain voters of this State, who are in the military service and in certain services auxiliary to and associated therewith, and in certain veterans' hospitals, in time of war, an opportunity to vote in certain elections to be held in this State notwithstanding that such voters may be absent on election day from the respective election districts in which they reside, and supplementing Title 19 of the Revised Statutes,' approved February twelfth, one thousand nine hundred and forty-five (P. L. 1945, c. 11), and supplementing Title 19 of the Revised Statutes," approved February eighteenth, one thousand

nine hundred and forty-eight (P. L. 1948, c. 1), repealing "A supplement to 'An act to provide for voting by persons in active service, as members of any branch or department of the United States Army, Navy or Marine Corps, or as reservists, absent from their respective places of residence and undergoing training under Army or Navy direction at places other than those of such persons' respective residences, and persons having served as soldiers, sailors, marines or nurses in the Armed Forces of the United States in any war, who are patients in veterans' hospitals located in places other than those of their respective residences, who prior to entering such service or being admitted as such patients were residents of this State and who possess the constitutional qualifications of legal voters of this State and are not otherwise disqualified to vote in this State, and repealing 'An act to afford certain voters of this State, who are in the military service and in certain services auxiliary to and associated therewith, and in certain veterans' hospitals, in time of war, an opportunity to vote in certain elections to be held in this State notwithstanding that such voters may be absent on election day from the respective election districts in which they reside, and supplementing Title 19 of the Revised Statutes,' approved February twelfth, one thousand nine hundred and forty-five (P. L. 1945, c. 11), and supplementing Title 19 of the Revised Statutes,' approved February eighteenth, one thousand nine hundred and forty-eight (P. L. 1948, c. 1)," approved April twenty-eighth, one thousand nine hundred and forty-nine (P. L. 1949, c. 54), and repealing all acts amend-

atory of either of said acts (P. L. 1949, c. 53), (P. L. 1950, c. 146), and supplementing Title 19 of the Revised Statutes.

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

C. 19:57-1. Short title.

1. This act shall be known as and may be cited as the "Absentee Voting Law (1953)."

C. 19:57-2. Terms defined.

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

"Absentee ballot" means any military service ballot or civilian absentee ballot as herein defined.

"Absentee voter" means any person qualified to vote a military service ballot or a civilian absentee ballot under the provisions of this act.

"Civilian absentee ballot" means a ballot for use by a civilian absentee voter as prescribed by this act.

"Civilian absentee voter" means any qualified and registered voter of the State who expects to be absent from the State on the day of any election and any qualified and registered voter who will be within the State on the day of any election but because of illness or physical disability will be unable to cast his ballot at the polling place in his election district on the day of the election.

"Election," "general election," "primary election for the general election," "municipal election," and "special election" shall mean, respectively, such elections as defined in the Title to which this act is a supplement (R. S. 19:1–1).

"Military service" means active service by any person, as a member of any branch or department of the United States Army, Navy or Marine Corps, or as a reservist absent from his place of residence and undergoing training under Army or Navy direction, at a place other than that of such person's residence.

"Military service voter" means any person in the military service, or any patient in any veterans' hospital, located in any place other than the place of his residence, having served as a soldier, sailor, marine or nurse in the Armed Forces of the United States in any war in which the United States has been engaged and having been discharged or released from said Armed Forces, who prior to entering the military service or prior to being admitted as a patient in such hospital, was a resident of this State and who, at the time of the holding of any election in this State, while this act is in effect, is a resident of the United States, is of the age of twenty-one years or more, is not disqualified by reason of conviction of crime from voting in this State.

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

C. 19:57-3. Persons entitled to vote by absentee ballot, construing.

3. The following persons shall be entitled to vote by absentee ballot in any election to be held in this State, in the manner hereinafter provided:

A military service voter who may be absent on the day on which such election is held from the election district in which he resides, whether such person is within or without this State, or within or without the United States, provided he has resided in this State at least one year and in the county in which he claims the right to vote at least five months counting the time he has been in the military service or a patient in a veterans' hospital in said periods of residence;

A civilian absentee voter who expects to be or may be absent outside the State or the United States on the day on which an election is held or who may be within the State on the day of any election but because of illness or physical disability will be unable to cast his ballot at the polling place in his election district on the day of the election, provided he is a registered voter, and is not otherwise disqualified by law from voting in such election.

This act shall be liberally construed to effectuate these purposes.

C. 19:57-4. Application for ballot.

4. At any time not less than eight days prior to an election in which he desires to vote, a civilian absentee voter may apply to the person designated in section six of this act, for a civilian absentee ballot. Such application or request shall be made in writing, shall be signed by the applicant and shall state his or her place of voting residence and the address to which said ballot shall be sent, and the reason for which the ballot is requested.

Any person in military service or patient in a veterans' hospital desiring to vote in any election or any relative or friend of a person in military service or patient in a veterans' hospital who believes that such person will desire to vote in any election, may apply to the person designated in section six of this act for a military service ballot to be sent to such person.

C. 19:57-5. Form of application.

5. The form of application to be used by a relative or friend of a person in the military service or in a veterans' hospital shall be substantially as follows:

APPLICATION BY RELATIVE OR FRIEND FOR A MILITARY SERVICE BALLOT

The undersigned, residing at.....
(street and number or R. D. route)

in ..... in the
(name of city or other municipality)

county of..... in the State of .....,
does hereby make application for a military service ballot to be voted at the election to be held on .....
(date of election)

for .....,
(name of person in military service or veterans' hospital)
whose serial number is ....., whose home address is at .....
(street and number or R. D. route)
in ..... in the
(name of city or other municipality)
county of ..... in the State of New Jersey and who is stationed or can be found at .....
.....
.....

He is of the age of twenty-one years, has resided in the State of New Jersey at least one year and in said county at least five months counting the time that he has been in the military service or a patient in a veterans' hospital or both, and I verily believe that he is qualified to vote as a military service voter in said election.

.....

State of .....
} ss.
County of .....

The undersigned, being duly sworn on his oath according to law, says that the contents of the foregoing application are true.

Sworn and subscribed to before be this ..... day of..... A. D. .....

.....
(name and title of officer taking affidavit)

Such affidavit shall be subscribed and sworn to before a person authorized to administer oaths.

C. 19:57-6. From whom request is made.

6. In the case of any State-wide or county-wide election, the application or request shall be made to the county clerk of the county.

In the case of any municipal election, the application or request shall be made to the clerk of the municipality; in the case of any school election, the application or request shall be made to the district clerk of the school district and in the case of any election to be held in any fire district, road district, sewerage district, street lighting district, water supply district or other special district, other than a municipality, created for specified public purposes within one or more municipalities, the application or request shall be made to the commissioners or other governing or administrative body of the district, or to the clerk of any municipality in, or forming part of, the district, in which such election district is situated, and in case such application or request is made to any such officer other than the county clerk, such officer shall forward the same to the county clerk forthwith.

In the case of applications for civilian absentee ballots, the county clerk shall stamp thereon the date on which said application was received in his office.

C. 19:57-7. Publication of notices, forms.

7. The officer to whom the application for an absentee ballot may be made pursuant to section six of this act shall publish or cause to be published the following notices in substantially the following forms:

NOTICE TO PERSONS IN MILITARY SERVICE OR PATIENTS IN VETERANS' HOSPITALS AND TO THEIR RELATIVES AND FRIENDS

If you are in the military service or are a patient in a veterans' hospital and desire to vote, or if you are a relative or friend of a person who is in the military service or is a patient in a veterans' hospital who, you believe, will desire to vote in the ..... election
(municipal, primary, general or other)
to be held on ....., kindly write
(date of election)

to the undersigned at once making application for a military service ballot to be voted in said election to be forwarded to you, if you are in the military service or are a patient in a veterans' hospital, stating your name, age, serial number, home address and the address at which you are stationed or can be found, or if you desire the military service ballot for a relative or friend then make an application under oath for a military service ballot to be forwarded to him, stating in your application that he is over the age of twenty-one years and stating his name, serial number, home address and the address at which he is stationed or can be found.

Forms of application can be obtained from the undersigned.

Dated .....

.....
(Signature and title of county clerk, municipal clerk or other official as the case may be)

.....
(Address of county clerk, municipal clerk or other official)

NOTICE TO PERSONS DESIRING ABSENTEE BALLOTS

If you are a qualified and registered voter of the State who expects to be absent outside the State on ..... or a qualified and registered voter
(date of election)
who will be within the State on .....
(date of election)
but because of illness or physical disability will be unable to cast your ballot at the polling place in your district on said date, and you desire to vote in the ..... elec-
(municipal, primary, general or other)
tion to be held on ..... kindly write or
(date of election)

apply in person to the undersigned at once requesting that a civilian absentee ballot be forwarded to you. Such request must state your home address, and the address to which said ballot should be sent, and must be signed with your signature, and state the reason why you will not be able to vote at your usual polling place. No civilian absentee ballot will be furnished or forwarded to any applicant unless request therefor is received not less than eight days prior to the election, and contains the foregoing information.

Dated .....

.....
(Signature and title of county clerk, municipal clerk or other official as the case may be)

.....
(Address of county clerk, municipal clerk or other official)

Such notices shall be separately published prior to the fortieth day immediately preceding the holding of any election.

Notices relating to any State-wide or county-wide election shall be published by the county clerk in at least two newspapers published in the county. All other officials charged with the duty of publishing such notices shall publish the same in at least one newspaper published in each municipality or district in which the election is to be held or if no newspaper be published in said municipality, then in a newspaper published in the county and circulating in such municipality, municipalities or district.

C. 19:57-8. County clerk to have ballots printed, form.

8. Each county clerk shall cause to be printed sufficient military service ballots and civilian absentee ballots for each primary election for the general election, and for the general election, and there shall be furnished to the said county clerk of the county, as expeditiously as possible before the day fixed for holding any other election within

the county, by the officer whose duty it shall be to provide the official ballots for such election, sufficient military service ballots and civilian absentee ballots. Along with all such ballots for all elections there shall also be furnished by such county clerk or other official, inner and outer envelopes and printed directions for the preparation and transmitting of such ballots, for use in such election within the county and all expenses of mailing such ballots shall be paid in the same manner as other expenses of said election are paid.

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

C. 19:57-9. List of military applications maintained, inspection and examination.

9. Each county clerk, upon receipt of applications for military service ballots, shall make a list of them and shall file them alphabetically, according to the municipalities of the home addresses of the military service voters appearing thereon, which list and file shall be open to examination at all times by the county board of elections of the county, commissioner of registration and the superintendent of elections in counties in which a superintendent of elections is in office.

Such lists shall be available at all times for examination and use by the county board of elections, commissioner of registration and superintendent of elections of the county for comparison with the military records of the State for purposes of verification of the qualifications as military voters of the persons whose names appear thereon.

C. 19:57-10. Comparing signature on request for civilian ballot, approval or disapproval.

10. Upon receipt of any request for a civilian absentee ballot, the county clerk shall, with the cooperation of the commissioner of registration, compare the signature of the applicant on the request with the signature of said person appearing on the permanent registration form and shall determine from such examination and any other available information if the applicant is a voter qualified to cast a ballot in the election in which he desires to vote, and determine in case of a primary election in which political party primary the voter is enti-

tled to vote. The commissioner of registration or the superintendent of elections in counties having a superintendent of elections may investigate any application or request for an absentee ballot.

If after such examination, the county clerk is satisfied that the applicant is entitled to a ballot, he shall mark on the application "Approved." If after such examination the county clerk determines that the applicant is not entitled to a ballot, he shall mark on the application "Disapproved" and shall so notify the applicant, stating the reason therefor.

C. 19:57-11. Ballots forwarded, time of forwarding.

11. Each county clerk shall forward a military service ballot or a civilian absentee ballot, as the case may be, for use under this act by first-class mail to each military service voter who applies therefor or on whose behalf application is made therefor, and to each civilian absentee voter whose request therefor has been approved, and to whom a ballot has not been delivered by said clerk in person, addressed to the absentee voter at the forwarding address given in the application or request, and all ballots to be forwarded to persons at an address located without the limits of the forty-eight States and the District of Columbia shall be forwarded by air mail.

Such ballots shall be so forwarded as soon as practicable after the twenty-fifth day preceding the day upon which any election is to be held.

C. 19:57-12. Requests forwarded to county board, record kept.

12. Each county clerk, after processing the requests for civilian absentee ballots and furnishing the applicant with a civilian absentee ballot in the manner prescribed by this act, shall forward such requests, including those disapproved, to the county board of elections. Each county clerk shall also keep a list of such requests received by him showing the disposition of each request, which list shall be made available to the public and all election officials charged with the duty of administering this act.

C. 19:57-13. Form of ballot, markings.

13. Each absentee ballot to be used at any election shall conform generally to the ballot to be used

at said election in the absentee voter's district but the ballots shall be plainly marked "Military Service Ballot" or "Civilian Absentee Ballot," as the case may be.

C. 19:57-14. Preparation and specifications for ballots in general election.

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

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

Proviso.

C. 19:57-15. Preparation and specifications for ballots in primary elections.

15. Each absentee ballot to be used at any primary election for the general election to be held while this act is in effect shall conform to the ballot to be used at said election in the absentee voter's election district and to the form herein prescribed

for absentee ballots to be used in such general elections except that it shall be so prepared that the absentee voter may indicate thereon his choice of the candidates of one political party for each of the officers to be voted upon at said election by the voters of said election district and shall be separated into party ballots, which shall all be printed upon one sheet. If the county clerk through investigating the voter's voting record has ascertained that under the laws of this State such voter is qualified to vote only in a certain party primary he shall so indicate upon the primary ballot the party primary in which such voter is so entitled to vote.

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

C. 19:57-16. Instructions to absentee voter, mailing procedure.

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

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

The inner envelope shall be so designed that it can be sealed after the absentee ballot has been placed therein and the flap thereof shall be of such length and size as to leave sufficient margin, after sealing, for the printing thereon of the certificate hereinafter described. The flap shall be so arranged, that the margin containing the certificate

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can be so folded, after the inner envelope has been sealed, that the certificate can be contained, with the said inner envelope, in the outer envelope, and that the margin containing the certificate can be detached without unsealing the inner envelope.

On the outside of each envelope in which an absentee ballot is sent to an absentee voter and of each inner and outer envelope for the return of such ballot, there shall be printed or stamped the words "Official Military Service Ballot" or "Official Civilian Absentee Ballot" as the case may be.

C. 19:57-17. Certificate on flap of military service ballot.

17. Upon the said margin of said flap on the envelopes to be sent to military service voters there shall be printed a certificate in the following form:

I hereby certify that

1. I am a citizen of the United States;

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

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

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

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

6. My serial number is .....
(write your usual signature above)
.....
(print your name clearly above)

Sworn and subscribed to before me this ..... day of ..... A. D. ..... at ..... in the State or Country of .....
.....
(signature and rank of commanding officer)

Said certificate shall be sworn to before the military service voter's commanding officer or the superintendent of the veterans' hospital in which the military service voter is a patient.

Certificate on flap of civilian ballot.

Upon said margin of said flap on the inner envelopes to be sent to civilian absentee voters there shall be printed a certificate in the following form:

I, ..., do solemnly swear that I am a registered voter of the State of New Jersey, and that I have resided in the county of ..... continuously since .....
(month, date and year)
My address in said county is .....
(street and number, if any, or rural route)
where I have resided since .....
(month, date and year)

I will be a resident of the State of New Jersey at the above address on .....
(date of election)

FILL IN ONLY IF YOU HAVE MOVED OR INTEND TO MOVE YOUR RESIDENCE AFTER

.....
(county clerk insert date of fortieth day before election)

AND BEFORE THE ELECTION

I moved or will move to the above address from my previous home address at.....
(street and number, if any, or rural route)
in the .....,
(city, borough, town, township or village)
county of ..... State of .....
on .....
(give date)

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Place a cross (×) in the box preceding the applicable statement below.

My reason for voting this absentee ballot is:

☐ I will be absent from the State on the date of the election.

☐ I am unable to leave my place of confinement at .....
(home address, hospital address or other place of confinement)
because of .....
(name of sickness or physical disability)
and will, therefore, be unable to cast my ballot at the polling place in my election district on the date of the election.

I marked the enclosed ballot in secret.

.....
(signature of absentee voter)

.....
(print your name clearly above)

State of .....
County of ..... } ss.
Country of .....

..... being duly sworn, deposes and says that the statements on the foregoing declaration are true.

.....
(signature of absentee voter)

Sworn to and subscribed before me this.... ..... day of ....., 19...., and I hereby certify that the affiant exhibited the enclosed ballot to me unmarked, and that he then in my presence and in the presence of no other person and in such manner that I could not see his vote, marked such ballot and enclosed and sealed the same in this envelope without my seeing or knowing his vote, and that the affiant

was not solicited or advised by me to vote for or against any candidate or proposition.

.....
(signature of officer authorized by law, of the place where the oath is administered, to administer oaths)

.....
(title of officer)

C. 19:57-18. Physician's certificate required.

18. In the case of any civilian absentee voter who claims the right to vote by absentee ballot by reason of disability, the voter shall include within the outer envelope a certificate of a duly licensed physician certifying that the voter is confined by reason of sickness or physical disability and will be unable to cast his ballot at the polling place in the absentee voter's election district on the date of the election.

C. 19:57-19. Certificate as to party affiliation.

19. In addition to the foregoing, the certificate to be used on the margin of the flap of the inner envelope forwarded with any absentee ballot intended to be voted in any primary election for the general election shall contain the following statement similarly signed and sworn to:

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

.....
(signature of absentee voter)

Sworn and subscribed to before me this ..... day of .....
A. D. ..... at ..... in the
State or Country of .....

.....
(signature and rank of commanding officer) or

.....
(signature of officer authorized by law, of the place where the oath is administered, to administer oaths)

.....
(title of officer)

C. 19:57-20. Preparing and transmitting military ballots, free postage.

20. The military service ballots, together with the printed directions for the preparing and transmitting of the same and the inner envelopes with their certificates and the outer envelopes to be used therewith, shall conform as nearly as may be practicable to any specifications as to weight and size, which may be made by the defense and post-office departments of the United States, in connection with transporting the same.

The several county clerks shall take advantage of any provision for transmission, free of postage, of ballots and the envelopes containing the same provided by the Acts of the Congress of the United States but if no such provision is made, proper first-class postage and air-mail postage, as required by this act, shall be prepaid thereon.

C. 19:57-21. Periodic certification of ballots mailed.

21. Each county clerk shall, from time to time, prior to each election, certify in writing, under oath, to the commissioner of registration of the county, the names, serial numbers, if any, and home addresses of the persons to whom military service and civilian absentee ballots to be voted at such election have been delivered or forwarded pursuant to this act.

C. 19:57-22. Military file, duplicate voting record of civilian.

22. The commissioner of registration upon receipt of such information from the county clerk shall, in the case of a military service voter, remove the permanent registration form of each such voter from the permanent registration binders, if it appears therein, and file such forms in a special file designated "Military File" and in the case of civilian absentee voters shall mark the applicant's duplicate voting record appearing on the signature copy registers as follows:

In the proper column provided for the recording of the number of the voter's ballot at the election in which the applicant wishes to vote, the commissioner of registration shall record therein in red ink the initial "A," which shall mean that a civilian absentee ballot was delivered or mailed to the applicant by the county clerk.

Whenever the commissioner of registration receives from the county clerk notice that a civilian absentee ballot has been forwarded to a voter, during the time when the signature copy registers are in the custody of other election officials pursuant to this Title, or are in transit to or from such officials, the said commissioner shall, prior to the opening of the polls on election day, forward to each district board of elections a list of all civilian absentee voters to whom ballots have been sent but whose duplicate voting record has not been marked in the manner herein prescribed. Such lists may be prepared in the same manner as a challenge sheet and may be included therein together with other causes for challenge. No district board of elections shall permit any person to vote whose registration record shall be marked with the initial A in red ink or whose name shall appear on any list or notice furnished by the commissioner of registration to the effect that such voter has received an absentee ballot.

C. 19:57-23. Voting procedure.

23. Any absentee voter shall be entitled to mark any absentee ballot, so forwarded to him, for voting at any election by indicating his choice of candidates for the offices named, and as to public ques-

tions, if any, stated, thereon in accordance with election laws of this State, except that in such ballots to be voted in any primary election for the general election his choice shall be limited to the candidates of his political party or to any person or persons whose names are written thereon by him. When so marked, such ballot shall be placed in said inner envelope, which shall then be sealed, and the voter shall then fill in the form of certificate attached to said inner envelope, at the end of which he shall sign and print his name in his own handwriting, and the certificate shall be sworn to in the case of a military service voter before a commissioned officer, noncommissioned officer, or petty officer in the Armed Forces of the United States or the superintendent of the veterans' hospital in which the military service voter is a patient or some person authorized to take an oath; and in the case of a civilian absentee voter before an official authorized by law to administer oaths in the place where the oath is administered. The inner envelope with the certificate shall then be placed in said outer envelope, which shall then be sealed.

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

C. 19:57-24. Procedure by county board in counting absentee ballots.

24. The county board of elections shall, promptly after receiving each civilian absentee ballot, remove the inner envelope, containing the ballot, from the outer envelope and shall compare the signature and the information contained on the flap of the inner envelope with the signature and information contained in the respective requests for civilian absentee ballots. The county board shall reject any such ballot unless the board is satisfied as a result of such comparison or by reference to the permanent registration books that the voter is legally entitled to vote and that the ballot conforms with the requirements of this act.

The county board of elections shall, promptly after receiving each military service ballot, remove

the inner envelope, containing the ballot, from the outer envelope and ascertain through the commissioner of registration whether or not the name of the person, whose name appears following the certificate on the flap of said inner envelope, has been certified by the county clerk to the commissioner of registration of the county as a person to whom a military service ballot, to be voted at the election at which it is intended to be voted, has been forwarded pursuant to this act.

The county board shall investigate the qualifications of a military service voter under this act by comparison of the contents of said certificate with the information appearing upon the application for said military service ballot, including the signatures thereon when the military service voter's signature appears upon said application, and by comparison with the military records of the State when deemed desirable.

In the case of a military service or civilian absentee ballot to be voted at a primary election for the general election, whether or not the military service or civilian absentee voter has indicated in said certificate his intention to vote it in the primary election of any political party in which he is not entitled to vote it according to the registration records of the county, and if it shall appear from said record that he is not entitled to vote said ballot in the primary election of the political party which has been so indicated, such ballot shall be rejected.

Disputes as to the qualifications of military service or civilian absentee voters to vote or as to whether or not or how any such military or civilian absentee ballot shall be counted in such election shall be referred to the County Court of the county for determination.

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

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

C. 19:57-25. Qualification of military voter not required, votes counted.

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

C. 19:57-26. Ballots counted.

26. All valid military service ballots and valid civilian absentee ballots received by the county boards prior to the time designated for the closing of the polls for each election shall be counted.

C. 19:57-27. Ballots not to be invalidated because of omissions.

27. No absentee ballot shall be rejected or declared invalid because it does not contain all of the names of the candidates or all of the public questions to be voted for or upon in the election district in the election in which it is to be counted, and any absentee ballot shall be counted in determining the result of said election as to any office or public question, if the designation of the office and the name of the candidate for election to said office or the answer to such public question are written thereon so as to indicate the voter's choice, and notwithstanding that such designation, name or question may be or should have been printed or such choice indicated upon such military service ballot in the regular manner.

C. 19:57-28. Not permitted to vote in person.

28. No person who has applied for a civilian absentee ballot and to whom a civilian absentee ballot has been either delivered in person or forwarded by mail by a county clerk, shall be permitted to vote in person at the polling place in his election district on the day of the election, but such person may execute such ballot in the manner provided by this act even though he is in the State on the day of the election.

C. 19:57-29. Voting by returned military service voter.

29. Any military service voter who returns to his place of residence within this State, within ten days before such election, and who has not received a military service ballot, may appear in person before, and apply in writing to, the proper county clerk for a military service ballot, and shall be entitled to receive a military service ballot upon being properly identified and to cast the same by presenting it in person to the proper county board of elections, properly marked, enclosed and sealed in the inner envelope provided for that purpose, with the certificate or certificates on the flap of the inner envelope duly filled in and signed and sworn to before a person qualified to take an oath, upon being properly identified, at any time before the closing of the polls on the day of such election, and if the ballot is properly marked, it shall be counted at the election.

C. 19:57-30. Ballot of deceased voter not counted.

30. Whenever it shall be made to appear by due proof to the county board that an absentee voter who has marked and forwarded an absentee civilian voter's ballot or military service ballot as provided in this act has died prior to the opening of the polls on the day of the election such ballot shall be rejected by the county board and retained by the county board in the same manner as provided herein in cases of other rejected ballots.

C. 19:57-31. Count and canvass of absentee ballots.

31. On the day of each election each county board of elections shall open in the presence of the commissioner of registration or his assistant or assistants the inner envelopes in which the absentee ballots, returned to it, to be voted in such election, are contained, except those containing the ballots which the board or the County Court of the county has rejected, and shall remove from said inner envelopes the absentee ballots and shall then proceed to count and canvass the votes cast on such absentee ballots, but no absentee ballot shall be counted in any primary election for the general election if the ballot of the political party marked for voting thereon differs from the designation of the political party in the primary election of which such ballot is intended to be voted as marked on said envelope by the county board of elections. Immediately after the canvass is completed, the respective county boards of election shall certify the result of such canvass to the county clerk or the municipal or district clerk or other appropriate officer as the case may be showing the result of the canvass by ward and district, and the votes so counted and canvassed shall be counted in determining the result of said election.

C. 19:57-32. Marking duplicate voting record.

32. As soon as practicable after each election, the commissioner of registration shall cause to be marked all duplicate voting records which have not been marked with a red "A" in accordance with this act, to show that a civilian absentee ballot was delivered or forwarded to the respective registered voters. For each civilian absentee ballot that has been voted, received and counted, the commis-

sioner of registration shall also, by reference to the certificates removed from the inner envelopes of such ballots, cause to be written or stamped the word "Voted" in the space provided in the duplicate voting record for recording the ballot number of the voter's ballot in such election, and in the case of a primary election for the general election he shall also cause to be written or stamped in the proper space of the record of voting form the first three letters of the name of the political party primary in which such ballot was voted. The record of voting forms in the original permanent registration binders shall be conformed to the foregoing entries in the duplicate forms.

C. 19:57-33. Papers kept for one year.

33. The county board of elections shall keep, for a period of one year, all of the requests and applications for absentee ballots, all voted absentee ballots, and all of the certificates which have been detached or separated by them from said inner envelopes, and all inner envelopes together with their certificates, and together with their contents, which have not been opened because the county board or the County Court rejected them.

C. 19:57-34. Emergency voting form.

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

C. 19:57-35. Powers of election officials.

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

C. 19:57-36. Not to invalidate election.

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

C. 19:57-37. Violations a misdemeanor.

37. Any person who violates any of the provisions of this act to vote fraudulently or to enable another person to vote fraudulently or to prevent by fraud the voting of any person legally entitled to vote, or who shall knowingly certify falsely in any paper required under this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be subject, in addition to such other penalties as are authorized by law, to disenfranchisement unless and until pardoned or restored by law to the right of suffrage.

C. 19:57-38. Sundry acts repealed:

Chapter 11, P. L. 1945;
Chapter 1, P. L. 1948;
Chapter 54, P. L. 1949;
Chapter 53, P. L. 1949;
Chapter 146, P. L. 1950.

38. The following acts are hereby repealed:

"An act to provide for voting by persons in active service, as members of any branch or department of the United States Army, Navy or Marine Corps, or as reservists, absent from their respective places of residence and undergoing training under Army or Navy direction at places other than those of such persons' respective residences, and persons having served as soldiers, sailors, marines or nurses in the armed forces of the United States in any war, who are patients in veterans' hospitals located in places other than those of their respective residences, who prior to entering such service or being admitted as such patients were residents of this State and who possess the constitutional qualifications of legal voters of this State and are not otherwise disqualified to vote in this State, and repealing 'An act to afford certain voters of this State, who are in the military service and in certain services auxiliary to and associated therewith, and in certain veterans' hospitals, in time of war,

an opportunity to vote in certain elections to be held in this State notwithstanding that such voters may be absent on election day from the respective election districts in which they reside, and supplementing Title 19 of the Revised Statutes,' approved February twelfth, one thousand nine hundred and forty-five (P. L. 1945, c. 11), and supplementing Title 19 of the Revised Statutes," approved February eighteenth, one thousand nine hundred and forty-eight (P. L. 1948, c. 1);

"A supplement to 'An act to provide for voting by persons in active service, as members of any branch or department of the United States Army, Navy or Marine Corps, or as reservists, absent from their respective places of residence and undergoing training under Army or Navy direction at places other than those of such persons' respective residences, and persons having served as soldiers, sailors, marines or nurses in the Armed Forces of the United States in any war, who are patients in veterans' hospitals located in places other than those of their respective residences, who prior to entering such service or being admitted as such patients were residents of this State and who possess the constitutional qualifications of legal voters of this State and are not otherwise disqualified to vote in this State, and repealing 'An act to afford certain voters of this State, who are in the military service and in certain services auxiliary to and associated therewith, and in certain veterans' hospitals, in time of war, an opportunity to vote in certain elections to be held in this State notwithstanding that such voters may be absent on election day from the respective election districts in which they reside, and supplementing Title 19 of the Revised Statutes,' approved February twelfth, one thousand nine hundred and forty-five (P. L. 1945, c. 11), and supplementing Title 19 of the Revised Statutes,' approved February eighteenth, one thousand nine hundred and forty-eight (P. L. 1948, c. 1)," approved April twenty-eighth, one thousand nine hundred and forty-nine (P. L. 1949, c. 54);

"An act to amend 'An act to provide for voting by persons in active service, as members of any branch or department of the United States Army, Navy or Marine Corps, or as reservists, absent from their respective places of residence and undergoing training under Army or Navy direction at places other than those of such persons' respective residences, and persons having served as soldiers, sailors, marines or nurses in the Armed Forces of the United States in any war, who are patients in veterans' hospitals located in places other than those of their respective residences, who prior to entering such service or being admitted as such patients were residents of this State and who possess the constitutional qualifications of legal voters of this State and are not otherwise disqualified to vote in this State, and repealing "An act to afford certain voters of this State, who are in the military service and in certain services auxiliary to and associated therewith, and in certain veterans' hospitals, in time of war, an opportunity to vote in certain elections to be held in this State notwithstanding that such voters may be absent on election day from the respective election districts in which they reside, and supplementing Title 19 of the Revised Statutes," approved February twelfth, one thousand nine hundred and forty-five (P. L. 1945, c. 11), and supplementing Title 19 of the Revised Statutes,' approved February eighteenth, one thousand nine hundred and forty-eight (P. L. 1948, c. 1)," approved April twenty-eighth, one thousand nine hundred and forty-nine (P. L. 1949, c. 53);

"An act to amend 'A supplement to "An act to provide for voting by persons in active service, as members of any branch or department of the United States Army, Navy or Marine Corps, or as reservists, absent from their respective places of residence and undergoing training under Army or Navy direction at places other than those of such persons' respective residences, and persons having served as soldiers, sailors, marines or nurses in the Armed Forces of the United States in any war,

who are patients in veterans' hospitals located in places other than those of their respective residences, who prior to entering such service or being admitted as such patients were residents of this State and who possess the constitutional qualifications of legal voters of this State and are not otherwise disqualified to vote in this State, and repealing 'An act to afford certain voters of this State, who are in the military service and in certain services auxiliary to and associated therewith, and in certain veterans' hospitals, in time of war, an opportunity to vote in certain elections to be held in this State notwithstanding that such voters may be absent on election day from the respective election districts in which they reside, and supplementing Title 19 of the Revised Statutes,' approved February twelfth, one thousand nine hundred and forty-five (P. L. 1945, c. 11), and supplementing Title 19 of the Revised Statutes," approved February eighteenth, one thousand nine hundred and forty-eight (P. L. 1948, c. 1),' approved April twenty-eighth, one thousand nine hundred and forty-nine (P. L. 1949, c. 54)," approved May twenty-sixth, one thousand nine hundred and fifty (P. L. 1950, c. 146).

Construing.

The repeal of the foregoing acts shall not be construed to revive any act or acts repealed by such acts.

C. 19:57-39. Provisions severable.

39. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

C. 19:57-40. Act effective.

40. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved July 1, 1953.

CHAPTER 212

AN ACT requiring the approval, inspection and regulation of certain types of boarding homes and other homes for the sheltered care of four or more adult persons, which provide personal care or service beyond food, shelter and laundry; providing for standards and regulations and penalties for violation thereof, and supplementing Title 30 of the Revised Statutes.

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

C. 30:11A-1. Term defined.

1. For purposes of this act, a boarding home or other home for the sheltered care of adult persons is defined as any establishment, whether in single or multiple dwellings, whether public or private, whether incorporated or unincorporated, whether for profit or nonprofit, operated at the direction of or under the management of an individual or individuals, corporation, partnership, society, or association, which furnishes food and shelter to four or more adult persons unrelated to the proprietor and which provides any personal care or service beyond food, shelter and laundry, to any one or more of such persons, excluding, however, any privately operated establishment licensed under chapter eleven of Title 30 of the Revised Statutes.

C. 30:11A-2. Certificate of approval, provisional certificates.

2. Boarding homes or other homes for the sheltered care of adult persons, as defined in section one, shall operate within this State pursuant to certificate of approval first had and obtained for that purpose from the Department of Institutions and Agencies. No such certificate of approval shall be issued unless the commissioner shall be satisfied that the institution in question is adequately prepared to furnish facilities, care and service com-

plying with standards relating thereto, except that provisional certificates of approval, valid for a period not exceeding six months and not subject to renewal, may be issued under the circumstances specified in section six of this act. Boarding and rooming houses and similar establishments, which furnish food or shelter or both to fewer than four persons, and those which do not provide any personal care or service beyond food, shelter and laundry, shall not be construed to be within the provisions of this act.

C. 30:11A-3. Rules and regulations, effect, approval.

3. The State Board of Control of the Department of Institutions and Agencies shall adopt, promulgate and enforce such rules, regulations and standards with respect to the boarding homes and other establishments to be approved hereunder as it may deem necessary to assure that persons living in such establishments are afforded minimum standards of care and service, and reasonable protection against fire, and other hazards to health and safety. Such rules, regulations and standards shall become effective when approved by a committee of three appointed annually, one by the Governor, one by the President of the Senate, and one by the Speaker of the General Assembly, and may, with like approval, be amended from time to time. The State Board of Control may determine that the various establishments covered by this act are appropriately and reasonably classified into two or more classes, and may establish separate rules, regulations and standards for each such class. Such rules, regulations and standards shall in any event include, but need not be limited to, all requirements and limitations legally imposed upon any such establishment by any other municipal, county, or State office or officer having inspection, approval, licensing or regulatory authority with respect to such establishment.

C. 30:11A-4. Application forms furnished.

4. Application for a certificate of approval shall be made upon forms furnished by the department, and the applicant shall be required to furnish any evidence which the department may require, as part

of or in support of such application, relating to the applicant's ability and intention to comply with prescribed standards of facilities and operation.

C. 30:11A-5. Investigation, certificate not transferable.

5. Upon receipt of an application for a certificate of approval, the department shall cause an investigation to be made of the applicant and the facilities, and shall issue a certificate of approval if it is found that the applicant is of good moral character and that the facilities comply with the provisions of this act and with the regulations and standards required by the department pursuant hereto. The certificate of approval shall not be transferable or assignable or applicable to any premises or proprietor other than those specified therein. The certificate shall be available to be produced for inspection at all times.

C. 30:11A-6. Reasonable time extended in which to comply.

6. Any boarding home or other home for the sheltered care of adult persons which is in operation on the effective date of this act, or at the time of promulgation of any applicable rules, regulations or standards under this act, may be given a reasonable time, not to exceed six months, within which to comply with such rules, regulations and standards, or subsequent amendments or supplements thereto.

C. 30:11A-7. Term of certificate.

7. A certificate of approval shall be valid for one year from date of issue, unless sooner revoked or suspended for cause.

C. 30:11A-8. Action by board of control.

8. The State Board of Control may deny, revoke or suspend any and all certificates of approval granted under the authority of this act, because of violation of or failure to comply with the provisions of this act or the rules, regulations and standards promulgated hereunder.

Prior to the revocation, suspension or denial of any certificate of approval hereunder, the department, if requested, shall afford the establishment an opportunity for a prompt and fair hearing before the department. The procedure governing such hearings shall be in accordance with rules and regulations of the department adopted for that purpose. Either party may subpœna witnesses and

compel their attendance on forms furnished by the department.

Notice of revocation, suspension or denial of a certificate of approval shall be sent to the establishment by registered mail and the notice shall set forth the particular reasons for the denial, suspension or revocation of the certificate. Such denial, suspension or revocation shall become effective thirty days after mailing, unless the establishment, within such thirty-day period shall meet the requirements of the department or shall give written notice to the department of its desire for a hearing, in which case the denial, suspension or revocation shall be held in abeyance until the hearing has been concluded and a final decision rendered.

The Commissioner of the Department of Institutions and Agencies is hereby empowered to arrange for prompt and fair hearings on all such cases and to render written decisions stating conclusions and reasons therefor upon each matter so heard, and to enter orders of denial, suspension or revocation consistent with the circumstances in each case.

C. 30:11A-9. Inspections.

9. The department shall make or cause to be made such inspections of the premises of any boarding home or other home for the sheltered care of adult persons, from time to time as it may deem necessary to be assured that any such establishment is at all times complying with the provisions of this act and with the rules, regulations and standards promulgated hereunder. Any approved establishment, prior to making any alterations, additions or improvements to its facilities or prior to the construction of new facilities shall, before commencing such work, submit plans and specifications to the department for preliminary inspection and approval or recommendations with respect thereto.

C. 30:11A-10. Penalties, recovery.

10. Any person, firm, corporation, partnership, society or association who shall operate or conduct a boarding home or other home for the sheltered care of adult persons without first obtaining the certificate of approval required by this act, or who

shall operate such establishment after revocation or suspension of a certificate of approval, shall be liable to a penalty of ten dollars ($10.00) for each day of operation in violation hereof for the first offense and for any subsequent offense shall be liable to a penalty of twenty dollars ($20.00) for each day of operation in violation hereof.

The penalties authorized by this section shall be recovered in a civil action, brought in the name of the State of New Jersey in the Superior Court or County Court of any county, which court shall have jurisdiction of all actions to recover such penalties. Money penalties, when recovered, shall be payable to the Department of Institutions and Agencies for its use in connection with the administration of this act.

The department may, in the manner provided by law, maintain an action in the name of the State of New Jersey for injunctive relief against any person, firm, corporation, partnership, society or association, continuing to conduct, manage or operate a boarding home or other home for the sheltered care of adult persons without a certificate of approval, or after suspension or revocation of such certificate.

The practice and procedure in actions instituted under authority of this section shall conform to the practice and procedure in the court in which the action is instituted.

No officer or agent of any municipal or county agency having responsibility for making payments of any form of public assistance under the provisions of Title 44 of the Revised Statutes, shall make such payments to or on behalf of a person residing in a boarding home or other home for sheltered care of adult persons as defined in this act, unless such establishment is, at the time of such payment, approved or provisionally approved pursuant to this act.

C. 30:11A-11. Certificate not to limit other regulations.

11. The issuance of a certificate of approval pursuant to this act shall not preclude a subsequent determination by the department that the establish-

ment so approved is subject to licensing and other requirements of chapter eleven of Title 30 of the Revised Statutes, and shall not exempt such establishment from any requirements or penalties resulting from such determination, nor from any requirements or penalties imposed by any other law of this State.

C. 30:11A-12. Construction.

12. Nothing in this act shall vest authority or be construed to vest authority in the Department of Institutions and Agencies to deny any application for a certificate of approval on the sole ground that adequate boarding home facilities or other facilities for the sheltered care of adult persons are already available in the vicinity or area for which the certificate of approval is sought.

Nothing in this act shall be so construed as to give authority to supervise or regulate or control the remedial care or treatment of individuals who are adherents of any well-recognized church or religious denomination which subscribes to the art of healing by prayer and the principles of which are opposed to medical treatment and who are living in any home or institution operated by a member or members, or by an association or corporation composed of members of such well-recognized church or religious denomination; *provided,* that such home or institution admits only adherents of such church or denomination and is so designated; nor shall the existence of any of the above conditions alone militate against granting a certificate of approval to such establishment; *and provided further,* that such establishment shall comply with all rules, regulations and standards relating to sanitation and safety of the premises and be subject to inspection therefor.

Proviso.

Proviso.

C. 30:11A-13. Additional employees.

13. The department is authorized, directed and empowered to employ, in compliance with the provisions of Title 11 of the Revised Statutes, such additional officers and employees as may be necessary to carry out the provisions of this act. The costs of administration of this act shall be provided for in the annual appropriation law.

C. 30:11A-14. Sections effective.

14. Section thirteen of this act shall take effect immediately, and all other sections of this act shall take effect July first, one thousand nine hundred and fifty-three.

Approved July 2, 1953.

CHAPTER 213

AN ACT concerning old age and permanent and total disability assistance, and amending sections 44:7–1, 44:7–5, 44:7–12, 44:7–13, 44:7–18 and 44:7–25 of the Revised Statutes.

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

Section amended.

1. Section 44:7–1 of the Revised Statutes is amended to read as follows:

Terms defined.

44:7–1. As used in this chapter:

"Commissioner" means the Commissioner of the Department of Institutions and Agencies.

"State board" means the State Board of Control of the Department of Institutions and Agencies.

"State division" means the bureau of assistance as set up within the Department of Institutions and Agencies.

"Director of old age assistance" means the director of the State bureau of assistance.

"Director of welfare" means the director of the county welfare board.

"County welfare board" means the boards established within the several counties for the purposes of administering welfare to the needy, whether set up under the authority of this chapter or pursuant to any other laws of this State.

"Assistance" means money payments.

"County adjuster" means the official of that designation authorized to act in cases of commit-

ment or admission of insane persons to State or county hospitals for the insane.

"Federal aid" means grants-in-aid to the State as provided for in Title I of the Federal Social Security Act, approved August fourteenth, one thousand nine hundred and thirty-five, as amended.

"Institution" means any establishment, whether in single or multiple dwellings, whether public or private, whether incorporated or unincorporated, whether for profit or nonprofit, operated at the direction of or under the management of an individual or individuals, corporation, partnership, society, or association, which furnishes food and shelter for four or more persons unrelated to the proprietor and which provides medical or nursing service or any other personal care or service beyond food, shelter, and laundry, to any one or more of such persons.

Section amended.

2. Section 44:7–5 of the Revised Statutes is amended to read as follows:

Grounds for granting old age assistance.

44:7–5. Old age assistance shall be granted under this chapter to any person who:

a. Has attained the age of sixty-five years;

b. Lacks adequate support; is unable to support himself; is without parents, spouse, or children able to support him and without other persons able and willing to support him;

c. Is a resident of this State, and has so resided therein for a period of one year immediately preceding the date of application; if, however, Federal aid should not be made available to this State, or if, after being made available, it should be withdrawn, all persons whose applications are then pending and not acted upon and all persons applying thereafter for assistance under this chapter shall be required to have resided in and been domiciled in this State continuously for at least five years immediately preceding the date of application;

d. Is not, because of physical or mental condition, or other cause, an inmate or resident of nor in need of prolonged care in any public or private institution unless

(1) the institution, if publicly owned and operated, is a medical institution, other than an institution for tuberculosis or mental disease, designated and approved as such by the Department of Institutions and Agencies, and

(2) the institution, if privately owned and operated, does not come within the definition of a hospital to which payment or distribution of funds is permitted to be made by counties or municipalities of this State pursuant to any provision of chapter five of Title 44 of the Revised Statutes, and is licensed or approved by the Department of Institutions and Agencies pursuant to any provision of Title 30 of the Revised Statutes, and

(3) the individual is not a patient in such institution as the result of a diagnosis of tuberculosis or psychosis;

e. Has not made a voluntary assignment or transfer of property for the purpose of qualifying for such assistance or for the purpose of evading responsibility under section 44:7–14 of this Title;

f. Is found, after due investigation and determination as hereinafter provided, to be in need of assistance.

Section amended.

3. Section 44:7–12 of the Revised Statutes is amended to read as follows:

Board to grant assistance, form, amount.

44:7–12. The county welfare board, as the bureau of old age assistance, shall receive and act upon applications filed pursuant to this chapter, and shall extend to those persons found to be eligible under the provisions of this chapter assistance adequate to provide for their reasonable maintenance and well-being. Old age assistance shall be granted in the form of cash or check. Necessary medical and health services and supplies may be granted in addition thereto in accordance with regulations of the State division. The amount and nature of assistance which any person shall receive, the manner of providing it, and the conditions upon which it is granted, shall be determined by the county welfare board as the bureau of old age assistance with due regard to the conditions exist-

ing in each case, in accordance with the rules and regulations of the State division except that the director of welfare shall be empowered to initiate, alter, suspend, or terminate grants of old age assistance as hereinafter provided subject to revision, continuance or discontinuance of the county welfare board at its next subsequent meeting. Such assistance shall be provided for the recipient only while living in his own or some other suitable family home or approved institution within this State, except that upon special resolution by the county welfare board and approval from the State division such assistance may be continued for such periods as the State division may by regulation prescribe for any individual already receiving same who moves outside the State of New Jersey, in any case where the State division finds that the State to which such individual has moved is willing to provide such supervision and to make such reports as the State division may require, but such assistance outside the State of New Jersey shall in no event be continued after the individual acquires eligibility, with respect to residence, for any form of public assistance in the State to which he has moved.

Nothing in this chapter shall be construed to preclude, in lieu of medical treatment or institutional care, other appropriate treatment or institutional care where it can be shown that the person receiving the benefits under this chapter is an adherent of any well-recognized church or religious denomination which subscribes to the art of healing by prayer and the principles of which are opposed to medical treatment; *provided,* that such appropriate treatment is administered by a spiritual practitioner of such church or religious denomination, or that the institutional care is in an institution licensed by the Department of Institutions and Agencies, and that the provisions of this chapter are complied with in all other respects. Proviso.

Section amended.

4. Section 44:7–13 of the Revised Statutes is amended to read as follows:

Order to pay funeral and terminal medical expense.

44:7–13. If, on the death of a person receiving old age assistance, it shall appear to the satisfaction of the county welfare board after investigation that there are insufficient funds to pay his burial and funeral expenses, and his terminal medical and nursing expenses, and that there are no relatives or other persons responsible to pay such expenses, or other persons willing to pay them, the county welfare board may order the payment of such sum as may be necessary, but not exceeding the sum of two hundred dollars ($200.00), to such person as the county welfare board may direct for the burial and funeral expenses of the deceased aged needy person; *provided, however,* that the total cost of such burial and funeral expenses does not exceed two hundred fifty dollars ($250.00); and the county welfare board may order the payment of such additional sum as may be necessary to the person or persons who furnished terminal medical and nursing service and are entitled to payment therefor; *provided, however,* that only medical and nursing service furnished within the two calendar months immediately preceding the month in which the individual died may be recognized as terminal medical and nursing services.

Proviso.

Proviso.

Any sum so ordered to be paid for or on account of burial and funeral expenses and terminal medical and nursing services shall be first paid, so far as possible, from any fund otherwise undistributed received by the county welfare board from or for the account of the individual recipient, and may thereafter be paid, so far as necessary, from funds appropriated for old age assistance payments. Any amounts so paid from funds appropriated for old age assistance payments shall be deemed a part of the assistance granted to the individual recipient for the purpose of claims for reimbursement and recovery under sections 44:7–14, 44:7–15 and 44:7–19, Revised Statutes, and shall be a proper charge for division of cost between the State and

county as referred to in section 44:7–25 of this Title.

Payment of burial and funeral expenses as provided above may be authorized with respect to any person who, while lawfully receiving old age assistance is committed or admitted to any tax-supported institution other than a penal or correctional institution, and who dies while confined at such institution.

The county welfare board shall not be liable to pay costs of burial and funeral and terminal medical and nursing services for a deceased recipient of old age assistance incurred pursuant to a contract or contracts entered into without the knowledge and consent of the board, but may, at its discretion, pay such costs, or a portion thereof, within the limitations of this section.

Section amended.

5. Section 44:7–18 of the Revised Statutes is amended to read as follows:

Investigation and record, immediate need, determination, report.

44:7–18. When the county welfare board receives an application for old age assistance, an investigation and record shall promptly be made of the circumstances of the applicant. The object of such investigation shall be to ascertain the facts supporting the application made under this chapter and such other information as may be required by the rules of the State division. When immediate need is apparent and the evidence of eligibility immediately available is satisfactory to the director of welfare, he may issue a grant of old age assistance pending completion of such investigation. Upon the completion of such investigation the county welfare board shall decide whether the applicant is eligible for and should receive old age assistance under this chapter, the amount of assistance, the manner of paying or providing it, and the date on which the assistance shall begin. It shall notify the applicant of its decision in writing.

The county welfare board shall at once report to the State division its decision in each case together with copies of such supporting records as the State division may require. Such decision shall be final,

except that where an application is not acted upon by the county welfare board within thirty days after the filing of the application, or the application is denied, or the grant is deemed inadequate, either by the State division or by the applicant, the State division may review the case in its discretion or the applicant may appeal to the State division by filing a petition with the division setting forth the facts in full as to the necessity of such assistance. Whereupon a representative of the State division shall hold a fair hearing on the appeal, and if the appeal is sustained by the State division the payments of assistance in the amount determined by the State division must be paid by said county welfare board as herein provided.

Section amended.

6. Section 44:7–25 of the Revised Statutes is amended to read as follows:

State's share.

44:7–25. The State shall pay to each county welfare board the full amount of any funds received by the State from the Federal Government as Federal participation with respect to expenditures made by such county welfare board for old age assistance, including burial and funeral expenses and terminal medical and nursing costs, plus an additional amount equal to seventy-five per centum (75%) of the balance of such expenditures after deducting the amount of such Federal participation, except that such additional amount shall be fifty per centum (50%) with respect to expenditures to or on behalf of persons who receive assistance while inmates or residents of any public or private institution licensed or approved as a hospital, nursing or convalescent home, or medical institution within the limitations specified in paragraph d. of section 44:7–5 of this Title.

Note: Act effective.

7. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved July 2, 1953.

CHAPTER 214

AN ACT concerning chattel mortgages, and amending sections 46:28–4, 46:28–5 and 46:28–10 of the Revised Statutes.

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

1. Section 46:28–4 of the Revised Statutes is amended to read as follows: Section amended.

46:28–4. No chattel mortgage or conveyance intended to operate as a mortgage of goods and chattels shall be recorded, unless the execution thereof shall be first acknowledged or proved as deeds or conveyances of real estate are required to be acknowledged or proved, and unless there is annexed thereto or endorsed thereon an affidavit or affirmation in form substantially as follows: "The within mortgage has been accepted in good faith and without intent of the mortgagee to hinder, defraud or delay creditors of the mortgagor." The affidavit or affirmation shall be made and subscribed by the mortgagee, or by the agent or attorney of the mortgagee, and, if there is more than one mortgagee, by all the mortgagees, or by an agent or attorney, or agents or attorneys, of any or all such mortgagees. Acknowledgment and statement prerequisite to filing.

2. Section 46:28–5 of the Revised Statutes is amended to read as follows: Section amended.

46:28–5. Except as otherwise provided by sections 46:28–5.1 and 46:28–14 of this Title, every mortgage or conveyance intended to operate as a mortgage of goods and chattels, which shall not be accompanied by an immediate delivery and be 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 or endorsed thereon an affidavit or affirma- Necessity of record of mortgage.

tion, made and subscribed as provided by section 46:28–4 of this Title, is recorded or lodged for record as provided by section 46:28–7 of this Title. A mortgage shall be deemed to be recorded or lodged for record immediately within the meaning of this section, if such mortgage is recorded or lodged for record before the end of the fifth day, excluding any day when the office of the county recording officer is closed for business, next following the day when the mortgage is executed, and the effect of such recording or lodging for record shall be as provided by section 46:28–10 of this Title.

Section amended.

3. Section 46:28–10 of the Revised Statutes is amended to read as follows:

Validity of mortgage.

46:28–10. Every chattel mortgage which, pursuant to the provisions of this chapter, is recorded or lodged for record before the end of the fifth day next following the day when the mortgage is executed, excluding any day when the office of the county recording officer is closed for business, shall be valid against the creditors of the mortgagor, from the time of the execution of such mortgage, with the same effect as if the mortgage had been recorded or lodged for record immediately after the execution of the mortgage; and shall be valid against subsequent purchasers and mortgagees from the time of the recording thereof or the lodging thereof for record; and, if the mortgage is recorded or lodged for record after the end of such fifth day, it shall be valid against the creditors of the mortgagor, and against subsequent purchasers and mortgagees, from the time of the recording thereof, or the lodging thereof for record, and any mortgage so recorded or lodged for record shall be valid until the same shall be canceled of record in the manner prescribed by section 46:28–11 of this Title.

Act effective.

4. This act shall take effect thirty days after the date of its approval.

Approved July 6, 1953.

CHAPTER 215

AN ACT concerning the borrowing of money and the issuance of debentures or capital notes by banks to retire preferred stock issued prior to September sixteenth, one thousand nine hundred and forty-eight, and supplementing "An act concerning banking and banking institutions (Revision of 1948)," approved April twenty-ninth, one thousand nine hundred and forty-eight (P. L. 1948, c. 67).

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

C.17:9A-131.1. Bank may borrow, approval, purpose.

1. A bank, as defined in section 1 of the act to which this act is a supplement, may, with the approval of the Commissioner of Banking and Insurance, borrow money for the purpose of retiring all or part of any class or classes of preferred stock issued by it prior to September 16, 1948. The commissioner shall not approve any loan for the purposes of this act unless he shall be satisfied that the funds required for the retirement of preferred stock cannot be obtained by the issuance of preferred stock or common stock without undue hardship, cost or disadvantage to the bank or its stockholders. Any loan or loans made pursuant to this act shall be evidenced by debentures or capital notes which shall have such maturities, and, shall contain such terms, covenants and conditions as the Commissioner of Banking and Insurance may approve, within the provisions of this act.

C.17:9A-131.2. Form and content of debentures, etc.

2. Debentures or capital notes issued pursuant to this act

(a) shall be unsecured; and

(b) shall provide that the indebtedness evidenced thereby shall be subordinate to the claims of depositors and all other creditors of the bank,

regardless whether the claims of such depositors or other creditors arose before or after the issuance of such debentures or capital notes; and

(c) shall not confer any voting rights upon the holders thereof under any circumstances; and

(d) shall not be convertible into capital stock; and

(e) shall for the purpose of sections 51, 52, 62, 69, 72 and 211 of the act to which this act is a supplement be treated as capital stock in an amount equal to the lesser of the face value of the debentures or capital notes at any time outstanding, and the par value of the preferred stock retired out of the proceeds of any loan made pursuant to this act.

C.17:9A-131.3. Limitation.

3. No bank shall borrow money for the purpose of retiring preferred stock except pursuant to this act.

4. This act shall take effect immediately.

Approved July 6, 1953.

CHAPTER 216

AN ACT providing for the regulation of rents and possession of housing space, with respect to certain properties in certain municipalities, making an appropriation and repealing "An act to regulate, control and stabilize rents and possession of housing space and declaring an emergency with respect thereto," approved June fourteenth, one thousand nine hundred and fifty (P. L. 1950, c. 234).

Preamble.

WHEREAS, A serious public emergency exists in certain areas of this State due to continued shortage of rental housing space; and

Preamble.

WHEREAS, Rent control is essential to the health, safety and general welfare of the people of this State; and

Preamble.

WHEREAS, Federal rent control is presently due to expire on July thirty-first, one thousand nine hundred and fifty-three, and the enactment of an adequate State rent control law, to become operative upon the termination of Federal rent control, is imperative; now, therefore,

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

C. 2A:42-14. Terms defined.

1. As used in this act:

"State rent control" means rent control under this act;

"Federal rent control" means the operation of any Act of Congress and of any rule or regulation promulgated pursuant to the authority of any Act of Congress and the administration of any such act or rule or regulation by any department, authority, agent, officer, or other administrative agency, authority or board of the Government of the United States in respect to housing space and the rental thereof in effect and operation in the State of New Jersey or in any part or parts thereof;

"Housing space" means any building or structure, or any part thereof or land appurtenant thereto, or any real or personal property, rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property, but not including public housing or dwelling space in any hotel or established guest house, commonly regarded as a hotel or established guest house, as the case may be, in the community in which it is located;

"Landlord" means an owner, lessor, sublessor, receiver, trustee, executor, assignee, or other person receiving or entitled to receive rent for the use or occupancy of the whole or a part of any housing space;

"Tenant" means a lessee, sublessee, licensee, or other person entitled to the possession or to the use or occupancy of the whole or a part of any housing space;

"Services" means repairs, decorating and maintenance, the furnishing of light, steam, heat, hot and cold water, telephone, elevator service, cleaning service, linen service, janitor service, the removal of refuse and any other facility or privilege connected with and furnished by the landlord for the use or occupancy of the housing space;

"Rent" means the consideration, including any bonus, benefit or gratuity charged or received by the landlord, his agents, or other representatives for the use or occupancy of the whole or any part of any housing space created prior to the effective date of this act, and including the services in connection therewith.

C. 2A:42-15. State rent control office created, director, appointment, salary.

2. A State Rent Control Office is hereby created within the Department of Conservation and Economic Development. The office shall be headed by a director who shall be appointed by the Governor, with the advice and consent of the Senate. His term shall commence upon his appointment and confirmation by the Senate and shall expire on July first, one thousand nine hundred and fifty-five. He shall hold no other State office or position. The said director shall be paid an annual salary of ten thousand dollars ($10,000.00) in the same manner as in the case of other State officers. Such salary shall not be payable during any period when this act shall be inoperative as hereinafter provided. Pending such appointment the Governor may, in his discretion, designate any other State officer to act also as Director of the Office of Rent Control without additional compensation.

C. 2A:42-16. Office in Trenton.

3. The office of the State Rent Control Director shall be maintained at Trenton. The Division of Purchase and Property in the Department of the Treasury, subject to the approval of the State House Commission, shall provide the State Rent Control Director with office space, equipment and

office facilities sufficient to enable him to properly perform his functions and duties under this act.

C. 2A:42-17. Assistants.

4. The State Rent Control Director shall employ such clerical and other assistants as may be necessary, fix their compensation and prescribe their duties, subject to the provisions of Title 11 (Civil Service) of the Revised Statutes, as to salary ranges, temporary appointments, appointments, promotions and otherwise.

C. 2A:42-18. Legal assistance.

5. Upon the request of the State Rent Control Director, the Attorney-General shall provide the said director with such legal assistance as he may require for the administration of this act.

C. 2A:42-19. Payment of expenses.

6. The State Rent Control Director may incur and pay the necessary expenses of the operation of the office of State Rent Control Director in the same manner as similar expenses are incurred and paid by a director of a division in a principal department.

C. 2A:42-20. Rules and regulations.

7. The State Rent Control Director shall make and promulgate rules and regulations and prescribe forms to effectuate the purposes of this act relating to the following:

(a) the determination of lawful base rentals in accordance with the provisions of this act;

(b) the control of rents within specified areas of operation consistent with the purposes of this act, economic conditions and the protection of the public;

(c) the conduct of research and studies by the county rent control agencies pertaining to housing space, rental accommodations and economic conditions affecting the same;

(d) the conduct of surveys in specified areas pertaining to the demand for rental housing space and the meeting of such demand;

(e) the prevention of manipulative and speculative practices and rental and leasing practices which tend to unreasonably increase rentals;

(f) the securing of similar housing space and housing facilities as are available at the time rent control under this act becomes operative;

(g) the prevention of evasions or attempted evasions of rent control under this act;

(h) the making of applications for the establishment of rentals, and for rent increases, and the conduct of hearings upon such applications;

(i) the review of determinations by county rent control agencies by county rent control review boards and the manner and method for obtaining such review;

(j) the procedures to be followed by county rent control review boards in hearing and determining reviews in rent control cases;

(k) the keeping of files and records by county rent control agencies and county rent control review boards;

(l) the enforcement of orders made by county rent control agencies and county rent control review boards, consistent with the provisions of this act;

(m) the general effectuation of the purposes of this act.

C. 2A:42-21. File kept of municipalities adopting provision, inspection.

8. The State Rent Control Director shall at all times keep on file in his office, open to public inspection, a list of the municipalities which shall have adopted resolutions under this act, and, upon request, shall furnish information in respect thereto to enable the applicants for information to know whether State rent control is in operation or not in any given locality.

C. 2A:42-22. Rules and regulations may contain provisions for classifications and differentiations.

9. The rules and regulations to be made and promulgated by the State Rent Control Director may contain such classifications and differentiations and may provide for such adjustments or reasonable exceptions, according to the use or character of an area or of property, or both, as in the judgment of said director are necessary or proper in order to effectuate the purposes of this act. Under regulations to be prescribed in accordance with the provisions hereof, the director shall provide for exceptions with reference to housing space rented, leased or subleased for seasonal use; housing space situated on a farm and occupied by

a tenant who is engaged for a substantial portion of his time in farming operations thereon, and housing space occupied by domestic servants, caretakers, janitors, managers, or other employees to whom the space is provided as part or all of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the housing space is a part; and with respect to luxury housing space for which there is no shortage in one or more counties or municipalities.

C. 2A:42-23. County rent control agency.

10. In each county of this State the board of chosen freeholders shall, by resolution, establish a county rent control agency and shall designate any county official, or the members of any subordinate county board or county agency, or the members of the county board of taxation or county welfare board to be such county rent control agency. The said board of chosen freeholders shall provide the county rent control agency with adequate accommodations, facilities, equipment, supplies and with such clerical, stenographic and other assistants as the county rent control agency needs to properly function under this act. Provision for the expenses and operation of the county rent control agency may be made by emergency appropriations. The person or persons so designated may be compensated in the discretion of the board of chosen freeholders for his or their services as the county rent control agency, but such compensation shall not exceed two thousand five hundred dollars ($2,500.00) annually where a single official is designated, or one thousand dollars ($1,000.00) annually for each member where two or more persons constitute the county rent control agency.

C. 2A:42-24. County rent control review board.

11. In each county of this State, the board of chosen freeholders shall also, by resolution, establish a county rent control review board consisting of three members to be named in such resolution. The members so to be named shall be citizens and residents of the county. They shall be chosen so that one will be representative of the tenant group,

one representative of the landlord group and one representative of the general public interest and welfare. They shall not be holders of any county office, position or employment. They shall serve until July first, one thousand nine hundred and fifty-five, and without compensation, but they shall be reimbursed by the county for their expenses necessarily incurred in the performance of their duties as members of the county rent control review board. The board of chosen freeholders shall provide the county rent control review board with adequate accommodations, facilities, equipment, supplies and clerical, stenographic and other assistants in the same manner as in the case of the county rent control agency.

C. 2A:42-25. Removal of member, notice, hearing.

12. Any person or persons constituting a county rent control agency and any member of a county rent control review board may be removed by the board of chosen freeholders of the county or by the rent control director for good cause shown, upon notice, to the person involved, and after a public hearing.

Unlawful to increase rent, evict or dispossess.

13. In any municipality wherein rent control under this act is in operation, it shall be unlawful regardless of any contract, lease or other obligation heretofore or hereafter entered into, or any notice of increase in rent, or of eviction served upon any tenant for any person to demand or receive any rent for housing space in excess of the lawful base rent established or fixed for such housing space under this act, as adjusted by any rule or regulation of the State Rent Control Director, or by an order of a county rent control agency, or by a county rent control board of review, or by an order of the court under this act. In any such municipality, it shall be unlawful for any landlord to evict, dispossess, or institute any action for repossession of housing space, except as hereinafter provided, or to willfully do or attempt to do any act in violation of this act or of any regulation or order issued under authority of this act.

C. 2A:42-26. Tenant not to be removed, procedure, certificate of eviction, grounds.

14. (1) So long as the tenant continues to pay the rent to which the landlord is entitled no tenant shall be removed from any housing space subject to this act, by action to evict or to recover possession, by exclusion of possession, or otherwise, nor shall any person attempt such removal or exclusion of possession notwithstanding the fact that the tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and notwithstanding any contract, lease agreement or obligation heretofore or hereafter entered into which provides for surrender of possession, or which otherwise provides contrary hereto, unless the landlord has obtained a certificate of eviction pursuant to subdivision (2) of this section;

(2) No such tenant shall be removed or evicted unless on application of the landlord the county rent control agency shall issue a certificate of eviction in accordance with its rules and regulations, designed to effectuate the purposes of this act, permitting the landlord to pursue his remedies at law. The county rent control agency shall issue such an order whenever it finds that:

(a) the tenant is violating a substantial obligation of his tenancy other than the obligation to surrender possession of such housing space and has failed to correct such violation after written notice by the landlord that the violation cease within ten days; or within the three-month period immediately prior to the commencement of the proceeding the tenant has willfully violated such an obligation inflicting serious and substantial injury to the landlord; or

(b) the tenant is committing or permitting a nuisance in such housing space; or is maliciously or by reason of gross negligence substantially damaging the housing space; or his conduct is such as to interfere substantially with the comfort or safety of the landlord or

of other tenants or occupants of the same or other adjacent building or structure; or

(c) occupancy of the housing space by the tenant is illegal and the landlord is subject to criminal or civil penalties therefor, or both; or

(d) the tenant is using or permitting such housing space to be used for an immoral or illegal purpose;

(e) the tenant has unreasonably refused the landlord access to the housing space for the purpose of inspection or of showing the space to a prospective purchaser, mortgagee or prospective mortgagee, or other persons having a legitimate interest therein; *provided, however,* that such refusal shall not be ground for removal or eviction if such inspection or showing of the space is contrary to the provisions of the tenant's lease or other rental agreement;

(f) the landlord seeks in good faith to recover possession of housing space because of immediate and compelling necessity for his own personal use and occupancy or for the use and occupancy of his immediate family; or

(g) the landlord seeks in good faith to recover possession of housing space for which the tenant's lease or other rental agreement has expired or otherwise terminated and at the time of termination the occupants of the housing space are subtenants or other persons who occupied under a rental agreement with the tenant and no part of the space is used by the tenant as his dwelling; or

(h) the landlord seeks in good faith to recover possession of the housing space for the immediate purpose of substantially altering, remodelling or demolishing it, provided that the landlord shall have secured such approval therefor as is required by law and the county rent control agency determines that the issu-

ance of order granting the certificate of eviction is not inconsistent with the purposes of this act, and provided also that such alteration or remodelling is not practicable with the tenant in occupancy.

Notwithstanding the preceding provisions of this section, the State, any municipality, or housing authority may nevertheless recover possession of any housing space operated by it where such action or proceeding is authorized by statute or regulations under which such housing space is administered.

C. 2A:42-28. Not retroactive.

15. No rent increase allowed by a county rent control agency or by a county rent control review board shall be retroactive.

C. 2A:42-29. Procedure and grounds for granting rent increase, amount.

16. A county rent control agency, or by a county rent control review board, or by a court, may upon an application by the landlord, on notice to the tenant, and upon a hearing and determination as provided under this act, grant a rent increase upon and to the extent of a showing by the landlord to the satisfaction of the agency, board of review or court that:

(a) the landlord has not been compensated by leases or rent adjustments for increases in the cost of operating and maintaining the building;

(b) the landlord has made a major improvement to the dwelling unit which is more than ordinary repair and maintenance;

(c) the landlord has increased the services, furniture, furnishings or equipment provided for the dwelling unit;

(d) the rent being paid is substantially lower than the rent being paid for comparable dwelling units in the area or subarea;

(e) the tenant has increased the number of subtenants or roomers in the dwelling unit rented from the landlord;

(f) the premises are being occupied by more than a normal number of persons as a result of the tenant allowing additional relatives or other persons

to reside in the dwelling unit as members of his household or otherwise;

(g) special or unusual circumstances, beyond the control of the landlord, have arisen, which make it impossible to safely maintain and operate the building without additional rental; or

(h) the net operating income from the building is less than a fair net operating income (the net operating income shall not be considered less than fair if it is twenty-five per centum (25%) or more of the annual income in the case of a building containing less than five dwelling units or is twenty per centum (20%) or more in the case of a building containing five or more dwelling units).

The adjustment under this subsection shall be in such amount as is necessary to bring the net operating income from the building (expressed as a percentage of annual income after adjustment) to the median net operating income of landlords generally; *provided, however,* that where it is determined that the building falls within a class which normally experienced considerably lower percentages of net operating income than the median, the amount of adjustment may be determined on a basis which will yield a lower percentage of net operating income than the median and which would be fair and equitable for that class of buildings.

Proviso.

Where an adjustment is granted under this section and a subsequent petition is filed thereunder, the test year used in any such subsequent petition shall begin after the end of the test year used in the last previous petition; *provided, however,* that the county rent control agency and the county rent control review board and a court may waive this limitation where the building has been affected by a significant increase in operating expenses which apply to all or an important class of housing accommodations in the community (such as a significant increase in property taxes or a significant increase in contract wages).

Proviso.

C. 2A:42-30. Method of determining increase in rent, terms defined.

17. In determining any application for an increase in rent, the county rent control agency and the county rent control review board shall take into consideration the following factors:

(a) Taxes;

(b) Costs of operation and maintenance of the building;

(c) The kind, quality and quantity of the services furnished or withheld by the landlord;

(d) Any increase in the present rental over the rent pertaining to the dwelling unit during the period, if any, when Federal rent control was applicable thereto;

(e) Other relevant and material facts.

For the purpose of this act, the term (1) "building" means any structure or group of structures containing housing space having common facilities and operated as a single enterprise; (2) "net operating income" means the amount by which annual income exceeds annual operating expenses; (3) "annual income" means the legal monthly, weekly, or other periodic rent for all units in the building, both residential and commercial, on the date the petition is filed, computed on an annual basis, together with any other income earned from the operation of the building during the test year; *provided,* that where a unit has seasonal, alternate or other varying rents, appropriate adjustment shall be made by the agency. In any case where a rental unit is vacant or is occupied in whole or in part rent free, the full rental value shall be considered the legal rent; (4) "annual operating expenses" means all real estate taxes and operating costs necessary to the operation and maintenance of the building, plus depreciation, but excluding mortgage interest and amortization, properly allocated to the test year or projected on an annual basis in accordance with principals determined by the agency or review board; (5) "depreciation" means the amount shown for the building in the latest required Federal income tax return, but in no event more than twenty-one per centum (21%)

of the annual income for a building containing less than five dwelling units or sixteen per centum (16%) of the annual income for a building containing five or more dwelling units; (6) "test year" means the most recent full calendar or fiscal year, or any twelve consecutive months ending not earlier than ninety days before the date the petition is filed.

C. 2A:42-31. Authority given to hear and determine application for decrease in rent.

18. Every county rent control agency and every county rent control review board shall have the authority to hear and determine applications for a decrease in rent in any area or subarea wherein this act shall be in operation. Such hearings shall be on notice to the landlord and shall be conducted according to the rules and regulations of the State Rent Control Director and substantially in the same manner as hearings upon applications for rent increases. No order for a rent decrease shall be made except upon a showing to the satisfaction of the agency or board by the tenant that:

(a) the landlord is withholding services, furniture, furnishings or equipment rightfully due the tenant;

(b) the conditions which resulted in the granting of a rent increase to the landlord no longer continue to exist.

C. 2A:42-32. Base for determining lawful rentals.

19. For the purposes of this act, lawful rentals for housing space payable as of July thirty-first, one thousand nine hundred and fifty-three, for premises then in existence shall be deemed the lawful base rentals for such housing space, and in any determination of the amount of such base rentals, the orders, if any, then in effect under any Federal rent control shall be taken into consideration in making such determination. For premises constructed or first rented after July thirty-first, one thousand nine hundred and fifty-three, the amount of the lawful rentals for housing space shall be the rentals lawfully payable as of the date of the first payment of rent for such housing space.

C. 2A:42-33. Who may allow change in rent.

20. In no event shall any increase or decrease in the lawful base rent be allowed except upon an order of the county rent control agency, or county rent control review board, or of the court, with respect to specific housing space.

C. 2A:42-34. Court of jurisdiction.

21. Every county district court shall have jurisdiction to review, hear and determine in a summary manner, without a jury, any order of the county rent control review board and also any order, action or determination of the county rent control agency which is not reviewable by the county rent control review board of the county. The said county district court shall hear the matter under review de novo and may affirm, set aside or modify the order or determination under review, or make any order that should have been made by the county rent control agency or by the county rent control review board without remitting the proceedings to such agency or board.

C. 2A:42-35. Review of order.

22. Any order of a county rent control agency, granting or denying an application for a rent increase, or a rent decrease, or a certificate of eviction, shall be reviewable by the county rent control review board. Every such review shall be applied for and heard in accordance with the rules and regulations of the State Rent Control Director applicable thereto. The review shall be heard on notice to the opposite party, and shall be conducted in a summary manner. The county rent control review board may affirm, set aside, or modify the order under review, and it shall also make an order disposing of the matter under review without the necessity of any further order by the county rent control agency.

C. 2A:42-36. Hearings, administer oaths, subpœna.

23. Any county rent control agency or county rent review board may, for the purposes of this act, conduct hearings, administer oaths and affirmations, subpœna witnesses, books and records for the purpose of deciding any application or matter pending before it. In case of contumacy by, or refusal to obey a subpœna served upon, any person pursuant to this section, the County Court of any

county in which such person is found or resides, upon application by the agency or board, shall have jurisdiction to issue an order requiring such person to appear and give testimony or to appear and produce documents or both; and any failure to obey such order of the court may be punished by such court as a contempt thereof. Witnesses subpœnaed under this section shall be paid the same fees and mileage as are paid witnesses in courts of law. Any person subpœnaed under this section shall have the right to make a record of his testimony and to be represented by counsel.

C. 2A:42-37. Not to have interest in housing space.

24. Neither the members of any county rent control agency or rent review board, or its officers, agents or employees engaged in the administration of this act, shall acquire any interest direct or indirect in any housing space subject to regulation under the provisions of this act. If any such county officer or employee has any interest direct or indirect in any housing space subject to the provisions of this act, he shall immediately disclose such interest in writing to the State Rent Control Director, and such disclosure shall be kept on file by the director as a public record. Failure to disclose such interest shall constitute misconduct in office. Such director, officer or employee shall not participate in any action affecting such housing space.

C. 2A:42-38. Forfeiture to tenant, violation, procedure, judgment.

25. Any landlord who shall violate any provision of this act, or of any order of a county rent control agency, or of a county rent control review board made pursuant to this act, shall forfeit to his tenant a sum equal to three times the amount of any rent received by him from his tenant in excess of the lawful base rental and of any rent increase allowed by the county rent control agency, county rent control review board, or by the court, but not in excess of one year's lawful rent, to be recovered in an action in the county district court. Every such action may be brought in a summary manner and shall be heard by the court without a jury. Judgment may be rendered

for any amount which is found to be due to the tenant under the provisions of this section.

C. 2A:42-39. Order to show effective date, review.

26. Every order of a county rent control agency shall specify a date not less than ten days thereafter upon which the order shall become effective, and copies of such order shall be mailed to each of the parties affected thereby. Applications for the review of any such order by the county rent control review board shall be made in writing to said board within thirty days from the said effective date of the order sought to be reviewed, and all such applications shall conform to the rules and regulations of the State Rent Control Director applicable thereto.

C. 2A:42-40. Procedure for review.

27. Every application to a county district court to review any order, action or determination under this act shall be taken by an action brought in such court. Every such action must be commenced within thirty days from the effective date of the order, if any such date is included therein, and if a copy thereof has been sent to the party seeking the review, or if no such effective date is so included, or in the case of actions or determinations not taken or made by order, within thirty days from the time of the giving of notice thereof to the said party.

C. 2A:42-41. Rent control operative.

28. Rent control under this act shall be operative in any municipality in which the governing body shall adopt a resolution reciting that there is a housing space shortage therein and that rent control is required in such municipality for the protection, safety, health and general welfare of the people of such municipality. A certified copy of any such resolution shall be transmitted by the clerk of the municipality to the State Rent Control Director and a like copy shall be transmitted to the county rent control agency of the county wherein such municipality is located. A copy of any such resolution shall be published, prior to its adoption, at least once in one or more newspapers published or circulated in the municipality.

New Jersey State Library

C. 2A:42-42. Governing body authorized to redetermine control.

29. The governing body of any municipality may at any time, by resolution, redetermine whether State rent control shall be operative in such municipality, and may rescind any resolution adopted pursuant to this act or, after any such rescission, again adopt a similar resolution to reinstate State rent control. Copies of any such resolution shall be filed as required for an original resolution relating to State rent control.

C. 2A:42-43. Federal rent control to prevail.

30. In the event that Federal rent control is in operation in any area of this State and this act is in operation also in such area, the provisions of such Federal rent control shall prevail.

C. 2A:42-44. Apportionment of cost of operation.

31. The board of chosen freeholders shall from time to time determine the additional cost to the county of rent control hereunder, and shall apportion the same among the municipalities wherein this act shall be in operation within the county. Such apportionment shall be according to the ratio of the population of each such municipality to that of the county, and according to the period of time during which this act was in operation in the municipality. Each municipality shall pay to the county treasurer quarterly the amount so determined and apportioned by the board of chosen freeholders.

C. 2A:42-45. Short title.

32. This act shall be known as and may be cited as the "State Rent Control Act of 1953."

C. 2A:42-46. Provides for funds.

33. Funds required for the administration of this act during the fiscal year ending June thirtieth, one thousand nine hundred and fifty-four, are hereby appropriated to be paid out of any available balance under the General Appropriation Act, with the approval of the Director of Budget and Accounting.

C. 2A:42-47. Chapter 34, P. L. 1950, repealed.

34. "An act to regulate, control and stabilize rents and possession of housing space and declaring an emergency with respect thereto," approved June fourteenth, one thousand nine hundred and fifty, is repealed.

C. 2A:42-48. Authorized preparation and expenses before act becomes operative.

35. In anticipation of the cessation of Federal rent control, appointments may be made hereunder, resolutions may be adopted by county boards of freeholders and by the governing bodies of municipalities; rules, regulations and forms may be prepared, and expenses, other than salaries, may be incurred.

C. 2A:42-49. Transfer of records.

36. Upon the termination of rent control established pursuant to Federal law or regulation in this State or any area thereof, the State Rent Control Director shall request and is authorized to receive the transfer from the Federal Government of its records pertaining to rent control in this State or any such area thereof.

C. 2A:42-50. Provisions to remain inoperative.

37. The provisions of this act relating to unlawful conduct and practices and for the imposition and recovery of forfeitures for such unlawful actions or practices shall be inoperative until such time as the Governor's proclamation, as provided in this act, is filed in the office of the Secretary of State.

C. 2A:42-51. Act effective.

38. This act shall take effect immediately but shall be inoperative to the extent provided herein, and this act shall cease to be in effect on December thirty-first, one thousand nine hundred and fifty-four.

Approved July 7, 1953.

CHAPTER 217

AN ACT concerning unemployment compensation, and supplementing chapter twenty-one of Title 43 of the Revised Statutes.

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

C. 43:21-12.4a. Authorized to make agreement for payment of unemployment compensation for veterans.

1. The Division of Employment Security is authorized to enter into an agreement with the United States Secretary of Labor under Title IV of the Veterans' Readjustment Assistance Act of one thousand nine hundred and fifty-two (Public Law 550, 82nd Congress, 66 Stat. 663), entitled "Unemployment Compensation for Veterans of Service On and After June 27, 1950," whereby the division, as agent of the United States, will, in accordance with the provisions of said Title, make payments of unemployment compensation to veterans as therein defined, and will otherwise co-operate with the Secretary of Labor and with other State agencies in making such payments; *provided, however,* that all costs and expenses incurred, as well as all funds to make payments of such unemployment compensation shall be provided by Federal funds and shall not devolve upon the State of New Jersey; *and further provided,* that subsection (f) of section 43:21–5 of the Revised Statutes shall be inapplicable with respect to such benefits so paid.

Proviso.

Proviso.

C. 43:21-12.4b. Previous actions approved.

2. All acts and actions heretofore taken by the Division of Employment Security or any of its representatives in co-operating with the Federal authorities in the payment of such benefits are approved, ratified and confirmed.

3. This act shall take effect immediately.

Approved July 14, 1953.

CHAPTER 218

AN ACT concerning unemployment compensation, and amending section 43:21–19 of the Revised Statutes.

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

1. Section 43:21–19 of the Revised Statutes is amended to read as follows: Section amended.

43:21–19. As used in this chapter, unless the context clearly requires otherwise: Terms defined.

(a) (1) "Annual payroll" means the total amount of wages paid during a calendar year (regardless of when earned) by an employer for employment.

(2) "Average annual payroll" means the average of the annual payrolls of any employer for the last three or five preceding calendar years, whichever average is higher, except that any year or years throughout which an employer has had no "annual payroll" because of military service shall be deleted from the reckoning; the "average annual payroll" in such case is to be determined on the basis of the prior three or five calendar years in each of which the employer had an "annual payroll" in the operation of his business, if the employer resumes his business within twelve months after separation, discharge or release from such service, under conditions other than dishonorable, and makes application to have his "average annual payroll" determined on the basis of such deletion within twelve months after he resumes his business; *provided, however,* that "average annual payroll" solely for the purposes of paragraph (3) of subsection (e) of section 43:21–7 of this Title means the average of the annual payrolls of any employer, on which he paid contributions to the State disability benefits fund, for the last three or

five preceding calendar years, whichever average is higher; *provided, further,* that only those wages be included on which employer contributions have been paid on or before January thirty-first immediately preceding the beginning of the twelve-months' period for which the employer's contribution rate is computed.

Proviso.

(b) "Benefits" means the money payments payable to an individual, as provided in this chapter, with respect to his unemployment.

(c) (1) The term "base year" with respect to benefit years commencing prior to January first, one thousand nine hundred and fifty-three, means the first four of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year; *provided,* that no calendar quarter shall comprise a part of more than one base year.

(2) "Base year" with respect to benefit years commencing on or after January first, one thousand nine hundred and fifty-three, shall mean the fifty-two calendar weeks ending with the second week immediately preceding an individual's benefit year.

(d) "Benefit year" with respect to any individual means the three hundred sixty-four consecutive calendar days beginning with the day on, or as of, which he first files a valid claim for benefits, and thereafter beginning with the day on, or as of, which the individual next files a valid claim for benefits after the termination of his last preceding benefit year. Any claim for benefits made in accordance with subsection (a) of section 43:21–6 of this Title shall be deemed to be a "valid claim" for the purpose of this subsection if (1) no remuneration was paid or is payable for the day on which, or as of which he files a claim for benefits, and no work is available to him with his current employing unit on such day, or, he is unemployed for the week in which, or as of which, he files a claim for benefits; and (2) he has fulfilled the conditions imposed by subsection (e) of section 43:21–4 of this Title.

(e) "Division" means the Division of Employment Security of the Department of Labor and Industry established by Chapter 446, P. L. 1948, and any transaction or exercise of authority by the director of the division thereunder, or under this chapter (R. S. 43:21–1 et seq.), shall be deemed to be performed by the division.

(f) "Contributions" means the money payments to the State unemployment compensation fund required by this chapter.

(g) "Employing unit" means any individual or type of organization, including any partnership, association, trust, estate, joint-stock company, insurance company or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, which has or subsequent to January first, one thousand nine hundred and thirty-six, had in its employ one or more individuals performing services for it within this State. All individuals performing services within this State for any employing unit which maintains two or more separate establishments within this State shall be deemed to be employed by a single employing unit for all the purposes of this chapter. Whenever any employing unit contracts with or has under it any contractor or subcontractor for any employment which is part of its usual trade, occupation, profession, or business, unless the employing unit as well as each such contractor or subcontractor is an employer by reason of subsection (c) of section 43:21–8 of this Title or subsection (h) of this section, the employing unit shall for all the purposes of this chapter be deemed to employ each individual in the employ of each such contractor or subcontractor for each day during which such individual is engaged in performing such employment; except that each such contractor or subcontractor who is an employer by reason of subsection (c) of section 43:21–8 of this Title or subsection (h) of this section, shall alone be liable for the contributions measured by wages payable

to individuals in his employ, and except that any employing unit who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer by reason of subsection (c) of section 43:21-8 of this Title or subsection (h) of this section, may recover the same from such contractor or subcontractor. Each individual employed to perform or to assist in performing the work of any agent or employee of an employing unit shall be deemed to be employed by such employing unit for all the purposes of this chapter, whether such individual was hired or paid directly by such employing unit or by such agent or employee; *provided,* the employing unit had actual or constructive knowledge of the work.

Proviso.

(h) "Employer" means:

(1) Any employing unit which for some portion of a day, but not necessarily simultaneously, in each of twenty different weeks, whether or not such weeks are or were consecutive, within either the current or the preceding calendar year, has or had in employment four or more individuals (irrespective of whether the same individuals are or were employed in each such day);

(2) Any employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another which at the time of such acquisition was an employer subject to this chapter;

(3) Any employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another employing unit and which, if treated as a single unit with such other employing unit, would be an employer under paragraph (1) of this subsection;

(4) Any employing unit which together with one or more other employing units is owned or controlled (by legally enforcible means or otherwise), directly or indirectly by the same interests, or which owns or controls one or more other employing units (by legally enforcible means or other-

wise), and which, if treated as a single unit with such other employing unit or interest, would be an employer under paragraph (1) of this subsection;

(5) Any employing unit which, having become an employer under paragraphs (1), (2), (3) or (4), has not, under section 43:21–8 of this Title, ceased to be an employer subject to this chapter; or

(6) For the effective period of its election pursuant to subsection (c) of section 43:21–8 of this Title any other employing unit which has elected to become fully subject to this chapter.

(i) (1) "Employment" means service, including service in interstate commerce performed for remuneration or under any contract of hire, written or oral, express or implied.

(2) The term "employment" shall include an individual's entire service, performed within or both within and without this State if:

(A) The service is localized in this State; or

(B) The service is not localized in any State but some of the service is performed in this State, and (i) the base of operation, or, if there is no base of operations, then the place from which such service is directed or controlled, is in this State; or (ii) the base of operations or place from which such service is directed or controlled is not in any State in which some part of the service is performed, but the individual's residence is in this State.

(3) Services performed within this State but not covered under paragraph (2) of this subsection shall be deemed to be employment subject to this chapter if contributions are not required and paid with respect to such services under an unemployment compensation law of any other State or of the Federal Government.

(4) Services not covered under paragraph (2) of this subsection, and performed entirely without this State, with respect to no part of which contri-

butions are required and paid under an unemployment compensation law of any other State or of the Federal Government, shall be deemed to be employment subject to this chapter if the individual performing such services is a resident of this State and the division approves the election of the employing unit for whom such services are performed that the entire service of such individual shall be deemed to be employment subject to this chapter; *provided,* written objections on the part of a substantial proportion of such individuals affected are not presented to the division within ten days following the filing of such election.

Proviso.

(5) Service shall be deemed to be localized within a State if

(A) the service is performed entirely within such State; or

(B) the service is performed both within and without such State, but the service performed without such State is incidental to the individual's service within the State, for example, is temporary or transitory in nature or consists of isolated transactions.

(6) Services performed by an individual for remuneration shall be deemed to be employment subject to this chapter unless and until it is shown to the satisfaction of the division that

(A) such individual has been and will continue to be free from control or direction over the performance of such service both under his contract of service and in fact; and

(B) such service is either outside the usual course of the business for which such service is performed, or that such service is performed outside of all the places of business of the enterprise for which such service is performed; and

(C) such individual is customarily engaged in an independently established trade, occupation, profession or business.

(7) The term "employment" shall not include:

(A) Agricultural labor;

(B) Domestic service in a private home;

(C) Service performed by an individual in the employ of his son, daughter or spouse, and service performed by a child under the age of twenty-one in the employ of his father or mother;

(D) Service performed in the employ of this State or of any political subdivision thereof or of any instrumentality of this State or its political subdivisions;

(E) Service performed in the employ of any other State or its political subdivisions, or of the United States Government, or of an instrumentality of any other State or States or their political subdivisions or of the United States;

(F) Services performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, hospital, benevolent, philanthropic or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

(G) Services performed in the employ of fraternal beneficiary societies, orders, or associations operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system and providing for the payment of life, sick, accident or other benefits to the members of such society, order, or association, or their dependents;

(H) Services performed as an officer or other employee of any building and loan association of this State, except where such services constitute the principal employment of the individual; services performed as an officer or other employee of any building and loan

association where such association is a member of the Federal Home Loan Bank System; services performed as an officer or other employee of any bank which is a member of the Federal Reserve System;

(I) Service performed after June thirtieth, one thousand nine hundred and thirty-nine, with respect to which unemployment compensation is payable under the Railroad Unemployment Insurance Act (52 Stat. 1094);

(J) Service performed by agents of insurance companies, exclusive of industrial insurance agents, or by agents of investment companies, who are compensated wholly on a commission basis;

(K) Services performed by real estate salesmen or brokers who are compensated wholly on a commission basis;

(L) Services performed in the employ of any veterans' organization chartered by Act of Congress or of any auxiliary thereof, no part of the net earnings of which organization, or auxiliary thereof, inures to the benefit of any private shareholder or individual;

(M) Service heretofore or hereafter performed for or in behalf of the owner or operator of any theatre, ballroom, amusement hall or other place of entertainment, not in excess of ten weeks in any calendar year for the same owner or operator, by any leader or musician of a band or orchestra, commonly called a "name band," entertainer, vaudeville artist, actor, actress, singer or other entertainer;

(N) Services performed by an individual for a labor union organization, known and recognized as a union local, as a member of a committee or committees reimbursed by the union local for time lost from regular employment, or as a part-time officer of a union local and the remuneration for such services is less than two hundred fifty dollars ($250.00) in a calendar year.

(j) "Employment office" means a free public employment office, or branch thereof operated by this State or maintained as a part of a State controlled system of public employment offices.

(k) "Fund" means the unemployment compensation fund established by this chapter, to which all contributions required and from which all benefits provided under this chapter shall be paid.

(l) "State" includes, in addition to the States of the United States of America, Alaska, Hawaii, and the District of Columbia.

(m) Unemployment.

(1) An individual shall be deemed "unemployed" for any week during which he is not engaged in full-time work and with respect to which his remuneration is less than his weekly benefit rate.

(2) The term "remuneration," with respect to benefit years commencing prior to January first, one thousand nine hundred and fifty-three, and as used in this subsection, shall include only that part of the same which exceeds three dollars ($3.00) for any one week.

(3) An individual's week of unemployment shall be deemed to commence only after his registration at an employment office, except as the division may by regulation otherwise prescribe.

(n) "Unemployment compensation administration fund" means the unemployment compensation administration fund established by this chapter, from which administrative expenses under this chapter shall be paid.

(o) "Wages" means remuneration payable by employers for employment prior to January first, one thousand nine hundred and forty-seven, and paid prior to such date; and means remuneration paid subsequent to December thirty-first, one thousand nine hundred and forty-six, by employers for employment; *provided, however,* that for eligibility and benefit purposes wages earned but not paid when the amount thereof has been calculated and is due as determined by the established and custom- Proviso.

ary practices of the employer shall be construed as having been paid when earned.

(p) "Remuneration" means all compensation for personal services, including commissions and bonuses and the cash value of all compensation in any medium other than cash.

(q) "Week" means such period or periods of seven consecutive days ending at midnight, as the division may by regulation prescribe.

(r) "Calendar quarter" means the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth, or December thirty-first.

(s) "Investment company" means any company as defined in paragraph 1-a of chapter three hundred twenty-two of the laws of one thousand nine hundred and thirty-eight, entitled "An act concerning investment companies, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled 'investment companies.' "

(t) "Base week" means any calendar week of an individual's base year during which he earned in employment from an employer remuneration equal to not less than fifteen dollars ($15.00); *provided,* if in any calendar week, an individual is in employment with more than one employer, he may in such calendar week establish a base week with respect to each such employer from whom the individual earns remuneration equal to not less than fifteen dollars ($15.00) during such week.

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(u) "Average weekly wage" means the amount derived by dividing an individual's total wages received during his base year base weeks from that most recent base year employer with whom he had established at least seventeen base weeks, by the number of base weeks in which such wages were earned. In the event that such claimant had no employer in his base year with whom he had established at least seventeen base weeks, then such individual's average weekly wage shall be computed as if all of his base week wages were received from one employer and as if all his base weeks of em-

ployment had been performed in the employ of one employer.

If on application of a claimant it is determined that he has been employed during at least the four weeks immediately preceding his separation from employment by an employer on a substantially reduced schedule of weekly hours due to lack of work, all weeks of substantially reduced schedule within the base period and his wages therefor shall be disregarded in computing his average weekly wage.

(v) "Initial determination" means, subject to the provisions of R. S. 43:21–6 (b) (2) and (3), a determination of benefit rights as measured by an eligible individual's base year employment with a single employer covering all periods of employment with that employer during the base year. Subject to the provisions of R. S. 43:21–3 (d) (2) (C) if an individual has been in employment in his base year with more than one employer, no benefits shall be paid to that individual under any successive initial determination until his benefit rights have been exhausted under the next preceding initial determination.

(w) "Last date of employment" means the last calendar day in the base year of an individual on which he performed services in employment for a given employer.

(x) "Most recent base year employer" means that employer with whom the individual most recently, in point of time, performed services in employment in the base year.

2. This act shall take effect immediately.

Approved July 14, 1953.

CHAPTER 219

AN ACT concerning unemployment compensation, and amending section 43:21–7 of the Revised Statutes.

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

Section amended.

1. Section 43:21–7 of the Revised Statutes is amended to read as follows:

43:21–7. (a) Payment.

Contributions.

(1) Contributions shall accrue and become payable by each employer for each calendar year in which he is subject to this chapter (R. S. 43:21–1 et seq.), with respect to having individuals in his employ during such calendar year at the rates and on the basis hereinafter set forth. Such contributions shall become due and be paid by each employer to the Division of Employment Security for the fund in accordance with such regulations as may be prescribed, and shall not be deducted, in whole or in part, from the remuneration of individuals in his employ.

(2) In the payment of any contributions, a fractional part of a cent shall be disregarded unless it amounts to one-half cent ($0.005) or more, in which case it shall be increased to one cent ($0.01),

(b) Rate of contributions. Each employer shall pay the following contributions:

(1) For the calendar year one thousand nine hundred and forty-seven, and each calendar year thereafter, two and seven-tenths per centum (2 7/10%) of wages paid by him during each such calendar year, except as otherwise prescribed by subsection (c) of this section.

(2) The "wages" of any individual, with respect to any one employer as the term is used in this subsection (b) and in subsection (c), (d) and (e) of this section seven, shall include the first three

thousand dollars ($3,000.00) paid during the calendar year one thousand nine hundred and forty-seven and during each calendar year thereafter, for services either within or without this State; *provided,* that no contribution shall be required by this State with respect to services performed in another State if such other State imposes contribution liability with respect thereto. If an employer (hereinafter referred to as successor employer) during any calendar year acquires substantially all the property used in a trade or business of another employer (hereinafter referred to as a predecessor), or used in a separate unit of a trade or business of a predecessor, and immediately after the acquisition employs in his trade or business an individual who immediately prior to the acquisition was employed in the trade or business of such predecessor, then, for the purpose of determining whether the successor employer has paid wages with respect to employment equal to three thousand dollars ($3,000.00) to such individual during such calendar year, any wages paid to such individual by such predecessor during such calendar year and prior to such acquisition shall be considered as having been paid by such successor employer. Proviso.

(c) Future rates based on benefit experience: (1) A separate account for each employer shall be maintained and this shall be credited with all the contributions which he has paid on his own behalf on or before January thirty-first of any calendar year with respect to employment occurring in preceding calendar years. But nothing in this chapter (R. S. 43:21–1 et seq.) shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund either on his own behalf or on behalf of such individuals. Benefits paid with respect to benefit years commencing prior to January first, one thousand nine hundred and fifty-three, to any individual on or before January thirty-first of any calendar year with respect to unemployment in

preceding calendar years shall be charged against the account of each of the employers with whom such individual accrued the wage credits constituting the basis of such benefits, in the same proportion as such wage credits with each such employer bear to such wage credits with all such employers. The Division of Employment Security shall furnish to each employer at such frequency as the division shall, by regulation, prescribe, but in no case less frequently than annually, a detailed statement of benefits charged to his account. Benefits paid with respect to benefit years commencing on and after January first, one thousand nine hundred and fifty-three, to any individual on or before January thirty-first of any calendar year with respect to unemployment in preceding calendar years shall be charged against the account or accounts of the employer or employers in whose employment such individual established base weeks constituting the basis of such benefits. Benefits paid under a given benefit determination shall be charged against the account of the employer to whom such determination relates. When each benefit payment is made the division shall promptly send either a copy of the benefit check or other form of notification to the employer against whose account the benefits are to be charged. Such copy of notification shall identify the employer against whose account the amount of such payment is being charged, shall show at least the name and social security account number of the claimant and shall specify the period of unemployment to which said check applies. If the total amount of benefits paid to a claimant and charged to the account of the appropriate employer exceeds fifty per centum (50%) of the total base-year base week wages paid to the claimant by that employer, then such employer may apply to the division to have canceled from his account such excess benefit charges as specified above. Any such application for the cancellation of excess charges shall be submitted by the employer within six months from the date of the benefit check, payment

of which creates such charges. In no event will the erasure of such charges affect a contribution rate already assigned to the employer with respect to any fiscal year commencing prior to the date the application is received by the division.

The division shall furnish to each employer an annual summary statement of benefits charged to his account.

(2) The Division of Employment Security may prescribe regulations for the establishment, maintenance, and dissolution of joint accounts by two or more employers, and shall, in accordance with such regulations and upon application by two or more employers to establish such an account, or to merge their several individual accounts in a joint account, maintain such joint account as if it constituted a single employer's account.

(3) Each employer's rate shall be two and seven-tenths per centum (2 7/10%), except as otherwise provided in the following provisions: No employer's rate shall be other than two and seven-tenths per centum (2 7/10%) unless and until there shall have been three calendar years throughout which any individual in his employ could have received benefits if eligible. No employer's rate shall be lower than two and seven-tenths per centum (2 7/10%) unless assignment of such lower rate is consistent with the conditions applicable to additional credit allowance for such year under section 1602 (a) (1) of the Internal Revenue Code (U. S. Code Title 26, section 1602 (a) (1)), any other provision of this section to the contrary notwithstanding.

(4) Each employer's rate for the twelve months commencing July first of any calendar year shall be determined on the basis of his record up to the beginning of such calendar year. If, at the beginning of such calendar year, the total of all his contributions, paid on his own behalf, for all past years exceeds the total benefits charged to his account for all such years, his contribution rate shall be:

(A) Two and four-tenths per centum (2 4/10%), if such excess equals or exceeds four per centum (4%), but is less than five per centum (5%) of his average annual payroll (as defined in paragraph (2), subsection (a) of section 43:21–19 of this Title);

(B) Two and one-tenth per centum (2 1/10%), if such excess equals or exceeds five per centum (5%), but is less than six per centum (6%), of his average annual payroll;

(C) One and eight-tenths per centum (1 8/10%), if such excess equals or exceeds six per centum (6%), but is less than seven per centum(7%), of his annual payroll;

(D) One and five-tenths per centum (1 5/10%), if such excess equals or exceeds seven per centum (7%), but is less than eight per centum (8%), of his average annual payroll;

(E) One and two-tenths per centum (1 2/10%), if such excess equals or exceeds eight per centum (8%), but is less than nine per centum (9%), of his average annual payroll;

(F) Nine-tenths of one per centum (9/10 of 1%), if such excess equals or exceeds nine per centum (9%), but is less than ten per centum (10%), of his average annual payroll;

(G) Six-tenths of one per centum (6/10 of 1%), if such excess equals or exceeds ten per centum (10%), but is less than eleven per centum (11%), of his average payroll;

(H) Three-tenths of one per centum (3/10 of 1%), if such excess equals or exceeds eleven per centum (11%), of his average annual payroll.

If the total of his contributions, paid on his own behalf, for all past periods, or for the past one hundred twenty consecutive calendar months, whichever period is more advantageous to such employer for the purposes of this paragraph, is

less than the total benefits charged against his account during the same period, his rate shall be three per centum (3%).

(5) (A) If on March thirty-first of any calendar year the balance in the Unemployment Trust Fund equals or exceeds four per centum (4%) but is less than seven per centum (7%) of the total taxable wages reported to the division as of that date in respect to employment during the preceding calendar year, the contribution rate, effective July first following, of each employer eligible for a contribution rate calculation based upon benefit experience, shall be increased by three-tenths of one per centum (3/10 of 1%) over the contribution rate otherwise established under the provisions of paragraphs (3) or (4) of this subsection. If on March thirty-first of any calendar year the balance of the Unemployment Trust Fund is less than four per centum (4%) of the total taxable wages reported to the Division of Employment Security as of that date in respect to employment during the preceding calendar year, the contribution rate, effective July first following, of each employer eligible for a contribution rate calculation based upon benefit experience, shall be increased by six-tenths of one per centum (6/10 of 1%) over the contribution rate otherwise established under the provisions of paragraphs (3) or (4) of this subsection; *provided,* that if on such March thirty-first, Proviso. such balance is less than two and one-half per centum (2½%) of such total taxable wages, the contribution rate so effective, of any employer, shall be not less than two and seven-tenths per centum (2 7/10%); *provided, further,* that the con- Proviso. tribution rate of any employer increased pursuant to the provisions of this subparagraph, when so increased, shall not exceed three and six-tenths per centum (3 6/10%).

(B) If on March thirty-first of any calendar year the balance in the Unemployment Trust Fund equals or exceeds ten per centum (10%) but is less than twelve and one-half per centum (12½%) of

the total taxable wages reported to the Division of Employment Security as of that date in respect to employment during the preceding calendar year, the contribution rate, effective July first following, of each employer eligible for a contribution rate calculation based upon benefit experience, shall be reduced by three-tenths of one per centum (3/10 of 1%) under the contribution rate otherwise established under the provisions of paragraphs (3) and (4) of this subsection; *provided,* that in no event shall the contribution rate of any employer be reduced to less than three-tenths of one per centum (3/10 of 1%). If on March thirty-first of any calendar year the balance in the Unemployment Trust Fund equals or exceeds twelve and one-half per centum (12½%) of the total taxable wages reported to the division as of that date in respect to employment during the preceding calendar year, the contribution rate, effective July first following, of each employer eligible for a contribution rate calculation based upon benefit experience, shall be reduced by six-tenths of one per centum (6/10 of 1%) if his account reflects an excess of contributions paid over total benefits charged of three per centum (3%) or more of his average annual payroll, otherwise by three-tenths of one per centum (3/10 of 1%) under the contribution rate otherwise established under the provisions of paragraphs (3) and (4) of this subsection; *provided,* that in no event shall the contribution rate of any employer be reduced to less than three-tenths of one per centum (3/10 of 1%).

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(6) Additional contributions.

Notwithstanding any other provision of law, any employer who has been assigned a contribution rate pursuant to subsection (c) of this section for the year commencing July first, one thousand nine hundred and forty-eight, and for any year commencing July first thereafter, may voluntarily make payment of additional contributions, and upon such payment shall receive a recomputation of the experience rate applicable to such employer including

in the calculation the additional contribution so made. Any such additional contribution shall be made during the thirty-day period following the date of the mailing to the employer of the notice of his contribution rate as prescribed in this section, unless, for good cause, the time for payment has been extended by the director for not to exceed an additional sixty days; *provided,* that in no event Proviso. may such payments which are made later than one hundred twenty days after the beginning of the year for which such rates are effective be considered in determining the experience rate for the year in which the payment is made. Any employer receiving any extended period of time within which to make such additional payment and failing to make such payment timely shall pay, in addition to the required amount of additional payment, a penalty of five per centum (5%) thereof or five dollars ($5.00), whichever is greater, not to exceed fifty dollars ($50.00). Any adjustment under this subsection shall be made only in the form of credits against accrued or future contributions.

(7) Transfers.

(A) Upon the transfer of the organization, trade or business, or substantially all the assets of an employer to a successor in interest, whether by merger, consolidation, sale, transfer, descent or otherwise, the Division of Employment Security shall transfer the employment experience of the predecessor employer to the successor in interest, including credit for past years, contributions paid, annual payrolls, benefit charges, et cetera, applicable to such predecessor employer, pursuant to regulations adopted by the division, if the division finds that the employment experience of the predecessor employer with respect to the organization, trade, assets or business, which has been transferred, may be considered indicative of the future employment experience of the successor in interest; *provided, how-* Proviso.

ever, that the transfer of the employment experience of the predecessor shall not be effective if such successor in interest, within four months of the date of such transfer of the organization, trade, assets or business, or thereafter upon good cause shown, files a written notice with the division protesting the transfer of the employment experience of the predecessor employer.

(B) An employer, who transfers part of his or its organization, trade, assets or business to a successor in interest, whether by merger, consolidation, sale, transfer, descent or otherwise, may jointly make application with such successor in interest for transfer of that portion of the employment experience of the predecessor employer relating to the portion of the organization, trade, assets or business transferred to the successor in interest, including credit for past years, contributions paid, annual payrolls, benefit charges, et cetera, applicable to such predecessor employer. The Division of Employment Security may allow such transfer of employment experience pursuant to regulations adopted by the division, only if it finds that the employment experience of the predecessor employer with respect to the portion of the organization, trade, assets or business which has been transferred may be considered indicative of the future employment experience of the successor in interest. Credit shall be given to the successor in interest only for the years during which contributions were paid by the predecessor employer with respect to that part of the organization, trade, assets or business transferred.

(C) A transfer of the employment experience in whole or in part having become final, the predecessor employer thereafter shall not be entitled to consideration for an adjusted rate based upon his or its experience or the part thereof, as the case may be, which has

thus been transferred. A successor in interest to whom employment experience or a part thereof is transferred pursuant to this subsection shall, as of the date of the transfer of the organization, trade, assets or business, or part thereof, immediately become an employer if not theretofore an employer subject to this chapter (R. S. 43:21–1 et seq.).

(d) (1) Contributions of workers; transfer to temporary disability benefit fund.

(A) Each worker shall contribute to the fund one per centum (1%) of his wages paid by an employer with respect to his employment which occurs after December thirty-first, one thousand nine hundred and thirty-seven, and prior to January first, one thousand nine hundred and fifty-three, and after such employer has satisfied the conditions set forth in subsection (h) of section 43:21–19 of this Title with respect to becoming an employer; *provided, however,* that such contributions shall be at the rate of one-fourth of one per centum (¼ of 1%) of wages paid with respect to employment on and after January first, one thousand nine hundred and forty-nine, while the worker is covered by an approved private plan under the Temporary Disability Benefits Law or while the worker is exempt from the provisions of the Temporary Disability Benefits Law under section seven of that law. Each employer shall, notwithstanding any provisions of the law in this State to the contrary, withhold in trust the amount of his workers' contributions from their wages at the time such wages are paid, shall show such deduction on his payroll records, shall furnish such evidence thereof to his workers as the division may prescribe, and shall transmit all such contributions, in addition to his own contributions, to the office of the Division of Employment

Security in such manner and at such times as may be prescribed. If any employer fails to deduct the contributions of any of his workers at the time their wages are paid, or fails to make a deduction therefor at the time wages are paid for the next succeeding payroll period, he alone shall thereafter be liable for such contributions, and for the purposes of section 43:21–14 of this Title, such contributions shall be treated as employer's contributions required from him. As used in this chapter (R. S. 43:21–1 et seq.), except when the context clearly requires otherwise, the term "contributions" shall include the contributions of workers pursuant to this section.

(B) Each worker shall contribute to the fund three-fourths of one per centum (¾ of 1%) of his wages paid by an employer with respect to his employment which occurs on and after January first, one thousand nine hundred and fifty-three, and after such employer has satisfied the conditions set forth in subsection (h) of section 43:21–19 of this Title with respect to becoming an employer; *provided, however,* that such contribution shall be at the rate of one-fourth of one per centum (¼ of 1%) of wages paid with respect to employment while the worker is covered by an approved private plan under the Temporary Disability Benefits Law or while the worker is exempt from the provisions of the Temporary Disability Benefits Law under section seven of that law. Each employer shall, notwithstanding any provisions of law in this State to the contrary, withhold in trust the amount of his workers' contributions from their wages at the time such wages are paid, shall show such deduction on his payroll records, shall furnish such evidence thereof to his workers as the division may prescribe, and shall transmit all such contributions, in addition to his own contributions, to the office of the Division of Em-

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ployment Security in such manner and at such times as may be prescribed. If any employer fails to deduct the contributions of any of his workers at the time their wages are paid, or fails to make a deduction therefor at the time wages are paid for the next succeeding payroll period, he alone shall thereafter be liable for such contributions, and for the purpose of section 43:21–14 of this Title, such contributions shall be treated as employer's contributions required from him. As used in this chapter (R. S. 43:21–1 et seq.), except when the context clearly requires otherwise, the term "contributions" shall include the contributions of workers pursuant to this section.

(2) (A) There shall be deposited in and credited to the State disability benefits fund, as the same shall be established by law, three-quarters of all worker contributions, received by the Division of Employment Security pursuant to subparagraph (A) of paragraph (1) above on and after June first, one thousand nine hundred and forty-eight, with respect to wages upon which the rate of contributions is one per centum (1%) as provided in subparagraph (A) of paragraph (1) above.

(B) There shall be deposited in and credited to the State disability benefits fund, as the same shall be established by law, two-thirds of all worker contributions, received by the Division of Employment Security pursuant to subparagraph (B) of paragraph (1) above after December thirty-first, one thousand nine hundred and fifty-two, with respect to wages upon which the rate of contributions is three-fourths of one per centum (¾ of 1%) as provided in subparagraph (B) of paragraph (1) above.

(3) (A) If an employee receives wages from more than one employer during any calendar year after the calendar year one thousand nine hundred and fifty and prior to the calendar year one thousand nine hundred and fifty-three, and either the sum of his contributions deposited in and credited

to the State disability benefits fund (in accordance with subparagraph (A) of paragraph (2) of this subsection) plus the amount of his contributions, if any, required towards the cost of benefits under one or more approved private plans under the provisions of section nine of the "Temporary Disability Benefits Law" and deducted from his wages, or the sum of such latter contributions if the employee is covered, during such calendar year, only by two or more private plans, exceeds twenty-two dollars and fifty cents ($22.50), the employee shall be entitled to a refund of the excess if he makes claim to the Division of Employment Security within two years after the end of the calendar year in which the wages are received with respect to which the refund is claimed and establishes his right to such refund. Such refund shall be made by the Division of Employment Security from the State disability benefits fund. No interest shall be allowed or paid with respect to any such refund. The division shall, in accordance with prescribed regulations, determine the portion of the aggregate amount of such refunds made during any calendar year which is applicable to private plans for which deductions were made under section nine of the "Temporary Disability Benefits Law," such determination to be based upon the ratio of the amount of such wages exempt from contributions to such fund as provided in subparagraph (A) of paragraph (1) of this subsection with respect to coverage under private plans to the total wages so exempt plus the amount of such wages subject to contributions to the disability benefits fund as provided in subparagraph (A) of paragraph (2) of this subsection. The division shall, in accordance with prescribed regulations, prorate the amount so determined among the applicable private plans in the proportion that the wages covered by each plan bears to the total private plan wages involved in such refunds, and shall assess against and recover from the employer, or the insurer if the insurer has indemnified the employer with respect

thereto, the amount so prorated. The provisions of Revised Statutes, section 43:21–14 with respect to collection of employer contributions shall apply to such assessments. The amounts so recovered by the division shall be paid into the State disability benefits fund.

(B) If an employee receives wages from more than one employer during any calendar year commencing with the calendar year one thousand nine hundred and fifty-three, and either the sum of his contributions deposited in and credited to the State disability benefits fund (in accordance with subparagraph (B) of paragraph (2) of this subsection) plus the amount of his contributions, if any, required towards the cost of benefits under one or more approved private plans under the provisions of section nine of the Temporary Disability Benefits Law and deducted from his wages, or the sum of such latter contributions if the employee is covered, during such calendar year, only by two or more private plans, exceeds fifteen dollars ($15.00), the employee shall be entitled to a refund of the excess if he makes claim to the Division of Employment Security within two years after the end of the calendar year in which the wages are received with respect to which the refund is claimed and establishes his right to such refund. Such refund shall be made by the Division of Employment Security from the State disability benefits fund. No interest shall be allowed or paid with respect to any such refund. The division shall, in accordance with prescribed regulations, determine the portion of the aggregate amount of such refunds made during any calendar year which is applicable to private plans for which deductions were made under section nine of the "Temporary Disability Benefits Law," such determination to be based upon the ratio of the amount of such wages exempt from contributions to such fund as provided in subparagraph (B) of paragraph (1) of this subsection with respect to coverage under private plans to the total wages so exempt plus the amount of such wages

subject to contributions to the disability benefits fund as provided in subparagraph (B) of paragraph (2) of this subsection. The division shall, in accordance with prescribed regulations, prorate the amount so determined among the applicable private plans in the proportion that the wages covered by each plan bears to the total private plan wages involved in such refunds, and shall assess against and recover from the employer, or the insurer if the insurer has indemnified the employer with respect thereto, the amount so prorated. The provisions of Revised Statutes, section 43:21–14, with respect to collection of employer contributions shall apply to such assessments. The amounts so recovered by the division shall be paid into the State disability benefits fund.

(4) If an individual does not receive any wages from the employing unit which for the purposes of this chapter (R. S. 43:21–1 et seq.) is treated as his employer, or receives his wages from some other employing unit, such employer shall nevertheless be liable for such individual's contributions in the first instance; and after payment thereof such employer may deduct the amount of such contributions from any sums payable by him to such employing unit, or may recover the amount of such contributions from such employing unit, or, in the absence of such an employing unit, from such individual, in a civil action for debt; *provided,* proceedings therefor are instituted within three months after the date on which such contributions are payable. General rules shall be prescribed whereby such an employing unit may recover the amount of such contributions from such individuals in the same manner as if it were the employer.

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(5) Every employer who has elected to become an employer subject to this chapter (R. S. 43:21–1 et seq.) or to cease to be an employer subject to this chapter (R. S. 43:21–1 et seq.), pursuant to the provisions of section 43:21–8 of this Title, shall post and maintain printed notices of such election on his premises, of such design, in such numbers,

and at such places as the director may determine to be necessary to give notice thereof to persons in his service.

(6) Contributions by workers, payable to the Division of Employment Security as herein provided, shall be exempt from garnishment, attachment, execution, or any other remedy for the collection of debts.

(e) Contributions by employers to State disability benefits fund.

(1) Except as hereinafter provided, each employer shall, in addition to the contributions required by subsections (a), (b), and (c) of this section, contribute one-quarter of one per centum (¼ of 1%) of the wages paid by such employer to workers with respect to employment after January first, one thousand nine hundred and forty-nine. Such contributions shall become due and be paid by each employer to the Division of Employment Security for the State disability benefits fund as established by law, in accordance with such regulations as may be prescribed, and shall not be deducted, in whole or in part, from the remuneration of individuals in his employ. In the payment of any contributions, a fractional part of a cent shall be disregarded unless it amounts to one-half cent ($0.005) or more, in which case it shall be increased to one cent ($0.01).

(2) During the continuance of coverage of a worker by an approved private plan of disability benefits under the Temporary Disability Benefits Law, the employer shall be exempt from the contribution required by subparagraph (1) above with respect to wages paid to such worker.

(3) (A) The rates of contribution as specified in subparagraph (1) above shall be subject to modification as provided herein with respect to employer contributions due on and after July first, one thousand nine hundred and fifty-one.

(B) A separate disability benefits account shall be maintained for each employer required to contribute to the State disability benefits fund and such account shall be credited with contributions deposited in and credited to such fund with respect to employment occurring on and after January first, one thousand nine hundred and forty-nine. Each employer's account shall be credited with all contributions paid on or before January thirty-first of any calendar year on his own behalf and on behalf of individuals in his service with respect to employment occurring in preceding calendar years. But nothing in this act shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him to the fund either on his own behalf or on behalf of such individuals. Benefits paid to any covered individual in accordance with Article III of the Temporary Disability Benefits Law on or before January thirty-first of any calendar year with respect to disability in preceding calendar years shall be charged against the account of the employer by whom such individual was employed at the commencement of such disability or by whom he was last employed if out of employment.

(C) The division may prescribe regulations for the establishment, maintenance, and dissolution of joint accounts by two or more employers, and shall, in accordance with such regulations and upon application by two or more employers to establish such an account, or to merge their several individual accounts in a joint account, maintain such joint account as if it constituted a single employer's account.

(D) Prior to July first of each calendar year, the Division of Employment Security shall make a preliminary determination of the rate of contribution for the twelve months commencing on such July first for each employer subject to the contribution requirements of this subsection (e).

(1) Such preliminary rate shall be one-quarter of one per centum (¼ of 1%) unless on the preceding January thirty-first of such year such employer shall have been a covered employer who has paid contributions to the State disability benefits fund with respect to employment in the three calendar years immediately preceding such year.

(2) If the minimum requirements in (1) above have been fulfilled and the credited contributions exceed the benefits charged by more than five hundred dollars ($500.00), such preliminary rate shall be as follows:

(i) Two-tenths of one per centum (2/10 of 1%) if such excess over five hundred dollars ($500.00) exceeds one per centum (1%) but is less than one and one-quarter per centum (1¼%) of his average annual payroll (as defined in this chapter (R. S. 43:21–1 et seq.));

(ii) Fifteen one hundredths of one per centum (15/100 of 1%) if such excess over five hundred dollars ($500.00) equals or exceeds one and one-quarter per centum (1¼%) but is less than one and one-half per centum (1½%) of his average annual payroll;

(iii) One-tenth of one per centum (1/10 of 1%) if such excess over five hundred dollars ($500.00) equals or exceeds one and one-half per centum (1½%) of his average annual payroll.

(3) If the minimum requirements in (1) above have been fulfilled and the contributions credited exceed the benefits charged but by not more than five hundred dollars ($500.00) plus one per centum (1%) of his average annual payroll, or if the benefits charged exceed the contributions credited but by not more than five hundred dollars ($500.00), the preliminary rate shall be one-quarter of one per centum (¼ of 1%).

(4) If the minimum requirements in (1) above have been fulfilled and the benefits charged exceed

the contributions credited by more than five hundred dollars ($500.00), such preliminary rates shall be as follows:

(i) Thirty-five one hundredths of one per centum (35/100 of 1%) if such excess over five hundred dollars ($500.00) is less than one-quarter of one per centum (¼ of 1%) of his average annual payroll;

(ii) Forty-five one hundredths of one per centum (45/100 of 1%) if such excess over five hundred dollars ($500.00) equals or exceeds one-quarter of one per centum (¼ of 1%) but is less than one-half of one per centum (½ of 1%) of his average annual payroll;

(iii) Fifty-five one hundredths of one per centum (55/100 of 1%) if such excess over five hundred dollars ($500.00) equals or exceeds one-half of one per centum (½ of 1%) but is less than three-quarters of one per centum (¾ of 1%) of his average annual payroll;

(iv) Sixty-five one hundredths of one per centum (65/100 of 1%) if such excess over five hundred dollars ($500.00) equals or exceeds three-quarters of one per centum (¾ of 1%) but is less than one per centum (1%) of his average annual payroll;

(v) Seventy-five one hundredths of one per centum (75/100 of 1%) if such excess over five hundred dollars ($500.00) equals or exceeds one per centum (1%) of his average annual payroll.

(5) Determination of the preliminary rate as specified in (2), (3) and (4) above shall be subject, however, to the condition that it shall in no event be decreased by more than one-tenth of one per centum (1/10 of 1%) of wages or increased by more than two-tenths of one per centum (2/10 of 1%) of wages from the preliminary rate determined for the preceding year in accordance with (1), (2), (3) or (4), whichever shall have been applicable.

(E) (1) Prior to July first of each calendar year the Division of Employment Security shall determine the amount of the State disability benefits fund as of December thirty-first of the preceding calendar year increased by the contributions paid thereto during January of the current calendar year with respect to employment occurring in preceding calendar years and decreased by the benefits paid during January of the current calendar year with respect to disability in preceding calendar years. If such amount exceeds the total of the amounts withdrawn from the unemployment trust fund pursuant to section twenty-three of the Temporary Disability Benefits Law plus the amount at the end of such preceding calendar year of the unemployment disability account (as defined in section twenty-two of said law), such excess shall be expressed as a percentage of the wages on which contributions were paid to the State disability benefits fund on or before January thirty-first with respect to employment in the preceding calendar year.

(2) The Division of Employment Security shall then make a final determination of the rates of contribution for the twelve months commencing July first of such year for employers whose preliminary rates are determined as provided in (D) hereof, as follows:

(i) If the percentage determined in accordance with paragraph (1) of this subsection equals or exceeds one and one-quarter per centum (1¼%) the final employer rates shall be the preliminary rates determined as provided in (D) hereof, except that if the employer's preliminary rate is determined as provided in (D) (2) or (D) (3) hereof, the final employer rate shall be the preliminary employer rate decreased by such percentage of excess taken to the nearest five one hundredths of one per centum (5/100 of 1%), but in no case shall such final rate be less than one-tenth of one per centum (1/10 of 1%).

(ii) If the percentage determined in accordance with paragraph (1) of this subsection equals or exceeds three-quarters of one per centum (¾ of 1%) and is less than one and one-quarter of one per centum (1¼ of 1%), the final employer rates shall be the preliminary employer rates.

(iii) If the percentage determined in accordance with paragraph (1) of this subsection is less than three-quarters of one per centum (¾ of 1%), the final employer rates shall be the preliminary employer rates determined as provided in (D) hereof increased by the difference between three-quarters of one per centum (¾ of 1%) and such percentage taken to the nearest five one hundredths of one per centum (5/100 of 1%); *provided, however,* that no such final rate shall be more than one-quarter of one per centum (¼ of 1%) in the case of an employer whose preliminary rate is determined as provided in (D) (2) hereof, more than one-half of one per centum (½ of 1%) in the case of an employer whose preliminary rate is determined as provided in (D) (1) and (D) (3) hereof, nor more than three-quarters of one per centum (¾ of 1%) in the case of an employer whose preliminary rate is determined as provided in (D) (4) hereof.

Provisc.

(iv) If the amount of the State disability benefits fund determined as provided in paragraph (1) of this subsection is equal to or less than the total of the amounts withdrawn from the unemployment trust fund pursuant to section twenty-three of the Temporary Disability Benefits Law plus the amount at the end of the preceding calendar year of the unemployment disability account, then the final rate shall be three-quarters of one per centum (¾ of 1%) for all employers.

2. This act shall take effect immediately.

Approved July 14, 1953.

CHAPTER 220

AN ACT concerning unemployment compensation, and amending section 43:21–8 of the Revised Statutes.

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

1. Section 43:21–8 of the Revised Statutes is amended to read as follows: Section amended.

43:21–8. (a) Any employing unit which is or becomes an employer subject to this chapter (R. S. 43:21–1 et seq.) within any calendar year shall be subject to this chapter (R. S. 43:21–1 et seq.) during the whole of such calendar year. Period, election and termination of employer's coverage.

(b) Except as otherwise provided in subsection (c) of this section, an employing unit shall cease to be an employer subject to this chapter (R. S. 43:21–1 et seq.) only as of the first day of January of any calendar year, if (1) the employing unit files with the Division of Employment Security, prior to the first day of February of such year, a written application for termination of coverage, and the division finds that there were no twenty different days, each day being in a different week within the preceding calendar year, within which such employing unit employed four or more individuals in employment subject to this chapter (R. S. 43:21–1 et seq.), or, (2) the division finds that during the two calendar years preceding such first day of January there was no day on which such employing unit employed one or more individuals in employment subject to this chapter (R. S. 43:21–1 et seq.). For the purpose of this subsection, the two or more employing units mentioned in paragraph (2) or (3) or (4) of subsection (h) of section 43:21–19 of this Title shall be treated as a single employing unit.

(c) (1) An employing unit, not otherwise subject to this chapter (R. S. 43:21–1 et seq.), which

files with the division its written election to become an employer subject hereto for not less than two calendar years, shall, with the written approval of such election by the division, become an employer subject hereto to the same extent as all other employers, as of the date stated in such approval; *provided,* that the division shall not approve such election by such employing unit to become an employer subject hereto if written objections on the part of a substantial proportion of the individuals in the employ of such employing unit are presented to the division within ten days following the filing of such election, and shall cease to be subject hereto as of January first of any calendar year subsequent to such two calendar years, only, if at least thirty days prior to such first day of January, it has filed with the division a written notice to that effect.

(2) Any employing unit for which services that do not constitute employment as defined in this chapter (R. S. 43:21–1 et seq.) are performed, may file with the division a written election that all such services performed by individuals in its employ in one or more distinct establishments or places of business shall be deemed to constitute employment for all the purposes of this chapter (R. S. 43:21–1 et seq.) for not less than two calendar years; *provided,* written objections on the part of a substantial proportion of such individuals affected are not presented to the division within ten days following the filing of such election. Upon the written approval of such election by the division, such services shall be deemed to constitute employment subject to this chapter (R. S. 43:21–1 et seq.) from and after the date stated in such approval. Such services shall cease to be deemed employment subject hereto as of January first of any calendar year subsequent to such two calendar years, only if, at least thirty days prior to such first day of January, such employing unit has filed with the division a written notice to that effect.

2. This act shall take effect immediately.

Approved July 14, 1953.

CHAPTER 221

AN ACT to amend the "Temporary Disability Benefits Law" (P. L. 1948, c. 110).

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

Section amended.

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

C. 43:21-27. Terms defined.

3. Definitions. As used in this act, unless the context clearly requires otherwise:

(a) "Covered employer" means any individual or type of organization, including any partnership, association, trust, estate, joint-stock company, insurance company or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, who is an employer subject to the chapter to which this act is a supplement, designated as the Unemployment Compensation Law (chapter twenty-one of Title 43 of the Revised Statutes).

(b) "Covered individual" means any person who is in employment, as defined in the chapter to which this act is a supplement, for which he is entitled to remuneration from a covered employer, or who has been out of such employment for less than two weeks.

(c) "Division" or "commission" means the Division of Employment Security of the Department of Labor and Industry, and any transaction or exercise of authority by the director of the division shall be deemed to be performed by the division.

(d) "Day" shall mean a full calendar day beginning and ending at midnight.

(e) "Disability" shall mean such disability as is compensable under section five of this act.

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(f) "Disability benefits" shall mean any cash payments which are payable to a covered individual pursuant to this act.

(g) "Period of disability" with respect to any individual shall mean the entire period of time, during which he is continuously and totally unable to perform the duties of his employment, except that two periods of disability due to the same or related cause or condition and separated by a period of not more than fourteen days shall be considered as one continuous period of disability; *provided,* the individual has earned wages during such fourteen-day period with the employer who was his last employer immediately preceding the first period of disability.

(h) "Wages" shall mean all compensation payable by covered employers to covered individuals for personal services, including commissions and bonuses and the cash value of all compensation payable in any medium other than cash.

(i) "Base week" means any calendar week during which an individual earned not less than fifteen dollars ($15.00) from a covered employer, in employment as defined in the chapter to which this act is a supplement.

(j) "Average weekly wage" means the amount derived by dividing a covered individual's total wages earned from his most recent covered employer during the base weeks in the eight calendar weeks immediately preceding the calendar week in which disability commenced, by the number of such base weeks. If this computation yields a result which is less than the individual's average weekly earnings in employment, as defined in the chapter to which this act is a supplement, with all covered employers, during the base weeks in such eight calendar weeks, then the average weekly wage shall be computed on the basis of earnings from all covered employers during the eight base weeks immediately preceding the week in which the disability commenced.

2. This act shall take effect July first, one thousand nine hundred and fifty-three, and shall apply only with respect to periods of disability commencing on and after July first, one thousand nine hundred and fifty-three. Note: Act effective.

Approved July 14, 1953.

CHAPTER 222

AN ACT concerning the salaries of the county judges in certain counties, and supplementing chapter three of Title 2A of the New Jersey Statutes.

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

1. In counties of this State having more than seventy-five thousand inhabitants and having only one county judge, the annual salary of the county judge may be increased by resolution of the board of chosen freeholders of such county or by an appropriation provision in the county budget, to not more than ten thousand dollars ($10,000.00), payable at the same time and in the same manner as other county salaries are now paid. In any such county where the county judge is also judge of the county district court, the additional compensation of the said county judge, for his services as judge of the county district court, may be increased by resolution of the board of chosen freeholders of such county or by an appropriation provision in the county budget, to not more than twelve hundred dollars ($1,200.00), payable at the same time and in the same manner as other county salaries are now paid. C. 2A:3-18.1. Salary, county judges.

2. This act shall take effect July first, one thousand nine hundred and fifty-three. C. 2A:3-18.2. Act effective.

Approved July 14, 1953.

CHAPTER 223

AN ACT to amend "An act concerning workmen's compensation, relating to special benefits in certain cases to veterans receiving subsistence payments in connection with educational training on the job, and supplementing chapter fifteen of Title 34 of the Revised Statutes," approved June thirtieth, one thousand nine hundred and forty-seven (P. L. 1947, c. 364).

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

Section amended.

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

C. 34:15-12.1. Veterans entitled to special benefits.

1. Any employee receiving subsistence payments from the Veterans Administration of the Federal Government under the Act of Congress of June twenty-second, one thousand nine hundred and forty-four, known as the Servicemen's Readjustment Act of 1944, or any act amendatory thereof or supplemental thereto, as a veteran, in connection with educational training on the job, and who obtains compensation pursuant to chapter fifteen of Title 34 of the Revised Statutes, and whose wages were less than an amount entitling the employee to the maximum rate of compensation, shall be entitled to the special benefits provided by this act upon the following conditions:

(a) The accident to the employee must have occurred subsequent to July first, one thousand nine hundred and forty-six;

(b) The accident must have occurred under circumstances entitling the employee to compensation under said chapter;

(c) The employee's wages must have been less than forty-five dollars ($45.00) per week;

(d) The employee's wages must have been received by him during the period for which the subsistence was paid;

(e) The compensation must have included compensation for a permanent disability, either partial or total.

2. This act shall take effect immediately and shall be applicable to pending applications, as well as future applications, against the fund administered pursuant to section 34:15–95 of the Revised Statutes. Note: Application of act.

Approved July 14, 1953.

CHAPTER 224

AN ACT to amend "An act to facilitate vehicular traffic in the State of New Jersey by providing for the acquisition, construction, maintenance, repair and operation of highway projects; creating the New Jersey Highway Authority and defining its powers and duties; authorizing and establishing the location for a highway project; providing for the regulation of traffic on such projects and prescribing proceedings and penalties for violations thereof; providing for issuance of bonds or notes of the Authority and the terms and security thereof; and providing for the collection of tolls and other charges to pay the cost of acquisition, construction, maintenance, repair and operation of such projects and to pay such bonds and notes and the interest thereon," approved April fourteenth, one thousand nine hundred and fifty-two (P. L. 1952, c. 16).

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

Section amended.

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

C. 27:12B-15. Feeder roads, acquisition.

15. Before taking over any existing public highway as a feeder road, the Authority shall obtain the consent of any authorities then exercising jurisdiction over said highway, which are hereby authorized to give such consent by resolution. Each feeder road or section thereof acquired, constructed or taken over in connection with a project by the Authority shall for all purposes of this act be deemed to constitute part of the project, except that no toll shall be charged for transit between points on any public highway taken over as a feeder road or on any feeder road of less than six miles in length constructed by the Authority, and that the Authority may turn back to such authorities (a) any public highway taken over as a feeder road from such authorities or (b) any feeder road or section thereof constructed upon a new alignment in substitution for the previous alignment of a public highway so taken over unless eighty per centum (80%) or more of such feeder road is constructed upon a new alignment.

2. This act shall take effect immediately.

Approved July 14, 1953.

CHAPTER 225

AN ACT concerning education, and amending section 18:21–3 of the Revised Statutes.

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

1. Section 18:21–3 of the Revised Statutes is amended to read as follows: Section amended.

18:21–3. The commissioner shall keep a true and correct account of all moneys received by him under the provisions of this chapter, and between the first and fifth days of each month deposit with the State Treasurer all such moneys received by him during the then preceding calendar month. Record and deposit of moneys by commissioner.

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

Approved July 14, 1953.

CHAPTER 226

AN ACT to repeal "An act concerning the State employees' retirement system, and the participation therein of the employees of the South Jersey Port Commission, and supplementing chapter fourteen of Title 43 of the Revised Statutes," approved December sixteenth, one thousand nine hundred and forty (P. L. 1940, c. 228).

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

1. "An act concerning the State employees' retirement system, and the participation therein of the employees of the South Jersey Port Commis- C. 43:14-57 to C. 43:14-61. Chapter 228, P. L. 1940, repealed.

sion, and supplementing chapter fourteen of Title 43 of the Revised Statutes," approved December sixteenth, one thousand nine hundred and forty, is repealed.

2. This act shall take effect immediately.

Approved July 14, 1953.

CHAPTER 227

AN ACT authorizing the conveyance of certain lands, situate in the city of Millville, county of Cumberland, and State of New Jersey, now the property of the State of New Jersey, in exchange for other lands situate in the city of Vineland, county of Cumberland, and State of New Jersey, for the use of the State of New Jersey, Department of Defense.

Preamble. WHEREAS, The State of New Jersey is possessed of certain lands situate in the city of Millville, county of Cumberland, and State of New Jersey, containing 0.84 acres, adjacent to the experimental farm in said city of Millville for the use of the Department of Agriculture, which said lands are no longer required; and

Preamble. WHEREAS, T. C. Wheaton Co., of Millville, New Jersey, is the owner of certain other lands adjacent to the armory at Vineland, situate in the city of Vineland, county of Cumberland, and State of New Jersey, containing 7.84 acres, which lands would be particularly useful and advantageous to the uses of the State of New Jersey, Department of Defense; and

Preamble. WHEREAS, The State House Commission, acting for the State of New Jersey and the said T. C. Wheaton Co., mutually desire to make an exchange of said lands; and

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

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

1. It shall be lawful for the State House Commission to convey, by good and sufficient deed, in the name of the State of New Jersey, to T. C. Wheaton Co., a corporation of New Jersey, with its principal place of business in the city of Millville, county of Cumberland and State of New Jersey, all of its right, title and interest, but retaining an easement of drainage, in certain lands, not exceeding 0.84 acres of land in the city of Millville, county of Cumberland, and State of New Jersey, bounded and described as follows: State House Commission authorized to make conveyance.

Beginning at a point for a corner in the Southeasterly line of Wheaton Avenue at a distance of one hundred feet measured in a Southwesterly direction along the said Southeasterly line of Wheaton Avenue from the point where the Southwesterly line of "L" Street, extended in a Southeasterly direction, will intersect the said Southeasterly line of Wheaton Avenue, the said beginning point being a corner of land of T. C. Wheaton Co. and running from thence along the land of T. C. Wheaton Co. in an Easterly direction by a line making an interior angle with the Southeasterly line of Wheaton Avenue of sixty-four degrees and fifty-eight minutes, four hundred thirty-seven and twenty-two hundredths feet to a point for a corner; thence, along reserved land of State of New Jersey, in a Northwesterly direction and at right angles to Wheaton Avenue, three hundred ninety-six and thirteen hundredths feet to a point for a corner in the Southeasterly line of said Wheaton Avenue; thence, thereby in a Southwesterly direction, one hundred and eighty-five feet to the place of beginning. Description.

T. C. Wheaton Co. to make conveyance.

In exchange for a conveyance by T. C. Wheaton Co., a corporation of New Jersey with its principal place of business in the city of Millville, county of Cumberland, and State of New Jersey, to the State of New Jersey, for the use of the Department of Defense, of all the said company's right, title and interest in and to certain lands consisting of 7.84 acres of land described as follows:

Description.

Beginning at a stake at the Southwest corner of what was the old Stephen A. Garrison Homestead, lying at the Southwest corner of Malaga Road and Garrison Road and running from thence along the South line of the said farm North eighty-five degrees and thirty-three minutes East, four and seventeen hundredths chains to a stake; thence South three degrees and fifty-seven minutes East Twenty-three and forty-four hundredths chains to a red cedar stake; thence South eighty-five degrees and fifty-five minutes West, three and sixteen hundredths chains to a stone corner; thence North four degrees and twenty-seven minutes West, twenty-one and seventy-seven hundredths chains; thence South eighty-five degrees and thirty-three minutes West, seventy-three links; thence North four degrees and twenty-seven minutes West, one and Fifty-eight hundredths chains to the place of Beginning.

Resolution for making conveyance.

2. A resolution adopted by unanimous vote of all members of the State House Commission shall be required to make the conveyance herein authorized. Such resolution duly entered on the Minutes of the State House Commission shall specify the signatories necessary to execute the deed or instrument of conveyance except that such deed or instrument shall be of no force or effect unless subscribed by the State Treasurer.

Recording.

3. The State House Commission, upon the receipt of an appropriate deed from the said T. C. Wheaton Co. conveying title to the above lands to the State

of New Jersey, free and clear of any encumbrances, shall cause the said to be recorded and thereafter keep the same in the custody of the State Treasurer, as now provided by law.

4. This act shall take effect immediately.

Approved July 14, 1953.

CHAPTER 228

AN ACT concerning municipalities in relation to special policemen, and amending section 40:47–19 of the Revised Statutes.

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

1. Section 40:47–19 of the Revised Statutes is amended to read as follows: Section amended.

40:47–19. The governing body may appoint special policemen for a term not exceeding one year and revoke such appointment without cause or hearing. They shall not be members of the police force, and their powers, rights and duties shall immediately cease at the expiration of the term for which they were appointed, or upon revocation of their appointment. They may be furnished with a badge upon the deposit of a sum to be fixed by the governing body, which may be refunded on the return of the badge. A fee to be fixed by the governing body may be charged for issuing to any such officer a certificate of appointment. Special policemen, appointment and qualifications.

No person shall be appointed as such a special policeman unless he is a citizen of the United States, able to read, write and speak the English language, physically qualified and of good moral character, and shall not have been convicted of any crime. No such special policeman shall carry a revolver or other weapon when off duty. Every

such special policeman shall be fingerprinted and his fingerprints shall be filed with the Division of State Police and the Federal Bureau of Investigation.

Every such special policeman shall be under the supervision and direction of the chief of police of the municipality wherein he is appointed.

Before any such appointment is made the chief of police of the municipality shall ascertain whether the applicant for the appointment is eligible and qualified, as provided herein, and a report thereon shall be made to the governing body.

2. This act shall take effect immediately.

Approved July 14, 1953.

CHAPTER 229

AN ACT concerning real estate brokers and salesmen and persons selling real estate at auction, amending sections 45:15–1, 45:15–3, 45:15–9, 45:15–12 and 45:15–17, supplementing chapter fifteen of Title 45, and repealing sections 45:15–30, 45:15–31, 45:15–32 and 45:15–33, of the Revised Statutes.

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

Section amended.

1. Section 45:15–1 of the Revised Statutes is amended to read as follows:

License required.

45:15–1. No person shall engage either directly or indirectly in the business of a real estate broker or salesman, temporarily or otherwise, and no person shall advertise or represent himself as being authorized to act as a real estate broker or salesman, or to engage in any of the activities described in section 45:15–3 of the Revised Statutes, without being licensed so to do as hereinafter provided.

2. Section 45:15–3 of the Revised Statutes is amended to read as follows: Section amended.

45:15–3. A real estate broker, for the purposes of this article, is defined to be a person, firm or corporation who, for a fee, commission or other valuable consideration, or by reason of a promise or reasonable expectation thereof, lists for sale, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale, exchange, purchase or rental of real estate or an interest therein, or collects or offers or attempts to collect rent for the use of real estate or solicits for prospective purchasers or assists or directs in the procuring of prospects or the negotiation or closing of any transaction which does or is contemplated to result in the sale, exchange, leasing, renting or auctioning of any real estate or negotiates, or offers or attempts or agrees to negotiate a loan secured or to be secured by mortgage or other encumbrance upon or transfer of any real estate for others, or any person who, for pecuniary gain or expectation of pecuniary gain conducts a public or private competitive sale of lands or any interest in lands. In the sale of lots pursuant to the provisions of this article, the term "real estate broker" shall also include any person, partnership, association or corporation employed by or on behalf of the owner or owners of lots or other parcels of real estate, at a stated salary, or upon a commission, or upon a salary and commission, or otherwise, to sell such real estate, or any parts thereof, in lots or other parcels, and who shall sell or exchange, or offer or attempt or agree to negotiate the sale or exchange, of any such lot or parcel of real estate. Real estate broker and real estate salesman defined.

A real estate salesman, for the purposes of this article, is defined to be any person who, for compensation, valuable consideration or commission, or other thing of value, or by reason of a promise or reasonable expectation thereof, is employed by and operates under the supervision of a licensed real estate broker to sell or offer to sell, buy or offer to buy or negotiate the purchase, sale or exchange

of real estate, or offers or attempts to negotiate a loan secured or to be secured by a mortgage or other encumbrance upon or transfer of real estate, or to lease or rent, or offer to lease or rent any real estate for others, or to collect rents for the use of real estate, or to solicit for prospective purchasers or lessees of real estate, or who is employed by a licensed real estate broker to sell or offer to sell lots or other parcels of real estate, at a stated salary, or upon a commission, or upon a salary and commission, or otherwise to sell real estate, or any parts thereof, in lots or other parcels.

No person, firm, partnership, association or corporation shall bring or maintain any action in the courts of this State for the collection of compensation for the performance of any of the acts mentioned in this article without alleging and proving that he was a duly licensed real estate broker at the time the alleged cause of action arose.

Section amended.

3. Section 45:15–9 of the Revised Statutes is amended to read as follows:

Application for license, qualifications, fee.

45:15–9. All persons desiring to become real estate brokers or real estate salesmen shall apply to the commission for a license under the provisions of this article. Every applicant for a license as a broker shall be of the age of twenty-one years or over and a citizen of the United States, and in the case of an association or a corporation the directors thereof shall be of the age of twenty-one years or over and citizens of the United States. Application for a license, whether as a real estate broker or a real estate salesman, shall be made to the commission upon forms prescribed by it and shall be accompanied by an examination fee of ten dollars ($10.00). Every applicant for a license as a broker shall have the equivalent of a high school education and every applicant for a license as a real estate salesman shall have the equivalent of an eighth grade school education. The applicant shall furnish evidence of good moral character, and in the case of an association or corporation, the directors thereof shall furnish evi-

dence of good moral character. Every such application shall be on file with the commission at least ten days prior to the granting of a license. Every applicant for a license as a broker shall have first served an apprenticeship of two full years as a duly licensed real estate salesman in this State immediately preceding the date of application. No license as broker shall be granted to a corporation unless at least one of the officers of said corporation qualifies as a broker, to transact business in the name and on behalf of said corporation; the license of said corporation shall cease if at least one officer does not hold a license as a broker at all times; and no person shall transact business in the name and behalf of a corporation duly licensed as a broker unless he shall hold a license as a broker or salesman which permits him to act for such corporation. In event that any person to whom a broker's license has been or shall have been issued shall fail to renew such license or obtain a new license for a period of three consecutive years or more after the expiration of such license, the commission may require such person to serve the same apprenticeship and to pass an examination and comply with the same conditions on application for a broker's license as if he had never had such a license issued to him.

Section amended.

4. Section 45:15–12 of the Revised Statutes is amended to read as follows:

Places of business, duplicate licenses.

45:15–12. Every real estate broker shall maintain a place of business in this State except such nonresident brokers who qualify for licenses under the reciprocal provisions of section 45:15–20 of this article. A real estate broker's maintained place of business shall have prominently displayed therein the license certificate of the broker and all licensed persons in his employ. In case a real estate broker maintains more than one place of business within this State, a duplicate license shall be issued to such broker for each branch office so maintained; *provided, however,* that the said branch office or offices are under the direct supervision

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of a competent licensee. The duplicate license shall be issued without additional charge. A real estate broker's maintained places of business shall have conspicuously displayed on the exterior thereof the broker's name and the words Licensed Real Estate Broker.

Section amended.

5. Section 45:15–17 of the Revised Statutes is amended to read as follows:

Investigation of licenses, grounds for suspension or revocation of licenses, rules and regulations.

45:15–17. The commission may, upon its own motion, and shall, upon the verified complaint in writing of any person, investigate the actions of any real estate broker or real estate salesman, or any person who assumes to act in either such capacity within this State; and the commission may suspend for a period less than the unexpired portion of the license period, or may revoke any license issued under the provisions of this article, where the licensee, in performing or attempting to perform any of the acts mentioned herein, is deemed to be guilty of:

a. Making any false promises or any substantial misrepresentation; or

b. Acting for more than one party in a transaction without the knowledge of all parties thereto; or

c. Pursuing a flagrant and continued course of misrepresentation or making of false promises through agents, salesmen, advertisements or otherwise; or

d. Failure to account for or to pay over any moneys belonging to others, coming into the possession of the licensee; or

e. Any conduct which demonstrates unworthiness, incompetency, bad faith or dishonesty; or

f. Failure to provide his client with a fully executed copy of any sole or exclusive sales listing contract at the time of execution thereof, and failure to specify therein a definite terminal date which terminal date shall not be subject to any qualifying terms or conditions; or

g. Using any plan, scheme or method for the sale or promotion of the sale of real estate which

involves a lottery, a contest, a game, a prize, a drawing, or the offering of a lot or parcel or lots or parcels for advertising purposes; or

h. Being convicted of a crime, knowledge of which the commission did not have at the time of last issuing a real estate license to the licensee; or

i. Collecting a commission as a real estate broker in a transaction, when at the same time representing either party in a transaction in a different capacity for a consideration; or

j. Using any trade name or insignia of membership in any real estate organization of which the licensee is not a member; or

k. Paying any rebate, profit, compensation or commission to anyone not possessed of a real estate license; or

l. Any other conduct, whether of the same or a different character than specified in this section, which constitutes fraud or dishonest dealing; or

m. Accepting a commission or valuable consideration as a real estate salesman for the performance of any of the acts specified in this act, from any person, except his employing broker, who must be a licensed broker; or

n. Procuring a real estate license, for himself or anyone else, by fraud, misrepresentation or deceit; or

o. Commingling the money or other property of his principals with his own; or

p. Selling property in the ownership of which he is interested in any manner whatsoever, unless he first discloses to the purchaser his interest therein; or

q. For the violation of any of the provisions of this article.

The commission is expressly vested with the power and authority to make, prescribe and enforce any and all rules and regulations for the conduct of the real estate brokerage business consistent with the provisions of this act.

Construing.

This article shall not be construed to relieve any person from civil liability or criminal prosecution under the laws of this State.

C. 45:15-19.1. License revoked upon conviction.

6. When, during the term of any license issued by the commission, the licensee shall be convicted in a court of competent jurisdiction in the State of New Jersey or any State (including Federal courts) of forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy to defraud, or other like offense or offenses and a duly certified or exemplified copy of the record in such proceedings shall be filed with the commission, the commission shall revoke forthwith the license by it theretofore issued to the licensee so convicted.

C. 45:15-19.2. License suspended when licensee is indicted.

7. In the event that any licensee shall be indicted in the State of New Jersey or any State or territory (including Federal courts) for forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy to defraud, or like offense or offenses, and a certified copy of the indictment be filed with the commission, or other proper evidence thereof be to it given, the commission shall have authority, in its discretion, to suspend the license issued to such licensee pending trial upon such indictment.

C. 45:15-12.1. Bars issuance of license.

8. No license shall be issued by the commission to any person known by it to have been, within five years theretofore, convicted of forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy to defraud, or other like offense or offenses, or to any copartnership of which such person is a member, or to any association or corporation of which said person is an officer, director, or employee, or in which as a stockholder such person has or exercises a controlling interest either directly or indirectly. In the event of the revocation or suspension of the license issued to any member of a copartnership, or to any officer of an association or corporation, the license issued to such copartnership, association, or corporation, shall be revoked by the commission,

unless, within a time fixed by the commission, where a copartnership, the connection therewith of the member whose license has been revoked shall be severed and his interest in the copartnership and his share in its activities brought to an end, or where an association or corporation, the offending officer shall be discharged and shall have no further participation in its activity.

C. 45:15-12.2. Sections repealed.

9. Sections 45:15–30 to 45:15–33, inclusive, of the Revised Statutes are repealed.

10. This act shall take effect immediately.

Approved July 14, 1953.

CHAPTER 230

AN ACT concerning the distribution of the proceeds of the tax on the capital stock of certain banks and trust companies, and amending sections 54:9–5 and 54:9–13 of the Revised Statutes.

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

Section amended.

1. Section 54:9–5 of the Revised Statutes is amended to read as follows:

Statement filed, contents, statements for each branch.

54:9–5. For purposes of assessment, the chief fiscal officer of every such bank, shall annually, on or before January tenth, file with the secretary of the board of taxation of the county within which its principal place of business is located, a true statement under the oath of its president, cashier, or treasurer, setting forth:

a. Its name and principal place of business;

b. The amount of capital, surplus and undivided profits, as indicated by the books of the company, as of the close of business December thirty-first previous for which the statement is filed;

c. The number of shares of its issued and outstanding preferred stock of all classes and the aggregate par value of each class thereof, and the amount required, in addition to the par value of the preferred stock, for the redemption and retirement of such preferred stock;

d. The number of shares of its issued and outstanding common stock;

e. The assessed value of its real property, including the assessed value of all real property owned by a corporation all the stock of which is owned by such bank.

A bank which has one or more branch offices in a taxing district or districts other than the taxing district in which its principal office is located shall, at the same time and place, file an additional statement which shall show the location of each such branch office, the deposit balances credited at each such branch office, and the total deposit balances of the bank, as of the close of business on December thirty-first next preceding the date of the statement, which statement shall be confidential and shall not be made available to the public.

Section amended.

2. Section 54:9–13 of the Revised Statutes is amended to read as follows:

Apportionment of tax.

54:9–13. The tax so paid to the county treasurer shall be apportioned at the rate of fifty per centum (50%) to the county within which the bank is located, and fifty per centum (50%) to the taxing districts within which its places of business are located. In the case of a bank which has its principal and branch offices, if any, located in more than one taxing district, the tax paid shall be apportioned at the rate of fifty per centum (50%) to the county in which the principal office is located, and fifty per centum (50%) to the taxing districts in which such principal and branch offices are located, in the proportion that the deposit balances at the principal office and branch offices within each taxing district, within or without the county, are to the total deposit balances of such bank, as of the close of business on December thirty-first of the year

next preceding the year for which the tax is paid. The amount so due to a taxing district shall be paid forthwith by the disbursing officer of the county, setting forth, in detail, the amount of the tax received, the institutions by which it was paid, the aggregate amount thereof, and the basis of apportionment.

Note: Act effective

3. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved July 14, 1953.

CHAPTER 231

AN ACT concerning testimony of a husband or wife in certain criminal proceedings, and amending section 2A:81–3 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:81–3 of the New Jersey Statutes is amended to read as follows:

Husband or wife competent to testify against each other in criminal actions, exceptions.

2A:81–3. In any criminal action or proceeding a husband or wife shall be competent to testify against his or her wife or husband to prove the fact of marriage.

Upon the trial of any indictment a married man shall be admitted to testify against his wife when he is the complainant against her, if he shall offer himself as a witness.

Upon the trial of any indictment a married woman shall be admitted to testify against her husband when she is the complainant against him, if she shall offer herself as a witness.

In any criminal action or proceeding wherein a married person is charged with having committed an offense against his or her spouse, the said spouse shall be admitted to testify against said married

person if said spouse shall offer himself or herself as a witness.

In any criminal action or proceeding wherein a married person is charged with having neglected or having been cruel to his or her child, adopted child, stepchild, or a child in his or her custody or under his or her control, the spouse of said married person shall be admitted to testify against said married person if said spouse shall offer himself or herself as a witness.

Except as in this section or elsewhere provided by statute no husband or wife shall be competent to give evidence against the other in any criminal action or proceeding.

2. This act shall take effect immediately.

Approved July 14, 1953.

CHAPTER 232

AN ACT concerning county and municipal finances, and repealing section 40:2–14 of the Revised Statutes.

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

Section repealed.

1. Section 40:2–14 of the Revised Statutes be and the same is hereby repealed.

2. This act shall take effect immediately.

Approved July 14, 1953.

CHAPTER 233

AN ACT concerning the practice of medicine and surgery and chiropractic, and amending sections 45:9–1, 45:9–12, 45:9–16, 45:9–22 and 45:9–26 of the Revised Statutes and sections 45:9–5.1 and 45:9–14.5 added to the Revised Statutes by chapter one hundred fifteen of the laws of one thousand nine hundred and thirty-nine, and supplementing chapter nine of Title 45 of the Revised Statutes.

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

1. Section 45:9–1 of the Revised Statutes is amended to read as follows: Section amended.

45:9–1. The State Board of Medical Examiners, hereinafter in this chapter designated as the "board," created and established by the act entitled "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof," approved May twenty-second, one thousand eight hundred and ninety-four (L. 1894, c. 306, p. 454), as supplemented by an act approved April second, one thousand nine hundred and thirteen (L. 1913, c. 224, p. 408), and by an act approved March thirty-first, one thousand nine hundred and twenty-one (L. 1921, c. 136, p. 263), is continued and the members and officers of said board as constituted pursuant to said act, and the amendments and supplements of said act, shall continue to hold office until the expiration of their terms. The board shall consist of eleven full members and one qualified member, who shall be persons of recognized professional ability and honor, and shall possess a license to practice his or her respective profession in New Jersey, and who shall be appointed by the State Board of Medical Examiners, membership, appointment, terms, oath.

Governor from a list to be furnished within thirty days after any vacancy occurs in the membership of said board by the society or organization of whom the persons nominated are members, if there be such a society or organization, or if such society or organization has a membership in good standing of not less than one hundred, and for every membership filled in said board at least three names shall be submitted to the Governor, and from the names thus submitted the Governor shall select one person to be a member of said board; *provided, however,* that the said board shall consist of nine graduates of schools of medicine who shall possess the degree of M.D., of whom five shall be old school physicians, three shall be homeopaths, and one an eclectic, and in addition the membership of said board shall comprise one osteopath, one chiropractor and the qualified member who shall be a chiropodist. The qualified member shall have equal rights and privileges in all matters affecting chiropody but shall vote only on chiropody matters and shall have no vote on the selection of officers. The term of office of members of the board hereafter appointed shall be three years or until their successors are appointed. Said appointees shall, within thirty days after receipt of their respective commissions, take and subscribe the oath or affirmation prescribed by law and file the same in the office of the Secretary of State.

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Chiropractic members, duties, compensation.

The Governor shall appoint two chiropractors who are licensed to practice chiropractic in the State of New Jersey to serve for a term of three years each and until their successors are appointed and qualify, who shall be available to assist the board in the administration of sections four, five, six, seven, eight, nine, twelve, fifteen and sixteen of this act which act supplements chapter nine of Title 45 of the Revised Statutes, and contains this amendment to this section. Within the limits of available appropriations therefor each such chiropractor shall be paid a fee of ten dollars ($10.00) for each applicant assigned to him for examination

and when designated and authorized by the board to do business on behalf of the board outside of the State shall receive fifty dollars ($50.00) per day and when performing authorized official duties in or out of the State shall be reimbursed for all proper expenses incurred in the performance of such duties.

Section amended.

2. Section 45:9–5.1 added to the Revised Statutes by chapter one hundred fifteen of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

Terms defined.

45:9–5.1. Within the meaning of this chapter (45:9–1 et seq.), except as herein otherwise provided, and except for the purposes of the exemptions hereinafter contained in sections 45:9–14.1 to 45:9–14.10, inclusive, the phrase "the practice of medicine or surgery" and the phrase "the practice of medicine and surgery" shall include the practice of any branch of medicine and/or surgery, and any method of treatment of human ailment, disease, pain, injury, deformity, mental or physical condition, and the term "physician and surgeon" or "physician or surgeon" shall be deemed to include practitioners in any branch of medicine and/or surgery or method of treatment of human ailment, disease, pain, injury, deformity, mental or physical condition. Within the meaning of this act, except as herein otherwise specifically provided, and except for the purposes of the exemptions hereinafter contained in sections 45:9–14.1 to 45:9–14.10, inclusive, the practice of medicine and/or surgery shall be deemed to include, inter alia, the practice of osteopathy, and nothing herein contained shall be construed to exempt the holder of a license issued under or validated by the provisions contained in sections 45:9–14.1 to 45:9–14.10, inclusive, from the operation of the provisions contained in section 45:9–16 of this Title.

A professional school or college shall be taken to mean a medical school or college or other school or college having purposes similar to a medical school or college; *provided, however,* that as to any

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applicant for a license under the provisions of this chapter who, prior to October first, one thousand nine hundred and thirty-five, matriculated in such a school or college, a professional school or college shall, for the purposes of the provisions contained in sections 45:9–6 to 45:9–11, inclusive, be taken to mean a medical school or college which required the study of medicine and surgery in all of its branches. In all instances, unless otherwise provided, such school or college shall be approved by the board.

Section amended.

3. Section 45:9–14.5 added to the Revised Statutes by chapter one hundred fifteen of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

Practice of chiropractic defined.

45:9–14.5. Within the meaning of the provisions of sections 45:9–14.6, 45:9–14.7, 45:9–14.8 and 45:9–14.9 hereof, and of this act, which supplements chapter nine of Title 45 of the Revised Statutes, the practice of chiropractic is defined as follows: "A system of adjusting the articulations of the spinal column by manipulation thereof." A licensed chiropractor shall have the right in the examination of patients to use the neurocalometer, X-ray, and other necessary instruments solely for the purpose of diagnosis or analysis. No licensed chiropractor shall use endoscopic or cutting instruments, or prescribe, administer, or dispense drugs or medicines for any purpose whatsoever, or perform surgical operations excepting adjustment of the articulations of the spinal column.

No person licensed to practice chiropractic shall sign any certificate required by law or the State Sanitary Code concerning reportable diseases, or birth, marriage or death certificates.

No person licensed to practice chiropractic shall use the title doctor or its abbreviation in the practice of chiropractic unless it be qualified by the word "chiropractor."

It shall be unlawful for any person, not duly licensed in this State to practice chiropractic, to use terms, titles, words or letters which would des-

ignate or imply that he or she is qualified to practice chiropractic, or to hold himself or herself out as being able to practice chiropractic, or offer or attempt to practice chiropractic.

C. 45:9-41.1. Granted license to practice chiropractic without examination, fee.

4. Any person who prior to July thirty-first, one thousand nine hundred and forty-four, was graduated from a legally incorporated school, institution or college teaching chiropractic and who holds a license to practice chiropractic in any State of the United States, which license was obtained after a written examination in that State, and who was a resident of this State, and actively engaged in the practice of chiropractic, prior to July thirty-first, one thousand nine hundred and forty-four, and so continued to be a resident and to so practice until December thirty-first, one thousand nine hundred and fifty-two, and who is a citizen of the United States, more than twenty-one years of age, and of good moral character, and furnishes proof, satisfactory to the board, of said facts, shall be granted a license without examination to practice chiropractic in New Jersey by the board.

Persons applying under this special provision must make such application for license to the board within ninety days after the effective date of this act. The records of the board and the license issued shall state that the applicant was licensed under the exemption contained in this section. The fee for issuance of such license shall be one hundred dollars ($100.00).

C. 45:9-41.2. Examination, scope.

5. Any person who prior to July thirty-first, one thousand nine hundred and forty-four, was graduated from a legally incorporated school, institution or college teaching chiropractic, and who was a resident of this State and actively engaged in the practice of chiropractic, prior to July thirty-first, one thousand nine hundred and forty-four, and so continued to be a resident and to so practice until December thirty-first, one thousand nine hundred and fifty-two, who is more than twenty-one years of age, and of good moral character, and a citizen of the United States, and shall furnish

proof, satisfactory to the board, of said facts, shall upon successfully passing an examination, given by the board, in the following subjects: anatomy, physiology, hygiene, and chiropractic diagnosis, and the therapeutics of chiropractic, be granted a license to practice chiropractic in the State of New Jersey by the board. Persons applying under this special provision must make such application to take the examination to the board within ninety days after the effective date of this act. The records of the board and any license so issued shall state that the applicant was licensed under the exemption contained in this section.

C. 45:9-41.3. Reciprocal licenses, fee.

6. (a) Any person who subsequent to July thirty-first, one thousand nine hundred and forty-four, and prior to January first, one thousand nine hundred and fifty-three, was graduated from a legally incorporated school or college of chiropractic after successfully completing four courses of lectures requiring personal attendance during four full school years of at least seven months each and holds a license to practice chiropractic in any State of the United States, which license was obtained after written examination in that State prior to January first, one thousand nine hundred and fifty-three, and has honorably served in the armed services subsequent to December seventh, one thousand nine hundred and forty-one, and who was a resident of the State of New Jersey for four consecutive years terminating on December thirty-first, one thousand nine hundred and fifty-two, and who is a citizen of the United States, more than twenty-one years of age and of good moral character, shall upon making proper application be granted a license, without examination, to practice chiropractic in New Jersey by the board.

(b) Any person who subsequent to July thirty-first, one thousand nine hundred and forty-four, and prior to January first, one thousand nine hundred and fifty-three, was graduated from a legally incorporated school or college of chiropractic after successfully completing four courses of lectures re-

quiring personal attendance during four full school years of at least seven months each and holds a license to practice chiropractic in any State of the United States, which license was obtained after written examination in that State prior to January first, one thousand nine hundred and fifty-three, and who has passed an examination in basic science subjects in another State which examination was given by an official agency of said State and who was a resident of the State of New Jersey for four consecutive years terminating on December thirty-first, one thousand nine hundred and fifty-two, and who is a citizen of the United States, more than twenty-one years of age and of good moral character, shall, upon making proper application, be granted a license, without examination, to practice chiropractic in New Jersey by the board.

Persons applying under either of the special provisions of this section shall present evidence satisfactory to the board that they comply with said provisions and must make application for license to the board within ninety days after the effective date of this act. The records of the board and any license so issued shall state that the applicant was licensed under an exemption contained in this section. The fee for issuance of such license shall be one hundred dollars ($100.00).

C. 45:9-41.4. License granted after examination.

7. Any person who subsequent to July thirty-first, one thousand nine hundred and forty-four, and prior to January first, one thousand nine hundred and fifty-three, was graduated from a legally incorporated school, institution or college of chiropractic, and who has successfully completed or who shall successfully complete four courses of lectures requiring personal attendance during four full school years of at least seven months each, and who has been a resident of the State of New Jersey for at least four consecutive years terminating on December thirty-first, one thousand nine hundred and fifty-two, and was actively engaged in the practice of chiropractic prior to and including the month of December, one thousand nine hundred and fifty-

two, and who is more than twenty-one years of age, of good moral character, and a citizen of the United States, shall upon a successful passing of an examination, given by the board, in the following subjects: anatomy, including neurologic and histologic anatomy, physiology, pathology, hygiene, chiropractic diagnosis, and the therapeutics of chiropractic, be granted a license to practice chiropractic in the State of New Jersey by the board. Persons coming under this special provision must make application for license to the board within ninety days after the effective date of this act. Persons applying for a license under this section shall take the required examination prior to December thirty-first, one thousand nine hundred and fifty-four. The records of the board and any license so issued shall state that the applicant was licensed under the exemption contained in this section.

C. 45:9-41.5. Educational requirements, scope of examination.

8. Any other person applying subsequent to the thirty-first day of December, one thousand nine hundred and fifty-two, to take an examination leading to the granting of a license to practice chiropractic in New Jersey who has been graduated from a legally incorporated school, institution, or college of chiropractic after successfully completing four courses of lectures requiring personal attendance during four full school years of at least nine months each in four different calendar years, which school, institution or college, if the applicant is graduated after the thirtieth day of June, one thousand nine hundred and fifty-three, shall have been approved by the board, who is more than twenty-one years of age, of good moral character, and a citizen of the United States, and who shall furnish proof of such facts, satisfactory to the board, shall, upon successfully passing an examination, given by the board, in the following subjects: anatomy, including neurologic and histologic anatomy, physiology, pathology, bacteriology, non-surgical diagnosis, chemistry, hygiene, and the therapeutics of chiropractic, be granted a license to practice chiropractic in the State of New Jersey by the board.

C. 45:9-41.6. Committee, requirements for approval of school.

9. The president of the board shall appoint a committee consisting of one physician and two chiropractors, the latter to be selected from among the chiropractic members of the board and the two chiropractors appointed by the Governor under section 45:9–1 of the Revised Statutes, whose duty it shall be to recommend to the board with respect to approval of the aforementioned school of chiropractic.

For the purposes contained in this act the requirements for approval of a school, institution or college of chiropractic shall not be less than those adopted on July twenty-fourth, one thousand nine hundred and forty, by the New Jersey State Board of Medical Examiners for an acceptable school or college teaching chiropractic, with the exception that the following language shall be deleted from said requirements now on file with the New Jersey State Board of Medical Examiners:

"The staff should include at least two qualified physicians licensed as M.D.'s in New Jersey or in the State where the school functions."

C. 45:9-41.7. Future requirements.

10. Any applicant to take an examination leading to the granting of a license to practice chiropractic in New Jersey, who has been graduated from an approved chiropractic school after December thirty-first, one thousand nine hundred and fifty-seven, must, in addition to the other requirements of this act, have successfully completed prior to commencing his or her courses of study in an approved school of chiropractic at least one year's study in a school or college of arts and sciences accredited by the State Department of Education and if such applicant has been graduated from an approved chiropractic school after December thirty-first, one thousand nine hundred and fifty-eight, any such applicant must have completed prior to commencing his or her courses of study in the approved school of chiropractic at least two years' study in a school or college of arts and sciences accredited by the State Department of Education. Successful completion of the aforemen-

tioned study prior to commencing the courses of study in an approved school of chiropractic shall be evidenced by a certificate issued by the Commissioner of Education of this State to that effect.

C. 45:9-41.8. Form and content of examination, approval.

11. For the purposes set forth in sections "five" to "ten," inclusive, of this act the procedure for applying for admission to any examination shall be the same as that provided in section 45:9–6 of the Revised Statutes.

The form and content of any examination of applicants for a license to practice chiropractic in New Jersey hereunder shall be prepared by the board in consultation with, and with the approval of, the chiropractic member of the board and the two chiropractors appointed pursuant to the last paragraph of section 45:9–1 of the Revised Statutes as herein amended.

C. 45:9-41.9. To determine date of graduation of veteran.

12. For the purpose of qualifying under any of the provisions of this act any applicant for a license to practice chiropractic who has been graduated from a legally incorporated school, institution, or college of chiropractic and who can produce evidence satisfactory to the board that his chiropractic education was interrupted by reason of his induction or enlistment into the active armed forces of the United States of America and that he served honorably therein, such applicant shall be entitled to have his date of graduation determined as if he had completed his courses of study of chiropractic without such interruption.

C. 45:9-41.10. Application for reciprocal license, fee.

13. Any applicant for a license to practice chiropractic under section "ten" of this act upon proving that he has been examined and licensed to practice chiropractic by the examining and licensing board of another State of the United States having requirements for examination and licensure equivalent to those required under section "eight" of this act, or upon certification by the National Board of Chiropractic Examiners, may, in the discretion of the State Board of Medical Examiners, be granted a license to practice chiropractic without further examination upon payment to the treasurer of the

State Board of Medical Examiners of a license fee of one hundred dollars ($100.00); *provided,* such applicant shall furnish proof that he fulfills the requirements demanded in the other sections of this act relating to applicants for admission by examination. In any such application for a license without examination all questions of academic requirements of other States shall be determined by the Commissioner of Education of this State. Proviso.

C. 45:9-4.11. Annual registration, fee, refresher courses, suspension upon failure to renew reinstatement, fee, retired licensees.

14. All persons who are licensed to practice chiropractic shall be required on or before the first day of September, one thousand nine hundred and fifty-three, and on or before the first day of September annually thereafter, to register on the form prescribed by the board and furnished by the secretary of said board, and to pay an annual registration fee of three dollars ($3.00).

At the time of filing the annual registration form and the payment of the registration fee each applicant for registration shall present satisfactory evidence to the board that, in the year immediately preceding the filing of his application, he attended an organized and approved annual refresher course in chiropractic subjects.

The license of any licensee, who fails to procure any annual certificate of registration, shall be automatically suspended on September first of that year. It shall be the duty of the secretary of the board on or before August first of each year to send a written notice to each of such licensees, whether a resident or not, at his last address on file with the board, that his annual registration fee is due on or before the first day of September and that his license to practice in this State will be suspended if he does not procure said certificate by the first day of September of the said year.

Any such licensee whose license has been suspended under this section may be reinstated by the payment of all past due annual registration fees and in addition thereto twenty-five dollars ($25.00) to cover cost of reinstatement, together with satisfactory evidence to the board that, in the year im-

mediately preceding the filing of his application, he attended the annual refresher course heretofore mentioned.

Any person who desires to retire from the practice of chiropractic, and during retirement to refrain from practicing under the terms of his license, upon application to the secretary of the board, may be registered annually, without the payment of any registration fee, as a retired practitioner. The certificate of registration which shall be issued to a retired chiropractor shall state, among other things, that the holder has been licensed to practice in New Jersey, but that during his retirement he shall not so practice. The holder of a certificate of registration as a retired licensee shall be entitled to resume practice at any time;

Proviso.

provided, he first shall have obtained from the secretary an annual certificate of registration as hereinbefore provided.

The license to practice chiropractic of any person who fails to procure any annual certificate of registration, or in lieu thereof an annual certificate of registration as a retired licensee, at the time and in the manner required by this act shall be automatically suspended. Any person whose license shall have been automatically suspended shall, during the period of such suspension, be regarded as an unlicensed person and, in case he shall continue or engage in practice under the terms of his license during such period, shall be liable to the penalties prescribed by section 45:9–22 of the Revised Statutes. Any person to whom a certificate of registration as a retired licensee shall have been issued who shall continue or engage in practice under the terms of his license without first having obtained a certificate of registration authorizing him to resume such practice, shall be liable to the penalties prescribed by section 45:9–22 of the Revised Statutes for practicing without a license.

It shall be the duty of each such licensee holding a certificate to practice chiropractic in this State, whether a resident or not, to notify the secretary

of the board in writing of any change in his office address or his employment within ten days after such change shall have taken place.

The provisions of section 45:9–17 of the Revised Statutes shall be applicable, in like manner, to persons receiving a license to practice chiropractic.

Section amended.

15. Section 45:9–12 of the Revised Statutes is amended to read as follows:

Fee for examination.

45:9–12. The fee for all examinations provided for by this chapter (45:9–1 et seq.) and any supplement thereto shall accompany every application and shall be as follows: for the first or initial examination fifty dollars ($50.00) and for every re-examination fifty dollars ($50.00). Upon the approval of the application for examination, such applicant shall thereupon be entitled to admission to such examination. If said applicant fails to pass the examination, he may be re-examined at the next regular examination. Each applicant shall sign his name opposite a number in a book kept for that purpose by the secretary of the board and shall mark his examination paper with said number, and shall be known to the members of the board only by such number until his papers have been examined and marked.

Section amended.

16. Section 45:9–16 of the Revised Statutes is amended to read as follows:

Grounds for refusal, revocation or suspension of license, relicense.

45:9–16. The board may refuse to grant or may suspend or revoke a license or the registration of a certificate or diploma to practice medicine and surgery or chiropractic filed in the office of any county clerk in this State under any act of the Legislature, upon proof to the satisfaction of the board that the holder of such license (a) has been adjudicated insane, or (b) habitually uses intoxicants, or (c) has practiced criminal abortion, or been convicted of the crime of criminal abortion, or has been convicted of crime involving moral turpitude, or has pleaded nolo contendere, non vult contendere or non vult to an indictment, information, or complaint alleging the commission of the crime of criminal abortion or of crime involving

moral turpitude, or (d) has advertised fraudulently, (e) becomes employed by any physician, surgeon, homeopath, eclectic, osteopath, chiropractor, or doctor who advertises fraudulently, or (f) shall have presented to the board any diploma, license or certificate that shall have been illegally obtained or shall have been signed or issued unlawfully or under fraudulent representations, or obtains or shall have obtained a license to practice in this State through fraud of any kind, or (g) has been guilty of employing unlicensed persons to perform work which, under this chapter (45:9–1, et seq.) can legally be done only by persons licensed to practice medicine and surgery or chiropractic in this State. The board shall refuse to grant or shall revoke any such license or the registration of any such certificate or diploma upon proof to the satisfaction of the board that the applicant for, or holder of, such license habitually uses drugs or has been convicted of a violation of or has pleaded nolo contendere, non vult contendere or non vult to an indictment, information or complaint alleging a violation of any Federal or State law relating to narcotic drugs. Before any license, or registration of a certificate or diploma to practice medicine or surgery or chiropractic filed in the office of any county clerk of this State under any act of the Legislature, shall be suspended or revoked, except in the case of convictions of criminal abortions or convictions of a crime involving moral turpitude or plea of nolo contendere, non vult contendere or non vult to indictment, information, or complaint alleging commission of the crime of criminal abortion or crime involving moral turpitude, or convictions of violations of or pleas of nolo contendere, non vult contendere or non vult to an indictment, information or complaint alleging violations of any Federal or State law relating to narcotic drugs, the accused person shall be furnished with a copy of the complaint and be given a hearing before said board in person or by attorney, and any person whose

license shall be suspended or revoked in accordance with this section shall be deemed an unlicensed person during the period of such suspension or revocation, and as such shall be subject to the penalties hereinafter prescribed for persons who practice medicine and surgery or chiropractic, without first having obtained a license so to do. Any person whose license, or registration of a certificate or diploma to practice medicine and surgery or chiropractic filed in the office of any county clerk of this State under any act of the Legislature, shall be suspended or revoked under the authority of this chapter (45:9–1, et seq.) may, in the discretion of the board be relicensed at any time to practice without an examination, or have his registration of a certificate or diploma, as aforesaid, reinstated, on application being made to the board.

The record of conviction or the record of entry of a plea of nolo contendere, non vult contendere or non vult in any of the courts of this State, or any other State of the United States, or any of the courts of the United States, or the court of any foreign nation, shall be sufficient warrant for the board to refuse to grant or to suspend or revoke the license or the registration of a certificate or diploma to practice medicine and surgery or chiropractic filed in the office of any county clerk in this State under any act of the Legislature.

Section amended.

17. Section 45:9–22 of the Revised Statutes is amended to read as follows:

Illegal practice, penalty, recovery.

45:9–22. Any person commencing or continuing the practice of medicine and/or surgery or chiropractic in this State without first having obtained a license, as provided in this chapter or any supplement thereto, or contrary to any of the provisions of this chapter or any supplement thereto, or who practices medicine and/or surgery or chiropractic under a false or assumed name, or falsely impersonates another practitioner of a like or different name, or buys, sells or fraudulently obtains a diploma as a doctor of medicine and/or surgery or chiropractic or any branch thereof, or method

of treatment of human ailment, disease, pain, injury, deformity, mental or physical condition or a license to practice medicine and/or surgery or chiropractic, record or registration pertaining to the same, or any person, company or association who shall employ for a stated salary or otherwise, or aid or assist any person not regularly licensed to practice medicine and/or surgery or chiropractic in this State, to practice medicine and/or surgery or chiropractic therein, or who violates any of the provisions of this chapter or any supplement thereto, shall be liable to a penalty of two hundred dollars ($200.00), for the first offense. Every person practicing medicine and/or surgery or chiropractic under a firm name and every person practicing medicine and/or surgery or chiropractic or as an employee of another shall cause his name to be conspicuously displayed and kept in a conspicuous place at the entrance of the place where such practice shall be conducted, and any person who shall neglect to cause his name to be displayed as herein required, shall be liable to a penalty of one hundred dollars ($100.00). The penalties provided for by this section shall be sued for and recovered by and in the name of the State Board of Medical Examiners of New Jersey, in a summary manner, pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.) and the Rules of the Supreme Court. Process shall be either in the nature of a summons or warrant.

Section amended.

18. Section 45:9–26 of the Revised Statutes is amended to read as follows:

Further violations, penalty, proceedings.

45:9–26. In case a person shall, after conviction of any violation of this chapter or any supplement thereto, be again convicted of another violation thereof or of continuing the violation for which such offender was previously convicted, such offender shall be liable to a penalty of five hundred dollars ($500.00), to be sued for and recovered by and in the name of the State Board of Medical Examiners of New Jersey, in a summary manner, pursuant to the penalty enforcement law (N. J. S.

2A:58–1 et seq.) and the Rules of the Supreme Court. In case a person shall, after two convictions of violations of this chapter or this act, be again convicted of another violation thereof or of continuing the violation or violations for which such offender was previously convicted such offender shall be liable to a penalty of one thousand dollars ($1,000.00) to be sued for and recovered in a like manner. The penalty for each subsequent conviction of any violation of this chapter or this act, shall be one thousand dollars ($1,000.00). In case any defendant against whom judgment has been recovered for a penalty under this section shall fail or neglect to forthwith pay the amount of said penalty, the court shall commit him to imprisonment in the county workhouse, penitentiary or jail for a period of not less than thirty days and not exceeding two hundred days. A penalty recovered for any violation of this chapter or any supplement thereto shall be paid into the State treasury through the Attorney-General.

C. 45:9-41.12. Term "board" defined.

19. As used in this act the term "board" means the State Board of Medical Examiners in the Division of Professional Boards in the Department of Law and Public Safety.

C. 45:9-41.13. Provisions severable.

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

21. This act shall take effect immediately.

Approved July 14, 1953.

CHAPTER 234

A SUPPLEMENT to "An act to regulate aeronautics over and within this State," approved March thirtieth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 48).

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

C. 6:1-44.1. Licenses required, terms, fees.

1. All licenses heretofore issued for airports, landing fields, landing strips and fixed base operators shall continue in effect until the expiration date thereof expressed therein and all such licenses hereafter issued shall be issued for one year from the date of issuance and shall be renewed annually upon application for renewal made thirty days before the expiration of the license to be renewed. Each applicant for such a license or the renewal of such a license shall be required to pay an issuance fee to the Bureau of Aeronautics in the Department of Conservation and Economic Development, as follows:

For airport license	$5.00
For landing field license	3.00
For landing strip license	1.00
For fixed base operator license	2.00

All such fees shall be paid to the State Treasurer by the bureau for use of the State.

C. 6:1-44.2. Act effective.

2. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved July 14, 1953.

CHAPTER 235

AN ACT concerning certain prisoners in penal institutions, and amending section 30:8–7 of the Revised Statutes.

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

1. Section 30:8–7 of the Revised Statutes is amended to read as follows: Section amended.

30:8–7. The sheriffs, jailers, wardens, keepers and other persons having charge and control of the jails, workhouses, penitentiaries and other places of confinement in this State shall keep all persons under the age of eighteen years, who shall be detained in such jails, workhouses, penitentiaries and places of confinement for any purpose whatsoever, separate and apart from and so that no communication take place between them and other persons above such age confined therein on a charge or conviction of crime. Insofar as practicable within existing facilities, persons between the ages of eighteen years and twenty-one years, who shall be so detained, shall be kept separate and apart from, and so that no communication take place between them and, other persons above such age confined therein on a charge or conviction of crime. Inmates below 18 years kept separate.

2. This act shall take effect immediately.

Approved July 14, 1953.

CHAPTER 236

AN ACT to amend "An act to provide for the imposition of a franchise tax upon certain corporations and for the distribution of the proceeds thereof, repealing sections 54:13–1 through 54:13–8 and chapter thirty-two-A of Title 54, of the Revised Statutes, and making an appropriation for the administration of such tax," approved April thirteenth, one thousand nine hundred and forty-five (P. L. 1945, c. 162).

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

Section amended.

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

C. 54:10A-5. Franchise tax, determining.

5. The franchise tax to be annually assessed to and paid by each taxpayer shall be measured by the greater of:

(a) that portion of its entire net worth as may be allocable to this State as provided in section six; or

(b) that proportion of its entire net worth as the average value of its total assets in this State during the period covered by its report is to the average value of its assets everywhere during such period (for the purpose of which there shall be included as within this State all intangible personal property of domestic corporations not having a business situs outside this State, one-half of the value of such property having a business situs outside this State, and the entire amount of the intangible personal property of foreign corporations as would have a business situs within this State for the purpose of a property tax); at the rate of $\frac{8}{10}$ of a mill per dollar on the first one hundred million dollars ($100,000,000.00) of allocated net worth; $\frac{4}{10}$ of a mill per dollar on the

second hundred million dollars ($100,000,000.00); 3/10 of a mill per dollar on the third one hundred million dollars ($100,000,000.00); and 2/10 of a mill per dollar on all amounts of allocated net worth in excess of three hundred million dollars ($300,000,000.00).

(c) *Provided, however,* that the franchise tax to be annually assessed to and paid by any investment company, other than a regulated investment company, shall be measured by twenty-five per centum (25%), and in the case of a regulated investment company by fifteen per centum (15%) of its entire net worth, at the rates hereinabove set forth but in no case less than one hundred dollars ($100.00), unless the taxpayer shall elect to remain taxable pursuant to any other subsection of this section. Proviso.

(d) The tax assessed to any taxpayer pursuant to this act under subsections (a) and (b) of this section, shall not be less than the greater of 2/10 of a mill per dollar of total assets allocated to this State in accordance with subsection (b) hereof, and twenty-five dollars ($25.00) in the case of a domestic corporation, or fifty dollars ($50.00) in the case of a foreign corporation.

(e) In lieu of the tax imposed by subsections (a), (b), (c) and (d) of this section, any taxpayer, the value of whose total assets everywhere, less reasonable reserves for depreciation, as of the close of the period covered by its report, amounts to less than one hundred thousand dollars ($100,000.00), may elect to pay the tax shown in the following table:

If total assets are at least	*But less than*	*The tax shall be For Domestic Corporations*	*For Foreign Corporations*
$0	$45,000	$25.00	$50.00
45,000	50,000	28.00	50.00
50,000	55,000	32.00	50.00
55,000	60,000	35.00	50.00
60,000	65,000	38.00	50.00
65,000	70,000	41.00	50.00
70,000	75,000	45.00	50.00
75,000	80,000	48.00	50.00
80,000	85,000	51.00	51.00
85,000	90,000	54.00	54.00
90,000	95,000	58.00	58.00
95,000	100,000	61.00	61.00

2. This act shall take effect immediately.
Approved July 14, 1953.

CHAPTER 237

AN ACT to amend "An act concerning banking and banking institutions (Revision of 1948)," approved April twenty-ninth, one thousand nine hundred and forty-eight (P. L. 1948, c. 67).

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

Section amended.

1. Section 55 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-55. Permissible provisions and actions.

55. Permissible provisions and actions.

A. A bank which makes a loan to which this article applies may

(1) require one or more comakers or endorsers of the instrument evidencing the loan, or one or more guarantors of payment of the loan;

(2) when the payment of such loan is secured by an interest in tangible personal property, require that such property be insured for the benefit of the bank against loss or damage, and may retain out of the proceeds of such loan the premium for such insurance;

(3) upon institution of a suit for the collection of a loan in default, charge a collection fee, in addition to court costs allowable by law, equal to seven dollars and fifty cents when the unpaid balance of the loan is fifty dollars or less; ten dollars when such unpaid balance is more than fifty dollars but not in excess of one hundred dollars; twelve dollars and fifty cents when such unpaid balance is more than one hundred dollars but not in excess of five hundred dollars; and twenty-five dollars when such unpaid balance is in excess of five hundred dollars. For the purposes of this paragraph, "unpaid balance" includes the unpaid principal amount, plus unpaid interest and late charges, if any;

(4) when the payment of such loan is secured, and provision is made by law for the filing or recording of the instrument of security or notice or abstract thereof, require compliance with such provision and retain the cost of such recording or filing out of the proceeds of the loan.

B. An instrument evidencing, or intending to secure the payment of, a loan to which this article applies, may provide that

(1) upon default in the payment of any installment on its due date, the entire unpaid balance of the loan shall, at the election of the bank, become immediately due and payable;

(2) when the maturity of the unpaid balance of the loan is accelerated as provided by this section, the bank may charge interest at the legal rate from the date such acceleration takes

place upon the difference between the amount of the unpaid principal balance of the loan, and the amount of credit given pursuant to section 56;

(3) the bank may charge interest at the legal rate upon each installment in arrears, for the period from the date that default in the payment of such installment occurs, to the date that payment of such installment is made; or, if the maturity of the unpaid balance of the loan is accelerated as provided by this section, to the date upon which such acceleration takes place. In lieu of providing for interest pursuant to this paragraph (3), such instrument may provide that, on any installment in arrears for more than fifteen days, the bank may make a late charge which shall not exceed five per centum of such installment, or five dollars, whichever is the lesser; *provided,* (a) that the total of such late charges shall not exceed fifteen dollars in any one twelve-month period, and (b) that only one such late charge shall be made on any one installment; and (c) that no such late charge shall be made upon any installment scheduled, by the terms of such instrument, to fall due upon a date subsequent to the date upon which the maturity of the unpaid balance of the loan is accelerated as provided by this section;

(4) no person who is a party to the instrument evidencing the loan shall be released or discharged from liability to the bank by reason of the bank's extending the time for the payment of an installment or installments owing or due upon such loan, or by reason of the bank's waiver of any term or condition of the instrument evidencing such loan, or of the instrument intended to secure payment thereof;

(5) all parties to the instrument evidencing the loan shall waive presentation for payment, demand for payment, protest and notice of protest, nonpayment, dishonor, and the bank's

election to accelerate the maturity of the unpaid balance of the loan.

2. This act shall take effect immediately.
Approved July 14, 1953.

CHAPTER 238

AN ACT concerning certain employees of the professional boards in the Department of Law and Public Safety, and supplementing subtitle two of Title 11 of the Revised Statutes.

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

C. 11:4-3.11. Employees to have civil service classification.

1. All positions or employments held with the New Jersey State Board of Public Accountants, the New Jersey State Board of Architects, the State Board of Registration and Examination in Dentistry, the State Board of Professional Engineers and Land Surveyors, the State Board of Medical Examiners, the New Jersey State Board of Nursing and the Board of Pharmacy of the State of New Jersey, by persons who have been continuously employed by such boards prior to January first, one thousand nine hundred and forty-nine, which can be allocated to the classified service, in accordance with the provisions of Title 11 of the Revised Statutes, shall be so allocated under appropriate titles, by the Civil Service Commission, and such persons shall be recorded, without examination, as having been permanently appointed thereto as of the dates of their respective original appointments by such boards, under said titles, and shall thereafter be under and subject to all provisions of Title 11 of the Revised Statutes relating to the classified service.

2. This act shall take effect immediately.
Approved July 14, 1953.

CHAPTER 239

AN ACT concerning certain employees of the Teachers' Pension and Annuity Fund in the Division of Budget and Accounting in the Department of the Treasury, and supplementing subtitle two of Title 11 of the Revised Statutes.

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

C. 11:4-3.12. Employees to have civil service classification.

1. All positions or employments held with the Teachers' Pension and Annuity Fund in the Division of Budget and Accounting in the Department of the Treasury, by persons who have been continuously employed by such Teachers' Pension and Annuity Fund since July first, one thousand nine hundred and forty-eight, which can be allocated to the classified service, in accordance with the provisions of Title 11 of the Revised Statutes, shall be so allocated under appropriate titles, by the Civil Service Commission, and such persons shall be recorded, without examination, as having been permanently appointed thereto as of the dates of their respective original appointments by such Teachers' Pension and Annuity Fund, under said titles, and shall thereafter be under and subject to all provisions of Title 11 of the Revised Statutes relating to the classified service.

2. This act shall take effect immediately.

Approved July 14, 1953.

CHAPTER 240

AN ACT concerning jury commissioners, amending sections 2A:68–1, 2A:68–4, and 2A:68–6, and supplementing chapter sixty-eight of Title 2A of the New Jersey Statutes.

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

1. Section 2A:68–1 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:68–1. In each county of the State there shall be appointed by the Supreme Court, two citizens, resident therein who shall not be members of the same political party, who shall constitute and be designated the jury commissioners of the county. No person holding any other public office other than that of sheriff, and no person licensed to practice law in this State shall be appointed as a jury commissioner. The certificate of appointment of each person appointed as a jury commissioner with his oath of office, shall be filed in the office of the county clerk of the county. Supreme Court to appoint jury commissioners, appointment and oath filed.

2. Section 2A:68–4 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:68–4. The Supreme Court may remove a jury commissioner at any time. A certificate of removal shall be filed in the office of the clerk of the county for which the removed commissioner was appointed. Removal, certificate filed.

3. Section 2A:68–6 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:68–6. If the office of a jury commissioner becomes vacant by reason of his removal pursuant to section 2A:68–4 of this Title, or his death, resignation or removal from the county, or his disqualification by assuming the duties of another public office, or for any other reason, the Supreme Court shall appoint his successor for the balance of the Filling vacancy.

term. A certificate of the appointment to fill a vacancy shall be filed in the office of the clerk of the county in which the vacancy existed.

C. 2A:68-1.1. Terminates office of incumbents.

4. The designations and terms of office of all commissioners of juries or jury commissioners now holding office shall terminate on June thirtieth, one thousand nine hundred and fifty-three.

Repealer.

5. All acts and parts of acts inconsistent herewith are, to the extent of such inconsistency, hereby repealed.

C. 2A:68-1.2. Act effective.

6. This act shall take effect June thirtieth, one thousand nine hundred and fifty-three, but any appointment authorized by this act may be made after the approval hereof by the Governor.

Approved July 20, 1953.

CHAPTER 241

AN ACT concerning the persons and numbers thereof constituting the grand jury, and amending section 2A:73–1 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:73–1 of the New Jersey Statutes is amended to read as follows:

Persons and number thereof constituting grand jury.

2A:73–1. If, from any grand jury panel, more persons remain available for service, after excuses have been allowed, than are necessary to constitute the grand jury, the persons whose names are first drawn and not excused, not to exceed twenty-three in number, shall constitute the grand jury.

2. This act shall take effect immediately.

Approved July 20, 1953.

CHAPTER 242

AN ACT concerning the drawing of grand and petit jury panels, and amending section 2A:71–2 of the New Jersey Statutes.

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

1. Section 2A:71–2 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:71–2. Immediately after the numbered pieces have been deposited in the proper boxes, the boxes shall be shaken so as to mix thoroughly the pieces therein. Thereupon and forthwith, the jury commissioners, or one of them, in the presence of the assignment judge or the judge designated by him, shall draw singly from the grand jury box thirty-five of the pieces therein, or fifty of said pieces if so directed by the judge, and as each number is drawn, the name, occupation and place of abode of the person whose name is found on the grand jury list opposite the number shall be announced publicly. The persons whose names are announced shall constitute the panel of grand jurors for service for the county at the opening of the next ensuing stated session of the courts thereof. Drawing grand and petit jury panels.

In a similar manner and immediately thereafter, there shall be drawn singly from the petit jury box such number of pieces as the judge shall direct, and as each number is drawn, the name, occupation and place of abode of the person whose name is found on the petit jury list opposite the number shall be announced publicly. The persons whose names are announced shall constitute the panel of petit jurors for service in the county for the next ensuing stated session of the courts therein, or for such part thereof as the assignment judge may direct.

2. This act shall take effect immediately.

Approved July 20, 1953.

CHAPTER 243

AN ACT to amend "An act concerning limitations of criminal prosecutions in certain cases, and supplementing chapter one hundred fifty-nine of Title 2A of the New Jersey Statutes," approved April twenty-third, one thousand nine hundred and fifty-two (P. L. 1952, c. 74).

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

Section amended.

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

C. 2A:159-4. Limitation on criminal prosecutions.

1. Any person who shall, contrary to law, gamble or operate any gambling device, practice or game of chance, or make or take what is commonly known as a book, upon the running, pacing or trotting, either within or without this State, of any horse, mare or gelding, or conduct the practice commonly known as bookmaking or pool selling, or keep a place to which persons may resort for engaging in any such practice, or for betting upon the event of any horse race or other race or contest, either within or without this State, or for gambling in any form, or conduct a lottery or sell any lottery ticket, may be prosecuted, tried and punished therefor where the indictment has been or may be found within five years from the time of committing such offense. The limitation of any such criminal prosecution shall not apply to any person fleeing from justice.

2. This act shall take effect immediately.

Approved July 20, 1953.

CHAPTER 244

AN ACT concerning the formation of certain water companies, and amending section 48:19–1 of the Revised Statutes.

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

1. Section 48:19–1 of the Revised Statutes is amended to read as follows: Section amended.

48:19–1. Seven or more persons, a majority of whom shall reside in this State, may form a company for the purpose of constructing, maintaining and operating waterworks in any municipality of this State having a population of not more than twenty thousand and for the purpose of supplying such municipality or any part thereof and the respective inhabitants with water. Formation of water company.

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

Approved July 20, 1953.

CHAPTER 245

AN ACT to amend and supplement "An act concerning support proceedings for or against persons residing in other States, territories or possessions of the United States having substantially similar or reciprocal laws, supplementing chapter four of Title 2A of the New Jersey Statutes, and repealing article four thereof," approved May sixteenth, one thousand nine hundred and fifty-two (P. L. 1952, c. 197).

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

Section amended.

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

C. 2A:4-30.4. Extent of duties of support.

4. Extent of duties of support. Duties of support arising under the laws of this State, when applicable under section seven, bind the obligor, present in this State, regardless of the presence or residence of the obligee.

Section amended.

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

C. 2A:4-30.7. Choice of law.

7. Choice of law. Duties of support applicable under this act are those imposed or imposable under the laws of any State where the obligor was present during the period for which support is sought. The obligor is presumed to have been present in the responding State during the period for which support is sought until otherwise shown.

Section amended.

3. Section eight of the act of which this act is amendatory is amended to read as follows:

C. 2A:4-30.8. Remedies of State to be reimbursed.

8. Remedies of a State or political subdivision thereof furnishing support. Whenever the State or a political subdivision thereof furnishes support to an obligee it has the same right to invoke the provisions hereof as the obligee to whom the support was furnished for the purpose of securing re-

imbursement of expenditure so made and of obtaining continuing support.

4. Section ten of the act of which this act is amendatory is amended to read as follows: Section amended.

10. Contents of complaint for support. The complaint shall be verified and shall state the name and, so far as known to the plaintiff, the address and circumstances of the defendant and his dependents for whom support is sought and all other pertinent information. The plaintiff may include in or attach to the complaint any information which may help in locating or identifying the defendant including, but without limitation by enumeration, a photograph of the defendant, a description of any distinguishing marks of his person, other names and aliases by which he has been or is known, the name of his employer, his finger prints, or Social Security number. C. 2A:4-30.10. Complaint, contents.

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

11. Duty of court of this State as initiating State. If the court of this State acting as an initiating State finds that the complaint sets forth facts from which it may be determined that the defendant owes a duty of support and that a court of the responding State may obtain jurisdiction of the defendant or his property, it shall so certify and shall cause three copies of (a) the complaint, (b) its certificate and (c) this act to be transmitted to the court of the responding State. C. 2A:4-30.11. Duty of court of initiating State.

6. Jurisdiction by arrest. When the court of this State, acting either as an initiating or responding State, has reason to believe that the defendant may flee the jurisdiction it may (a) as an initiating State, request in its certificate that the court of the responding State obtain the body of the defendant by appropriate process if that be permissible under the law of the responding State; or (b) as a responding State, obtain the body of the defendant by appropriate process. C.2A:4-30.12a. Jurisdiction by arrest.

C. 2A:4-30.23. State information agency, duties.

7. State information agency. The Administrative Director of the Courts is hereby designated as the State Information Agency under this act, and it shall be his duty:

(a) To compile a list of the courts and their addresses in this State having jurisdiction under this act and transmit the same to the State Information Agency of every other State which has adopted this or a substantially similar act.

(b) To maintain a register of such lists received from other States and to transmit copies thereof as soon as possible after receipt to every court in this State having jurisdiction under this act.

C.2A:4-30.12b. Further duty of responding court.

8. Further duty of responding court. If a court of this State, acting as a responding State, is unable to obtain jurisdiction of the defendent or his property due to inaccuracies or inadequacies in the complaint or otherwise, the court shall communicate this fact to the court in the initiating State, and shall hold the case pending the receipt of more accurate information or an amended complaint from the court in the initiating State.

Note: Act effective.

9. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved July 20, 1953.

CHAPTER 246

AN ACT to amend "An act to authorize the board of chosen freeholders of certain counties of the second or fifth class to establish the office of superintendent of elections for said county and providing for the appointment, term of office and compensation of such superintendent of elections and fixing his powers and duties, and supplementing Title 19 of the Revised Statutes," approved May twentieth, one thousand nine hundred and forty-seven (P. L. 1947, c. 167), as said title was amended by chapter eighty-four of the laws of one thousand nine hundred and fifty-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 is amended to read as follows:

Section amended.

1. In any county of the second class, other than those having a population between two hundred and seventy-five thousand and three hundred and twenty-five thousand according to the 1950 Census, and in any county of the fifth class having a population in excess of two hundred thousand (200,000) according to the 1950 Census, the board of chosen freeholders may establish, by resolution, the office of superintendent of elections for the county, and said office when once established shall not be altered or abolished.

C. 19:32-26. May create office of superintendent of elections, filing resolution, appointment, term, salary, vacancy.

The board of chosen freeholders shall file a certified copy of such resolution, attested by the director and clerk of the board, in the office of the Secretary of State within ten days after the adoption of the resolution, and the resolution shall take effect at the expiration of thirty days after the next

primary election for the general election, or the next general election, after the adoption of such resolution, whichever shall occur first.

The office so established shall be filled by some suitable person who shall be nominated by the Governor with the advice and consent of the Senate for a term of five years from the date of his appointment and until his successor is appointed and shall have qualified.

Each superintendent so appointed shall receive a salary of four thousand dollars ($4,000.00) per annum to be paid by the county treasurer and shall have his office in the county for which he is appointed.

Vacancies shall be filled, for the unexpired terms only, in the same manner as original appointments are made.

2. This act shall take effect immediately.

Approved July 20, 1953.

CHAPTER 247

AN ACT permitting the city of Trenton, county of Mercer, State of New Jersey, to provide for the payment of a pension to Mary McGrath.

Preamble. WHEREAS, Mary McGrath, a resident of the city of Trenton in the county of Mercer and State of New Jersey, has served the city in the capacity of telephone operator for approximately twenty-one years, rendering excellent, efficient and faithful service to the city of Trenton in the performance of her duties; and

Preamble. WHEREAS, The said Mary McGrath has become incapacitated and is now disabled; and

Preamble. WHEREAS, The city of Trenton does not have in force and effect any pension that would inure to the benefit of said Mary McGrath; therefore,

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

Authorized to pay pension.

1. The city of Trenton, in the county of Mercer and State of New Jersey, is authorized to grant and pay to Mary McGrath, for the remainder of her natural life, a pension to be effective upon the passage of this act, in the sum of one hundred twenty-seven dollars and seventy-five cents ($127.75) per month, being one-half of her former monthly salary, which pension shall be paid in monthly installments.

Provision for payment.

2. If said pension is granted, the said city of Trenton shall provide, in its annual budget after the passage of this act, for the payment to the said Mary McGrath of the aforementioned pension, and from the date of the passage of this act until the adoption of its next annual budget the city shall pay such pension from any fund or funds available therefor.

3. This act shall take effect immediately.

Approved July 20, 1953.

CHAPTER 248

AN ACT permitting the city of Trenton, county of Mercer, State of New Jersey, to provide for the payment of a pension to William Horn.

Preamble.

WHEREAS, William Horn, a resident of the city of Trenton in the county of Mercer and State of New Jersey, has served the city in the capacity of laborer in the Division of Garbage and Ashes in the Department of Public Safety of said city for a period of forty-seven years, rendering excellent, efficient and faithful service to the city of Trenton in the performance of his duties; and

Preamble.

WHEREAS, The said William Horn has become incapacitated and is now disabled; and

Preamble.

WHEREAS, The city of Trenton does not have in force and effect any pension that would inure to the benefit of the said William Horn; therefore,

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

Authorized to pay pension.

1. The city of Trenton, in the county of Mercer and State of New Jersey, is authorized to grant and pay to William Horn, for the remainder of his natural life, a pension to be effective upon the passage of this act, in the sum of one hundred thirty-five dollars and thirty-seven cents ($135.37) per month, being one-half of his former monthly salary, which pension shall be paid in monthly installments.

Provision for payment.

2. If said pension is granted, the said city of Trenton shall provide, in its annual budget after the passage of this act, for the payment to the said William Horn of the aforementioned pension, and from the date of the passage of this act until the adoption of its next annual budget the city shall pay such pension from any fund or funds available therefor.

3. This act shall take effect immediately.

Approved July 20, 1953.

CHAPTER 249

AN ACT permitting the city of Trenton, county of Mercer, State of New Jersey, to provide for the payment of a pension to John Nevius.

Preamble.

WHEREAS, John Nevius, a resident of the city of Trenton in the county of Mercer and State of New Jersey, has served the city in the capacity of laborer in the Division of Garbage and Ashes

in the Department of Public Safety of said city for a period of approximately twenty-six years, rendering excellent, efficient and faithful service to the city of Trenton in the performance of his duties; and

WHEREAS, The city of Trenton does not have in force and effect any pension that would inure to the benefit of said John Nevius; therefore Preamble.

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

1. The city of Trenton, in the county of Mercer and State of New Jersey, is authorized to grant and pay to John Nevius, for the remainder of his natural life, a pension to be effective upon the passage of this act, in the sum of one hundred thirty-five dollars and thirty-seven cents ($135.37) per month, being one-half of his former monthly salary, which pension shall be paid in monthly installments. Authorized to pay pension.

2. If said pension is granted, the said city of Trenton shall provide, in its annual budget after the passage of this act, for the payment to the said John Nevius of the aforementioned pension, and from the date of the passage of this act until the adoption of its next annual budget the city shall pay such pension from any fund or funds available therefor. Provision for payment.

3. This act shall take effect immediately.

Approved July 20, 1953.

CHAPTER 250

AN ACT permitting the city of Trenton, county of Mercer, State of New Jersey, to provide for the payment of a pension to John Weisgerber.

Preamble. WHEREAS, John Weisgerber, a resident of the city of Trenton in the county of Mercer and State of New Jersey, has served the city in the capacity of laborer in the division of garbage and ashes in the department of public safety of said city for a period of seventeen years, rendering excellent, efficient and faithful service to the city of Trenton in the performance of his duties; and

Preamble. WHEREAS, The said John Weisgerber has become incapacitated and is now disabled; and

Preamble. WHEREAS, The city of Trenton does not have in force and effect any pension that would inure to the benefit of the said John Weisgerber; therefore,

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

Authorized to pay pension. 1. The city of Trenton, in the county of Mercer and State of New Jersey, is authorized to grant and pay to John Weisgerber, for the remainder of his natural life, a pension to be effective upon the passage of this act, in the sum of one hundred thirty-five dollars and thirty-seven cents ($135.37) per month, being one-half of his former salary, which pension shall be paid in monthly installments.

Provision for payment. 2. If said pension is granted, the said city of Trenton shall provide, in its annual budget after the passage of this act, for the payment to the said John Weisgerber of the aforementioned pension, and from the date of the passage of this act until

the adoption of its next annual budget the city shall pay such pension from any fund or funds available therefor.

3. This act shall take effect immediately.

Approved July 20, 1953.

CHAPTER 251

AN ACT permitting the city of Trenton, county of Mercer, State of New Jersey, to provide for the payment of a pension to Joseph Wallace.

WHEREAS, Joseph Wallace, a resident of the city of Trenton in the county of Mercer and State of New Jersey, has served the city in the capacity of laborer in the division of garbage and ashes in the department of public safety of said city for a period of approximately twenty-nine years, rendering excellent, efficient and faithful service to the city of Trenton in the performance of his duties; and Preamble.

WHEREAS, The said Joseph Wallace has become incapacitated and is now disabled; and Preamble.

WHEREAS, The city of Trenton does not have in force and effect any pension that would inure to the benefit of said Joseph Wallace; therefore, Preamble.

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

1. The city of Trenton in the county of Mercer and State of New Jersey is authorized to grant and pay to Joseph Wallace, for the remainder of his natural life, a pension to be effective upon the passage of this act, in the sum of one hundred thirty-five dollars and thirty-seven cents ($135.37) per Authorized to pay pension.

month, being one-half of his former monthly salary, which pension shall be paid in monthly installments.

Provision for payment.

2. If said pension is granted, the said city of Trenton shall provide, in its annual budget after the passage of this act, for the payment to the said Joseph Wallace of the aforementioned pension, and from the date of the passage of this act until the adoption of its next annual budget the city shall pay such pension from any fund or funds available therefor.

3. This act shall take effect immediately.

Approved July 20, 1953.

CHAPTER 252

AN ACT permitting the township of Hamilton, in the county of Mercer, State of New Jersey, to provide for the payment of a pension to Nathaniel G. Maddux.

Preamble.

WHEREAS, Nathaniel G. Maddux, a resident of Hamilton township, Mercer county, State of New Jersey, has served the United States and the township of Hamilton for more than twenty-six years; and

Preamble.

WHEREAS, Such service was rendered with great distinction in every Army rank from private to captain and was in command of an Infantry Company in France during World War I; and

Preamble.

WHEREAS, The said Nathaniel G. Maddux after long and faithful service as health officer of Hamilton township has become incapacitated and is now disabled; and

WHEREAS, The township of Hamilton does not have in force and effect any pension that would inure to the benefit of said Nathaniel G. Maddux; therefore, Preamble.

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

1. The township of Hamilton in the county of Mercer, in the State of New Jersey, is hereby authorized to grant and pay to Nathaniel G. Maddux for the remainder of his natural life, a pension to be effective upon the passage of this act, in a sum of twenty-six hundred and fifty dollars ($2,650.00) per annum, being one-half the compensation received by him at the time of retirement. Authorized to pay pension.

2. If said pension is granted, the township of Hamilton shall provide, in its annual budget, after the passage of this act, for the payment to the said Nathaniel G. Maddux of the aforementioned pension. Provision for payment.

3. This act shall take effect immediately.

Approved July 20, 1953.

CHAPTER 253

AN ACT permitting the board of education of the city of Vineland, county of Cumberland, State of New Jersey, to provide for payment of pension to Alma Stalhuth.

WHEREAS, Alma Stalhuth, a resident of Vineland, in the county of Cumberland and State of New Jersey, born December first, one thousand eight hundred and ninety-three, has served the board of education of the city of Vineland, formerly board of education of the township of Landis as a janitorial worker for approximately thirty Preamble.

years, rendering excellent, efficient and faithful service to said boards of education in the performance of her duties; and

Preamble. WHEREAS, The said Alma Stalhuth has become incapacitated and is now disabled; and

Preamble. WHEREAS, The board of education of the city of Vineland does not have a pension system that would inure to the benefit of the said Alma Stalhuth; therefore,

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

Authorized to pay pension. 1. The board of education of the city of Vineland in the county of Cumberland is authorized to grant a pension to Alma Stalhuth of the city of Vineland for the remainder of her natural life, in the sum of forty-five dollars ($45.00) per month, which sum is equal to two-thirds of her monthly salary at the time of her retirement from service, which pension shall be paid monthly.

Provision for payment. 2. After the granting of such pension, the board of education of the city of Vineland shall provide for the same in its annual budget and from the time of granting of such pension and until the adoption of the annual budget following such grant, the board of education of the city of Vineland may pay such pension from any funds available by the existing budget.

3. This act shall take effect immediately.

Approved July 20, 1953.

CHAPTER 254

AN ACT to amend and supplement "An act concerning municipalities, providing a plan of optional charters and for the manner of adoption and effect thereof," approved June eighth, one thousand nine hundred and fifty (P. L. 1950, c. 210).

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

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

1–1. Whenever authorized by ordinance of the governing body or upon petition of the registered voters of any municipality, an election shall be held in the municipality upon the question: "Shall a charter commission be elected to study the charter of ..... and to consider a new charter or improvements in the present charter and to make recommendations thereon?" The petition calling for such election shall conform to section 17–4(b) hereof and shall be signed by the following per centum of registered voters of the municipality: C. 40:69A-1. Charter study commission, petition, referendum.

(a) twenty-five per centum (25%) in municipalities of 7,000 or less inhabitants;

(b) twenty per centum (20%) in municipalities of more than 7,000 and less than 70,000 inhabitants;

(c) ten per centum (10%) in municipalities of 70,000 or more inhabitants.

In either event, the municipal clerk shall provide for the submission of the question and for the election of a charter commission at the next general or regular municipal election, occurring not less than seventy-five days after the passage of the ordinance or the filing of the petition with the clerk. At the election the question above stated shall be

submitted as other public questions are submitted to the voters of a single municipality.

Section amended.

2. Section 1–10 of the act of which this act is amendatory is amended to read as follows:

C. 40:69A-10. Report and recommendations of charter commission.

1–10. The charter commission shall report its findings and recommendations to the citizens of the municipality within nine calendar months from the date of its election. It shall publish or cause to be published sufficient copies of its final report for public study and information and shall deliver to the municipal clerk sufficient copies of the report to supply it to any interested citizen upon request. If the charter commission shall recommend the adoption of any of the optional plans of government as authorized in section 1–12(a) or 1–13, the report shall contain the complete plan as recommended.

Section amended.

3. Section 1–11 of the act of which this act is amendatory is amended to read as follows:

C. 40:69A-11. Discharge of charter commission, proviso.

1–11. (a) The charter commission shall be discharged upon the filing of its report; *provided,* that if the commission's recommendations require further procedure on the part of the governing body or the people of the municipality pursuant to section 1–15 or 1–16 of this act, the commission shall not be discharged until the procedure required under those sections has been finally concluded.

(b) Any charter commission which has not been discharged pursuant to subsection (a) above may, any time before the procedure required under sections 1–15 or 1–16 of this act has not been finally concluded, but not later than one year from the date of the publication of its final report pursuant to section 1–10 of this act, modify or change any recommendation set forth in said final report by publishing an amended report in accordance with the provision of section 1–10 hereof.

(c) Whenever a charter commission issues an amended report pursuant to subsection (b) above, such amended report shall supersede the final report and such final report shall cease to have any legal effect under this act.

(d) The procedure to be taken under the amended report shall be governed by all provisions of article 1 of this act applicable to the final report of a charter commission submitted pursuant to section 1–10 of this act.

4. Section 1–12 of the act of which this act is amendatory is amended to read as follows: Section amended.

1–12. The charter commission may report and recommend: C. 40:69A-12. Contents of report.

(a) that a referendum shall be held to submit to the qualified voters of the municipality the question of adopting one of the optional forms of government authorized in article 3 through 16, inclusive, and 12A of this act, to be specified by the commission; or

(b) that the governing body shall petition the Legislature for the enactment of a special charter or for one or more specific amendments of or to the charter of the municipality, the text of which shall be appended to the charter commission's report pursuant to Article IV, Sec. VII, Par. 10, of the Constitution of 1947 and to the enabling legislation enacted thereunder to the extent that such legislation is not inconsistent herewith; or

(c) that the form of government of the municipality shall remain unchanged; or

(d) such other action as it may deem advisable consistent with its functions as set forth in section 1–7 of this article.

5. Section 1–13 of the act of which this act is amendatory is amended to read as follows: Section amended.

1–13. (a) If the charter commission shall recommend the adoption of any of the optional forms of government set forth in articles 4, 5, 6, 7, 8, 10, 11, 12 or 12A of this act, it may also specify that the municipal council shall consist of seven or nine members instead of five members as provided in said articles; or if the charter commission shall recommend the adoption of any of the optional forms of government set forth in articles 13, 14, 15 or 16 of this act, it may also specify that the council shall consist of five or seven members in- C. 40:69A-13. Recommendation as to number of councilmen.

stead of three members as provided in said articles.

(b) If the charter commission shall recommend the adoption of any of the optional forms of government set forth in articles 5, 6, 8, 11 or 12 of this act it may further specify that the municipality shall be divided into three, four, five or six wards instead of two wards as provided in said articles within the limitations hereinafter provided:

(1) where the council is to consist of five members, the municipality may be divided into three wards;

(2) where the charter commission specifies that the council shall consist of seven members, the municipality shall be divided into four wards; and

(3) where the charter commission specifies that the council shall consist of nine members, the municipality shall be divided into five or six wards.

Section amended.

6. Section 1–14 of the act of which this act is amendatory is amended to read as follows:

C. 40:69A-14. Form of question for adoption of optional plan government.

1–14. The question to be submitted to the voters for the adoption of any of the optional plans of government authorized by articles 3 through 16, inclusive, and 12A of this act, including any of the alternatives contained in section 1–13 of this act shall be submitted in the following form or such part thereof as shall be applicable:

"Shall ..... of the
(insert name of plan)
Optional Municipal Charter Law, providing for (a division of the municipality into ..... wards, with) .....
(insert number) (insert number)
councilmen, (one to be elected from each ward and ..... to be elected at large)
(insert number)
be adopted by .....?"
(insert name of municipality)

7. Section 1–15 of the act of which this act is amendatory is amended to read as follows: Section amended.

1–15. If the charter commission shall recommend that the question of adopting one of the optional forms of government authorized by articles 3 through 16, inclusive, and 12A of this act shall be submitted to the voters of the municipality, it shall be the duty of the municipal clerk to cause the question of adoption or rejection to be placed upon the ballot at such time as the commission shall in its report specify. The commission may cause the question to be submitted to the people at the next general or regular municipal election, occurring not less than sixty days following the filing of a copy of the commission's report with the clerk, or at a special election occurring not less than sixty days or more than one hundred twenty days after the filing of the report, at such time as the commission's report shall direct. At such election the question of adopting that form of government recommended by the charter commission shall be submitted to the voters of the municipality in the same manner as other public questions to be voted upon by the voters of a single municipality. The charter commission shall frame the question to be placed upon the ballot as provided in section 1–14 and, if it deems appropriate, an interpretative statement to accompany such question. C. 40:69A-15. Submitting choice of plans to voters, procedure.

8. Section 1–17 of the act of which this act is amendatory is amended to read as follows: Section amended.

1–17. No ordinance may be passed and no petition may be filed for the election of a charter commission pursuant to section 1–1 of this act while proceedings are pending under any other petition or ordinance filed or passed under article 1 of this act, or while proceedings are pending pursuant to section 1–18 hereof or any other statute providing for the adoption of any other charter or form of government available to the municipality, nor within four years after an election shall have been held pursuant to any such ordinance or petition passed or filed pursuant to section 1–1 hereof. C. 40:69A-17. Limitations.

Section amended.

C. 40:69A-18. Direct petition for adoption of plan.

9. Section 1–18 of the act of which this act is amendatory is amended to read as follows:

1–18. The legally qualified voters of any municipality may adopt any of the optional plans provided in article 3, through 16, and 12A, inclusive, of this act upon petition and referendum, without a charter commission, as hereinafter provided.

Section amended.

C. 40:69A-19. Petition for adoption of optional plan.

10. Section 1–19 of the act of which this act is amendatory is amended to read as follows:

1–19. Upon petition of the registered voters of any municipality, an election shall be held in the municipality upon the question of adopting any of the optional plans of government provided in articles 3 through 16, inclusive, and 12A of this act. The petition calling for such election shall conform to section 17–4 (b) hereof and shall be signed by the following per centum of registered voters of the municipality:

(a) twenty-five per centum (25%) in municipalities of 7,000 or less inhabitants;

(b) twenty per centum (20%) in municipalities of more than 7,000 and less than 70,000 inhabitants;

(c) ten per centum (10%) in municipalities of 70,000 or more inhabitants.

The petition shall designate the plan to be voted upon, which may include any of the alternatives provided in section 1–13 of this article and the question to be placed upon the ballot shall be in the same form as is required by section 1–14 of this article.

Section amended.

C. 40:69A-21. Limitations.

11. Section 1–21 of the act of which this act is amendatory is amended to read as follows:

1–21. No petition for submission of the question of adopting an optional plan of government pursuant to section 1–18 et seq. of this act may be filed while proceedings are pending pursuant to another such petition, or under an ordinance passed or petition filed pursuant to section 1–1 of this act, or while proceedings are pending pursuant to any other statute for the adoption of any other charter or form of government available to the municipality, nor within four years after an election shall

have been held pursuant to any such petition filed pursuant to section 1–18 et seq. of this act.

12. Section 1–24 of the act of which this act is amendatory is amended to read as follows: Section amended.

1–24. For the purposes of this act each of the optional forms of government provided in article 3 through 16, inclusive, of this act, and each of said optional forms as modified by any available provisions concerning size of council and number of wards, is hereby declared to be a complete and separate form of government provided by the Legislature for submission to the voters of the municipality. Any reference in this act to articles 3 through 16, inclusive, shall be deemed to include article 12A. C. 40:69A-24. Construction.

13. The act of which this act is amendatory is supplemented by inserting a new article 12A after article 12 thereof to read as follows: New article 12A.

Article 12A

Council-Manager Plan E

12A–1. The form of government provided in this article shall be known as the "Council-Manager Plan E for Small Municipalities." It may be adopted by any municipality having a population of less than 12,000 inhabitants and shall, together with articles 2 and 17 and sections 9–6 through 9–18 of article 9, govern any municipality, the voters of which have adopted this plan pursuant to this act (except that the council shall organize and elect a mayor on the first day of January rather than the first day of July as provided in section 9–6). C.40:69A-114.1. Form of government.

12A–2. Each municipality under this article shall be governed by an elected council and by an appointed municipal manager, and by such other officers and employees as may be duly appointed pursuant to this article, general law, or ordinance. C.40:69A-114.3. Governing body.

12A–3. The council shall consist of five members, unless pursuant to the authority granted under sections 1–13 or 1–19 of article 1 of this act, the C.40:69A-114.2. Council, election, term.

municipality shall be governed by a council of seven or nine members. Members of the council shall be elected at large by the voters of the municipality at the general election to be held on the first Tuesday after the first Monday in November or at such other time as may be provided by law for holding general elections and shall serve for a term of four years, except as hereinafter provided for those first elected, beginning on the first day of January next following their election.

C.40:69A-114.4. Terms of council members.

12A–4. At the first election as provided in article 17 of this act, following the adoption by a municipality of this plan, five, seven or nine councilmen, as provided in section 12A–3 of this article, shall be elected and shall serve for the following terms: if the municipal council is to consist of five members, two shall serve for four years and three for two years; if the municipal council is to consist of seven members, three shall serve for four years and four for two years; if the municipal council is to consist of nine members, four shall serve for four years and five for two years. The length of the term of the respective members of the first council shall be determined by lot immediately after the organization of the council next following the election.

C.40:69A-114.5. Vacancies.

12A–5. Vacancies in any elective office shall be filled for the remainder of the unexpired term at the next general election to be held not less than sixty days after the occurrence of the vacancy. The council shall fill the vacancy temporarily by appointment to serve until the qualification of the person so elected. Any person appointed to fill a vacancy shall be a member of the same political party as the prior incumbent.

Section amended.

14. Section 17–4 of the act of which this act is amendatory is amended to read as follows:

C. 40:69A-153. Names of candidates filed, form and contents of petition.

17–4. At least forty-five days prior to a regular municipal election, and at least forty-five days prior to the first election for municipal officers in municipalities which have adopted articles 3 through 6, inclusive, or 9, 10, 11, 12, 13 or 14, of

this act, the names of candidates for all offices shall be filed with the municipal clerk in the manner and form and under the conditions hereinafter set forth:

(a) The petition of nomination shall consist of individual certificates, equal in number to at least one per centum (1%), but in no event less than ten of the legally qualified voters, and shall read substantially as follows:

> "I, the undersigned, a qualified elector of the municipality of , residing at certify that I do hereby join in a petition of the nomination of whose residence is at for the office of mayor (or councilman as the case may be) to be voted for at the election to be held in such municipality on the , 19 , and I further certify that I know this candidate to be a qualified elector of said municipality and a man of good moral character, and qualified, in my judgment, to perform the duties of said office and I further certify that I have not signed more petitions or certificates of nominations than there are places to be filled for the above office.
>
> (Signed) ."

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

Section amended.

C. 40:69A-205. Schedule of installation of optional plan.

15. Section 17–56 of the act of which this act is amendatory is amended to read as follows:

17–56. The schedule of installation of an optional plan adopted pursuant to this act shall, as provided herein, take the following course:

(a) An election to submit the question of adoption of an optional plan may be held at any time in accordance with the provisions of article 1 of this act;

(b) In the event of a favorable vote of the voters at the above election, the first election of officers under the adopted plan shall take place on (1) the second Tuesday in May occurring not less than seventy-five days next following the adoption of one of the optional plans in municipalities adopting articles 3, 4, 9, 10, 13 or 14 of this act; (2) the second Tuesday in May occurring not less than one hundred twenty days following the adoption of one of the optional plans in municipalities adopting articles 5, 6, 11, or 12 of this act; (3) at the next general election occurring no less than seventy-five days next following the adoption of one of the optional plans, in municipalities adopting articles 7, 12A, 15, and 16 of this act; or (4) at the next general election occurring not less than one hundred twenty days next following the adoption of one of the optional plans in municipalities adopting article 8 of this act.

Whenever a municipality has adopted any of the articles referred to in subsection (3) above, within ten days, or subsection (4) within forty days, prior to the last day fixed for the filing of nominating petitions for the primary election, the candidates to be first elected shall be nominated in the manner provided by chapter 27 of Title 19 of the Revised Statutes with respect to the filling of certain vacancies in nominations for county or municipal offices to be filled at the general election.

(c) An optional plan shall take effect, in accordance with the further provisions of this article at (1) twelve o'clock noon on the first day of July next following the first election of officers in munici-

palities adopting articles 3 through 6, inclusive, or 9, 10, 11, 12, 13 or 14, of this act, or (2) twelve o'clock noon on the first day of January next following the first election of officers in municipalities adopting articles 7, 8, 12A, 15 or 16 of this act.

16. This act shall take effect immediately.

Approved July 20, 1953.

CHAPTER 255

AN ACT changing the title of district clerks of boards of education to that of secretary, and amending sections 18:7–68 and 18:7–69 of the Revised Statutes.

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

1. Section 18:7–68 of the Revised Statutes is amended to read as follows: Section amended.

18:7–68. Every board shall by a majority vote of all its members appoint a secretary, who may be elected from among such members, and shall fix his compensation and term of employment. The secretary, as such, may be removed by a majority vote of all the members of the board subject, however, to the provisions of section 18:5–51 of this Title. Secretary, electing, removal, bond, continued in office.

The secretary shall before entering upon the duties of his office execute and deliver to the board a bond in a sum to be fixed by it, with surety to be approved by the board, conditioned for the faithful performance of the duties of his office. The board may accept the bond or undertaking of a company authorized to execute surety bonds and may pay the annual premium or fee therefor as a current expense.

The title of every district clerk in office on July first, one thousand nine hundred and fifty-three, is changed to that of secretary and every holder of such office shall continue in said office without change in term or tenure of office or pension rights notwithstanding said change of title.

Section amended.

2. Section 18:7–69 of the Revised Statutes is amended to read as follows:

Powers and duties.

18:7–69. A secretary appointed under the title of district clerk, or of secretary as provided in this chapter, shall have all of the powers and perform all of the duties provided by law to be exercised or performed by a district clerk including the following:

a. Record in a suitable book all proceedings of the board and of the annual and special school meetings;

b. Pay out by orders on the custodian of school moneys and in the manner prescribed by law all school moneys of the district;

c. Keep a correct and detailed account of all the expenditures of school moneys in the district;

d. Report to the board at each regular meeting:

(1) The amount of the total appropriations and the cash receipts for each account;

(2) The amount for which warrants have been drawn and the amount of orders for all contractual obligations since the date of his last report;

(3) The accounts against which the warrants have been drawn and the accounts against which the contractual obligations are chargeable; and

(4) The cash balance and free balance to the credit of each account;

f. Post notices of the annual and of any special elections of the legal voters, and insert in the notices the object or objects for which the election is called;

g. Notify all members of the board of all regular and special meetings of the board;

h. During the month of July in each year, present to the board a detailed report of its financial transactions 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 secretary at the close of the school year shall not be delivered to him until written notice has been received from the county superintendent that the secretary has filed with him such annual report; and

i. Report to the Commissioner of Education on or before August first of each year the amount of the interest-bearing school debt then remaining unpaid, if any, together with the rate of interest, the date or dates on which the bonds, notes, or other evidences of indebtedness were issued, and the date or dates on which they will fall due.

3. This act shall take effect July first, one thousand nine hundred and fifty-three. Note: Act effective.

Approved July 20, 1953.

CHAPTER 256

AN ACT concerning motor vehicles, and amending section 39:3–8 of the Revised Statutes.

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

1. Section 39:3–8 of the Revised Statutes is amended to read as follows: Section amended.

39:3–8. The applicant for registration for passenger motor vehicles shall pay to the commissioner for each registration a fee of forty cents ($0.40) per horse power for the rated horse power of such motor vehicle or the major fraction thereof for its Fee for registering motor vehicles.

rated horse power up to and including vehicles of a twenty-nine horse power rating, and a fee of fifty cents ($0.50) per horse power or the major fraction thereof for all passenger motor vehicles having a rating of thirty horse power or more.

The director may also license private utility and house type semitrailers and trailers with a gross load not in excess of two thousand pounds at a fee of five dollars ($5.00) per annum and all other such utility and house type semitrailers and trailers at ten dollars ($10.00) per annum. Application for such registration shall be made on a blank to be furnished by the division and the application shall contain a statement to the effect that the vehicle so registered will not be used for the commercial transportation of goods, wares and merchandise, or for hire.

No private utility or house type semitrailer or trailer with an outside width of more than ninety-six inches, a maximum height of thirteen feet six inches, a maximum length for a single vehicle of more than thirty-five feet, a maximum length for a semitrailer and its towing vehicle of more than forty-five feet, and a maximum length for a trailer and its towing vehicle of more than fifty feet, shall be operated on any highway in this State, except that a vehicle exceeding the above limitations may be operated when a special permit so to operate is secured in advance from the director.

Note: Act effective.

2. This act shall take effect with the registration year commencing April first, one thousand nine hundred and fifty-four.

Approved July 20, 1953.

CHAPTER 257

AN ACT concerning motor vehicles, and amending section 39:3–61 of the Revised Statutes.

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

1. Section 39:3–61 of the Revised Statutes is amended to read as follows: Section amended.

39:3–61. Every motor vehicle and every motor-drawn vehicle shall be equipped with at least one rear lamp, and every motor vehicle and motor-drawn vehicle, other than truck tractors, manufactured after July first, one thousand nine hundred and fifty-four, and registered under the provisions of this Title shall be equipped with at least two rear lamps, lamp or lamps shall be not less than fifteen inches or more than forty-eight inches above the ground upon which the vehicle stands, and which or each of which when lighted will exhibit a red light plainly visible from a distance of five hundred feet to the rear; *provided, however,* that such rear lamp or lamps may be mounted higher than forty-eight inches on any vehicle carrying inflammable liquids as a cargo. Lights and reflectors required. Proviso.

One such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration marker and render it clearly legible from a distance of fifty feet to the rear. When the rear registration marker is illuminated by an electric lamp other than a required rear lamp, said lamp and the rear lamp or lamps shall be turned on or off only by the same control switch at all times.

All motor vehicles and motor-drawn vehicles manufactured after July first, one thousand nine hundred and fifty-four and registered under the provisions of this Title, shall be equipped with at least two stop lights. Such stop lights shall be so

constructed, placed and used as to indicate by a substantial increase in illumination that the service brakes of the vehicle have been applied; *provided,* that motorcycles need be equipped with only one stop light. All such stop lights shall be of a type approved by the Director of the Division of Motor Vehicles.

Proviso.

Every passenger car and motorcycle manufactured after September first, one thousand nine hundred and thirty-seven, when operated on a highway shall also carry at the rear, either as a part of the rear lamp or separately, at least one approved red reflector. Every commercial motor vehicle, motor-drawn vehicle and omnibus with a capacity of more than six passengers hereafter operated on a highway shall also carry at the rear at least two approved red reflectors; at least one on each side. Every such reflector shall meet the requirements of this article and shall be mounted upon the vehicle at a height not to exceed sixty inches nor less than twenty-four inches above the ground upon which the vehicle stands. Every such reflector shall be so designed, mounted on the vehicle and maintained as to be visible during the times when lighted lamps are required from all distances within five hundred to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawfully lighted approved head lamps.

2. This act shall take effect immediately.

Approved July 20, 1953.

CHAPTER 258

AN ACT to amend "An act making uniform regulations on net fishing in certain waters within the jurisdiction of this State, and providing for the licensing of same, and repealing sections 23:9–59 to 23:9–93, inclusive, 23:9–99, 23:9–101 to 23:9–107, inclusive, and 23:9–113 of the Revised Statutes," approved June fourteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 211), as said title was amended by chapter two hundred and ninety-four of the laws of one thousand nine hundred and forty-two.

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

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

2. A person intending to take fish with a net in the waters aforesaid shall, except as hereinafter provided, apply to the Division of Fish and Game for a license therefor, and the division upon receipt of the application and the fee hereinafter prescribed may in its discretion issue licenses for the taking of fish with nets as follows: C. 23:5-24-2. License for net fishing, fees.

(a) Haul seines, the mesh of which shall not be larger than three inches stretched mesh while being fished, and not to exceed seventy fathoms in length, whether singly or attached, for all species excepting striped bass, November first to April thirtieth. Fee, fifteen dollars ($15.00).

(b) Fykes, with leaders, shall not exceed thirty fathoms in length and no part of net or leaders to be less than two and one-half inches stretched mesh while being fished, for all species excepting striped bass. November first to April thirtieth. Fee, five dollars ($5.00).

(c) Special fyke for flounder only, the length of the net not to exceed thirty fathoms and the mesh of which shall not be less than four inches stretched mesh. October first to April thirtieth. Fee, two dollars ($2.00).

(d) Miniature fykes or pots for the taking of catfish, suckers and eels, the same not to exceed sixteen inches in diameter. March fifteenth to December fifteenth. Fee, twenty-five cents ($0.25).

(e) Drifting gill nets, run around or stab nets, the smallest mesh of which shall be two and three-quarters inches while being fished, and the length of which net shall not exceed two hundred fathoms, for all species excepting striped bass. March fifteenth to December fifteenth. Fee, ten dollars ($10.00). These nets shall be used in the Atlantic ocean only.

(f) Shad nets, either staked or anchored, the smallest mesh of which shall be five inches while being fished, and shall not exceed fifty fathoms in length, for all species excepting striped bass. March first to June fifteenth. Fee, two dollars ($2.00). These nets shall be used in the Atlantic ocean only.

(g) Bait seines, over fifty feet long and not exceeding one hundred fifty feet. Fee, one dollar ($1.00).

(h) Bait seines, not more than fifty feet long, may be used without application for or granting of a license.

2. This act shall take effect immediately.

Approved July 21, 1953.

CHAPTER 259

AN ACT providing for the forfeiture of office, position or employment, tenure and pension rights of persons holding public office, position or employment in certain cases.

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

C. 2A:81-17.1. Forfeiture of office or employment upon failure to testify, limitation.

1. Any person holding or who has held any elective or appointive public office, position or employment (whether State, county or municipal), who refuses to testify upon matters relating to the office, position or employment in any criminal proceeding wherein he is a defendant or is called as a witness on behalf of the prosecution, upon the ground that his answer may tend to incriminate him or compel him to be a witness against himself or refuses to waive immunity when called by a grand jury to testify thereon or who willfully refuses or fails to appear before any court, commission or body of this State which has the right to inquire under oath upon matters relating to the office, position or employment of such person or who, having been sworn, refuses to testify or to answer any material question upon the ground that his answer may tend to incriminate him or compel him to be a witness against himself, shall, if holding elective or public office, position or employment, be removed therefrom or shall thereby forfeit his office, position or employment and any vested or future right of tenure or pension granted to him by any law of this State provided the inquiry relates to a matter which occurred or arose within the preceding five years. Any person so forfeiting his office, position or employment shall not thereafter be eligible for election or appointment to any public office, position or employment in this State.

C. 2A:81-17.2. Proceedings in Superior Court.

2. If any person shall have forfeited his office by reason of the provisions of section one of this act a proceeding may be instituted hereunder in the Superior Court by any citizen who is a resident of this State by proceeding in lieu of prerogative writ. The court shall hear and determine the same without a jury unless such person shall within ten days after the institution of such proceedings demand a trial by jury.

3. This act shall take effect immediately.

Approved July 21, 1953.

CHAPTER 260

AN ACT concerning shellfish, and amending section 50:1–23 and section 50:3–6 of the Revised Statutes.

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

Section amended.

1. Section 50:1–23 of the Revised Statutes is amended to read as follows:

Power to lease, lands subject to lease.

50:1–23. The Shell Fisheries Council may lease to applicants therefor any of the lands of the State under the tidal waters thereof, to be exclusively used and enjoyed by such lessee for the planting and cultivating of oysters and clams; except that no lands shall be leased above the southwest line in the Delaware bay, nor in any creek tributary to Delaware bay, nor any lands under the waters of Delaware bay southwesterly of a line beginning at a point (x=1,929,827.93) (y=87,182.61) on the shore of Delaware bay in Cape May county, said point being about 2,000 feet south-southwest of Gus's Beach, and running thence N 67°-38′-05.3″ W 21,127.33 feet to a corner (x=1,910,289.85) (y=95,221.74) said corner being on the line running from Dennis Creek Rear Range Light to Brandy-

wine Lighthouse, nor the beds at the mouth of the Tuckahoe and Great Egg Harbor rivers, nor the graveling beds at the mouth of Mullica river, Parker's beds in Parker's cove, Forked river beds, Cedar creek beds and Sloop creek beds in Barnegat bay, nor any lands under the waters of the Mullica river above a line extending in a westerly direction from the south end of Deep Point; *provided, however,* that leases may be granted for lands heretofore leased in said area in the Mullica river.

Proviso.

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

Section amended.

50:3–6. No boat or vessel, propelled wholly or in part by mechanical power, shall be operated in the catching or taking of oysters or clams from any of the natural beds under the tidal waters of the Delaware river, Delaware bay, and their tributaries, in this State, without first detaching and removing the propeller, or wheel, from the driving shaft thereof; except that any licensed vessel equipped with not more than two dredges at any one time may be propelled wholly or in part by steam, naptha, gasoline, electricity or any other mechanical motive power, while being used in the catching or taking of oysters and clams from the oyster beds under the tidal waters of this State in Delaware river, Delaware bay, Maurice river cove and Cohansey river, except the beds, creek and rivers, excluding the Cohansey river, described in section 50:3–14 of this Title, and the lands under the waters of Delaware bay southwesterly of a line beginning at a point (x=1,929,827.93) (y=87,182.61) on the shore of Delaware bay in Cape May county, said point being about 2,000 feet south-southwest of Gus's Beach, and running thence N 67°-38′-05.3″ W 21,127.33 feet to a corner (x=1,910,289.85) (y=95,221.74) said corner being on the line running from Dennis Creek Rear Range Light to Brandywine Lighthouse and oysters and clams may be caught and taken therefrom by means of such boats and dredges beginning at 6:00 Ante Meridian Standard Time, quitting at 2:30 Post

Removal of propeller, exception.

Meridian Standard Time, each day, except on Saturdays, during the months of May and June, subject to the power of said Shell Fisheries Council, by rule and regulation, to prohibit the taking or catching of oysters and clams in such manner from such of said beds and for such time as, in the judgment of said Shell Fisheries Council, may be necessary in order to close said beds for purposes of conservation.

3. This act shall take effect immediately.

Approved July 21, 1953.

CHAPTER 261

AN ACT concerning shellfish, and amending section 50:3–14 of the Revised Statutes.

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

Section amended.

1. Section 50:3–14 of the Revised Statutes is amended to read as follows:

Permits hand tongs only, exceptions.

50:3–14. No person shall use or cause to be used any dredge, drag, scrape or other instrument, except hand tongs, for the purpose of catching oysters from the following named beds, creeks, and rivers of this State, along the shore of Delaware bay, the areas of which are described by co-ordinates and bearings taken from the official survey base known as the "New Jersey System of Plane Co-ordinates" as defined in article two of chapter three of Title 51 in the Revised Statutes, viz.: Elder point beds, Andrews ditch beds, East point beds, described as follows: Beginning at a point with co-ordinates x = 1,897,678 y = 132,207 said point being now or formerly East Point Lighthouse and running thence N 48°-23′-07″ W 9,400. feet to a point x = 1,890,650 y = 138,450 on the east bank of the mouth of New England creek; thence following in an

easterly direction the shore line and crossing the mouth of the Maurice river and following the shore line to the point of beginning; the High beds and Pepper beds, described as follows: Beginning at a point with co-ordinates x = 1,897,678 y = 132,207 said point being now or formerly East Point Light-house and running thence S 55°-00′-26″ W 6,637. feet to a corner x = 1,892,241 y = 128,401 in Delaware Bay the same being corner number 2 of oyster ground number 48 section C now or formerly leased by the Sockwell Estate; thence N 76°-54′-16″ W 1,063. feet to a corner x = 1,891,205 y = 128,642 the same being corner No. 3 of oyster ground No. 20 section C now or formerly leased by the six Robbins brothers; thence N 03°-14′-20″ W 9,824. feet to a point x = 1,890,650 y = 138,450 on the east bank of the mouth of New England creek; thence S 48°-23′-07″ E 9,400. feet to the point of beginning; Dividing creek beds and Oranoken beds, described as follows: Beginning at a point with co-ordinates x = 1,881,141 y = 136,707 said point being located on the meadow land at Kenny's point about 2000 yards east south east of the mouth of Dividing creek and running thence S 39°-26′-34″ W 6,469. feet to a corner in Delaware Bay x = 1,877,031 y = 131,711; thence N 69°-06′-42″ W 5,651. feet to a corner x = 1,871,751 y = 133,726 on the meadow land said corner being about 1166 yards south south east of the mouth of Oranoken creek; thence following the shore line in a north north east and east south east direction, crossing the mouths of Oranoken creek and Dividing creek to the point of beginning; Nantuxent creek beds, Beach creek beds, Goshen creek, Dennis creek, East creek, West creek, West creek beds at the mouth of West creek, Dividing creek and its tributaries, Oranoken creek and its tributaries, Little Brothers and Big Brothers creeks, Straight creek, Fishing creek in Cumberland County, Oyster creek, Fortesque creek, Beaden's creek, Sow and Pigs creek, Dare's creek, Padgett's creek, Nantuxent creek, Cedar creek, Back creek, Middle Marsh creek, Stow

creek, Bidwell's ditch, Nantuxent beds at the mouth of Nantuxent creek, Back creek beds at the mouth of Back creek, the Nantuxent beds and Back creek beds taking in that area north of a line running direct from Nantuxent Point to Ben Davis Point, Cohansey beds at the mouth of Cohansey river, said beds taking in that area north of a line extending from the south bank of the mouth of Middle Marsh creek direct to Cohansey Point, and Maurice river and Cohansey river; except that during May and June in any year oysters may be taken from the beds in the Cohansey river and Stow creek by means of patent tongs, and dredges may be used in the Cohansey river. No licenses shall be issued by the division contrary to this section.

2. This act shall take effect immediately.

Approved July 21, 1953.

CHAPTER 262

AN ACT concerning shellfish, and amending sections 50:3–13 and 50:4–3 of the Revised Statutes.

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

Section amended.

1. Section 50:3–13 of the Revised Statutes is amended to read as follows:

Prohibits dredging except by license, penalty.

50:3–13. No person shall dredge upon or throw, cast or drag an oyster or clam dredge, or any other instrument or appliance used for catching oysters or clams, upon any of the land of the State lying under the tidal waters of the Delaware bay or Maurice River cove, in this State, below the southwest line, other than land or ground for which such person then holds a lease from the Shell Fisheries Council under this Title.

Any person violating the provisions of this section shall be liable to a penalty of not less than one hundred dollars ($100.00) nor more than three hundred dollars ($300.00) for the first offense, and of not less than three hundred dollars ($300.00) nor more than five hundred dollars ($500.00) for any subsequent offense.

Section amended.

2. Section 50:4–3 of the Revised Statutes is amended to read as follows:

Protection of leased lands, penalty.

50:4–3. No person shall go upon, take or remove oysters, clams or other material, dredge upon, throw, cast or drag an oyster dredge, use oyster tongs, rakes, forks or other instruments or appliances used for catching oysters or clams, or tread for clams, upon any of the leased lands of this State lying under the tidal waters of the Atlantic seaboard or tributaries thereof, above Cape May Point, other than land or ground for which such person or his employer then holds a lease from the Shell Fisheries Council.

Any person violating the provisions of this section shall be liable to a penalty of not less than one hundred dollars ($100.00) nor more than three hundred dollars ($300.00) for the first offense, and of not less than three hundred dollars ($300.00) nor more than five hundred dollars ($500.00) for any subsequent offense.

3. This act shall take effect immediately.

Approved July 21, 1953.

CHAPTER 263

AN ACT to amend an act entitled "An act for the preservation and improvement of certain of the natural oyster beds and seed grounds of this State; providing for the issuance of licenses to persons engaging in the business of opening, shucking, processing, and packing oysters taken from the tidal waters of the Delaware river, Delaware bay, the Maurice river cove and their tributaries, and of persons engaging in the business of planting and growing oysters originating in the said tidal waters and of selling the same in the shells to certain other persons and of persons engaging in the business of purchasing oysters so originating in the shells from planters or growers of such oysters for the purpose of resale, or shipment for resale, or for use other than the use of themselves and their families, in the shells; providing for the compensation to be made for the issuance of such licenses and for the method of payment or delivery of the same; providing penalties for violations; limiting the right of the Board of Shell Fisheries to lease lands of the State lying under said tidal waters; supplementing Title 50 of the Revised Statutes, and repealing 'An act for the preservation and improvement of certain of the natural oyster beds and seed grounds of this State and providing for the issuance of licenses to persons engaged in the business of opening, shucking, processing and packing of oysters, taken from the tidal waters of the Delaware river, the Delaware bay, the Maurice river cove and their tribu-

taries, for sale, within this State and persons engaged in the business of purchasing oysters so taken in the shells from growers within this State for the purpose of resale or shipment for resale or use other than the use of such persons and their families and of persons engaged in the business of packing and shipping oysters, grown by them in said tidal waters, in the shells for resale or such use; providing for the compensation to be paid for the issuance of such licenses and for the method of calculating the same and providing penalties for violations, and supplementing Title 50 of the Revised Statutes,' filed April twelfth, one thousand nine hundred and forty-three (P. L. 1943, c. 182),'' approved March nineteenth, one thousand nine hundred and forty-five (P. L. 1945, c. 39).

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

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

5. The license to engage in the business of an oyster planter shall be issued in consideration of the agreement of the licensee to deliver to the Shell Fisheries Council, at the times and in the manner prescribed in this act, the shells taken, in the process of opening or shucking, from forty per centum (40%) of all of the oysters taken from under the tidal waters of the Delaware river, Delaware bay or the Maurice river cove or any of their tributaries, and delivered by the licensee or for his account to shucking houses licensed under this act. C. 50:3-20.14. Consideration for oyster planters' licenses.

2. This act shall take effect July first, one thousand nine hundred and fifty-three. Note: Act effective.

Approved July 21, 1953.

CHAPTER 264

AN ACT concerning the adoption of children, their custody, control and rights of inheritance, and repealing subtitle two of Title 9 of the Revised Statutes.

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

C. 9:3-17. Public policy, administration.

1. Public policy. This act shall be administered so as to give effect to the public policy of this State to provide for the welfare of children requiring placement for adoption and so as to promote policies and procedures which are socially necessary and desirable for the protection of such children, their natural parents and their adopting parents. To that end, it is necessary and desirable

(a) to protect the child from unnecessary separation from his natural parents, from adoption by persons unfit for such responsibility, and from interference by his natural parents after he has been established in an adoptive home;

(b) to protect the natural parents from hurried or abrupt decisions to give up the child; and

(c) to protect the adopting parents from assuming responsibility for a child without sufficient knowledge of the child's heredity and capacity for physical and mental development, and, having accepted a child for adoption, from later disturbance of their relationships to the child by the natural parents.

C. 9:3-18. Terms defined.

2. Definitions. For the purposes of this act, the following words and phrases, unless otherwise indicated, shall be deemed to have the following meanings:

(a) The phrase "approved agency" means a legally constituted agency having its principal office within or without this State, which has been approved, pursuant to the provisions of this act, to

place children in New Jersey for purposes of adoption.

(b) The word "child" means any person under twenty-one years of age.

(c) The word "custody" means continuing control and authority over the person of a child, established by natural parenthood, by order or judgment of a court of competent jurisdiction, or by written surrender to an approved agency pursuant to law.

(d) The phrase "forsaken parental obligations" means willful and continuous neglect or failure to perform the natural and regular obligations of care and support of a child.

(e) The phrase "mentally incompetent" means inability to understand and discharge the natural and regular obligations of care and support of a child by reason of mental disease, feebleness of mind, or habitual intemperance.

(f) The word "parent," when not otherwise described by the context, means a natural parent or parent by previous adoption, but the word parent shall not include the father of an illegitimate child.

(g) The word "may" shall be construed to be permissive and the word "shall" shall be construed to be mandatory.

3. Placing children in New Jersey for adoption. C. 9:3-19. Placing children in New Jersey for adoption.

A. No person, firm, corporation, association or agency shall place, offer to place, or assist in the placement of any child in New Jersey for the purpose of adoption, unless such person, firm, corporation, association or agency shall be the natural or adopting parent of the child or shall have been approved for such purpose by the Department of Institutions and Agencies and such approval shall not have been rescinded at the time of placement or offer for placement; *provided, however,* that this prohibition shall not apply to the placement of a child for the purpose of adoption with a brother, sister, aunt, uncle, grandparent or stepparent of such child. The Superior Court, in an action by the Commissioner of the Department of Proviso.

Institutions and Agencies, shall restrain any party found by the court to have violated this subsection A from any further violation of this subsection.

B. The Department of Institutions and Agencies shall promulgate and file with the Secretary of State rules and regulations relating to the qualifications of agencies for approval to place children in New Jersey for purposes of adoption. Such rules and regulations shall include standards of professional training, experience and practices, and requirements relating to the moral responsibility of the trustees, officers or other persons supervising or conducting the placement program, the adequacy of the facilities, the maintenance of case-work records, and the furnishing of reports.

C. 9:3-20. Courts of jurisdiction.

4. Court in which action shall be instituted. An action for adoption shall be instituted in the Superior Court; or it may be instituted in the County Court of the county in which the plaintiff is domiciled, except that (a) whenever the child to be adopted has been received into the plaintiff's home from or with the approval of an approved agency, the action may be instituted in the County Court of the county in which such approved agency has its principal office in New Jersey; and (b) whenever a parent of the child to be adopted was granted a divorce from the other parent by the Superior Court, the action shall be instituted in the Superior Court, unless such court previously shall have awarded custody of the child to an approved agency or shall have consented to the institution of the action in a County Court.

C. 9:3-21. Who may institute action, time.

5. Who may institute action; when instituted.

A. A husband and wife jointly, a husband with his wife's consent, a wife with her husband's consent, or an unmarried person may institute an action for adoption.

B. Whenever any person, other than a relative as provided in subsection C hereof, shall receive a child into his home for the purpose of adoption and such child has not been so received from or with the approval of an approved agency, an ac-

tion for adoption shall be instituted pursuant to this act with reasonable promptness. Whenever any person, other than a relative as provided in subsection C hereof, shall receive a child into his home for purposes other than adoption, and it is later determined that adoption shall be sought, an action for adoption shall be instituted pursuant to this act with reasonable promptness following such determination, unless such determination has been approved by an approved agency.

C. Whenever the child sought to be adopted has been received into the home of the plaintiff from or with the approval of an approved agency, or whenever the plaintiff is related to the child sought to be adopted as a brother, sister, aunt, uncle, grandparent or stepparent, and action for adoption may be instituted pursuant to this act at any time after such child has lived in the home of the plaintiff continuously for a minimum period of six months.

C. 9:3-22. Qualifications of plaintiff.

6. Qualifications of plaintiff. Each plaintiff, at the time of the institution of the action, shall have attained twenty-one years of age, shall be at least ten years older than the child to be adopted, and shall be a citizen of the United States or shall have officially declared his or her intention of becoming a citizen.

C. 9:3-23. Action on complaint.

7. Action on complaint.

A. Unless it shall appear in the action

(1) that the child sought to be adopted has been received into the home of the plaintiff from or with the approval of an approved agency;

(2) that such approved agency has, by written document signed and acknowledged by its authorized officer or representative, consented to the adoption;

(3) that at least one year prior to the institution of the action the custody of the child had been surrendered to such approved agency by each parent or other person having custody of the child, and that by the terms of such surrender the approved agency had been authorized to place the

child for adoption; or that an order or judgment had been entered by a court of competent jurisdiction terminating parental rights and transferring custody of the child to such approved agency or granting guardianship of the child to such approved agency; and

(4) that such child has been living continuously in the home of the plaintiff for not less than six months prior to the institution of the action; the court by its order shall (a) declare that the child sought to be adopted shall be a ward of the court and that the custody of such child shall be subject to the further order of the court; (b) appoint, with due regard for the religious background of the child, an approved agency having its principal office in New Jersey to make an investigation and written report to the court concerning the circumstances under which the child was received into the home of the plaintiff, the status of the parents of the child, the potential fitness of the child for adoption, and the potential fitness of the plaintiff to adopt the child and to provide a home suitable for his rearing; (c) direct that the plaintiff shall assist to the fullest extent in the making of such investigation and report; and (d) fix a day for preliminary hearing as provided in section eight, which day shall be not less than sixty nor more than ninety days from the date of the institution of the action. Notice of the preliminary hearing shall be served personally within or without the State upon each person having custody of the child. Whenever the plaintiff is related to the child as a brother, sister, aunt, uncle, grandparent or stepparent, the order may limit the investigation provided by this subsection to an inquiry concerning the status of the parents of the child. At least five days prior to the day fixed for the preliminary hearing the approved agency shall file its report with the court and mail a copy thereof to the plaintiff.

B. Whenever it appears that all of provisions (1)-(4) of subsection A have been fully satisfied, the final hearing shall be not less than ten nor

more than thirty days from the date of the institution of the action, and the approved agency concerned shall file at the hearing a written report as to all circumstances of the case which will enable the court to make a proper decision in the matter.

8. Preliminary hearing.

C. 9:3-24. Preliminary hearing, purpose.

A. A preliminary hearing, when required by subsection A of section seven, shall be in camera, and shall have for its purpose the determination of: (1) the circumstances under which the child was received into the home of the plaintiff; (2) the status of the parents of the child with respect to further rights as to custody of the child; (3) the potential fitness of the child for adoption; and (4) the potential fitness of the plaintiff to adopt the child and to provide a home suitable for his rearing.

B. If in the course of the preliminary hearing the court shall determine that there is lack of jurisdiction, or that there is lack of qualification on the part of a plaintiff, or that the child is in the custody of an approved agency and such agency has not consented to the adoption, the action shall be dismissed forthwith.

C. If the court shall determine, from the report of the approved agency and the evidence presented at the preliminary hearing, that a parent of the child sought to be adopted is dead, or mentally incompetent, or has forsaken parental obligations, or has been divorced by the other parent on grounds of adultery or desertion or extreme cruelty, the court may declare that such parent has no further right to custody of the child. If the court shall determine that the child sought to be adopted is illegitimate, the court shall declare that the father, and the husband of the mother if she be married, has no right as to custody of the child. If the court shall determine that a custodian or guardian has been appointed for the child sought to be adopted, but that such custodian or guardian has willfully and continuously neglected or failed to discharge the responsibilities of such appointment,

the court may declare that such custodian or guardian has no further control and authority over the person of the child.

D. If in the course of the preliminary hearing the court shall determine that there has not been a personal appearance by or personal service upon each person having custody of the child as required by subsection A of section seven hereof, or that the best interests of the child would not be promoted by the adoption, the court shall deny the adoption and make such further order concerning the custody of the child as may be deemed proper in the circumstances.

C. 9:3-25. Appointment of next friend.

9. Appointment of next friend.

A. If upon completion of a preliminary hearing the court is satisfied (1) that the parents of the child should have no further right as to custody of the child; (2) that the custodian or guardian, if any, should have no further control and authority over the person of the child; (3) that the child is potentially fit for adoption; and (4) that the plaintiff has the potential fitness to adopt the child and to provide a home suitable for the rearing of the child, it shall fix a day for final hearing not less than one year from the date of the institution of the action and shall appoint, with due regard for the religious background of the child, an approved agency, having its principal office in New Jersey, as next friend; *provided, however,* that whenever the plaintiff is related to the child, as a brother, sister, aunt, uncle, grandparent or stepparent, the court may dispense with the appointment of a next friend and proceed immediately with final hearing pursuant to section eleven of this act. Except for good cause, the approved agency appointed as next friend shall be the agency which made the investigation and report pursuant to subsections A and B of section seven.

Proviso.

B. If the child to be adopted has been living continuously with the plaintiff prior to January first, one thousand nine hundred and fifty-four, then, except as provided by section B. of section

seven, the final hearing may be less than one year from the date of the institution of the action but not less than six months from the date when the child first lived with the plaintiff.

C. 9:3-26. Duties of next friend, report and recommendations.

10. Duties of next friend; report and recommendations.

A. The next friend appointed as provided in section nine from time to time shall visit the home of the plaintiff and shall make such further inquiry as may be necessary to observe and determine the care being received by the child and the adjustment of the child and the plaintiff as members of a family.

B. At least fifteen days prior to the final hearing, the next friend shall file with the court a written report of its findings since the preliminary hearing, including a recommendation as to the adoption. If the recommendation does not favor the adoption, the next friend shall deliver a copy of its report to the plaintiff at least ten days prior to the final hearing. If the recommendation favors the entry of a judgment, the next friend shall annex to its report a written consent to the adoption.

C. If at any time following the preliminary hearing, the next friend shall find that the best interests of the child would not be promoted by the adoption, the court may on the application of such next friend, modify or revoke any order entered in the action and make such further order concerning the custody of the child as may be deemed proper in the circumstances.

C. 9:3-27. Final hearing, judgment of adoption.

11. Final hearing; judgment of adoption.

A. Upon the final hearing, the court shall proceed in camera; *provided, however,* that if there has been a preliminary hearing and the next friend shall have recommended the adoption, the final hearing may be dispensed with and judgment may be entered forthwith.

B. If a next friend shall have been appointed pursuant to subsection A of section nine, such next friend shall be a necessary party at the final hearing, shall be entitled to present testimony and to

cross-examine witnesses, and shall be subject to examination with respect to its report and recommendations in the matter. If the child sought to be adopted is of the age of ten years or over, the appearance of such child shall be required at the final hearing.

C. If, from the report and the evidence presented, the court shall be satisfied that the best interests of the child would be promoted by the adoption, the court shall enter a judgment of adoption.

D. If, from the evidence presented, the court shall be satisfied that the best interests of the child would not be promoted by the adoption, the court shall enter a judgment denying the adoption. If the child is not in the custody of an approved agency, such judgment shall contain such further provisions concerning the custody of the child as may be proper in the circumstances.

E. The Clerk of each County Court shall promptly file with the Superior Court a copy of each judgment of adoption entered pursuant to this act. The Clerk of the Superior Court shall docket the copies of such judgments and shall maintain an alphabetical index of all judgments of adoption entered each year pursuant to this act in the County Courts and the Superior Court of this State.

C. 9:3-28. Wishes of child over ten.

12. Inquiry as to child over ten. If the child sought to be adopted is of the age of ten years or over, each report of an approved agency made to the court pursuant to this act shall indicate the understanding and wishes of such child with respect to the proceeding.

C. 9:3-29. Orders concerning custody.

13. Orders concerning custody. Whenever under this act the court is empowered to make an order concerning the custody of a child, such order may direct that the child be committed, for the term of minority, to the custody of an approved agency willing to accept the same.

14. Effect of adoption; relationships of parent and child; rights of inheritance.

C. 9:3-30. Effect of adoption, relationships, rights of inheritance.

A. The entry of a judgment of adoption shall terminate all relationships between the child and his parents, and shall terminate all rights, duties, and obligations of any person which are founded upon such relationships, including rights of inheritance under the intestate laws of this State; *provided, however,* that when the adopting parent is a stepfather or stepmother, and the adoption is consummated with the consent and approval of the mother or father, respectively, such adoption shall not affect or terminate any relationships between the child and such mother or father.

B. The entry of a judgment of adoption shall establish the same relationships, rights, duties and obligations between the child and the adopting parent as if such child were born to such adopting parent in lawful wedlock. In applying the intestate laws of this State, an adopted child shall have the same rights of inheritance as if born to the adopting parent in lawful wedlock. In the construction of any testamentary or other document executed subsequent to the effective date of this act, an adopted child shall be deemed lawful issue of the adopting parent unless such document shall otherwise provide.

15. Record of proceedings; change of birth record.

C. 9:3-31. Record of proceedings, change of birth record.

A. All records of proceedings relating to adoption, including the complaint, the judgment and all petitions, affidavits, testimony, reports, briefs, orders and other documents filed in such proceedings, shall be filed under seal by the clerk of the court and shall at no time be open to inspection, unless the court, upon good cause shown, shall otherwise order. An index to all adoption proceedings shall be maintained by the clerk of the court, but no index of adoption proceedings shall be open to inspection or be given out for publication except upon order of the court.

B. Upon application of the adopting parent, the clerk of the court shall certify to the State Bureau of Vital Statistics the date of entry of the judgment; the names of the natural parent or parents of the child, if the same appear in the record of the proceedings; the names of the adopting parent or parents; the prior name of the child; the date and place of birth of the child; and the new name of the child as changed by the judgment of adoption.

C. 9:3-32. Costs, allowances to agencies.

16. Costs of proceedings; allowances to approved agencies. The costs of all proceedings pursuant to this act shall be borne by the plaintiff, including the costs incurred by an approved agency acting pursuant to an order or orders of the court. Unless otherwise paid or provided for, the costs of an approved agency shall be presented to and allowed by the court upon the entry of judgment. Whenever such costs are paid or allowed to an approved public agency, the moneys resulting therefrom shall be appropriated to the use of such approved public agency in the administration of this act.

C. 9:3-33. Construing.

17. Liberal construction. This act shall be given a liberal construction to give effect to the public policy expressed in section one.

C. 9:3-34. Repealer.

18. Repeal of prior law. Subtitle two of Title 9 of the Revised Statutes, as amended and supplemented, is repealed, but nothing in this act shall be deemed to invalidate or otherwise affect any adoption granted or any right or duty vested or established under any law heretofore in effect.

C. 9:3-35. Not to affect pending proceedings.

19. Act not to affect pending proceedings. With respect to proceedings for the adoption of children commenced prior to the effective date of this act, chapter three of Title 9 of the Revised Statutes shall continue applicable thereafter until the completion of such proceedings.

C. 9:3-36. Act effective.

20. Effective date. This act shall take effect January first, one thousand nine hundred and fifty-four.

Approved July 23, 1953.

CHAPTER 265

AN ACT concerning crimes, making it unlawful to place, or assist in placing a child for the purpose of adoption, without proper authority, and providing that certain violations shall be misdemeanors and certain other violations shall be high misdemeanors.

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

C. 2A:96-6. Placing of child for adoption in violation of act a misdemeanor.

1. No person, firm, corporation, association, or agency shall place, offer to place, or in any manner assist in the placment of a child in the home of any other person, or persons for the purpose of adoption, other than in the home of a brother, sister, aunt, uncle, grandparent or step-parent of such child, unless such person, firm, corporation, association, or agency shall be the natural or adopting parent of the child, or shall have been approved for such purpose as provided by law. Any person, firm, corporation, association or agency violating this section shall be guilty of a misdemeanor.

C. 2A:96-7. Taking or receiving money for adoption a high misdemeanor.

2. No person, including a natural parent or parent by adoption, and no firm, corporation, association or agency, other than an agency approved to place children for adoption as provided by law, shall place, offer to place, or in any manner assist in the placement of a child in the home of any other person or persons for the purpose of adoption and, in so doing, take, receive or pay any money or anything of value, or undertake or discharge any financial obligation, except in connection with the birth and any illness of the child. Any person, including a natural parent or parent by adoption, and any firm, corporation, association or agency, other than an agency approved to place

children for adoption as provided by law, violating this section, shall be guilty of a high misdemeanor.

C. 2A:96-8. Act effective.

3. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved July 23, 1953.

CHAPTER 266

AN ACT to amend and supplement "An act for the establishment of a police and firemen's retirement system for the police and firemen of a municipality, county or political subdivision thereof," approved May twenty-third, one thousand nine hundred and forty-four (P. L. 1944, c. 255).

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

Section amended.

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

C. 43:16A-5. Retirement at age 55, application, allowance, payments upon death.

5. (1) Any member in service who has attained age fifty-five years and has completed at least twenty-five years of creditable service may retire on a service retirement allowance upon written and duly executed application to the board of trustees, setting forth at what time, not less than thirty days nor more than ninety days, subsequent to the filing thereof, he desires to be retired. Any member in service who attains age sixty-five years shall be retired on a service retirement allowance forthwith or on the first day of the next calendar month.

(2) Upon retirement for service a member shall receive a service retirement allowance which shall consist of:

(a) An annuity which shall be the actuarial equivalent of his aggregate contribution at the time of retirement; and

(b) A pension in the amount which when added to the member's annuity will provide a total retirement allowance of one-sixtieth of his average final compensation multiplied by the number of years of his creditable service.

(3) Upon the receipt of proper proofs of the death of a member who has retired on a service retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, an amount equal to three-sixteenths of the compensation received by the member in the last year of creditable service.

Section amended.

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

C. 43:16A-6. Retirement for ordinary disability, proviso, death allowances.

6. (1) Upon the written application of a member in service or of his employer, any member who has had five or more years of creditable service may be retired by the board of trustees, not less than thirty days and not more than ninety days next following the date of filing such application, on an ordinary disability retirement allowance; *provided,* that the medical board, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for the performance of his usual duty and of any other available duty in the department which his employer is willing to assign to him and that such incapacity is likely to be permanent and to such an extent that he should be retired.

(2) Upon retirement for ordinary disability, a member shall receive a service retirement allowance if he has completed at least twenty-five years of creditable service and attained age fifty-five years, otherwise an ordinary disability retirement allowance shall consist of:

(a) An annuity which shall be the actuarial equivalent of his aggregate contributions at the time of retirement; and

(b) A pension equal to the annuity provided by the aggregate contributions, but not less than the amount which when added to the member's annuity will provide a total retirement allowance of twenty-five per centum (25%) of the member's average final compensation.

(3) Upon the receipt of proper proofs of the death of a member who has retired on an ordinary disability retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, an amount equal to three-sixteenths of the compensation received by the member in the last year of creditable service.

Section amended.

3. Section seven of the act of which this act is amendatory is amended to read as follows:

C. 43:16A-7. Retirement for accidental disability, proviso, death allowances.

7. (1) Upon the written application of a member or his employer any member may be retired by the board of trustees, not less than thirty nor more than ninety days next following the date of filing such application, on an accidental disability retirement allowance; *provided,* that the medical board, after a medical examination of such member, shall certify that the natural and proximate cause of such disability was an accident met in the actual performance of duty within two years preceding the date of such application and that such disability was not the result of the member's willful negligence and that such member is mentally or physically incapacitated for performance of his usual duty and of any other available duty in the department which his employer is willing to assign to him, and that such incapacity is likely to be permanent and to such an extent that such member should be retired.

(2) Upon retirement for accidental disability, a member shall receive an accidental disability retirement allowance which shall consist of:

(a) An annuity which shall be the actuarial equivalent of the member's aggregate contributions at retirement; and

(b) A pension equal to one-half of the member's average final compensation.

(c) The total of the annual allowance as provided in this section shall not exceed sixty per centum (60%) of the average final compensation of the member.

(3) Upon the receipt of proper proofs of the death of a member who has retired on an accidental disability retirement allowance, there shall be paid a pension of one thousand five hundred dollars ($1,500.00) a year to the widow of the member, if he leaves a widow to whom he was married at the time he became so disabled, to continue until her death or remarriage; or, if there is no widow, or if such widow dies leaving children of the deceased member, a pension to each child under age eighteen to continue to age eighteen or prior death, such pension to be six hundred dollars ($600.00) annually if there is only one such surviving child; or four hundred eighty dollars ($480.00) annually to each child if two such surviving children; or one thousand five hundred dollars ($1,500.00) annually divided equally among the surviving children if there are three or more such children.

Section amended.

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

C. 43:16A-9. Payment to beneficiary upon death of a member in service.

9. (1) Upon the receipt of proper proof of the death of a member in service on account of which no accidental death benefit is payable under section ten there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate:

(a) His aggregate contributions at the time of death; and

(b) An amount equal to one and one-half times the compensation received by the member in the last year of creditable service.

(2) A member may file, and alter from time to time during his lifetime, as desired, a request with the board of trustees naming the payee of the death benefit provided under this section. Such member may also file, and alter from time to time during his lifetime, as desired, a request with the board of trustees directing payment of said benefit in one sum or in equal annual installments over a period of years or as a life annuity. Upon the death of such member, a beneficiary to whom a benefit is payable in one sum may elect to receive the amount payable in equal annual installments over a period of years or as a life annuity.

C. 43:16A-9.1. Additional death benefit.

5. (1) Within six months after January first, one thousand nine hundred and fifty-four or after the effective date of membership, whichever date is later, each member shall have the right to select additional death benefit coverage as follows:

(a) Upon the receipt of proper proofs of the death of a member selecting coverage under this section who has retired on a service retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, an amount equal to three-sixteenths of the compensation received by the member in the last year of creditable service.

(b) Upon the receipt of proper proofs of the death of a member selecting coverage under this section who has retired on an ordinary disability retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, an amount equal to three-sixteenths of the compensation received by the member in the last year of creditable service.

(c) Upon the receipt of proper proof of the death in service of a member selecting coverage under this section, on account of which no accidental death

benefit is payable under section ten, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, an amount equal to one and one-half times the compensation received by the member in the last year of creditable service.

(2) Each member selecting the additional death benefit coverage under this section shall agree to the deduction of a percentage of his compensation in addition to that required under section fifteen. The actuary of the retirement system shall determine the uniform and constant percentage of contributions which, if deducted from each payment of the prospective earnable compensation throughout active service of all members selecting coverage under this section, is computed to be sufficient to provide for all benefits of this section.

(3) The percentage rate of contribution payable by members selecting coverage under this section shall be subject to adjustment from time to time by the board of trustees on the basis of annual actuarial valuations and experience investigations as provided under section thirteen, so that the value of future contributions of members selecting the additional death benefit coverage under this section shall be equal to the value of prospective benefit payments.

(4) All other provisions of this section notwithstanding, this section and the benefits provided under this section shall not come into effect until a required percentage of the members shall have applied for the additional death benefit coverage under this section. This required percentage shall be fixed by the board of trustees and shall not be less than sixty-five per centum (65%) nor more than seventy-five per centum (75%) of the members. Such application shall be made with the secretary of the board of trustees in such manner and upon such forms as the board of trustees shall provide.

(5) Any other provision of this act notwithstanding, the additional contributions of members selecting the additional death benefit coverage under this section shall not be returnable to the member or his beneficiary in any manner, or for any reason whatsoever, nor shall such contributions be included in any annuity payable to any such member or his beneficiary.

(6) A member selecting the additional death benefit coverage under this section may file, and alter from time to time during his lifetime, as desired, a request with the board of trustees naming the payee of the death benefit provided under this section. Such member may also file and alter from time to time during his lifetime, as desired, a request with the board of trustees directing payment of said benefit in one sum or in equal annual installments over a period of years or as a life annuity. Upon the death of such a member, a beneficiary to whom a benefit is payable in one sum may elect to receive the amount payable in equal annual installments over a period of years or as a life annuity.

C. 43:16A-9.2. Act effective.

6. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved July 23, 1953.

CHAPTER 267

AN ACT regulating the sale, offering for sale or having in possession for sale or other disposition and the manufacture, processing or preparing for sale or other distribution, of all articles of wearing apparel and fabrics which are so highly flammable as to be dangerous when worn by individuals.

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

C. 2A:123-3. Terms defined.

1. As used in this act the following words shall have the following meanings:

"Articles of wearing apparel" means any costume or article of clothing worn or intended to be worn by individuals except hats, gloves and footwear; *provided, however,* that such hats do not constitute, nor are part of a covering for the neck, face or shoulders when worn by individuals; *and provided, further,* that such gloves are not more than fourteen inches in length and are not affixed to or do not form an integral part of another garment; *and provided, further,* that such footwear does not consist of hosiery, in whole or in part, and is not affixed to nor does not form an integral part of another garment.

Proviso.

Proviso.

Proviso.

"Fabric" means any material (other than a fiber, filament or yarn) woven, knitted, felted or otherwise produced from or in combination with any natural or synthetic filament or substitute therefor which is intended or sold for use in wearing apparel except that interlining fabrics, when intended or sold for use in wearing apparel, shall not be subject to this act.

"Interlining" means any fabric which is intended for incorporation into an article of wearing apparel as a layer between an outer shell and an inner lining.

"Commissioner" means the Commissioner of Labor and Industry of the State of New Jersey.

"Department" means the Department of Labor and Industry of the State of New Jersey.

"Sale," "sell" or "sold" means offering or exposing for sale or exchange or hire or lease, or consigning and delivering in consignment for sale, exchange, hire, or lease, or holding in possession with like intent. The possession of any article of wearing apparel or fabric, as herein defined, by any manufacturer or dealer, or his agent or servant in the course of business shall be presumptive evidence of intent to sell.

"Manufacture" means making, make or made, and includes converting, processing, altering, repairing, finishing, or preparing for sale any article of wearing apparel or fabric as wearing apparel and fabric are herein defined.

C. 2A:123-4. Short title.

2. This act shall be known and may be cited as the "Flammable Fabrics Act."

C. 2A:123-5. Unlawful to sell or deliver flammable apparel.

3. The manufacture for, or sale or offer for sale, transport or causing to be transported for the purpose of sale or delivery after sale within the State of New Jersey of any article of wearing apparel or fabric which, under the provisions of section four of this act, is so highly flammable as to be dangerous when worn by individuals shall be unlawful.

C. 2A:123-6. Deemed highly flammable.

4. Any article of wearing apparel or fabric shall be deemed so highly flammable, as to be dangerous when worn by individuals, within the meaning of this act, if any uncovered or exposed part of such article of wearing apparel or fabric exhibits rapid and intense combustion or burning when tested under the conditions and in the manner prescribed by rules and regulations adopted by the commissioner pursuant to section five of this act.

C. 2A:123-7. Enforcement.

5. This act, except as herein otherwise specifically provided, shall be enforced by the department, and the commissioner is hereby authorized and directed to adopt, amend and enforce rules and regulations establishing the conditions under which, and the manner in which, articles of wearing ap-

parel or fabric shall be tested to determine whether or not they are so highly flammable, as to be dangerous when worn by individuals, within the meaning of this act, if any uncovered or exposed part of such article of wearing apparel or fabric exhibits rapid and intense combustion or burning when so tested, if such conditions and manner of testing shall, in all respects, from time to time, conform to the conditions and manner prescribed in the Commercial Standard promulgated by the Secretary of Commerce of the United States of America effective January thirtieth, one thousand nine hundred and fifty-three, and identified as "Flammability of Clothing Textiles, Commercial Standard 191–53" and any modification or supplement thereto promulgated by the Secretary of Commerce of the United States of America which shall result from, and be developed under, the same procedures as were in use and effect in connection with the establishment of "Flammability of Clothing Textiles, Commercial Standard 191–53" and also to adopt, amend and enforce rules and regulations designed and intended to effectuate the general purposes of this act and the specific objectives herein set forth, which said rules and regulations shall include the authorization to the commissioner to cause inspections, analyses, tests and examinations to be made of any article of wearing apparel or fabric which he has reason to believe falls within the prohibitions of this act.

C. 2A:123-8. Rules and regulations filed.

6. Such rules and regulations promulgated by the commissioner pursuant to this act shall be filed in the offices of the Secretary of State and of the department before becoming effective and may from time to time be amended and revised.

C. 2A:123-9. Inspection and examination.

7. Every place where articles of wearing apparel or fabrics are sold or manufactured shall be subject to inspection by the commissioner, who shall have power to inspect the manufacture or sale or delivery of all such articles of wearing apparel or fabrics covered by this act. The commissioner

shall have power to cause examinations and tests to be made of such articles of wearing apparel or fabrics and to seize and hold as evidence any article of wearing apparel or fabric which is made or sold or held in possession in violation of this act or of the rules and regulations promulgated hereunder.

C. 2A:123-10. Proceedings to bar manufacture and sale.

8. Whenever the department has reason to believe that any article of wearing apparel has been manufactured or has been offered for sale in violation of the provisions of this act or of the rules and regulations promulgated hereunder, proceedings to enjoin such manufacture or sale or other disposition of such wearing apparel or fabrics may be instituted by the commissioner in the Superior Court of the State of New Jersey, and said commissioner may also institute proceedings for the confiscation of such article of wearing apparel or fabric in said Superior Court of the State of New Jersey and shall make such disposition of said wearing apparel or fabric as he shall be ordered so to do by said Superior Court of the State of New Jersey; *provided, however,* that said Superior Court may order the delivery of such condemned articles of wearing apparel or fabric to the owner or claimant thereof upon payment of legal costs and charges and upon the execution and deposit with said Superior Court of a good and sufficient bond conditioned upon said articles of wearing apparel or fabric not being disposed of until properly and adequately treated or processed so that such articles of wearing apparel or fabrics will comply with the provisions of this act and the rules and regulations promulgated pursuant thereto.

Proviso.

C. 2A:123-11. Penalty for violation.

9. Any person who willfully violates this act shall forfeit and pay a penalty of not less than two hundred dollars ($200.00) and not more than five hundred dollars ($500.00) for the first offense, nor less than five hundred dollars ($500.00) or more than one thousand dollars ($1,000.00) for the second or any subsequent offense, to be sued for and recovered by and in the name of the department in a summary proceeding in accordance with

the penalty enforcement law. (N. J. S. 2A:58–1 et seq.) Each article of wearing apparel or fabric made, sold or exposed for sale shall constitute a separate violation.

C. 2A:123-12. Application of penalty provisions.

10. The penalties provided for a violation of this act shall not apply to any person who establishes a guaranty received in good faith, signed by and containing the name and address of the person by whom the fabric or wearing apparel covered by the guaranty was manufactured or from whom it was received, to the effect that reasonable and representative tests made under the rules and regulations in accordance with the procedures prescribed in this act show that the specific type of fabric covered by the guaranty and used in the wearing apparel or fabric covered by the guaranty when so tested was not highly flammable within the meaning of this act; *provided, however,* that a person furnishing such a guaranty (except a person relying upon a guaranty received in good faith to furnish a guaranty to the same effect, if he, by further processing, has not affected the flammability of the wearing apparel or fabric covered by the guaranty) shall not be relieved thereby from any of the penalties prescribed for the violations of this act.

Proviso.

C. 2A:123-13. Application of act.

11. The provisions of this act shall not apply (a) to any common carrier, contract carrier or freight forwarder with respect to an article of wearing apparel or fabric shipped or delivered for shipment in the ordinary course of its business; or (b) to any person manufacturing, delivering for shipment, shipping, selling or offering for sale or export from the United States of America to any foreign country an article of wearing apparel or fabric made in accordance with the specifications of the purchaser; or (c) to any convertor, processor, or finisher in performing a contract or commission service for the account of a person subject to the provisions of this act; *provided, however,* that said convertor, processor, or finisher does not cause any article of wearing apparel or fabric to become subject to this

Proviso.

act contrary to the terms of the contract or commission service; or (d) to any article of wearing apparel or fabric shipped or delivered for shipment into commerce for the purpose of finishing or processing to render article or fabric not highly flammable under the provisions of this act and to the rules and regulations promulgated pursuant thereto.

C. 2A:123-14. Construction.

12. Nothing contained in this act shall apply to such wearing apparel or fabrics while being transported upon vessels, vehicles or railroad cars, or while being held for delivery; *provided,* such transport and delivery is subject to and in conformity with regulations now or hereafter prescribed by the Interstate Commerce Commission.

Proviso.

C. 2A:123-15. Act effective.

13. This act shall take effect January first, one thousand nine hundred and fifty-four.

Approved July 24, 1953.

CHAPTER 268

AN ACT providing for the expunging from the records of certain courts of the records of commitments to mental institutions in certain cases.

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

C. 30:4-80.8. Application for relief.

1. Any person who has been, or shall be, committed, by order of any court or by voluntary commitment, to any mental institution and who was, or shall be, discharged from such institution as recovered and who has not, or shall not, have been again committed to such an institution may, after the lapse of ten years from the date of such discharge, apply to the court by which such commitment was made by verified petition setting forth the facts and praying for the relief provided for in this act.

2. Upon reading and filing such petition, the court shall by order fix a time, not less than ten or more than thirty days thereafter, for the hearing of such matter, a copy of which order shall be served upon the county adjuster of the county and upon the medical director of the mental institution to which such person was committed and at the time so appointed, or to which it may be adjourned, the court shall hear the matter and if no reason appears to the contrary, an order shall be made directing the clerk of the court to expunge such commitment from the records of the court.

C. 30:4-80.9. Hearing, determination.

3. This act shall not apply to any case in which the commitment resulted from a determination that the defendant was not guilty of a crime, because of insanity.

C. 30:4-80.10. Application of act.

4. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 269

AN ACT concerning certain papers and records on file in the offices of the county clerks and registers of deeds and mortgages, and supplementing chapter three of Title 47 of the Revised Statutes.

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

1. Whenever papers of the character hereinafter described have been on file in the office of any county clerk or register of deeds and mortgages for more than the number of years specified, the county clerk or register of deeds and mortgages, as the case may be, having charge thereof, may direct such papers to be removed and destroyed or the records therein otherwise effectively obliterated,

C. 47:3-9. Authorized to destroy or obliterate certain records.

subject, however, to the limitations imposed herein in respect to said papers.

The following are the papers which may be removed and destroyed or the records therein effectively obliterated pursuant to the provisions of this act:

(a) Admissions to the bar, notices of intention to apply for such admissions, after one year;

(b) Appeals, notices of from local criminal courts, and other papers incidental thereto, where such appeals were not heard and disposed of by specific court action, after five years;

(c) Bills of sale upon condition and other papers in the nature of conditional bills of sale, after six years; provided their expiration dates occurred prior to said six years; *and*

Proviso. *provided further*, if their expiration dates shall have been extended by the acts of the parties and notice of such acts shall have been given to the county recording officer, then after six years from their expiration dates as so ex-

Proviso. tended; *and further provided,* that bills of sale under seal, after twenty-two years instead of after six years;

(d) Bonds given as bail and recognizances in connection with or in lieu of bail, and discharges of the same, after six years; provided notations thereof have been entered on the dockets;

(e) Bonds under orders of filiation, after twenty years;

(f) Certificates of authority filed by insurance and bonding companies, after six years;

(g) Chattel mortgages, after six years; provided their expiration dates occurred prior to

Proviso. said six years; *and further provided,* if their expiration dates shall have been extended by the acts of the parties and notice of such acts

shall have been given to the county recording officer, then after six years from their expiration dates as so extended; *and further provided,* that chattel mortgages under seal, after twenty-two years instead of after six years; Proviso.

(h) Contracts, plans and specifications for the construction of buildings and other structures except for public buildings, after ten years;

(i) Convictions of disorderly persons, after five years;

(j) Costs, bills of costs taxed by the clerk, both civil and criminal, after twenty years; provided notations thereof have been entered on the dockets;

(k) Depositions, which are not within the scope of any applicable court rule and which do not pertain to any pending court action or proceeding, after ten years;

(l) Delinquent municipal tax returns for real and personal property and discharges therefor, after twenty years;

(m) Elections returns, certificates of, and all other papers relating to elections, including primary petitions, returns for primary and general elections and statements of candidates' campaign managers and treasurers, after five years;

(n) Executions returned by the sheriff, both satisfied and unsatisfied, after twenty years; provided notations thereof have been entered on the dockets;

(o) Extradition papers including applications for writs of habeus corpus, except judgments thereon, after five years;

(p) Indictments, accusations, informations and complaints in the nature thereof, if nolle prossed, or if the defendant charged thereby has been convicted or acquitted, or if the court has otherwise disposed of the same, after five years;

(q) Inquests conducted by the coroners, and their reports, and other papers relating to sudden deaths, after ten years;

(r) Insolvency proceedings, assignments for the benefit of creditors, inventories in such proceedings, discharges of insolvents, and other papers relating or incidental to insolvency proceedings, after twenty years;

(s) Institutions and agencies, commitments other than in criminal or lunacy cases, reports and other papers relating to institutions and agencies, after thirty years;

(t) Judgment transcripts for docketing, after twenty years; provided notations thereof have been entered on the dockets;

(u) Judgments, satisfactions and discharges and releases of judgments, after twenty years; provided notations thereof have been entered on the dockets;

(v) Juries, lists of Grand and petit juries, and other papers relating to summoning, impaneling and the charging of such juries, after five years;

(w) Justices of the peace bonds, dockets, files and papers, after twenty years;

(x) Licenses for hunting, including applications, after two years;

(y) Lien notices and claims other than mechanics' lien claims, and other than lien notices or notices in the nature of lien notices filed by any State, county or municipal agency, after six years;

(z) Lists of causes for trial calendars, including notices of trial, after one year;

(aa) Lunacy proceedings for commitments to institutions including medical and other reports relating thereto, after thirty years;

(bb) Mechanics' lien claims, notices of intention, stop notices and all papers relating to mechanics' lien claims, other than proceedings

and actions in the courts brought to enforce such lien claims, after six years;

(cc) Notary public certificates and qualifying papers, after five years;

(dd) Notices and other papers, authorized or required by law to be filed but not recorded and not involving title to real or personal property or to proceedings or actions in any court, after ten years;

(ee) Oaths of office of persons whose incumbency in office has ceased, after five years; provided the term of office of such person expired prior to said five years;

(ff) Permits to carry firearms which have expired, including the applications therefor, after two years;

(gg) Prison records and reports and papers relating thereto, after five years;

(hh) Probation reports and papers relating thereto, after five years;

(ii) Referees' reports, not forming a part of the record of a proceeding or action in court, after six years;

The said several periods of time shall be computed from the date of the filing of said papers.

The county clerk and the register of deeds and mortgages, respectively, in his discretion, may retain on file in his office any of the said papers as a part of the permanent records of such office.

C. 47:3-10. Court may direct retention of certain papers.

2. The Superior Court assignment judge or the county judge, of the county, may order the retention of specific papers included in any of the aforedescribed papers and direct that such specific papers be retained by the county clerk or register of deeds and mortgages, as the case may be, as a part of the permanent records of the county.

C. 47:3-11. Notices before destruction.

3. None of the papers described in this act shall be removed and destroyed, or the records therein effectively obliterated, as provided herein, except on sixty days written notice to the Superior Court

Assignment Judge, the County Judge of the County and to the Division of State Library, Archives and History, in the Department of Education, and said division may acquire any of said papers for inclusion in the material bearing upon the history of the Government and the people of this State in the custody of the said division. Upon any such disposition of said papers by the county clerk or register of deeds and mortgages, as provided herein, the said county clerk or register of deeds and mortgages, as the case may be, shall file with the said division, a certificate under his hand and seal, setting forth the papers disposed of and the date of disposition. A copy of every such certificate shall be retained in the office of the county clerk or register of deeds and mortgages.

C. 47:3-12. Act effective.

4. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved July 25, 1953.

CHAPTER 270

AN ACT concerning the destruction or other disposition of certain papers on file in the offices of the county clerks, pertaining to the former courts of oyer and terminer, circuit courts, courts of common pleas, courts of quarter sessions and courts of special sessions.

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

C. 47:3-13. Destruction of certain court records authorized.

1. Whenever any papers have been on file for more than twenty-five years in the office of any county clerk, pertaining to the former court of oyer and terminer, circuit court, court of common pleas, court of quarter sessions and court of special sessions, of said county, and form no part of the record of an enforceable judgment, the Superior Court Assignment Judge of the county, wherein such papers are on file, may order and direct the clerk of the county to remove or destroy such papers or otherwise effectively obliterate the records therein.

C. 47:3-14. Act effective.

2. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved July 25, 1953.

CHAPTER 271

AN ACT concerning education, and amending section 18:7–3 of the Revised Statutes.

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

Section amended.

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

Acceptance of chapter by municipalities.

18:7–3. The acceptance of the provisions of this chapter shall be submitted to the qualified voters of any city, or of any town, township or borough in which the provisions of chapter six of this Title (§ 18:6–1 et seq.) have been accepted, at any general or municipal election to be held therein whenever the governing body thereof or the board of education of the school district situated therein, shall have, by resolution, directed that the question be so submitted or whenever a petition, signed by such number of the legally qualified voters of the municipality as shall equal at least fifteen per centum (15%) of the total number of votes cast at the last preceding general election for the election of all of the members of the General Assembly, requesting the submission thereof, is filed with the clerk of the municipality not less than forty days prior to the date fixed for the holding of the election.

The question to be submitted shall be for or against the adoption of the provisions of chapter seven of the Title, Education, of the Revised Statutes (§ 18:7–1 et seq.).

If a majority of the votes cast upon the question are for the adoption of the provisions of this chapter, the school district in such city, town, township or borough shall thereafter in all respects be governed by the provisions of this chapter, and the board of education therein shall have all the powers and duties given and imposed by the several provisions of this chapter.

2. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 272

AN ACT concerning education, and amending section 18:11–10 of the Revised Statutes.

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

1. Section 18:11–10 of the Revised Statutes is amended to read as follows: Section amended.

18:11–10. In the erection, construction, alteration or repair of a public school building, when the entire cost of the work will exceed two thousand dollars ($2,000.00) in amount, the board of education shall, in the manner provided by law, advertise for and receive separate bids for the plumbing and gas fitting, and all work kindred thereto, the steam and hot water heating and ventilating apparatus, steam power plants and all work kindred thereto, and electrical work, structural steel and ornamental iron work. The board shall award contracts for such work to the lowest responsible bidder for each of such branches respectively. Separate bids and contracts required.

2. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 273

AN ACT concerning education, relating to the furnishing of education to high school pupils of one school district by the board of education of another school district, and supplementing chapter fourteen of Title 18 of the Revised Statutes.

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

C. 18:14-7.3. Agreement to furnish education to pupils from another district.

1. Whenever a board of education, now or hereafter furnishing high school education for the pupils of another school district pursuant to section 18:14–7 of the Revised Statutes, finds it necessary to provide additional facilities for the furnishing of education to high school pupils, it may, as a condition precedent to the provision of such additional facilities, enter into an agreement with the board of education of such other district for a term not exceeding ten years whereby it agrees to provide such education to the pupils of such other district during the term of such agreement, in consideration of the agreement by the board of education of such other district that it will not withdraw its pupils and provide high school facilities for them in its own district during the term of said agreement, except as provided in this act.

C. 18:14-7.4. Application to commissioner to terminate agreement.

2. Any board of education which shall have entered into such an agreement may apply to the Commissioner of Education for consent to terminate the same, and to cease providing high school education to the pupils of the other contracting district on the ground that it is no longer able to provide facilities for the pupils of the other district, or to withdraw its high school pupils from the schools of the other contracting district and provide high school educational facilities for them in its own district on the ground that the board of education of the receiving district is not providing school facili-

ties and an educational program suitable to the needs of the pupils of the sending district or that the board of education of the receiving district will not be seriously affected educationally or financially by their withdrawal.

C. 18:14-7.5. Hearing.

3. Upon the making of any such application, an opportunity to be heard before the commissioner shall be given to the board of education of the other district before any determination is made by the commissioner, and if the commissioner finds that there are good grounds for the application, as provided in this act, he shall give his consent, and the applying board of education shall thereupon be entitled to terminate the agreement in accordance therewith.

C. 18:14-7.6. Appeals.

4. Any determination made by the commissioner on any such application may be appealed from to the State Board of Education.

5. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 274

AN ACT concerning the tax upon the sale of motor fuels, and amending sections 54:39–20 and 54:39–32 of the Revised Statutes.

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

Section amended.

1. Section 54:39–20 of the Revised Statutes is amended to read as follows:

Bond, term, release of surety, cancellation of license upon failure to renew.

54:39–20. Every bond hereafter filed with and approved by the commissioner shall, without the necessity of periodic renewal, remain in force and effect until such time as the distributor's license or special license A of which it is a part is revoked for cause or otherwise cancelled. No action

on a bond shall be begun after two years from the date of revocation or cancellation of the license of which it is a part. The surety on a bond, as provided herein, shall be released and discharged from all liability to the State accruing on such bond after the expiration of sixty days from the date upon which such surety shall have lodged with the commissioner a written request to be released and discharged, but this provision shall not operate to relieve, release, or discharge the surety from any liability already accrued or which shall accrue before the expiration of the sixty-day period. The commissioner shall promptly, upon receiving any such request, notify the principal who furnished the bond; and unless the principal shall, on or before the expiration of the sixty-day period, file a new bond, the commissioner shall forthwith cancel the principal's license.

Section amended.

2. Section 54:39–32 of the Revised Statutes is amended to read as follows:

Terms of licenses.

54:39–32. Every license and permit required by the provisions of this chapter, except a distributor's license and a special license A, shall be issued for a fiscal year, or unexpired portion thereof, commencing on the first day of April and ending on the succeeding thirty-first day of March and shall be void thereafter, and said license or permit may be revoked by the commissioner in accordance with the provisions of article two of this chapter (54:39–10 et seq.). Every distributor's license and special license A, once issued, shall remain in force until suspended or revoked for cause or otherwise canceled.

Note: Act effective.

3. This act shall take effect April first, one thousand nine hundred and fifty-four.

Approved July 25, 1953.

CHAPTER 275

AN ACT concerning licenses to be at large or at liberty issued by the Court of Pardons and orders for commutation of sentences issued by the Governor, and the revocation thereof, and amending section 2A:167–12 of the New Jersey Statutes.

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

1. Section 2A:167–12 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:167–12. When any such license or order is revoked it shall be done by an order in writing signed by the Governor and filed with the State Parole Board. The form of such order shall be prescribed by the Governor. Order of revocation, arrest, detention, period of confinement.

Upon the signing of such order, the Governor shall issue his warrant for the arrest of the convict to or for whom such license or order was granted, and his or her return to the place of confinement from which he or she was released thereunder. The warrant may be served by any person authorized to serve criminal process in any county in the State.

The convict to or for whom such license or order was or may be granted, when returned to the place of confinement from which he or she was released thereunder, shall be detained therein according to the terms of his or her original sentence; and, in computing the period of such convict's confinement, if it shall appear that such license or order was revoked because of conviction of crime of an indictable character committed while at liberty upon such license or order, the time between such person's release upon such license or order and return to confinement shall not be taken to be any part of the term of sentence. If the license or order is revoked for reasons other than such conviction of

crime, then the holder of such license or order shall be required to serve the balance of time due on his or her sentence to be computed from the date of the violation of one or more of the terms, conditions or limitations which resulted in the revocation of such license or order. If the person for whose arrest such warrant is issued is confined in any prison or penal or correctional institution of this State, the officer to whom the warrant shall be delivered, shall deliver the same to the warden, keeper or chief executive officer of such institution or prison, and the warden, keeper or chief executive officer shall, upon the expiration of the term of imprisonment or period of confinement then being served in that institution or prison, return the convict to the institution or prison from which such person was released under such license or order, or, if the release under such license or order was from the same institution or prison, he shall detain such convict therein according to the terms of his or her original sentence.

No part of a sentence imposed upon a convict, concerning which a license or order has been granted and revoked, shall be deemed to be served by such person while he or she is serving a sentence for an offense other than the one for which he or she was released under such license or order.

2. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 276

AN ACT concerning the sentencing to the State Prison of persons convicted as habitual offenders, and amending section 2A:164–17 of the New Jersey Statutes.

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

1. Section 2A:164–17 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:164–17. All sentences to the New Jersey State Prison shall be for a maximum and minimum term, except sentences for life. The maximum term shall not be in excess of the maximum term prescribed by law for the offense for which the offender was convicted. The minimum term shall not be less than one year. Commutation time for good behavior, as provided by law, shall be allowed on both the maximum and minimum terms. Nothing contained in this section shall be construed to repeal or affect the power of the courts to suspend the imposition or execution of sentence and place the offender on probation. The sentence of the court shall include a determination as to whether the prisoner was convicted and sentenced as a second, third or fourth offender as provided in sections 2A:85–8, 2A:85–9, 2A:85–12 and 2A:85–13 of this Title and the commitment or order of sentence which directs the prisoner's confinement shall specify therein whether he is convicted and sentenced as a second, third or fourth offender. Sentences to State Prison. Commutation time, suspension of sentence.

Whenever it shall appear to the satisfaction of the sentencing court that the ends of justice and the welfare of the prisoner shall be served thereby, the court, in its discretion, may direct the commitment of the prisoner for a maximum and minimum term to the New Jersey State Prison, and provide in said commitment that the prisoner shall be taken

to and confined in the reformatory at Bordentown. Whenever the court shall so direct, any such prisoner shall be admitted and confined at said reformatory in accordance with the terms of such order of commitment, until paroled in accordance with law.

Nothing herein contained shall be deemed to prevent the subsequent transfer of any such prisoner from said reformatory to the New Jersey State Prison, as provided in section 30:4–85 of the Revised Statutes, whenever it shall appear that such prisoner requires maximum security detention or whenever his welfare or the welfare of other prisoners shall be served by such transfer.

2. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 277

AN ACT to amend "An act providing for a system for the granting of paroles in certain cases, establishing a State Parole Board and defining its composition, powers and duties, and repealing sections 30:4–106.1, 30:4–106.2 and 30:4–142 of the Revised Statutes," approved May twenty-eighth, one thousand nine hundred and forty-eight (P. L. 1948, c. 84).

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

Section amended.

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

C. 30:4-123.10. Granting of paroles, procedure.

10. No inmate of a penal or correctional institution serving a sentence for a fixed minimum and maximum term shall be eligible for consideration for release on parole until he has served his minimum sentence, less commutation time therefrom

for good behavior and for diligent application to work assignments or one-third of his fixed maximum sentence without regard to commutation time, whichever occurs sooner, subject to the provisions of section twelve hereof.

Whenever, after the effective date of this act, two or more sentences to run consecutively are imposed at the same time by any court of this State upon any person convicted of crime herein, there shall be deemed to be imposed upon such person a sentence the minimum of which shall be the total of the minimum limits of the several sentences so imposed, and the maximum of which shall be the total of the maximum limits of such sentences. For purposes of determining the date upon which such a person shall be eligible for consideration for release on parole, the board shall consider the minimum sentence of such person to be the total aggregate of all of the minimum limits of such consecutive sentences and the maximum sentence of such person to be the total aggregate of all of the maximum limits of such consecutive sentences.

With regard to consecutive sentences imposed upon prisoners prior to July third, one thousand nine hundred and fifty, such consecutive sentences, with the consent of the prisoner, may be aggregated by the board to produce a single sentence, the minimum and maximum of which shall consist of the total of the minima and maxima of such consecutive sentences. Such aggregation shall be for the purpose of establishing the date upon which such prisoner shall be eligible for consideration for release on parole.

When any such prisoner is released on parole the period of his supervision under parole shall be measured by the aggregated maxima of his consecutive sentences.

Notwithstanding any of the other provisions of this act, whenever it shall appear that the date upon which a prisoner shall be eligible for consideration for release on parole occurs later than the date upon which he would be so eligible if a life

sentence had been imposed upon him, then, and in such case, he shall be deemed eligible for consideration for release on parole after having served twenty-five years of his sentence, or sentences, less commutation time for good behavior and time credits earned and allowed by reason of diligent application to work assignments.

Section amended.

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

C. 30:4-123.12. Granting of paroles limited.

12. The granting of parole, as provided for herein, shall be limited as follows:

(a) Any offender sentenced to any penal institution of this State who has previously served all or part of a term of imprisonment in any penal institution

(1) Of this State, or
(2) Of the United States, or
(3) Of any State other than this State,

shall be deemed to be a second offender and upon his incarceration for such second offense shall be ineligible for parole consideration by the board until he shall have served at least one-half of the maximum sentence imposed upon him for such second offense less any time earned for diligent performance of work assignments.

(b) Any person sentenced to any penal institution of this State who has previously served all or part of two terms of imprisonment in any penal institution

(1) Of this State, of the United States or of any State other than this State, or
(2) Of this State and of the United States, or of this State and of any other State, or of the United States and any other State, or of any States other than this State,

shall be deemed to be a third offender and upon his incarceration for such third offense

shall be ineligible for parole consideration by the board until he has served at least three-fourths of the maximum sentence imposed upon him for such third offense less any time earned for diligent performance of work assignments; subject, however, to the provisions of section thirteen of this act.

(c) Any person sentenced to any penal institution of this State who has previously served all or part of three terms of imprisonment in any penal institution

(1) Of this State, of the United States, or of any State other than this State, or

(2) Of this State and the United States, or of this State, the United States and any other State, or of this State and any other State or States, or

(3) Of the United States and any other State or States, or of more than one State other than this State,

shall be deemed to be a fourth offender and upon his incarceration for such fourth or later offense shall be ineligible for parole consideration by the board until he shall have served the maximum sentence imposed upon him for such fourth or later offense less any time earned for diligent performance of work assignments; subject, however, to the provisions of section thirteen of this act.

As used in this section "penal institution" means and includes the New Jersey State Prison and any other State penal or correctional institution in this State to which offenders are sentenced for fixed terms or fixed minimum and maximum terms and other institutions of like character under the jurisdiction of the United States or of a State or States other than this State.

The limitations contained in this section on the granting of parole shall not apply to prisoners who are convicted and sentenced as second, third or fourth offenders in the manner provided for in sections 2A:85–8, 2A:85–9, 2A:85–12 and 2A:85–13 of the New Jersey Statutes; *provided,* that the fact of such conviction and sentence as a second, third or fourth offender is contained in the order committing the prisoner to confinement as a part of his sentence and wherein it is specified that he is convicted either as a second, third or fourth offender. All such prisoners so convicted and sentenced shall be eligible for consideration for release on parole as provided for in section ten of this act.

Proviso.

3. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 278

AN ACT concerning beauty culture, and supplementing chapter four-A of Title 45 of the Revised Statutes.

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

C. 45:4A-23.2. License to continue.

1. When a licensed beauty shop is being operated by a partnership and one or more of the partners withdraws from the partnership, the license shall continue to be valid until its expiration notwithstanding such withdrawal, and the remaining partner or partners may continue such operation without the payment of any additional fee.

C. 45:4A-23.3. May operate shop after death, conditions.

2. In the event of the death of the holder of a license to operate a beauty shop, such shop may be continued to be operated for the benefit of the estate of the decedent or the surviving spouse of the decedent or other persons having a beneficial interest in such estate, provided such operation

shall be under the supervision of a licensed manager-operator, subject, however, to the approval of the board as to the manner of such operation and the determination of the board as to the period of time during which such operation may be continued.

3. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 279

AN ACT to amend "An act concerning minimum requirements for pharmacies and drug stores and for prescription departments of pharmacies and drug stores, the issuance of temporary and limited permits, the suspension and revocation of temporary permits and other permits, and supplementing chapter fourteen of Title 45 of the Revised Statutes," approved May twenty-eighth, one thousand nine hundred and forty-eight (P. L. 1948, c. 105).

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

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

3. A temporary permit of any nature issued by the board shall not be extended or renewed beyond the period for which it was issued unless an application for its extension or renewal is filed by the applicant. Such application may be acted upon by the board without payment of a fee unless the temporary permit is in effect on June thirtieth of any year when it shall expire and must be renewed on or before July first in the manner prescribed for renewal of registration of pharmacies C. 45:14-36.3. Not to extend temporary permit unless application is filed.

and drug stores operating under other permits issued by the board. Any other permit issued by the board may be suspended or revoked by the board for failure to meet any of the provisions of this chapter or any of the rules and regulations with reference to equipment for the prescription department; stock of drugs, pharmaceuticals and chemicals in the prescription department; size and other space requirements of the prescription department; facilities necessary in the compounding of prescriptions; and sanitation, orderliness and cleanliness in the pharmacy or drug store, by serving a copy of the complaint upon the owner of the pharmacy or drug store and granting at least ten days' advance notice of a hearing before the board. The suspension or revocation by the board of any permit issued by it shall be reviewable by a proceeding in lieu of the prerogative writs in the Superior Court.

2. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 280

AN ACT to amend "An act concerning public education, supplementing Title 18 of the Revised Statutes, and repealing section 18:16–27 of the Revised Statutes," approved April fourteenth, one thousand nine hundred and forty-four (P. L. 1944, c. 140).

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

Section amended.

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

C. 18:16-27.1. May provide work for certain students.

1. The president of any State teachers college may, under regulations approved by the commissioner, provide work in or about such teachers col-

lege for any student or students who demonstrate financial need. The value of such work as determined by the president under the aforementioned regulations shall be credited toward the payment in part or in whole of any one or combination of the following charges for such student or students: tuition, room and board; *provided,* that the number of students aided under the provisions of this act shall not exceed fifteen per centum (15%) of the number of the full-time students of such college. Proviso.

2. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 281

AN ACT concerning salaries of members of the boards of chosen freeholders in counties of the fifth class having less than one hundred thousand inhabitants, and supplementing "An act concerning certain counties; prescribing the limits of the compensation of members and certain directors of the boards of freeholders thereof; prescribing the method of fixing such compensation; amending sections 40:20–72, 40:20–73 and 40:20–74, and supplementing chapter twenty of Title 40 of the Revised Statutes," approved June eighteenth, one thousand nine hundred and forty-seven (P. L. 1947, c. 302).

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

1. The annual salaries of the members of the boards of chosen freeholders of any county of the fifth class having less than one hundred thousand inhabitants may be increased to not more than C. 40:20-74.7. Salary, freeholders.

seven thousand dollars ($7,000.00), by resolution of the board adopted pursuant to the provisions of the act to which this act is a supplement.

2. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 282

AN ACT to amend "An act concerning banking and banking institutions (Revision of 1948)," approved April 29, 1948 (P. L. 1948, c. 67).

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

Section amended.

1. Section 225 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-225. Stop-payment orders.

225. Stop-payment orders; stop-payment orders on certified checks.

A. No banking institution shall stop payment of any check certified by it.

B. An oral order to a banking institution to stop payment of an uncertified check or draft against an account of a depositor shall not be effective after the first full business day following the day on which such order was received. An oral order may not be renewed orally. Nothing in this subsection shall require a banking institution to accept a stop-payment order unless it is given in writing.

C. A written order to a banking institution to stop payment of an uncertified check or draft against an account of a depositor shall not be effective for more than three months after the day on which such order was received. Such written order may be renewed from time to time. A renewal order shall be in writing and shall not be effective for more than three months after the day on which such renewal order was received.

D. In any action by the drawer or maker of a check, draft or note against a banking institution for the failure of the banking institution to stop payment of a check, draft or note, the banking institution shall have and may plead the following defenses and remedies

(1) if payment of the check, draft or note was made to a holder against whom the maker or drawer would have no defense if such holder had brought an action on such draft, check or note against the maker or drawer, the maker or drawer shall have no cause of action against the banking institution;

(2) if the maker or drawer of the check, draft or note has received a valuable consideration therefor, the amount or value of such consideration shall be credited against the sum claimed against the banking institution;

(3) if the payee or other holder of the check, draft or note procured payment thereof with knowledge that payment thereof had been ordered stopped, the banking institution may recover from such payee or other holder the amount of the check, draft or note so paid;

(4) the banking institution shall be subrogated to the rights of all persons who are parties to such check, draft or note to the end that there shall be no unjust enrichment of any party thereto;

(5) any person may be brought in as a party to the action in compliance with law and rules of court applicable thereto, to the end that all issues raised in such action may be determined in such action.

2. This act shall take effect immediately.
Approved July 25, 1953.

CHAPTER 283

A SUPPLEMENT to "An act concerning medical service corporations and regulating the establishment, maintenance and operation of medical service corporations and medical service plans, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled 'Medical Service Corporations,'" approved May twenty-ninth, one thousand nine hundred and forty (P. L. 1940, c. 74).

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

C. 17:48A-26. Chiropodists to have same rights as other physicians.

1. Notwithstanding any other provision of the act to which this act is a supplement, benefits shall not be denied to an eligible individual for eligible services when such services are performed or rendered such persons by a licensed chiropodist within the scope of his practice. The practice of chiropody shall be deemed to be within the provisions of the act to which this act is a supplement and licensed chiropodists shall have the privileges and benefits in the scope of their practice under such act as are afforded thereunder to licensed physicians and surgeons in the scope of their practice.

2. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 284

AN ACT providing for an exchange of lands in the township of Landis, borough of Vineland and county of Cumberland, between the State of New Jersey and the Jersey Package Company, a corporation of the State of New Jersey.

Preamble. WHEREAS, The Jersey Package Company, a corporation of the State of New Jersey, has encroached upon certain lands of the State of New Jersey, occupied by the New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and Their Wives and Widows at Vineland, in the township of Landis and county of Cumberland, and erected thereon premises now being utilized to carry on its business; and

Preamble. WHEREAS, The said Jersey Package Company, desiring to compensate the State of New Jersey for the loss of use of lands encroached upon, comprising 18,678 square feet, has offered to convey to the State of New Jersey a tract of land having fronting on Fenimore Street and also on West Boulevard, containing 31,710 square feet; and

Preamble. WHEREAS, The proposal has been approved by the Board of Managers of the said Soldiers Home and the State Board of Control of the Department of Institutions and Agencies; now, therefore,

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

State House Commission authorized to make conveyance. 1. For and in consideration of the prior conveyance to the State of New Jersey of the lands and premises described in section two of this act, by the Jersey Package Company, a corporation of the

State of New Jersey, the State House Commission, acting for and on behalf and in the name of the State of New Jersey, is hereby authorized and empowered to convey to the said Jersey Package Company those lands and premises, owned by the State of New Jersey, situate, lying and being in the township of Landis, borough of Vineland and county of Cumberland and being more particularly bounded and described as follows:

Description of Jersey Package Company plot.

Beginning at the point of intersection of the center line of formerly France Street with the Westerly line of Fourth Street; then (1) along the Westerly line of Fourth Street North 9° East 33 feet to a point in the Northerly line of formerly France Street; thence (2) along said line North 81° West 566 feet more or less to a point in the Westerly line of property of the New Jersey Memorial Home for Soldiers in or near the Easterly line of formerly Third Street; thence (3) South 9° West 33 feet to a point in the center line of formerly France Street; thence (4) along said center line South 81° East 566 feet more or less to the point of beginning.

Being the Northerly half of France Street lying between the Westerly line of Fourth Street and the Easterly line of Third Street as set forth on the plan of the Northwest District of the town of Vineland recorded in the Office of the Clerk of Cumberland County, Book 178 page 269. Said portion of France Street was vacated by the Landis Township Committee by Ordinance 119 passed May 16, 1938.

Being a portion of the property conveyed by Matilda T. Landis, executrix, to the State of New Jersey by deed dated June 8, 1903 and recorded in the Office of the Clerk of Cumberland County, Book 341 of Deeds, page 255, containing 18,678 square feet.

Location and description of State plot.

2. For and in consideration of the conveyance to it by the State of the lands and premises herein-

above described, the Jersey Package Company, a corporation of the State of New Jersey, shall be required to convey to the State of New Jersey, free and clear of any and all encumbrances of any nature whatsoever, and the State of New Jersey is hereby authorized, empowered and enabled to accept the conveyance to it of the following described tract or tracts of land, all being situate in the township of Landis, borough of Vineland and county of Cumberland, and being more particularly bounded and described as follows:

Beginning at the intersection of the Westerly side of the Westerly Railroad Boulevard with the Southerly side of Fenimore Street; thence Southwardly along said side of the Westerly Boulevard one hundred and fifty-eight and fifty-five hundredths feet to line of the property of the Soldiers Home; and extending thence at right angles thereto, Westwardly between parallel lines one hundred and fifty-eight and fifty-five hundredths feet apart, and along the Southerly side of Fenimore Street and the Northerly line of the property of the Soldiers Home; two hundred feet.

Comprising lots Numbers forty-four (44) and forty-five (45) on the plan of the lots of Jennie A. Mosscrop as made by M. E. Blinn, October 1919, containing 31,710 square feet, together with the two-story frame dwelling house erected thereon.

3. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 285

AN ACT to amend "An act concerning moneys heretofore allotted from the State Highway Fund to the several counties and municipalities as State aid road funds," approved May first, one thousand nine hundred and forty-six (P. L. 1946, c. 241).

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

Section amended.

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

C. 27:13-8. Investment of moneys authorized.

2. If, in the opinion of the State Treasurer and the State Highway Commissioner, the best interests of the State will permit, the State Treasurer may invest and reinvest such moneys in short term obligations of the United States. Any interest accruing from the investment of such funds shall be credited to the General State Fund. Upon application of any county or municipality for which funds are held in the said special State aid road fund account and with the approval of the State Highway Commissioner, moneys so held in the said special account shall be made available for immediate expenditure as heretofore.

2. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 286

AN ACT to validate certain deeds or conveyances heretofore made and recorded.

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

1. No deed of conveyance heretofore made or purporting to have been made by any corporation, purporting to be a corporation under the laws of this State, and not now in existence and no longer exercising the powers of a corporation, for lands, tenements and hereditaments situate in this State, which shall have stood of record in any of the lawful and appropriate books of record in any county of this State prior to December thirty-first, one thousand nine hundred and forty-three, shall be invalid because the secretary of said corporation did not sign as a witness to the execution of the deed by the president of the corporation but said secretary did in fact sign the proof or acknowledgment wherein he stated the execution as well as the making of the instrument was duly authorized by proper resolution of the board of directors of the corporation and he saw said deed signed by the president who affixed the corporate seal thereto, and that he had subscribed his name as witness to the due execution thereof; *provided,* the notary public who took the proof by the secretary and signed his, the notary's, name as a witness to the execution of the deed; *and provided further,* that a corrective deed properly executed and proved by the surviving directors and trustees in dissolution of such corporation was recorded prior to December thirty-first, one thousand nine hundred and forty-eight.

Validates certain deeds or conveyances.

Proviso.

Proviso.

2. The record of every such deed shall be admissible in evidence as fully and completely for all purposes as if the deed had been fully and duly

Record as evidence.

executed and proved or acknowledged as required by law.

3. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 287

AN ACT relating to the South Jersey Port Commission, and amending section 12:11–6 of the Revised Statutes.

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

Section amended.

1. Section 12:11–6 of the Revised Statutes is amended to read as follows:

Authority of commission, report.

12:11–6. The commission shall have power and authority, subject to the approval of the board of commerce and navigation, over the survey, development, control and operation of port facilities in the district and the co-ordination of the same with existing or future agencies of transportation with a view to the increase and efficiency of all such facilities and the furtherance of commerce and industries in the district.

It shall make an annual report to the Legislature.

2. This act shall take effect immediately.

Approved July 25, 1953.

CHAPTER 288

AN ACT concerning zoning, and amending section 40:55–39 of the Revised Statutes.

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

1. Section 40:55–39 of the Revised Statutes is amended to read as follows: Section amended.

40:55–39. The board of adjustment shall have the power to: Powers, board of adjustment.

a. Hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by an administrative official or agency based on or made in the enforcement of the zoning ordinance.

b. Hear and decide, in accordance with the provisions of any such ordinance, requests for special exceptions or for interpretation of the map or for decisions upon other special questions upon which such board is authorized by any such ordinance to pass.

c. Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, or by reason of other extraordinary and exceptional situation or condition of such piece of property, the strict application of any regulation enacted under the act would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the owner of such property, to authorize, upon an appeal relating to such property, a variance from such strict application so as to relieve such difficulties or hardship; *provided, however,* that no variance shall be granted under this paragraph to allow a structure or use in a district restricted against such structure or use.

d. Recommend in particular cases and for special reasons to the governing body of the municipality the granting of a variance to allow a structure or use in a district restricted against such structure or use. Whereupon the governing body or board of public works may, by resolution, approve or disapprove such recommendation. If 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.

No relief may be granted or action taken under the terms of this section unless such relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

2. This act shall take effect immediately.

Approved July 27, 1953.

CHAPTER 289

AN ACT concerning counties, and amending section 27:19–13 of the Revised Statutes.

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

Section amended.

1. Section 27:19–13 of the Revised Statutes is amended to read as follows:

Rules and regulations.

27:19–13. The board of chosen freeholders shall make rules and regulations for the protection and use of the viaducts and bridges in the county under its care and control, and may place any viaduct or bridge in the special care or charge of such person as it may appoint for that purpose. Where there are one or more viaducts or bridges connecting two or more counties, the board of chosen freeholders of those counties or any joint committee

having charge thereof, shall make rules and regulations for the protection and use thereof, and may place them in the special care or charge of such person or persons as they may appoint for that purpose. The person so appointed shall have the same powers as policemen in cities of the first class in respect to such viaduct, bridge or roads or its approaches for the enforcement of all laws, rules and regulations.

2. This act shall take effect immediately.

Approved July 27, 1953.

CHAPTER 290

AN ACT concerning the publication of a monthly statement of expenditures by the boards of chosen freeholders in counties of the second, third and fifth classes, and repealing section 40:23–12 of the Revised Statutes.

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

1. Section 40:23–12 of the Revised Statutes is repealed. Section repealed.

2. This act shall take effect immediately.

Approved July 27, 1953.

New Jersey State Library

CHAPTER 291

AN ACT concerning mechanic's notice of intention and mechanic's liens, and amending section 2A:44–116 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:44–116 of the New Jersey Statutes is amended to read as follows:

Certificate for discharge of lien, contents.

2A:44–116. When a mechanic's notice of intention has been filed under section 2A:44–71 of this Title and the claim for which the notice was filed has been paid, satisfied or settled by the parties or abandoned by the party filing the notice, the party filing such notice shall file with the proper county clerk a certificate duly acknowledged or proved, directing the proper county clerk to discharge the mechanic's notice of intention of record, which certificate shall contain:

a. The date of filing the mechanic's notice of intention;

b. The file number indorsed thereon;

c. The name of the owner of the land named in the notice;

d. The location of the property; and

e. The name of the person for whom the labor was performed or materials furnished.

If the claimant shall fail or refuse to file such certificate, then upon application by any proper party in interest, the superior court or the county court of the proper county, upon five days' written notice to the claimant, to be served upon him in the same manner as provided by section 2A:44–79 of this Title, or upon satisfactory proof that the claimant cannot be served, may, upon good cause being shown, order the mechanic's notice of intention discharged.

When a mechanic's notice of intention has been filed pursuant to section 2A:44–71 of the New Jersey Statutes, and it is alleged that the claimant improperly refuses or neglects to file such certificate, upon application in the manner aforesaid, the Superior Court or the County Court of the proper county may inquire into the facts in a summary way, and upon good cause being shown, order the mechanic's notice of intention discharged, and may require the claimant to pay the costs and reasonable attorney's fees.

The county clerk shall thereupon attach the certificate or order to the original notice of intention on file and shall note on the record thereof "discharged by certificate" or "discharged by court order," as the case may be.

2. This act shall take effect immediately.

Approved July 27, 1953.

CHAPTER 292

AN ACT concerning the powers and duties of fire police, and amending section 15:8–4 of the Revised Statutes.

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

1. Section 15:8–4 of the Revised Statutes is amended to read as follows: Section amended.

15:8–4. Any duly organized volunteer fire company may provide for the appointment of certain of its members to perform certain police duties at fires and fire drills, for a term of office not exceeding five years from the date of the appointment. Such members shall, before entering upon their duties, qualify by taking and subscribing an oath that they will justly, impartially and faithfully Fire police, term, oath, filing, powers and duties.

discharge their duties according to the best of their ability and understanding. Said oath shall be administered by the municipal clerk and subscribed to in duplicate. The original copy of said oath shall be filed with the municipal clerk and the copy thereof filed with the secretary of the fire company making such appointment.

After appointment a member shall be eligible as a fire police and shall have full power and authority to act as such anywhere in the county in which he is appointed or in any other county in which he is called upon to act.

It shall be the duty of a member of the fire police to perform his duties under the supervision of the fire officer in charge of the fire or fire drill.

The duties of said fire police subject to the supervision aforesaid shall be to:

(1) Protect property and contents.

(2) Establish and maintain fire lines.

(3) Perform such traffic duties as necessary, from the fire station to and at the vicinity of the fire, fire drill or other emergency call, until the arrival of a duly authorized police officer.

(4) In the absence of investigating authorities, fire police shall investigate all causes of fires and preserve all evidence pertaining to questionable fire and turn evidence over to proper investigating authorities.

(5) Wear the authorized fire police badge on the left breast of the outermost garment while on duty.

Proviso. *Provided, however,* nothing herein contained shall give the fire police or any of them the right to supersede a duly authorized police officer.

If any person shall unreasonably refuse to obey the orders of the fire police such fire police may arrest him and keep him under arrest until the fire is extinguished or the drill completed. If the offender is found guilty by a municipal court or county district court, he shall be sentenced to pay a fine not exceeding ten dollars ($10.00) and costs.

2. This act shall take effect immediately.

Approved July 27, 1953.

CHAPTER 293

AN ACT concerning the State Auditor, and supplementing article one of chapter twenty-four of Title 52 of the Revised Statutes.

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

C. 52:24-10.1. Cancellation of uncollectible accounts, procedure.

1. The State Auditor is authorized and empowered, subject to the approval of the Attorney-General, to direct the Clerk of the Superior Court to cancel on the records of the clerk any account, note, or credit item due and payable to the clerk which, upon examination, is determined to be uncollectible, and in any such case the State Auditor shall issue an appropriate order, which shall, when such order is countersigned by the Attorney-General, be sufficient authority to the clerk for such cancellation.

2. This act shall take effect immediately.

Approved July 27, 1953.

CHAPTER 294

AN ACT concerning traffic regulation, amending section 39:4–128 of the Revised Statutes, and repealing section seventy of "An act concerning traffic regulations, and amending and supplementing chapter four of Title 39 of the Revised Statutes and certain other statutes relating thereto," approved April fifth, one thousand nine hundred and fifty-one (P. L. 1951, c. 23), and chapter sixty-eight of the laws of one thousand nine hundred and fifty-two amendatory thereof.

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

Section amended.

1. Section 39:4–128 of the Revised Statutes is amended to read as follows:

Full stop at railroad grade crossings, changing of gears prohibited.

39:4–128. (a) The driver of any omnibus, designed for carrying more than six passengers, or of any school bus carrying any school child or children, or of any vehicle carrying explosive substance or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad shall stop such vehicle within fifty feet but not less than fifteen feet from the nearest rail of such railroad and while so stopped listen and look in both directions along such track or tracks, for any approaching train, and for signals indicating the approach of a train. After stopping as required herein and upon proceeding when it is safe to do so, the driver of any said vehicle shall cross only in such gear of the vehicle that there will be no necessity for changing gears while transversing such crossing and the driver shall not shift gears while crossing the track or tracks.

(b) No person shall operate or move any crawler-type tractor, wheel tractor, tractor engine

with or without trailer or trailers attached, steam shovel, derrick, roller, self-propelled concrete mixer, or any self-propelled vehicle, equipment, machinery, apparatus or structure having a normal operating speed of ten or less miles per hour or a vertical body or load clearance of less than one-half inch per foot of the distance between any two adjacent axles or in any event of less than nine inches, measured above the level surface of a roadway, upon or across any track or tracks at a railroad grade crossing without first complying with the following requirements.

Notice of any such intended crossing shall be given to the nearest superintendent, station agent, station attendant, or track supervisor of such railroad. Such notice shall specify the approximate time of crossing and a reasonable time shall be given to such railroad to provide proper protection at such crossing.

After concluding satisfactory arrangements with the proper officer of the railroad and before making any such crossing, the person operating or moving any such vehicle or equipment shall first stop the same not less than fifteen feet nor more than fifty feet from the nearest rail of such railroad, and while so stopped shall listen and look in both directions along such track or tracks for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be made safely.

No such crossing shall be made when warning is given by automatic signal or crossing gates or a flagman or otherwise of the immediate approach of a railroad train or car. If the flagman is provided by the railroad, movement over the crossing shall be made under his jurisdiction.

(c) Any person violating the provisions of this section shall be punished by a fine of not more than fifty dollars ($50.00) for the first offense and for the second offense a fine of not more than one hundred dollars ($100.00), or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

(d) This section shall not be construed as limiting the authority of any municipality to adopt police regulations governing the operation of omnibuses and to provide penalties for their violation, or to relieve the owner or operator of such omnibus subject to the jurisdiction of the Board of Public Utility Commissioners from any penalty prescribed by the laws of this State for violation of orders of such board.

Section repealed.

2. Section seventy of chapter twenty-three of the laws of one thousand nine hundred and fifty-one is repealed.

Chapter 68, P. L. 1952 repealed.

3. Chapter sixty-eight of the laws of one thousand nine hundred and fifty-two is repealed.

4. This act shall take effect immediately.

Approved July 27, 1953.

CHAPTER 295

AN ACT relating to motor vehicles and traffic regulation, and amending section 39:3–28 of the Revised Statutes.

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

Section amended.

1. Section 39:3–28 of the Revised Statutes is amended to read as follows:

Records indexed as evidence, fee for certifying, destruction.

39:3–28. The director shall cause all applications for registration and drivers' licenses to be alphabetically indexed, and any original application or copy thereof, whether made by photography, micrograph or otherwise, certified to be a true copy under the hand of the director shall be received as evidence in any court to prove the facts contained therein. For each certified copy so issued the director shall collect a fee of one dollar and fifty cents ($1.50).

The director may destroy all records of registration certificates or drivers' licenses and their alphabetical indices when such registrations or drivers' licenses applicable thereto have expired, after having made copies of such records by means of photography, micrograph or otherwise. Such copies made by photography, micrograph or otherwise may be destroyed when they have been on file in the office of the director for a period of three years, or more.

2. This act shall take effect immediately.

Approved July 27, 1953.

CHAPTER 296

AN ACT concerning civil actions in county district courts, and amending section 2A:6–25 of the New Jersey Statutes.

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

1. Section 2A:6–25 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:6–25. The judge, and in courts having branch parts, the presiding judge, of any county district court may, in accordance with the provisions of Title 11, Civil Service, of the Revised Statutes, appoint one or more sergeants-at-arms to attend the sittings of the court, preserve order therein, and perform such other duties as such judge may prescribe. Sergeants-at-arms, number, appointment, bond, powers and duties.

Before entering upon the discharge of their duties, sergeants-at-arms, appointed under authority of this section shall file in the office of the clerk of the board of chosen freeholders of the county in which the county district court to which they, respectively, are attached, is located, a bond in a penal sum in the amount of not less than one thousand

dollars ($1,000.00) nor more than ten thousand dollars ($10,000.00) and with surety as is required by law. The bond shall be conditioned that if he shall well and truly execute his office and all things pertaining to the same, as well with respect to all persons concerned, as to the State of New Jersey and the county where such court is situate, and, at the expiration of his office, shall deliver to the clerk of the county district court all moneys deposited with him, together with the books, things, papers and records in the same, or appertaining thereto, then the obligation shall be void, otherwise it shall be and remain in force. The bond shall, before being filed, be fixed as to amount and approved as to form and sufficiency of surety by the judge making such appointment or appointments.

Sergeants-at arms of a county district court shall be invested with and possess all the rights, privileges, powers and duties of a constable.

2. This act shall take effect immediately.

Approved July 27, 1953.

CHAPTER 297

AN ACT concerning the county district courts, and amending sections 2A:6–34, 2A:6–35 and 2A:18–62 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:6–34 of the New Jersey Statutes is amended to read as follows:

Jurisdiction, amount in controversy actions and proceedings.

2A:6–34. Every action of a civil nature at law, other than a proceeding in lieu of a prerogative writ, and every action to recover any penalty imposed or authorized by any law of this State, where the debt, balance, penalty, damage or other matter

in dispute does not exceed, exclusive of costs, the sum or value of one thousand dollars ($1,000.00), shall be cognizable in the county district courts of this State.

County district courts shall also have jurisdiction in actions between landlords and tenants; in actions of replevin where the value of the goods or chattels of which replevin is sought does not exceed the value of one thousand dollars ($1,000.00); in actions for damages resulting from bodily injury or death or damage to property arising out of the ownership, maintenance or use of a motor vehicle where the amount in dispute does not exceed three thousand dollars ($3,000.00), exclusive of costs; and in actions of attachment, for a sum not exceeding one thousand dollars ($1,000.00), exclusive of costs, except that in actions of attachment for damages resulting from bodily injury or death or damage to property arising out of the ownership, maintenance or use of a motor vehicle, the sum shall not exceed three thousand dollars ($3,000.00), exclusive of costs.

County district courts shall have jurisdiction of actions by or against boards of chosen freeholders, quasi, domestic, foreign and municipal corporations, equally with natural persons, of actions by creditors of a decedent against the heirs or devisees of the decedent, where the amount in dispute, exclusive of costs, does not exceed the sum or value of one thousand dollars ($1,000.00) except that in actions for damages resulting from bodily injury or death or damage to property arising out of the ownership, maintenance or use of a motor vehicle, such sum shall not exceed three thousand dollars ($3,000.00), and of such other actions or proceedings as are now or may hereafter be given by law.

Section amended.

2. Section 2A:6–35 of the New Jersey Statutes is amended to read as follows:

Recovery of amount, exception.

2A:6–35. Where the debt, balance or other matter in dispute, or the amount really due or recoverable, exceeds, exclusive of costs, the sum or value of one thousand dollars ($1,000.00), either

plaintiff or defendant may recover in a county district court a sum not exceeding one thousand dollars ($1,000.00) and costs, except that in actions for damages resulting from bodily injury or death or damage to property arising out of the ownership, maintenance or use of a motor vehicle, either plaintiff or defendant may recover in a county district court a sum not exceeding three thousand dollars ($3,000.00) and costs. Such recovery shall bar the recovery of the residue of such debt, balance or other matter in dispute in any court whatsoever.

The plaintiff in a complaint or the defendant in a counterclaim or third party complaint may waive the excess over one thousand dollars ($1,000.00), or, in actions for damages resulting from bodily injury or death or damage to property arising out of the ownership, maintenance or use of a motor vehicle, the excess over three thousand dollars ($3,000.00), in order to bring the respective claim within the jurisdiction of the county district court.

Section amended.

3. Section 2A:18–62 of the New Jersey Statutes is amended to read as follows:

Attachment proceedings in district court.

2A:18–62. A writ of attachment may issue out of a county district court, upon the application of any plaintiff whose claim does not exceed one thousand dollars ($1,000.00), exclusive of costs, except that in actions for damages resulting from bodily injury or death or damage to property arising out of the ownership, maintenance or use of a motor vehicle, the claim shall not exceed three thousand dollars ($3,000.00), exclusive of costs, against the personal property, located within the county, of any person, corporation or organization against whom or which a summons might issue.

All proceedings in the action shall conform as nearly as may be, to the provisions of chapter twenty-six of this Title.

4. This act shall take effect immediately.

Approved July 27, 1953.

CHAPTER 298

AN ACT concerning civil actions in county district courts, and amending section 2A:18–47 of the New Jersey Statutes.

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

1. Section 2A:18–47 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:18–47. When an action or proceeding is commenced in a district court the clerk thereof shall enter in his docket: Entries required.

a. The names of plaintiff and defendant;

b. The style and nature of the action and the sum demanded or penalty sued for;

c. The time of issuing process, when returnable and the return made thereto by the officer;

d. The time when the complaint or counterclaim was filed by any of the parties;

e. The time of taking the bond or recognizance;

f. The time of the making or filing of any order, affidavit, pleading or other paper in the cause;

g. All adjournments;

h. The jury, when and by whom demanded;

i. The time of trial, the names of the jurors and witnesses;

j. A description of each paper offered in evidence;

k. The verdict and judgment and when given;

l. The execution or executions, when issued, and how returned by the officer;

m. The appeal, when and by whom demanded;

n. All proceedings before the court touching the action;

o. The items of costs in each case and the amount paid by each party.

2. This act shall take effect immediately.

Approved July 27, 1953.

CHAPTER 299

AN ACT fixing age limits for the appointment of members of paid fire or police departments in municipalities of this State, amending section 40:47–4 of the Revised Statutes and supplementing "An act for the establishment of a police and firemen's retirement system for the police and firemen of a municipality, county or political subdivision thereof," approved May twenty-third, one thousand nine hundred and forty-four (P. L. 1944, c. 255).

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

Section amended.

1. Section 40:47–4 of the Revised Statutes is amended to read as follows:

Age requirements.

40:47–4. No person shall be appointed a member of the paid fire or police department or force of any municipality who is less than twenty-one or more than thirty years of age except in counties of the third class having a population of less than seventy-five thousand inhabitants, any person may be appointed a member of the police department who is not less than twenty-one nor more than thirty-five years of age. But upon the creation of paid fire or police department in any municipality, nothing herein contained shall be construed to prohibit the continuance in office or employment of any person who is permanently employed by the municipality in a part-paid fire or police department at a fixed annual salary and whose sole occupation is that of fireman or policeman.

Controlled by provision of Chapter 98, P. L. 1944.

The provisions of this section are subject to the provisions of chapter ninety-eight of the laws of one thousand nine hundred and forty-four.

C. 43:16A-49. To be accepted as members.

2. The board of trustees of the police and firemen's retirement system of New Jersey shall

accept, as members into the retirement system, policemen otherwise eligible for membership, notwithstanding that they were over thirty years of age at the time of their appointment as policemen provided there is paid into the system, in such manner as the board shall prescribe, the contributions that would have been paid had they been so appointed at the age of thirty years.

3. This act shall take effect immediately.

Approved July 27, 1953.

CHAPTER 300

AN ACT validating certain deeds conveying lands made by municipalities.

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

Deeds validated.

1. Whenever any municipality has sold and conveyed land acquired by such municipality pursuant to a tax sale certificate made prior to January first, one thousand nine hundred and fifty-two, and the foreclosure of such certificate, and a deed has been given purporting to convey said land, such deed shall be valid and effective to convey to the grantee named therein, the right, title and interest of said municipality in the lands described therein notwithstanding any failure to deliver the tax title certificate to the said grantee and any failure to file and record such tax title certificate in the office of the county recording officer of the county wherein the lands described in said deed are located; *provided,* the consideration has been paid for the conveyance and no action has been brought in any court of competent jurisdiction against such grantee wherein the grantee's right to possession of the said lands has been brought into question.

2. This act shall take effect immediately.

Approved July 27, 1953.

CHAPTER 301

AN ACT relating to the retirement on pension of certain clerks or deputy clerks of county district courts.

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

C. 43:9-30. Retirement for service, pension authorized.

1. Any clerk or deputy clerk of any county district court who heretofore has served, or hereafter or heretofore and hereafter, shall have served continuously as such clerk or deputy clerk and as clerk and sergeant-at-arms of any former district court located within the county for a period of forty years may be retired upon the adoption of a resolution by the board of chosen freeholders of the county to that effect, upon an annual pension not exceeding the amount of his annual salary at the time of his retirement, which shall be paid semimonthly for his or her natural life in the same manner as other county employees are paid.

C. 43:9-31. Provision for payment.

2. The board of chosen freeholders of the county shall provide for the payment of such pension when granted as provided in this act.

3. This act shall take effect immediately.

Approved July 27, 1953.

CHAPTER 302

AN ACT to encourage and promote the pure-bred livestock industry of New Jersey, and supplementing chapter fifteen of Title 4 of the Revised Statutes.

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

C. 4:15-11. To promote pure-bred livestock shows.

1. The Department of Agriculture shall encourage and promote education and interest in the production of pure-bred livestock. In order to demonstrate the characteristics of individual breeds, including ideal conformation and production qualities, and to assist in the selection of outstanding animals of each breed for the purpose of exhibition in national competition, and to encourage the State's livestock industry, one-day livestock shows may be authorized by the department, to be held under the auspices of the State pure-bred livestock associations. Any such show shall be conducted in conformity with the rules and regulations of the Department of Agriculture relating to disease control and the awarding of premiums, prizes and trophies.

C. 4:15-12. Advisory committee.

2. The State Board of Agriculture may appoint an advisory committee of one person from each branch of the livestock industry to further this type of agricultural endeavor.

C. 4:15-13. Appropriation.

3. The department may include in its annual budget request an item not in excess of ten thousand dollars ($10,000.00) for the purposes of this act. Any moneys appropriated for these purposes shall be expended only for premiums, awards and maintenance of the associations' one-day shows.

4. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 303

AN ACT concerning agriculture and domestic animals in relation to the New Jersey Mid-Atlantic Farm Show to be held at Atlantic City in the month of December, one thousand nine hundred and fifty-three, making an appropriation, and providing for annual appropriations in certain cases.

Preamble. WHEREAS, The New Jersey Mid-Atlantic Farm Show is to be held at Convention Hall, in Atlantic City, in the month of December, one thousand nine hundred and fifty-three; and

Preamble. WHEREAS, It has long been the policy of this State to promote the general welfare as it relates to agriculture and domestic animals by encouraging the farmers and agriculturists, the improvement of agricultural methods, the breeding of livestock, the production of poultry and eggs and by practical State attention to these and kindred subjects; and

Preamble. WHEREAS, The continuation of these policies is vital to the welfare of the people of the State; and

Preamble. WHEREAS, The arranging for and awarding of premiums and prizes to exhibitors at agricultural meetings, fairs and shows and the presentation of State exhibits are among the acceptable means of carrying out the said policies; now, therefore,

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

To provide for the award of premiums.

1. The Department of Agriculture shall arrange for and award premiums for agricultural products including grains, fruits and vegetables and for livestock, poultry and poultry products and for

exhibits thereof at and in connection with the New Jersey Mid-Atlantic Farm Show to be held at Convention Hall, in Atlantic City, in the month of December, one thousand nine hundred and fifty-three.

To aid other exhibitors.

2. The Department of Agriculture is authorized to further participate in the said New Jersey Mid-Atlantic Farm Show by conducting thereat a State exhibit and by aiding and assisting other exhibitors at the said show.

Appropriation.

3. To effectuate the purposes of this act there is hereby appropriated to the Department of Agriculture if and when there shall be any available funds for said purposes, the sum of thirty thousand dollars ($30,000.00), and there shall annually be appropriated to the Department of Agriculture a similar sum when included in any annual or supplemented appropriation bill for any year during which a New Jersey Mid-Atlantic Farm Show shall be held in this State.

4. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 304

A SUPPLEMENT to "An act relating to and providing for the government of cities of this State containing a population of less than twelve thousand inhabitants," approved March twenty-fourth, one thousand eight hundred and ninety-seven (P. L. 1897, c. 30). (Saved from repeal by section 40:108–1 of the Revised Statutes.)

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

C. 40:108-1. Common council changed to council.

1. In cities governed by the act to which this act is a supplement, the name and designation of the common council is hereby changed to the council

and any reference to the common council in the said act and in any act amendatory thereof, supplemental thereto or applicable to said cities (saved from repeal by chapters one hundred eight and one hundred nine of Title 40 of the Revised Statutes) shall mean and be given effect as though such references were to the council instead of to the common council.

2. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 305

AN ACT to amend and supplement "An act to provide for the creation of a Legislative Commission on Statute Revision, and prescribing its powers and duties," approved April eighth, one thousand nine hundred and fifty-two (P. L. 1952, c. 11).

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

Section amended.

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

C. 1:12-4. To submit preliminary reports and drafts of proposed legislation.

4. The commission may from time to time submit preliminary reports and drafts of proposed statutes to the Legislature or to any committee thereof or to the members thereof prior to the making of its final report and it shall submit to the Legislature or to the members thereof drafts of such proposed statutes as it proposes to lay before the Legislature, in bill form, and shall lay the same before the Legislature for enactment, if the Legislature shall see fit to enact them, its proposed revision of Title 48, Public Utilities, of the Revised Statutes, during the 1954 regular session of the Legislature and its proposed revisions of the stat-

utes relating to the principal departments in the Executive Branch of the State Government with reasonable promptness from time to time hereafter.

C. 1:12-1.1. Legislative members of commission to continue.

2. The legislative members of the commission heretofore appointed pursuant to the act to which this act is a supplement shall continue to serve on the commission so long as said commission is engaged in preparing for the submission to the Legislature one or more proposed statutes revising and modernizing Title 48 of the Revised Statutes, for the purpose of participating in such proposals notwithstanding that any such legislative member shall cease to be a member of the Senate or of the General Assembly, but for all of the other purposes of said commission new members shall be appointed in the place of any members so ceasing to be members of the Legislature.

3. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 306

AN ACT to supplement "An act concerning the State Highway Department and adding an additional route to the State highway system," approved March tenth, one thousand nine hundred and forty-four (P. L. 1944, c. 37).

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

R. S. 27:6-1. Designated a freeway.

1. The State highway route established by the act to which this act is a supplement is hereby designated as a freeway pursuant to chapter eighty-three of the laws of one thousand nine hundred and forty-five as subsequently amended.

2. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 307

AN ACT concerning legal assistants to county prosecutors in certain counties of the first class, and supplementing chapter one hundred fifty-eight of Title 2A of the New Jersey Statutes.

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

C. 2A:158.18.1. Legal assistants, number, salary, term, oath.

1. In counties of the first class having a population not in excess of eight hundred thousand there is created in the office of the county prosecutor, the office or position of legal assistant to the county prosecutor which shall be in the unclassified service of the civil service. The prosecutor of each of the said counties may appoint, subject to the approval hereinafter required, suitable persons to said office or position, not in excess of twelve and at salaries not less than six thousand dollars ($6,000.00) nor more than nine thousand dollars ($9,000.00) annually. Every such legal assistant shall serve at the pleasure of the county prosecutor and be subject to removal by such prosecutor. Before entering upon the performance of his duties every such legal assistant shall take and subscribe, before the county clerk of the county in and for which he is appointed, an oath to perform the duties of his office faithfully, impartially and justly to the best of his ability.

C. 2A:158-18.2. Amount of salary, approval.

2. Every appointment of such a legal assistant and the amount of his salary shall be made subject to the approval of the board of chosen freeholders or the Superior Court assignment judge of the county. Such approval shall not be required in the filling of vacancies.

3. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 308

AN ACT concerning the retirement on pension of certain sergeants-at-arms of county district courts.

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

C. 43:9-32. Pension for sergeant-at-arms of district court.

1. Any sergeant-at-arms of any county district court who, being seventy-five or more years of age, heretofore has served, or hereafter, or heretofore and hereafter, shall have served continuously, as such sergeant-at-arms and as sergeant-at-arms of any former city district court located within the county, for a period of twenty-five years may be retired upon the adoption of a resolution by the board of chosen freeholders of the county to that effect, upon an annual pension not exceeding one-half of the amount of his annual salary at the time of his retirement, which shall be paid to him semi-monthly for his or her natural life in the same manner as other county employees are paid.

2. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 309

AN ACT concerning the retirement on pension of certain clerks of county district courts.

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

C. 43:9-33. Pension for clerks of district courts.

1. Any clerk of any county district court who, being seventy-five or more years of age, heretofore has served, or hereafter, or heretofore and hereafter, shall have served continuously, as such clerk and as clerk of any former city district court located within the county, for a period of twenty-four years may be retired upon the adoption of a resolution by the board of chosen freeholders of the county to that effect, upon an annual pension not exceeding one-half of the amount of his annual salary at the time of his retirement, which shall be paid to him semimonthly for his or her natural life in the same manner as other county employees are paid.

2. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 310

AN ACT concerning the appointment of supervisors of court attendants in certain counties of this State.

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

C. 2A:11-36.1. Supervisors of court attendants.

1. The sheriff, of each county having a population of not less than three hundred thousand nor more than six hundred thousand inhabitants, shall have power by and with the consent of the board

of chosen freeholders to appoint in accordance with Title 11 (Civil Service) of the Revised Statutes two of the permanent court attendants as supervisors of court attendants, who shall be in charge of court attendants.

C. 2A:11-36.2. Salary.

2. The compensation of each such supervisor shall be fixed by the board of chosen freeholders on recommendation of the sheriff, but shall not exceed the sum of five hundred dollars ($500.00) in excess of the fixed maximum of salaries of court attendants, payable to the person so appointed.

C. 2A:11-36.3. Duties.

3. Such supervisors shall be assigned such duties and responsibilities of supervision of court attendants and other related work in the office of the sheriff as the sheriff shall from time to time prescribe.

4. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 311

AN ACT concerning probation officers, and amending sections 2A:168–5 and 2A:168–8 of the New Jersey Statutes.

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

Section amended.

Section 2A:168–5 of the New Jersey Statutes is amended to read as follows:

Probation officers, appointment.

2A:168–5. The judges of the County Court in each county, or a majority of them, acting jointly may appoint a chief probation officer, and, on application of the chief probation officer, such men and women probation officers as may be necessary. Before any order is made by such judge or judges of the County Court appointing any additional probation officers, a notice of the time and place, when and where such order shall be considered,

shall be given to the board of chosen freeholders of the county and they shall be given an opportunity to be heard as to the necessity of such additional probation officers. All probation officers appointed subsequent to April twenty-second, one thousand nine hundred and twenty-nine, who are to receive salaries shall be appointed in accordance with the rules and regulations of the Civil Service Commission. Orders of appointment shall be in writing and be filed in the office of the county clerk.

Chief probation officers and probation officers in office April twenty-second, one thousand nine hundred and twenty-nine, shall continue to serve in their respective counties under the provisions of this chapter.

Section amended.

2. Section 2A:168–8 of the New Jersey Statutes is amended to read as follows:

Salary and expenses of probation officers and employees.

2A:168–8. The judge or judges authorized to appoint a chief probation officer or probation officers shall fix, by order under the hand of such judge or judges, annual salaries to be paid such officers, and before any such order shall be made by such judge or judges, notice of the time and place, when and where such order shall be considered, shall be given to the board of chosen freeholders of the county and such board shall be given an opportunity to be heard upon the same and such order shall be filed in the office of the clerk of the County Court. The amounts so fixed shall be paid in equal semimonthly payments in the same manner as the salaries of other officers of the county.

The necessary and reasonable expenses of salaried probation officers incurred in the performance of their duties shall be paid out of the county treasury, after itemized statements of such expenses have been approved by the chief probation officer and one of the County Court judges and filed in the office of the county treasurer. On request of the chief probation officer, the necessary traveling and maintenance expenses in attending probation officers' meetings and conferences of social work shall be included, when previously authorized by

the judge or judges authorized to appoint probation officers.

The salaries of employees appointed by the chief probation officer shall be fixed by the board of chosen freeholders in accordance with the schedules of the Civil Service Commission, and paid in the same manner as the salaries of probation officers.

3. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 312

AN ACT concerning counties and municipalities, and amending section 40:1–85 of the Revised Statutes.

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

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

40:1–85. The proceeds of the sale of any obligations issued under this article shall be applied only to the purposes for which such obligations are authorized, except that if for any reason any part of such proceeds are not necessary for such purposes, the said part shall be transferred to any reserve or sinking fund for the retirement of debt or may by resolution of a county board of chosen freeholders adopted pursuant to the provisions of subtitle two of Title 40 of the Revised Statutes or by ordinance of a municipality adopted pursuant to the provisions of chapter forty-nine of Title 40 of the Revised Statutes be appropriated to and used to finance the cost of any other purpose or purposes which have the same or a longer period of usefulness and which this act authorizes to be financed by the issuance of bonds. Use of proceeds, exception.

2. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 313

AN ACT concerning counties, and amending section 27:16–31 of the Revised Statutes.

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

Section amended.

1. Section 27:16–31 of the Revised Statutes is amended to read as follows:

Provision of resolutions.

27:16–31. The board of chosen freeholders may by resolution:

a. Regulate the tearing up or excavating in any road under its control, for any purpose;

b. Prevent the disturbing or tearing up of any road by the locking of wheels of any vehicle or attaching a drag to the vehicle;

c. Prevent the filling up of gutters along any such road;

d. Prevent obstruction and damage to any such road by spilling or throwing stones, dirt or other materials thereon;

e. Prevent the diversion of surface and other waters to county roads; and

f. Make such other regulations as it may deem proper to prevent damage to county roads and to keep them safe and convenient for traveling during all seasons of the year.

2. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 314

AN ACT concerning townships, and amending section 40:146–14 of the Revised Statutes.

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

1. Section 40:146–14 of the Revised Statutes is amended to read as follows: Section amended.

40:146–14. In townships where the members of the township committee are not paid annual salaries, each committeeman shall be allowed and paid five dollars ($5.00), and may be allowed and paid not in excess of ten dollars ($10.00) as shall be fixed by ordinance, for each day he shall be actually necessarily employed in discharging the duties of his office, or the township committee may, by ordinance, fix an annual salary to be received by the members, but the aggregate annual compensation of each member shall not exceed one thousand dollars ($1,000.00). Pay of township committeemen, limitation.

2. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 315

AN ACT concerning the importation of cattle into New Jersey, and amending sections 4:5–64, 4:5–65 and 4:5–67 and repealing section 4:5–66 of the Revised Statutes.

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

Section amended.

1. Section 4:5–64 of the Revised Statutes is amended to read as follows:

May refuse acceptance of certificate, quarantine, expenses.

4:5–64. The department may refuse to accept any certificate which, in its judgment, does not show a satisfactory test or which is not properly executed.

The department may quarantine cattle imported into this State without a satisfactory certificate at the expense of the shipper until receipt of evidence that a satisfactory test has been made, that the cattle meet all requirements for shipment to this State and that the certificate has been approved by the proper regulatory official of the State of origin. In lieu of this approved certificate the cattle shall be returned to the State of origin on permit issued by the regulatory officials of that State or be consigned to slaughter.

Section amended.

2. Section 4:5–65 of the Revised Statutes is amended to read as follows:

Cattle inspected.

4:5–65. Cattle coming into the State shall not be sold or removed from their destination in the State until they have been inspected by a representative of the department, and retested at the owner's expense if thought advisable. The charge shall be paid by the shipper before the cattle are tested by an authorized agent of the department. If the provisions of this article have been complied with, the Division of Animal Industry of the department shall authorize the field representative to sign the certificate, thus releasing the cattle.

3. Section 4:5–66 of the Revised Statutes is repealed. Section repealed.

4. Section 4:5–67 of the Revised Statutes is amended to read as follows: Section amended.

4:5–67. Where cattle are imported into the State contrary to this article the department shall immediately place a quarantine on the farm where the imported cattle shall be held at the owner's expense, and no animals nor dairy products shall be moved from such farm, pending the return of such imported cattle to the State of origin on a permit issued by the regulatory official of the State of origin, or until such cattle have been sent to slaughter under written permit from the department, or until such imported cattle have been tested at the owner's expense and found to be free from tuberculosis and other communicable diseases. Cattle illegally imported.

5. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 316

AN ACT to amend "An act concerning registration of veterans' graves, prescribing certain duties of the State Department of Health and of burial authorities with respect thereto, and supplementing chapter six of Title 26 of the Revised Statutes," approved April twentieth, one thousand nine hundred and forty-five (P. L. 1945, c. 202).

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

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

2. Whenever a dead body is transported from outside the State into this State for burial or other final disposition in this State, the undertaker making the interment of such dead body shall make C. 26:6-4.2. Undertaker to make inquiry, report, penalty for failure to report.

due and diligent inquiry in order to determine whether the deceased person to be interred or cremated was a veteran of any war, and if so, the war in which said deceased veteran served.

On or before the tenth day of each month the undertaker who made any such interment, shall certify to the supervisor of veterans' interment in the county in which such interment or cremation was made, the name of each deceased veteran who has been interred or cremated in said premises during the preceding month, together with date and place of burial or cremation of such deceased veteran, and the war in which said deceased veteran served.

Any failure so to do on the part of the undertaker shall subject him to a penalty of fifty dollars ($50.00) to be recovered in an action of debt in the name of the supervisor of veterans' interment of any county wherein the violation occurs.

2. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 317

AN ACT concerning villages, relating to the holding of certain elections therein, amending section 40:161–6, and supplementing chapter one hundred sixty-one of Title 40 of the Revised Statutes.

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

Section amended.

1. Section 40:161–6 of the Revised Statutes is amended to read as follows:

Regulation of election.

40:161–6. Local municipal or charter elections held by any village which has heretofore voted or shall hereafter vote to change to the fourth Tuesday

in April the time for holding the local municipal or charter elections therein, shall be regulated by and held in accordance with law.

C. 40:161-7. Nominating petitions, filing.

2. Candidates for each of the offices to be filled at any such election shall be nominated directly by petition and each such nominating petition shall be filed with the village clerk at least forty days prior to such election.

C. 40:161-8. Contents of nominating petitions.

3. Each nominating petition shall be addressed to the village clerk and in it shall be set forth the name, place of residence and post-office address of the candidate, or candidates, and the title of the office for which named, and it shall contain a statement that the petitioners are legally qualified to vote for such candidate, or candidates, and that they have not petitioned for the nomination of more candidates than there are offices to be filled at such election. In the petition there shall also be included a request that the name of the candidate, or candidates, be printed upon the ballots to be used at the ensuing village election.

C. 40:161-9. Information given by signers.

4. Every person signing a nominating petition shall add to his signature his place of residence, post-office address and street number, if any, and any such petitioner may petition for the nomination of one candidate for each office to be filled at any such election and no more, but all the petitioners for the nomination of any one candidate for any office need not sign a single petition.

C. 40:161-10. Residence and number of signers.

5. The petitioners for the nomination of each candidate shall be legally qualified voters of this State residing within the village, and shall be equal in number to at least one-half of one per centum (½ of 1%) of the entire number of votes cast at the last preceding general election, but in no event less than twenty-five persons.

C. 40:161-11. Oath of signer.

6. Before any nominating petition shall be filed as herein provided, at least one of the voters signing the same shall take oath before a notary public or other officer duly qualified to administer an oath that the petition is made in good faith and that the affiant saw all of the signatures made thereto and

verily believes that the signers are duly qualified voters of the State residing in the village.

C. 40:161-12. Acceptance by candidate.

7. A candidate, nominated for an office in a petition, shall manifest his acceptance of such nomination by a written acceptance thereof signed by his hand upon, or annexed to, such petition and, if the same person be named for the same office in more than one petition, then, upon, or annexed to, one of such petitions, in which acceptance said candidate shall certify that he is a resident of and a qualified voter of the village.

C. 40:161-13. Examination of petition, return, amending.

8. When a petition of nomination is presented for filing to the village clerk he shall forthwith examine the same and ascertain whether it conforms to the provisions of this supplement to chapter one hundred sixty-one of Title 40 of the Revised Statutes, and, if it does not conform, he shall designate the defect and forthwith return the same to the person presenting it, and said petition may again be presented when properly amended but not less than forty days prior to such election.

C. 40:161-14. Statement or designation printed.

9. When persons bearing the same name are nominated for any office, any or either of them may file not less than thirty days prior to said election, with the village clerk a statement in writing containing not more than six words as a means of identification of such candidate. The statement or designation so filed shall be printed upon the official ballot to be used at the election.

C. 40:161-15. Arrangement of offices on ballot.

10. The village clerk shall arrange the offices to be filled at such election, upon the ballot, as nearly as possible in accordance with the provisions of law relating to ballots to be used at general elections.

C. 40:161-16. Petition of candidate for designation, grouping candidates.

11. Any candidate whose name is to be printed on the ballot may petition the village clerk to print opposite his name on the ballot, a designation, in not more than six words, as specified by him in such petition, of principles, policy or affiliations to which he is committed or which he represents, but such designation shall not contain the designation, or any derivative, or any part thereof, as a noun or

an adjective, of any political party entitled to participate in the last primary election held in said village. On the filing of such petition the clerk shall cause the designation to be printed opposite the name of such candidate upon the ballot. If several candidates shall petition that their names be grouped together and that the one designation named by them shall be printed opposite their names, the clerk shall group their names in a bracket, and opposite the bracket shall print the said designation. Petitions requesting a designation or grouping of candidates shall be filed with the clerk not less than forty days prior to such election. If two candidates or groups select the same designation, the clerk shall notify the candidate or group whose petition was last filed, and such candidate or group may forthwith select a new designation.

C. 40:161-17. To draw lots for positions.

12. The village clerk shall draw lots to determine the order in which the names of the candidates or groups of candidates for each office shall appear upon the ballots or voting machine. The name of the person or group of candidates first drawn shall occupy first place on the ballot or voting machine, and the name of the person or group of candidates next drawn shall occupy second place, and so forth. The manner of drawing by lot shall be as follows: Paper cards with the name of each candidate or group of candidates written thereon shall be placed in a covered box with an aperture in the top large enough to allow the cards to be drawn therefrom. The clerk, in the presence of any candidate, shall draw from the box each card, without knowledge on his part as to which card he is drawing. The clerk shall at least two days prior to the drawing notify each candidate, by registered mail, of the time and place of the drawing. The candidate or his representative shall have the right to examine the cards prior to their being placed in the covered box.

C. 40:161-18. Publishing list of candidates.

13. Immediately after the expiration of the time for filing petition for candidates, the village clerk

shall cause the names of the candidates as they are to appear upon the ballots, to be published in proper form, for three successive days in all the daily newspapers published in the village, or, if there be no daily newspaper, then, in two successive issues of any other newspapers published in the village, or, if there be no such other newspaper, then, in two successive issues of any newspaper having a general circulation in the village.

C. 40:161-19. Printing ballots.

14. After publishing the names of the candidates, the clerk shall cause the village election ballots to be printed and authenticated with a facsimile of his signature, and shall cause to be delivered at each polling place in the village, a number of said ballots equal in number to one and one-tenth times the number of registered voters eligible to use said polling place, except that where voting machines are used ballots shall be furnished as otherwise provided by law.

C. 40:161-20. Official ballots not to be distributed, conducting election.

15. Official ballots shall not be distributed or used outside of the voting place and all the provisions of the laws concerning general elections and relating to the distribution and use of official ballots shall apply as nearly as may be to the ballots used in the elections held hereunder except that there shall be no official distribution of sample ballots.

C. 40:161-21. Military service ballots.

16. The village clerk shall cause the military service ballots to be printed and distributed as required by the provisions of Title 19, Elections, of the Revised Statutes and the acts amendatory thereof and supplemental thereto.

C. 40:161-22. Registry of elections.

17. The registry for all elections held pursuant to section 40:161–5 of the Revised Statutes shall be the official signature copy register containing the names of those persons qualified to vote at the last preceding general election. Persons who were not duly registered to vote at the general election next preceding a village election may register for such election in the manner provided by the laws relating to general elections, and transfers from

one district to another shall be granted as provided in such laws.

C. 40:161-23. Agents and challengers.

18. Any candidate for election at any such village election may appoint two agents or challengers for each polling place in each election district. Such agents or challengers shall be appointed in the same manner and shall be vested with the same powers and duties as agents or challengers appointed for general elections.

C. 40:161-24. Election officers.

19. The election officers provided for by Title 19, Elections, of the Revised Statutes and the acts amendatory thereof and supplemental thereto shall be the officers of all elections held hereunder, and the election shall be held at the same places and conducted in the same manner, as nearly as may be, and the polls shall be opened and closed at the same hours as provided by the laws relating to general elections.

C. 40:161-25. Notice of election, canvass.

20. The village clerk shall give notice of the holding of such election, and the election shall be conducted, and the result thereof shall be canvassed and certified, as nearly as may be, in the same manner as is provided by law for the general elections in such village and the candidate or candidates receiving the highest number of votes at said election for each office to be voted for shall be elected respectively thereto and shall take office as provided in section 40:161–5 of the Revised Statutes.

C. 40:161-26. Provisions of Title 19 to govern.

21. Except as otherwise provided in chapter one hundred sixty-one of Title 40 of the Revised Statutes as hereby amended and supplemented, all elections held pursuant thereto shall be governed, so far as practicable, by the provisions of Title 19, Elections, of the Revised Statutes and the acts amendatory thereof and supplementary thereto and no informality in conducting any election held pursuant thereto shall invalidate the same if it is conducted fairly and in substantial conformity with the requirements of law.

22. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 318

AN ACT relating to the administering, dispensing or selling at retail of certain drugs, and amending section 24:18–7 of the Revised Statutes.

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

Section amended.

1. Section 24:18–7 of the Revised Statutes is amended to read as follows:

Chapter not to apply.

24:18–7. Except as otherwise in this chapter specifically provided, this chapter shall not apply to the following cases:

Administering, dispensing or selling at retail of any medicinal preparation, other than those hereinafter specified, that contains in one fluid ounce, or if a solid or semisolid preparation, in one avoirdupois ounce, not more than one grain of codeine or one-sixth grain of dihydrocodeinone or any of their salts or one-quarter grain of ethylmorphine hydrochloride or one fluid drachm of paregoric.

The exemption authorized by this section shall be subject to the following conditions: (1) that the medicinal preparation administered, dispensed, or sold, shall contain, in addition to the narcotic drug in it, some drug or drugs conferring upon it medicinal qualities other than those possessed by the narcotic drug alone; and (2) that such preparation shall be administered, dispensed, and sold in good faith as a medicine, and not for the purpose of evading the provisions of this chapter.

Construing.

Nothing in this section shall be construed to limit the quantity of codeine or any of its salts, ethylmorphine hydrochloride, or compounds containing not more than one fluid drachm of paregoric in each fluid ounce that may be prescribed, administered, or sold, to any person or for the use of any person or animal, when it is prescribed, administered, dispensed, or sold, in compliance with the

general provisions of this chapter, nor to limit or prohibit the sale of Brown's Mixture or Stokes Expectorant in quantities of not more than four ounces.

2. This act shall take effect immediately.

Approved July 28, 1953.

CHAPTER 319

AN ACT to amend "An act to establish at the State University of New Jersey, maintained by the Trustees of Rutgers College in New Jersey, an Institute of Management and Labor Relations, to prescribe the purpose and manner of its operation and to provide an appropriation therefor," approved June nineteenth, one thousand nine hundred and forty-seven (P. L. 1947, c. 307).

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

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

3. (a) The Institute shall establish at convenient centers throughout the State programs of instruction designed to achieve the purposes set forth in section one, and to bring about among management, labor and the public better understanding of their mutual problems and obligations. C. 18:22-50. To establish centers of instruction, program, tuition fee.

(b) These programs of instruction may consist of instruction given in classes, or by means of lectures, conferences, institutes, demonstrations, forums or other informal educational services found to be particularly effective in teaching adults.

(c) Tuition for all instruction in the Institute of Management and Labor Relations in programs or courses not offered for academic credit to stu-

dents who are candidates for degrees in the State University of New Jersey shall be free to residents of New Jersey, but the State University of New Jersey may establish a registration fee or other incidental fees in connection with the operation of such educational activities; *provided, however,* that the State University of New Jersey may charge its usual tuition fees for courses offered by the Institute of Management and Labor Relations for academic credit to students who are candidates for degrees in the State University of New Jersey.

2. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 320

AN ACT concerning county and municipal finances, and amending section 40:1–16 of the Revised Statutes.

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

Section amended.

1. Section 40:1–16 of the Revised Statutes is amended to read as follows:

Exceptions to limitations.

40:1–16. Notwithstanding the provisions of sections 40:1–14 and 40:1–15 of this Title, a county bond resolution or a municipal bond ordinance may be finally passed if said resolution or ordinance authorizes only:

a. Obligations for purposes permitted by this article when the expenditure is the result of fire, flood, or other disaster, or of recovery of judgment, unless such judgment is entered upon default or by consent, and the Director of the Division of Local Government in the Department of the Treasury has, in his discretion, certified upon a certified copy of such resolution or ordinance as passed on

first reading, that, in his opinion, the expenditure is of such description; or

b. Notes to renew, extend or retire notes issued or authorized pursuant to this article or notes or temporary bonds issued or authorized pursuant to the act of which this article is a revision; or

c. Bonds to fund notes issued pursuant to this article, or to fund notes or temporary bonds issued or authorized pursuant to the act of which this article is a revision; or

d. Obligations, for purposes permitted by this article, in an aggregate, not exceeding the excess, determined at the end of the fiscal year one thousand nine hundred and fifty-three, of the sum of the annual amounts computed pursuant to section 40:1–16.1 of this Title remaining available after deduction therefrom of all unrescinded authorizations made pursuant to this subsection subsequent to the end of the fiscal year one thousand nine hundred and forty and stated on a special debt statement to be prepared as of the end of the fiscal year one thousand nine hundred and fifty-three and filed in the office of the Director of the Division of Local Government in the Department of the Treasury prior to October first, one thousand nine hundred and fifty-four, plus the sum of the annual amounts computed pursuant to said section 40:1–16.1 subsequent to the end of the fiscal year one thousand nine hundred and fifty-three. The borrowing power under this subsection "d" shall be available at any time subsequent to the making of the appropriations referred to in said section 40:1–16.1, whenever the percentage of net debt in a supplemental debt statement (filed pursuant to section 40:1–13 of this Title) exceeds four per centum (4%) in the case of a county and seven per centum (7%) in the case of a municipality; or

e. Any obligations of a municipality, if the percentage of net debt as stated in the supplemental debt statement pursuant to subsection five of section 40:1–82 of this Title, together with the amount of notes or bonds issued, or authorized but not

issued, for school purposes and included in the gross debt, whether issued or authorized by the municipality or by a school district constituting a separate corporation, and otherwise authorized to be deducted by the provisions of subsection "c" of section 40:1–77 of this Title, less the amount of any sinking funds applicable to the payment of any such notes or bonds, for school purposes, does not exceed eleven per centum (11%) of the average of the assessed valuations as stated in such supplemental debt statement pursuant to subsection four of section 40:1–82 of this Title; or

f. Obligations deductible, pursuant to subsection "b" of section 40:1–77 of this Title, from the gross debt stated in any annual or supplemental debt statement; or

g. Obligations for purposes permitted by this article if it has been found by order of the State Department of Health, which is hereby authorized to make such order in a proper case, that the expenditure and every part thereof is necessary to protect the public health and to prevent or suppress a present menace to the public health of sufficient gravity to justify the incurrence of debt in excess of statutory limitations, and that no less expensive method of preventing or suppressing such menace exists; or

h. Obligations for purposes permitted by this article when the expenditure is to be made for the purpose of constructing or reconstructing dikes, bulkheads, jetties or similar devices to prevent the encroachment of the sea when the Local Government Board in the Division of Local Government in the Department of the Treasury when constituted as the Funding Commission established pursuant to section 40:1–67 of this Title shall have determined by order, after public hearing, that an emergency exists or is threatened which makes necessary the construction or reconstructing of such dikes, bulkheads, jetties or other devices for the preservation of life or property.

For the purpose of subsection "d" (computed as provided in section 40:1–16.1) and "e" of this section, the Director of the Division of Local Government in the Department of the Treasury shall prescribe in such detail as he may deem advisable a form of supplemental debt statement, incorporating therein the provisions of the supplemental debt statement prescribed pursuant to section 40:1–83 of this Title. For the purpose of showing annually the cumulative borrowing power of each county and municipality under said subsection "d," the said director shall also prescribe a form of special debt statement to be filed as of the end of the fiscal year one thousand nine hundred and fifty-three and thereafter annually with him in accordance with such rules as he may prescribe.

2. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 321

AN ACT concerning fees and costs, and amending section 22A:2–11 of the New Jersey Statutes.

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

1. Section 22A:2–11 of the New Jersey Statutes is amended to read as follows: Section amended.

22A:2–11. Initial amount allowed in taxing costs in Chancery Division of Superior Court. Initial amount allowed.

In taxing costs in any proceeding in the Chancery Division of the Superior Court under section 22A:2–10 of this Title, where the matter does not proceed to final judgment, the attorney shall be allowed for any and all proceedings one-half the amount allowable to him under that section.

2. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 322

AN ACT concerning municipalities, authorizing the creation of the office of deputy clerk in municipalities in this State, and the prescribing of his powers and duties.

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

C. 40:46-2.1. Office of deputy municipal clerk authorized.

1. The governing body of every municipality is authorized to create by ordinance the office of deputy municipal clerk and to fix the term and compensation and to prescribe the duties of such official who shall have all the powers and perform all the duties of the municipal clerk during such times and for such specific periods as the municipal clerk shall be absent.

2. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 323

AN ACT concerning fire districts and volunteer fire companies, and amending section 40:47–28 of the Revised Statutes.

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

Section amended.

1. Section 40:47–28 of the Revised Statutes is amended to read as follows:

Appropriation to adjoining municipal fire departments.

40:47–28. Any municipality may contribute to the support of the municipal fire department of an adjoining municipality, or may contribute a sum not in excess of four thousand dollars ($4,000.00) annually to the support of the board of fire com-

missioners of any fire district or independent or volunteer fire companies in an adjoining municipality, if such board of commissioners or independent or volunteer fire companies own and maintain their own apparatus, and habitually respond to fires in the first named municipality.

2. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 324

AN ACT to amend "An act concerning savings and loan associations and building and loan associations, and revising chapter twelve of Title 17 of the Revised Statutes," approved April fourth, one thousand nine hundred and forty-six (P. L. 1946, c. 56).

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

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

84. Reports to members. Every association shall make available to its members annually, a printed report of its financial condition as of the end of its fiscal year, either C. 17:12A-84. Reports to members.

(1) By mailing or delivering to each member, a statement of assets and liabilities, and a statement of operations, or

(2) By publishing a statement of its assets and liabilities at least once in a newspaper published or circulating in the municipality in which the association is located and by furnishing to any member upon request, a printed statement of assets and liabilities, and a statement of operations.

2. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 325

AN ACT concerning reports of communicable diseases, and amending section 26:4–26, and repealing section 26:4–25, of the Revised Statutes.

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

Section amended.

1. Section 26:4–26 of the Revised Statutes is amended to read as follows:

Fee for cases reported.

26:4–26. Upon presentation of a certificate of the number of cases reported to the State Department pursuant to section 26:4–24 of the Revised Statutes at least once per year the officer shall be entitled to receive from the proper disbursing officer of the municipality within the limits of which the sickness reported occurred, the sum of ten cents ($0.10) for each case certified as having been reported.

Section repealed.

2. Section 26:4–25 of the Revised Statutes is repealed.

Note.

3. This act shall take effect October first, one thousand nine hundred and fifty-three.

Approved July 29, 1953.

CHAPTER 326

AN ACT to amend "An act relating to the establishment of sewerage districts in first- and second-class counties, the creation of Sanitary Sewer District Authorities by the establishing of such districts, prescribing the powers and duties of any such authority and of other public bodies in connection with the construction of sewers and sewage disposal facilities in any such district, and providing the ways and means for paying the costs of construction and operation thereof," approved April twenty-third, one thousand nine hundred and forty-six (P. L. 1946, c. 123).

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

Section amended.

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

C. 40:36A-7. Quorum, meetings public, by-laws, rules and regulations.

7. Four members of a seven member board or three members of a five member board shall constitute a quorum for the transaction of business at any meeting of an authority, and the affirmative vote of four members of a seven member board or three members of a five member board shall be necessary for the taking of any action. The meetings of an authority shall be public. An authority may adopt by-laws and rules and regulations for the conduct of its business and meetings, and shall cause full records to be kept of its proceedings, which shall be open to public inspection on reasonable notice, and at reasonable times.

2. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 327

AN ACT to clarify, settle and fix a portion of the division line between the township of Hillsborough and the township of Montgomery, both in the county of Somerset.

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

Boundary line fixed.

1. That a portion of the division line between the township of Hillsborough and the township of Montgomery, both in the county of Somerset, be hereby clarified, settled and fixed as follows:

Beginning at a point in the center line of the New Jersey State Highway leading from Princeton to Somerville, known as Route No. 206 (formerly Route No. 31), said point being an extension of approximately one mile of road known as Township Line Road which leads southeasterly from a point southeasterly of the Reading Railroad Company line; and running thence (1) North sixty-five degrees fifty-one minutes West (N. 65° 51′ W.) a distance of one thousand seven hundred twenty-nine and eighty-six one-hundredths feet (1729.86′) to a concrete monument set in a field (this line also passes through a monument in the northwesterly right-of-way line of the above-mentioned State Highway); thence (2) North eighty-eight degrees thirty-five minutes West (N. 88° 35′ W.) a distance of nine thousand two hundred six and eighty-two one-hundredths feet (9206.82′) to a concrete monument up toward the mountain (this line passes through concrete monuments located in the easterly and westerly rights-of-way of both the Pleasant View Road and the East Mountain Road on line).

2. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 328

AN ACT concerning the purchase by counties, municipalities and school districts of war savings bonds and other obligations of the United States of America or bonds or other obligations of such counties, municipalities or school districts.

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

C. 40:5-7.1. Authorized to invest in United States bonds.

1. It shall be lawful for the board of chosen freeholders of any county, the governing body of any municipality or the board of education of any school district to use moneys, which may be in hand, for the purchase of war savings bonds or other obligations of the United States of America or bonds or other obligations of the county, municipality or school district. Said bonds or other obligations, if suitable for registry, may be registered in the name of the county, municipality or school district and the authorization to purchase these bonds or other obligations shall be by resolution adopted by a majority vote of all of the members of any such board of chosen freeholders, governing body, or board of education, as the case may be.

C. 40:5-7.2. Record and report of bonds received.

2. When said bonds or other obligations are received by the county, municipality or school district, the treasurer or chief financial officer shall duly record the receiving thereof in an appropriate manner and at the next regular or special meeting after the receipt of such bonds or other obligations, said treasurer or chief financial officer shall transmit a written report to the board of chosen freeholders, the governing body or board of education, setting forth the amount of bonds or other obligations so received, the series, date and the numbers thereof. He shall, at the same time, transmit said bonds or other obligations to such depository, person or persons as the board of chosen freeholders,

the governing body or board of education shall direct, for safekeeping. Full information setting forth the amount of bonds or other obligations, the series, date, numbers and interest periods, if any, shall be recorded in the minutes at such regular or special meeting, and a certified duplicate copy of such minute record shall forthwith be filed with the Director of the Division of Local Government in the Department of the Treasury.

C. 40:5-7.3. Sale authorized.

3. Whenever the board of chosen freeholders of any county, the governing body of any municipality or the board of education of any school district shall purchase any bonds or other obligations of said county, municipality or school district, pursuant to this act, the said bonds or other obligations shall not be cancelled but may be sold as and when directed by resolution adopted by a majority vote of all the members of such board of chosen freeholders, governing body or board of education.

4. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 329

AN ACT concerning the practice of pharmacy, amending section 45:14–16 of the Revised Statutes and supplementing Title 45 of the Revised Statutes.

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

1. Section 45:14–16 of the Revised Statutes is amended to read as follows: Section amended.

45:14–16. It shall be deemed a violation of sections 45:14–13 to 45:14–15 of this Title if a prescription as compounded, filled, dispensed or sold is found to contain more or less than the quantity of the ingredient or several or combined ingredients specified by the prescriber, or if the prescription as compounded, filled, dispensed or sold is found to contain an ingredient or ingredients or a brand of ingredient or ingredients other than those specified by the prescriber, except that the addition of such inert ingredients as are required in the art of compounding shall be permissible, but such ingredients shall in no manner be used to replace the ingredient or several or combined ingredients specified by the prescriber, without the prescriber's permission having been obtained. Prescription strictly followed.

2. For violations of sections 45:14–13, 45:14–14, 45:14–15 and 45:14–16 of the Revised Statutes, the registered pharmacist or other person who either compounds, fills, dispenses or sells a prescription or who supervises the compounding, filling, dispensing or sale of a prescription by a person other than a pharmacist registered in this State, and the owner of a pharmacy in which a violation occurs, shall be held equally liable, except that no liability shall be attached to the owner of a pharmacy if in the opinion of the board such liability does not exist, and the payment of a penalty for any such violation shall constitute an offense. C. 45:14-16.1. Liability.

3. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 330

AN ACT to amend "An act to amend and supplement 'An act relating to the licensing, regulation and supervision of insurance agents, insurance brokers and insurance solicitors, supplementing chapters twenty-two, thirty-two and thirty-six of Title 17 of the Revised Statutes, and repealing sections 17:22–1, 17:22–2, 17:22–3, 17:22–4, 17:22–5, 17:23–3, 17:32–6 and 17:32–11 of the Revised Statutes and section one of "An act concerning the licensing of agents for insurance companies in certain cases, supplementing chapter twenty-two of Title 17, and amending section 17:33–1 of the Revised Statutes," approved May sixteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 118),' approved April twentieth, one thousand nine hundred and forty-four (P. L. 1944, c. 175), and to repeal section 17:36–1 of the Revised Statutes," approved October twenty-eighth, one thousand nine hundred and forty-eight (P. L. 1948, c. 462).

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

Section amended.

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

C. 17:22-6.29. May issue license to sell insurance.

2. The commissioner may issue to any citizen, or corporation, of the State who or which is a licensed insurance broker therein a license permitting such licensee as agent to procure any kind of insurance permitted by the laws of this State, other than life and annuity contracts, from insurers not authorized to do business in this State, subject to the provisions of this act.

2. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 331

AN ACT concerning juries, amending section 2A:73–3 and supplementing chapter seventy-four of Title 2A of the New Jersey Statutes.

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

1. Section 2A:73–3 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:73–3. To the foreman and acting foreman of the grand jury there shall be administered the following oath: Oath of foreman, acting foreman, grand jurors.

"You as foreman (acting foreman) of this grand inquest to sit in behalf of the State of New Jersey in and for the county of....., do solemnly swear that you will support and bear true faith and allegiance to the Constitution of the United States and the Constitution of this State and to the governments established in the United States and in this State, under the authority of the people and will defend them against all enemies, foreign and domestic; that you do not believe in, advocate or advise the use of force, or violence, or other unlawful or unconstitutional means, to overthrow or make any change in the government established in the United States or in this State; and that you are not a member of or affiliated with any organization, association, party, group or combination of persons, which approves, advocates, advises or practices the use of force, or violence, or other unlawful or unconstitutional means, to overthrow or make any change in either of the governments so established; and that you are not bound by any allegiance to any foreign prince, potentate, State or sovereignty whatever, and that you shall diligently inquire and true presentment make of all such matters and things as shall be given you in charge, or in any way come to your

knowledge touching the present service; that the counsel of the State and your own counsel you shall keep secret; that you shall present no one through envy, hatred or malice; neither shall you leave any one unpresented for fear, favor or affection, for reward, gain or the hope thereof; but that you shall present all things truly as they shall come to your knowledge, according to the best of your skill and understanding, so help you God."

To the grand jurors as a body there shall be administered the same oath except that the first words "You as foreman" are to be replaced with the words "You as members."

C. 2A:69-1.1. Oath of petit jurors.

2. Every person summoned for service as a petit juror who is not excused from serving upon the panel of petit jurors for which he is summoned shall, before he begins his service upon the panel, take the following oath:

"You do solemnly swear that you will support and bear true faith and allegiance to the Constitution of the United States and the Constitution of this State and to the governments established in the United States and in this State, under the authority of the people; and will defend them against all enemies, foreign and domestic; that you do not believe in, advocate or advise the use of force, or violence, or other unlawful or unconstitutional means, to overthrow or make any change in the government established in the United States or in this State; and that you are not a member of or affiliated with any organization, association, party, group or combination of persons, which approves, advocates, advises or practices the use of force, or violence, or other unlawful or unconstitutional means, to overthrow or make any change in either of the governments so established; and that you are not bound by any allegiance to any foreign prince, potentate, State or sovereignty whatever, so help you God."

3. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 332

AN ACT concerning agricultural co-operative associations, amending sections 4:13–1, 4:13–3, 4:13–15, 4:13–18, 4:13–23, 4:13–30 and 4:13–31 of the Revised Statutes and "An act concerning agricultural co-operative associations, amending sections 4:13–6, 4:13–11, 4:13–16, 4:13–31, 4:13–32 and 4:13–33, and supplementing chapter thirteen of Title 4, of the Revised Statutes," approved July thirteenth, one thousand nine hundred and fifty-one (P. L. 1951, c. 303), and supplementing chapter thirteen of Title 4 of the Revised Statutes.

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

Section amended.

1. Section 4:13–1 of the Revised Statutes is amended to read as follows:

Terms defined.

4:13–1. As used in this chapter:

"Agricultural products" includes horticultural, viticultural, forestry, dairy, live stock, poultry, bee and any farm products, including fresh and salt water food products.

"Association" means an association incorporated under this chapter.

"Member" means an actual member of an association without capital stock and a holder of common stock in an association with capital stock.

Section amended.

2. Section 4:13–3 of the Revised Statutes is amended to read as follows:

Purposes of incorporation.

4:13–3. An association may be organized to engage in any or all of the following activities for its members, and within the limitations hereinafter in this chapter set forth, for nonmembers:

a. The marketing or selling of agricultural products; or

b. The production, manufacture, harvesting, preserving, drying, processing, canning, packing, storing, handling, shipping, ginning or utilization thereof;

c. The manufacturing or purchasing for, or hiring, selling or supplying machinery, equipment or supplies, including live stock;

d. The hiring or supplying of labor;

e. The financing of any one or more of the above enumerated activities; or

f. Any one or more of the activities specified in this section.

Section amended.

3. Section 4:13–15 of the Revised Statutes is amended to read as follows:

Authorizing foreign corporations to transact business.

4:13–15. A foreign corporation organized for the purpose of engaging in any of the activities mentioned in section 4:13–3 of this Title, before transacting any business in this State, shall file in the office of the Secretary of State:

a. Two copies of its charter or certificate of incorporation, attested by its president and secretary, under its corporate seal; one of which the Secretary of State shall forward to the Secretary of Agriculture;

b. A statement, in duplicate, attested in like manner, of the amount of its authorized capital stock, if any, and the amount actually issued, and designating its principal office in this State and an agent upon whom process against the corporation may be served, which agency shall continue until the substitution, by writing, of another agent. Such agent shall be a domestic corporation or a natural person of full age actually resident in this State; and

c. Proof that it is organized as a nonprofit, cooperative agricultural association, and that it is operated for the mutual benefit of its members.

Upon the filing of such copies, statements and proof the Secretary of State shall issue to such corporation, by whatever name known, a certificate authorizing it to transact business in this State.

4. Section 4:13–18 of the Revised Statutes is amended to read as follows: Section amended.

4:13–18. At the first meeting of the association the directors shall be elected and, by majority vote of the members or their written assent, by-laws shall be adopted regulating the conduct and management of the association. A copy of the by-laws, certified by the president and secretary, shall be filed immediately in the office of the Secretary of Agriculture. The by-laws shall, within the limitations of this chapter, prescribe: Election of directors, by-laws.

a. The time, place and manner of calling and conducting its meetings and the number of members necessary to constitute a quorum for the transaction of business;

b. The number and qualifications of members and the conditions under which membership shall be granted and terminated; rules governing the issuance, transfer and cancellation of membership certificates and certificates of common and other classes of stock and the manner of ascertaining the interests of members in the assets, if any, of the association; rules governing the exercise of the privileges of members; rules governing the method, time and manner of the resignation or withdrawal of members; and rules for ascertaining and paying the value of a member's interest upon his death, withdrawal, resignation, expulsion or the forfeiture of his membership;

c. The number of the directors and the time, place and manner of their election and removal, their powers and duties, their number, not less than a majority, necessary to the exercise of their powers, and their compensation, if any. The by-laws may provide for the division of the territory in which the association has members into districts according to which the directors shall be elected;

d. The officers, their terms of office, the time and manner of their appointment and removal, their powers and duties and the manner in which their compensation, if any, shall be determined;

e. The amount of entrance, organization and membership fees, if any; the manner and method of collection of the same, and the purposes for which they may be used;

f. The amount which each member or stockholder shall be required to pay annually or from time to time, if at all, to carry on the business of the association, the charge, if any, to be paid by each patron for services rendered by the association to him and the time of payment and manner of collection;

g. The date of the commencement of its business or fiscal year;

h. Any other provisions proper and necessary to carry out the purposes for which the association was formed.

Section amended.

5. Section 4:13–23 of the Revised Statutes is amended to read as follows:

Issuance of certificates.

4:13–23. Every association without capital stock shall issue a certificate of membership to each member. Every association with capital stock shall issue a certificate of common stock to each member, certifying the number of such shares of stock held by him. Such certificates shall not be transferable, and no person who may acquire the same by operation of law, or otherwise than as prescribed in this chapter and the certificate of incorporation and by-laws of the association, shall be entitled to become a member by virtue thereof. Notice of such limitations shall be printed on the face thereof.

No association shall issue a certificate of membership, or certificate of common stock until the membership fee, or stock subscription, has been paid in full. The promissory notes of the members may be accepted by the association as full or partial payment.

Section amended.

6. Section 4:13–30 of the Revised Statutes is amended to read as follows:

Dealings with non-members.

4:13–30. The association may market agricultural products and purchase equipment and supplies for nonmembers, but not to an amount greater in value than the amount purchased and sold for

members. The value of purchases made for nonmembers who are not producers, shall not exceed fifteen per centum (15%) of the value of all purchases. As a condition of its contract with a nonmember, the association may impose upon him any liability for the contracts, debts and engagements of the association which does not exceed the liability of a member. In no case shall the association charge a nonmember for services more than a member is charged for similar services.

Section amended.

7. Section 4:13–31 of the Revised Statutes is amended to read as follows:

Reserve funds.

4:13–31. The directors may establish reserve funds for working capital and for contingencies and patrons' revolving capital funds and transfer thereto, from time to time in their discretion, such sums as they may deem expedient. The association may provide for the payment of expenses necessary in the performance of its services for members, and accumulation of the said funds, through fees, dues, assessments, charges, retains or deductions from patrons' refunds, and earnings or savings to be fixed and collected as prescribed by the board of directors.

Shares in such patrons' revolving capital funds may be evidenced by certificates of equity, which may be issued upon such terms, and shall be redeemable and payable at such times, as shall, from time to time, be determined by the board of directors.

Section amended.

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

C. 4:13-37. Proclamation, filing publication.

9. The Secretary of State shall, upon receipt of such a list, cause the names so certified to be compared with his records, and if error is discovered he shall cause necessary corrections therein to be made by the Department of Agriculture. He shall then make a proclamation under his hand and seal of office as to the co-operative associations whose names are included in such list as finally corrected, declaring such co-operative associations dissolved and their charters forfeited, pursuant to the pro-

visions of this act. He shall file the original proclamation in his office, mail a copy to each co-operative association named in such proclamation, addressed to the principal office of the association as shown on the records in the office of the Secretary of State and shall publish a copy thereof in the issue of the pamphlet laws next following the making of said proclamation.

Section amended.

9. Section ten of the act of which this act is amendatory is amended to read as follows:

C. 4:13-38. Association deemed dissolved.

10. Upon issuance of such proclamation and the mailing of a copy thereof, in the manner aforesaid, each association named therein shall be deemed dissolved without further legal proceedings.

Section amended.

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

C. 4:13-39. County clerks to receive list.

11. The Secretary of State shall also mail a copy of such proclamation to the clerk of each county in the State. The county clerk shall file the copy received by him without charge but need not record it.

Section amended.

11. Section twelve of the act of which this act is amendatory is amended to read as follows:

C. 4:13-40. Names reserved.

12. The names of all co-operative associations so dissolved shall be reserved for a period of three months immediately following the date of mailing a copy of the proclamation by the Secretary of State to the association, as if the association were still in existence.

Section amended.

12. Section thirteen of the act of which this act is amendatory is amended to read as follows:

C. 4:13-41. Certificate of compliance, fee.

13. If any such association so dissolved shall file with the Secretary of State before the expiration of three months a certificate of compliance of the Department of Agriculture that all required reports of the co-operative association have been filed with that department, it shall have the effect of annulling all of the proceedings theretofore taken for the dissolution of such co-operative association under the provisions of this act, and such association shall thereupon have such corporate powers, rights, duties and obligations as it had on the date

of the mailing of a copy of the proclamation with the same force and effect as if such proclamation had not been made. The fee of the Secretary of State for filing such certificate shall be five dollars ($5.00), and of the Department of Agriculture for issuance of the certificate of compliance, five dollars ($5.00).

Section amended.

13. Section fourteen of the act of which this act is amendatory is amended to read as follows:

C. 4:13-42. Notice published.

14. Whenever a co-operative association shall have obtained a certificate of compliance and have filed the same in the office of the Secretary of State, the Secretary of State shall publish a notice thereof in the next succeeding issue of the pamphlet laws, and shall send a copy of such notice to the county clerk of the county in which, according to his records, the principal office of the association is located. The county clerk shall file such copy and make appropriate entry on his records without charge.

C. 4:13-15.1. Annual report of foreign corporation.

14. A foreign corporation which has qualified or shall hereafter qualify to transact business in this State shall make an annual report to the Secretary of Agriculture of its activities within this State. Such report shall include such information and be made at such time prescribed, and on forms to be supplied, by the Secretary of Agriculture. The authority of any foreign corporation to transact business in this State may be terminated for failure to file an annual report in the manner prescribed by the Secretary of Agriculture. In the event of failure of such a corporation to file such a report within the time specified by the Secretary of Agriculture, he shall certify such failure to the Secretary of State, sending a copy of such certification by registered mail to the agent in charge of the corporation's principal office in this State. If such report is not received within sixty days from the date of the mailing of such certification, the Secretary of State shall, by proclamation under his hand and seal of office, declare the privilege of such corporation to transact business in this State to

be terminated. The original of such proclamation shall be filed in the office of the Secretary of State, a copy thereof sent to the Secretary of Agriculture and to the last-known registered agent of the association concerned. A list of all such proclamations shall be published in the issue of the pamphlet laws next following the making of such proclamation.

15. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 333

AN ACT to amend "An act for the protection of striped bass, repealing section 23:5–5, and amending section 23:5–8 of the Revised Statutes, inconsistent herewith," approved June fourteenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 318), as said title was amended by chapter 35 of the laws of one thousand nine hundred and forty-eight.

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

Section amended.

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

C. 23:5-5.1. Open season for striped bass.

1. It shall be lawful to take from or in any of the fresh or salt waters of this State, including the waters of the Atlantic ocean within three nautical miles of the coast line, striped bass, commonly called rockfish, measuring not less than eighteen inches, in the manner commonly known as angling with rod and line and by goggle fishing, as defined by law, from March first through December thirty-first in each year.

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

2. No person shall take, catch, kill, or have in possession at any time any striped bass measuring less than eighteen inches in length, or take, catch or kill in any one day more than ten striped bass; *provided, however,* that striped bass measuring eighteen inches or over which have been legally taken within or beyond the jurisdictional limits of this State may be sold or had in possession at any time. C. 23:5-5.2. Minimum size. Proviso.

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

3. No person shall take, catch or kill any striped bass from or in any of the waters heretofore mentioned, by means of a net, of any description, or by means of a gig, jig, spear, or by any methods other than angling with hook and line or by goggle fishing, as defined by law. C. 23:5-5.3. Methods of taking.

4. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 334

AN ACT providing for the acquisition of land by the Division of Fish and Game, and amending section 23:3–11 of the Revised Statutes.

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

1. Section 23:3–11 of the Revised Statutes is amended to read as follows: Section amended.

23:3–11. Sixty cents ($0.60) of every resident hunting license fee, and twenty-five cents ($0.25) of every resident fishing license fee remitted to the State Treasurer shall be placed to the credit of a fund to be known as the "public Public shooting and fishing grounds fund.

shooting and fishing grounds fund," which fund shall be used exclusively for the acquisition by purchase, lease or otherwise, and the development, maintenance and stocking of game, birds, animals and fish of areas of land, water, or land and water for use as public hunting and fishing grounds and game refuges; and the acquisition by lease or otherwise of areas of land or water for such other activities as the Division of Fish and Game shall deem to be in the interest of the hunters and fishermen of the State. This fund shall be kept separate and apart from the receipts of the division and all other State moneys and shall be disbursed by the State Treasurer on vouchers certified to by the division. The balance of the fee remitted shall be placed to the credit of the "hunters' and anglers' license fund." Any increase of funds collected under this act over and above those now collected under present laws shall be spent for the propagation, purchase, distribution and increase of fish and game.

2. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 335

AN ACT regulating the appointment of wardens, and amending section 23:2–4 of the Revised Statutes.

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

Section amended.

1. Section 23:2–4 of the Revised Statutes is amended to read as follows:

Fish and game wardens, protector, duties, salary.

23:2–4. The division may appoint such number of competent men as may be determined to be necessary, within the limits of available appropriations therefor, and subject to Title 11 of the Revised Statutes, Civil Service, who shall be known as fish and game wardens, with the powers and duties hereinafter enumerated.

The division shall designate one of the wardens as the fish and game protector, who shall, under the supervision of the division, have the direction, supervision and control of the other wardens. It shall designate from the whole number of wardens such other supervisory personnel as may be necessary, subject to Title 11 of the Revised Statutes, Civil Service.

The compensation of the protector, assistant protectors and wardens shall be the amounts fixed by statute or as otherwise determinable by authority of law.

Each warden shall give his entire time to the duties prescribed for wardens and shall not be engaged in any other business or occupation.

2. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 336

AN ACT concerning fees in the Superior Court, and supplementing chapter two of Title 22A of the New Jersey Statutes (P. L. 1953, c. 22).

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

C. 22A:2-45. Part of fees transferred to district court.

1. Whenever any action instituted in the law division of the Superior Court is ordered transferred to the county district court, the Clerk of the Superior Court shall pay over to the clerk of the county district court to which such action has been transferred, the following sum:

In all cases in which the plaintiff has deposited the sum of ten dollars ($10.00) in accordance with section 22A:2–6 of the New Jersey Statutes, five dollars ($5.00).

In all cases in which the plaintiff has deposited the sum of twenty dollars ($20.00) in accordance with section 22A:2–6 of the New Jersey Statutes, fifteen dollars ($15.00).

2. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 337

AN ACT concerning fees in the county district courts, and supplementing chapter two of Title 22A of the New Jersey Statutes (P. L. 1953, c. 22).

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

C. 22A:2-47. Payment to cover fees on transferral of case.

1. In cases transferred by order of the Superior Court or County Court to the county district court in which the Clerk of the Superior Court or county clerk shall pay over to the district court clerk the sum of five dollars ($5.00), such sum shall cover all fees excluding jury fees up until the time of final judgment. In the event that the parties to the action shall demand a jury trial in such cases in the county district court, they shall pay the jury fee provided in section 22A:2–37 of the New Jersey Statutes.

C. 22A:2-48. Payment to cover all fees on transfer of case.

2. In cases transferred by order of the Superior Court or County Court in which the Clerk of the Superior Court or county clerk shall pay over to the district court clerk the sum of fifteen dollars ($15.00), such sum shall cover all fees up until the time of final judgment, including the fee for a jury of twelve men, as provided for in section 22A:2–37 of the New Jersey Statutes, if a jury is demanded.

3. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 338

AN ACT concerning fees in the County Courts, and supplementing chapter two of Title 22A of the New Jersey Statutes (P. L. 1953, c. 22).

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

C. 22A:2-46. Payments to clerk of district court of portion of fees.

1. Whenever any action instituted in the law division of the County Court is ordered transferred to the county district court, the clerk of the County Court shall pay over to the clerk of the county district court to which such action has been transferred, the following sum:

In all cases in which the plaintiff has deposited the sum of ten dollars ($10.00), as provided in section 22A:2–6 of the New Jersey Statutes, five dollars ($5.00).

In all cases in which the plaintiff has deposited the sum of twenty dollars ($20.00), as provided in section 22A:2–6 of the New Jersey Statutes, fifteen dollars ($15.00).

2. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 339

AN ACT relating to provident loan associations, and amending section 17:11–2 and section 17:11–3 of the Revised Statutes.

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

Section amended.

1. Section 17:11–2 of the Revised Statutes is amended to read as follows:

Contents of certificate of incorporation.

17:11–2. The certificate of incorporation shall be signed in person by all the subscribers to the stock named therein, shall be proved or acknowledged as required for deeds of real estate and shall state:

a. The name of the association, which shall not be so nearly like that of any other association as to deceive the public, and the words "provident loan association" shall form a part thereof;

b. The municipality where it is to be located and its business transacted, which shall be within this State;

c. The object for which it is formed;

d. The amount of its total authorized capital stock, which shall be not less than twenty-five thousand dollars ($25,000.00), the number of shares into which the same is divided, the par value of each share and the amount of capital stock with which it is to commence business, which shall not be less than twenty-five thousand dollars ($25,000.00); and

e. The number of shares subscribed for by each incorporator.

Section amended.

2. Section 17:11–3 of the Revised Statutes is amended to read as follows:

Certificate and application submitted to commissioner, investigation fee, approval, notice of denial.

17:11–3. The certificate shall be submitted to the commissioner together with an application in writing under oath or affirmation and in the form prescribed by the commissioner. Said applications shall state the name and address of each officer and

director to be chosen to serve for the first year after such incorporation. It shall also state the county and municipality with street and number, if any, where the business is to be conducted and any other information the commissioner requires. The applicants at the time of making the application shall pay to the commissioner the sum of fifty dollars ($50.00) as a fee for investigating the application.

If the commissioner, upon filing of the application and payment of the fee shall, after investigation, find (a) that the financial responsibility, experience, character and general fitness of the officers and directors of said proposed corporation to serve for the first year after its incorporation are such as to command the confidence of the community and to warrant belief that the business will be operated honestly, fairly and efficiently within the purposes of this chapter, (b) that allowing the applicants to engage in the business of a provident loan association under this chapter will promote the convenience and advantage of the community in which the business of the applicants is to be conducted and (c) that the applicants have a net worth of at least twenty-five thousand dollars ($25,000.00) and have available for the purpose of making loans under this chapter at the specified location, liquid assets of at least twenty-five thousand dollars ($25,000.00) he shall thereupon approve said certificate of incorporation in writing. Said certificate with said endorsement of the commissioner thereon shall then be recorded by the applicants in the office of the clerk of the county where the association is to be located, and then filed in the department. Thereupon the persons so associating, their successors and assigns, shall, from the date of said filing in the department, constitute a body corporate by the name set forth in the certificate.

The certificate of incorporation, or a copy thereof duly certified by the commissioner, shall be evidence in all courts and places.

If the commissioner shall not find, as required in the preceding paragraphs hereof, facts to justify the issuance of such approval, he shall not issue the approval nor endorse said proposed certificate of incorporation and he shall notify the applicants of the denial and return to the applicants the certificate of incorporation. The commissioner shall approve or deny approval of every application made hereunder within sixty days from the filing thereof with payment of the required fee.

3. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 340

AN ACT concerning workmen's compensation, and amending sections 34:15–74, 34:15–75 and 34:15–76 of the Revised Statutes.

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

1. Section 34:15–74 of the Revised Statutes is amended to read as follows: Section amended.

34:15–74. The governing body of every municipality and the committee of every fire district shall provide compensation insurance for volunteer firemen doing public fire duty and volunteer first aid and emergency squad workers doing public first aid and rescue duty under the control or supervision of any commission, council or other governing body of the municipality or any board of fire commissioners of such municipality or of any fire district, and the board of chosen freeholders shall provide compensation insurance for county fire marshals and assistant county fire marshals, within the meaning of section 34:15–43 of this chapter. Such insurance shall provide compensation for every such fireman or county fire marshal or To provide compensation insurance.

assistant county fire marshal who shall be a member of any first aid or rescue squad created within the fire company of which he is a member, or composed of members of different fire companies in the same municipality for injuries received while acting in response to any call made upon such squad, for first aid or rescue work, whether such call be made because of a fire or otherwise.

Section amended.

2. Section 34:15–75 of the Revised Statutes is amended to read as follows:

Basis of compensation.

34:15–75. Compensation for injury and death, either or both, of any volunteer fireman, county fire marshal, assistant county fire marshal, volunteer first aid or rescue squad worker, volunteer driver of any municipally-owned or operated ambulance, or of any forest fire warden or forest fire fighter employed by the State of New Jersey, shall be based upon a weekly salary or compensation conclusively presumed to be received by such person in an amount sufficient to entitle him, or, in the event of his death, his dependents, to receive the maximum compensation by this chapter authorized.

Section amended.

3. Section 34:15–76 of the Revised Statutes is amended to read as follows:

Provisions of chapter to control, payment of premiums.

34:15–76. All payments of compensation to volunteer firemen, county fire marshals, assistant county fire marshals, volunteer first aid or rescue squad workers, volunteer drivers of any municipally-owned or operated ambulance shall be governed by and be subject to the provisions of this chapter. The premiums therefor shall be paid from the tax levy, and the insurance shall protect such persons from loss by reason of injury or death suffered while engaged in the performance of duty.

4. This act shall take effect immediately.

Approved July 29, 1953.

CHAPTER 341

AN ACT to amend and supplement "An act fixing the compensation of supervisors, identification officers, identification clerks and junior identification clerks in the criminal identification bureaus in the office of the sheriffs of certain counties of this State," filed April thirteenth, one thousand nine hundred and forty-three (P. L. 1943, c. 191).

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

Section amended.

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

C. 40:41-33.1. Compensation of identification officers.

1. In counties having a population exceeding three hundred thousand inhabitants according to the Federal census of 1940, but not including counties of the first class having a population exceeding eight hundred thousand inhabitants wherein criminal identification bureaus in the office of the sheriffs of counties of this State have heretofore or may hereafter be established, the supervisors, identification officers and identification clerks shall be compensated as in this act provided. As used in this act, "identification officers" means and includes the following: chief identification officer, deputy chief identification officer, and identification officer.

Section amended.

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

C. 40:41-33.2. Salary schedule, identification officers.

2. Identification officers shall receive minimum annual salaries and increases as follows:

(a) in first-class counties, a minimum salary of two thousand seven hundred dollars ($2,700.00) with a maximum annual salary of three thousand nine hundred dollars ($3,900.00);

(b) in counties other than first-class counties, having a population in excess of three hundred twenty-five thousand:

(1) the chief identification officer, such salary as shall be fixed by resolution of the board of chosen freeholders in an amount not less than two hundred dollars ($200.00) more than that received by the highest salaried identification officer;

(2) identification officers, a minimum annual salary of two thousand five hundred dollars ($2,500.00) and a maximum annual salary of three thousand eight hundred dollars ($3,800.00), which may be increased by resolution of the board of chosen freeholders;

(c) in counties having a population exceeding three hundred thousand, but not in excess of three hundred twenty-five thousand:

(1) the chief identification officer, a minimum annual salary of five thousand dollars ($5,000.00) and a maximum annual salary to be fixed by resolution of the board of chosen freeholders on recommendation of the sheriff;

(2) the deputy chief identification officer, a minimum annual salary of four thousand five hundred dollars ($4,500.00) and a maximum annual salary to be fixed by resolution of the board of chosen freeholders on recommendation of the sheriff;

(3) identification officers, a minimum annual salary of two thousand five hundred dollars ($2,500.00) and a maximum annual salary of three thousand eight hundred dollars ($3,800.00), which may be increased to not more than four thousand five hundred dollars ($4,500.00) by resolution of the board of chosen freeholders.

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

Section amended.

3. Identification clerks shall receive minimum annual salaries and increases as follows:

C. 40:41-33.3. Salary schedule, identification clerks.

(a) in first class counties, a minimum annual salary of two thousand two hundred dollars ($2,200.00) with a maximum annual salary of two thousand six hundred dollars ($2,600.00), which may be increased by resolution of the board of chosen freeholders;

(b) in other counties, a minimum annual salary of not less than two thousand dollars ($2,000.00) and a maximum annual salary to be fixed by resolution of the board of chosen freeholders.

Nothing in this act shall preclude the board of chosen freeholders from fixing the initial salary of an identification clerk in an amount in excess of the minimum salary provided therefor by law.

4. Section five of the act of which this act is amendatory is amended to read as follows:

Section amended.

5. Each such supervisor shall receive:

C. 40:41-33.5. Salary schedule, supervisors.

(a) in first-class counties, a minimum annual salary of three thousand six hundred dollars ($3,600.00), which may be increased in the discretion of the board of chosen freeholders;

(b) in counties other than first-class counties having a population in excess of three hundred twenty-five thousand, a minimum annual salary of three thousand dollars ($3,000.00), which shall be increased at least two hundred dollars ($200.00) annually until such supervisor shall receive a maximum annual salary of four thousand one hundred dollars ($4,100.00), but said maximum salary may be increased by resolution of the board of chosen freeholders;

(c) in counties having a population exceeding three hundred thousand, but not in excess of three hundred twenty-five thousand, a minimum annual salary of three thousand dollars ($3,000.00) which shall be increased at least two hundred dollars ($200.00) annually until such supervisor shall receive a maximum annual salary of four thousand

one hundred dollars ($4,100.00), but said maximum salary may be increased by resolution of the board of chosen freeholders to not more than five thousand dollars ($5,000.00).

Section amended.

5. Section six of the act of which this act is amendatory is amended to read as follows:

C. 40:41-33.6. Annual increment.

6. The compensation for chief identification officers, deputy chief identification officers, identification officers, and identification clerks shall be increased at least two hundred dollars ($200.00) annually until the maximum salary fixed by law, or by the board of chosen freeholders, as the case may be, shall be received.

Note: Construing.

6. Nothing in this act shall be construed as reducing or authorizing reduction of the annual salary of any supervisor, chief identification officer, deputy chief identification officer, identification officer, or identification clerk.

7. This act shall take effect immediately.

Approved July 30, 1953.

CHAPTER 342

AN ACT concerning newspapers, and amending section 35:1–2.2 of the Revised Statutes.

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

1. Section 35:1–2.2 of the Revised Statutes is amended to read as follows: Section amended.

35:1–2.2. Whenever, by law, it is required that there be published by printing and publishing in a newspaper or newspapers ordinances, resolutions or notices or advertisements of any sort, kind or character by any county, city or other municipality or municipal corporation, or by any municipal board or official board, or body, or office, or officials, or by any person or corporation, such newspaper or newspapers must, in addition to any other qualification now required by law, meet the following qualifications, namely: said newspaper or newspapers shall be entirely printed in the English language, shall be printed and published within the State of New Jersey, shall be a newspaper of general paid circulation possessing an average news content of not less than thirty-five per centum (35%), shall have been published continuously in the municipality where its publication office is situate for not less than two years and shall have been entered for two years as second-class mail matter under the postal laws and regulations of the United States. In case a newspaper cannot meet these qualifications itself but has acquired another newspaper which meets these qualifications, the acquiring newspaper shall be deemed to meet these qualifications if it is published in the same municipality and entered in the same post office as was the acquired newspaper. Publications by counties, municipalities, etc., qualifications of newspapers.

2. This act shall take effect immediately.

Approved July 30, 1953.

CHAPTER 343

AN ACT concerning bonds and other obligations of counties and municipalities, and amending section 40:1–7 of the Revised Statutes.

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

Section amended.

1. Section 40:1–7 of the Revised Statutes is amended to read as follows:

Power to borrow money and issue bonds, exceptions.

40:1–7. Any county or municipality may incur indebtedness, borrow money and issue its negotiable bonds for financing any improvement or property which it may lawfully make or acquire, including any such improvement or property for the financing of which emergency appropriation or appropriations may in the same fiscal year have previously been made pursuant to section 40:2–31 of the Revised Statutes or for any other purpose for which it is authorized or required by law to make an appropriation, except current expenses and except the payment of bonds (other than those for temporary financing) which have heretofore been or may hereafter be issued. No county or municipality shall borrow money or issue its obligations for the purposes for which this article authorized bonds to be issued except as provided in this article.

2. This act shall take effect immediately.

Approved July 30, 1953.

CHAPTER 344

AN ACT concerning county and municipal budgets, and amending section 40:2–31 of the Revised Statutes.

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

Section amended.

1. Section 40:2–31 of the Revised Statutes is amended to read as follows:

Emergency appropriations, emergency notes, limitations, laws applicable.

40:2–31. A county or municipality may, in accordance with this section, make emergency appropriations after the adoption of a budget for a fiscal year for a purpose which was not foreseen at the time of the adoption of the budget or for which adequate provision was not made in the budget. Such an appropriation shall be made only to meet a pressing need for public expenditure, to protect or promote the public health, safety, morals or welfare or to provide for temporary housing or relief of the poor prior to the ensuing budget year. An emergency appropriation shall be made only in accordance with subdivisions (1) or (2) of this section, as the case may be. The total amount of all emergency appropriations shall be provided in full by the local governing body as a deferred charge in the budget of the next succeeding fiscal year, except to the extent, if any, that provision for paying, funding or refunding any such emergency appropriation or for financing the purpose of the expenditures pursuant thereto shall previously have been made by authorization of bonds pursuant to and in accordance with section 40:1–7 of the Revised Statutes.

(1) An emergency appropriation other than an appropriation to provide for relief of the poor which together with all prior emergency appropriations other than appropriations for relief of the poor made during the same year does not exceed

three per centum (3%) of the total of current operating appropriations made in the budget adopted for that year or an emergency appropriation for the relief of the poor shall be made as follows: The governing body shall, by resolution adopted by two-thirds vote of all the members, declare that an emergency exists requiring a supplementary appropriation. The resolution shall be in the form and content prescribed by the board, and shall set out the nature of the emergency in full. A copy of the resolution shall be filed forthwith with the director.

(2) An emergency appropriation other than an appropriation for the relief of the poor which together with all prior emergency appropriations other than appropriations for relief of the poor made during the same year exceeds three per centum (3%) of the total current operating appropriations in the budget for that year shall be made as follows: The governing body shall, by resolution adopted by two-thirds vote of all members, petition the commissioner for permission to exceed the limitation of three per centum (3%). The petition shall be in the form and content prescribed by the board, and shall set out the nature of the emergency in full. The director shall consider the petition and, if requested by local taxpayers or by the local governing body, hold a hearing. The director shall, within five days after receipt of the petition, or if a hearing is held, after the hearing, determine whether an emergency exists which requires an excess appropriation, and the amount of expenditure reasonably required. If the director approves an excess appropriation he shall fix the maximum amount for the emergency appropriation. The governing body shall not exceed the maximum amount fixed by the director.

Any county or municipality may borrow money and issue its negotiable notes to meet any such emergency appropriation. Each such note shall be authorized by resolution of the governing body, shall be designated an "emergency note," and may

be renewed from time to time, but all such notes and any renewals thereof shall mature not later than the last day of the fiscal year next succeeding the fiscal year in which the emergency appropriation was made to meet which such notes were issued. The provisions of sections 40:2–40 and 40:2–41 and 40:2–43 to 40:2–46 of this Title shall apply to such notes as fully as though such notes were mentioned therein.

For the purposes of this section, an affidavit of a financial officer of the county or municipality shall be a conclusive determination of the total amount of any such emergency appropriations made in any fiscal year and of the amount of all budget appropriations for such year. If any resolution providing for the issuance of notes to meet any such emergency appropriation shall recite or determine that such appropriation was required to meet a pressing need for public expenditure to protect or promote the public health, safety, morals or welfare or to provide for temporary housing or relief of the poor, such recital or determination shall be deemed to be true for the purpose of determining the validity of such notes and the county or municipality issuing such notes and all others interested shall forever thereafter be estopped from denying the same.

2. This act shall take effect immediately.

Approved July 30, 1953.

CHAPTER 345

AN ACT concerning certain stenographic reporters in the courts, and amending section 2A:11–16 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:11–16 of the New Jersey Statutes is amended to read as follows:

Court reporters, salary, fees, expenses, deemed State employees, exception.

2A:11–16. (a) Except as provided in this section, a reporter appointed pursuant to this article shall receive an annual salary to be fixed from time to time by the Supreme Court. In fixing such salary the court shall take into account the amount of time the reporter is required to be in attendance upon the court or courts or part or parts thereof and is engaged in the performance of his duties. Such salary shall not be less than the sum of five thousand dollars ($5,000.00) per annum and shall not exceed the sum of seven thousand five hundred dollars ($7,500.00) per annum and shall be paid in equal semimonthly installments as provided below in this section.

(b) Where a reporter is employed wholly within one county, the director shall file a certificate with the treasurer of such county designating the reporter and the amount of his annual salary and also file a duplicate thereof with the State Comptroller. The county treasurer shall pay such salary as provided in paragraph (a) of this section.

(c) Where a reporter is employed in more than one county, or in a part or parts of the Chancery Division of the Superior Court having a vicinage embracing more than one county, the director shall apportion to each of said counties the payment of such part of the reporter's annual salary as the population of such county bears to the population of all of said counties according to the latest Fed-

eral census. The director shall file a certificate with the treasurer of each of said counties designating the reporter and the amount of his annual salary apportioned to the particular county, and shall also file a duplicate thereof with the State Comptroller. The county treasurer shall pay the part of such annual salary so apportioned to his particular county, as provided in paragraph (a) of this section.

(d) In lieu of an annual salary a reporter employed on a part time or temporary basis as provided in this article may be paid at a per diem fee rate of not more than thirty dollars ($30.00), as may be fixed from time to time by the Supreme Court. Such per diem fees shall be paid semimonthly as provided below in this section. The director shall certify to all county treasurers and to the State Comptroller the per diem fee rate so fixed for this class of reporters.

(e) Where a reporter is employed on a per diem fee basis, such fees shall be paid by the county where the services were rendered, or if employed in a part of the Chancery Division of the Superior Court having a vicinage embracing more than one county, then by the particular county where the court is permanently located. Such payments shall be made by the county treasurer, upon receipt of duplicate vouchers verified by the reporter and certified either by the judge of the court where the services were rendered or by the supervising reporter of the district in which the court is located. One of such vouchers shall be immediately filed with the State Comptroller by the county treasurer making the particular payment. In the case of a reporter employed on a per diem fee basis in a part of the Chancery Division of the Superior Court having a vicinage embracing more than one county, the county treasurer making such payment or payments may apply to the director from time to time to make an apportionment of two-thirds of the amount thereof among all of the counties of said vicinage on the basis provided for in para-

graph (c) of this section. Upon such apportionment being made and notice thereof given in writing by the director to the treasurer of each county in said vicinage, the county treasurer making the original payment shall be reimbursed by the treasurer or treasurers of the county or counties within said vicinage in accordance with said apportionment.

(f) In addition to his salary or per diem fees, a reporter who is required to attend sessions of a court in a county other than where he resides shall be paid his traveling and other necessary expenses incident to his attendance upon said court when certified as reasonable and necessary by a judge thereof. Such expenses shall be paid in the same manner and from the same sources and subject to the same apportionment as the reporter's salary or per diem fees are paid.

(g) One-third of the amount paid directly to reporters by each county as provided in this section, whether as salary, fees in lieu of salary or traveling and other necessary expenses incident to his attendance upon court, shall be refunded to said county by the State Treasurer upon the warrant of the State Comptroller and the treasurer shall make a further refund to any county, if necessary, of such amount as shall be needed to insure that the net cost of court reporters to such county, under this article, for any year beginning July first and ending on the following June thirtieth, shall not exceed the net cost to such county for court reporters for the year beginning July first, one thousand nine hundred and forty-seven, and ending June thirtieth, one thousand nine hundred and forty-eight.

(h) Every reporter shall be entitled to retain for himself the fees collected for transcripts as herein provided. All supplies and equipment shall be furnished by the reporter at his own expense.

(i) Reporters shall be deemed to be State employees eligible for membership in the State Employees' Retirement System; except, however, that

reporters who have heretofore become members of any county employees' retirement system pursuant to chapter one hundred sixty of the laws of one thousand nine hundred and forty-three (c. 43:10–18.1-43:10–18.25), shall continue therein as county employees for the purposes of that enactment.

2. This act shall take effect immediately.

Approved July 30, 1953.

CHAPTER 346

AN ACT to validate marriages heretofore solemnized by any person elected as a police justice under the provisions of any city charter who was not at the time of such solemnization authorized to solemnize marriages.

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

Marriages validated.

1. All marriages heretofore solemnized by any person elected as a police justice under the provisions of any city charter who was not at the time of such solemnization authorized to solemnize marriages, if otherwise valid, shall be as valid as if the same had been solemnized by a person authorized to solemnize marriages.

2. This act shall take effect immediately.

Approved July 30, 1953.

CHAPTER 347

AN ACT authorizing and directing the Agricultural Experiment Station of the State University of New Jersey to establish, erect and maintain a poultry pathology laboratory in the vicinity of the boundary line separating the counties of Monmouth and Ocean, and to expand and improve the facilities and equipment of the existing poultry pathology laboratory at Vineland, and providing for an appropriation therefor.

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

C. 4:16-21.4. Poultry pathology laboratory authorized.

1. The Agricultural Experiment Station of the State University of New Jersey is authorized and directed to establish, erect and maintain a poultry pathology laboratory in the vicinity of the boundary line separating the counties of Monmouth and Ocean.

C. 4:16-21.5. Expenditures limited.

2. The Agricultural Experiment Station of the State University of New Jersey is authorized and directed to expand and improve the facilities and equipment of the existing poultry pathology laboratory at Vineland by the expenditure of not in excess of fifty thousand dollars ($50,000.00).

C. 4:16-21.6. Appropriation.

3. There is appropriated to the Agricultural Experiment Station of the State University of New Jersey the sum of two hundred thousand dollars ($200,000.00) to carry out the requirements of this act if and when included in any annual or supplemental appropriation act.

4. This act shall take effect immediately.

Approved August 8, 1953.

CHAPTER 348

AN ACT concerning elections, and amending sections 19:31–2 and 19:32–2 of the Revised Statutes.

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

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

19:31–2. In all counties having a superintendent of elections, the superintendent of elections is hereby constituted the commissioner of registration and in all other counties the secretary of the county board is hereby constituted the commissioner of registration. Commissioner of registration, duties, appointment of employees, limitation on expenses, powers and duties.

The commissioner of registration in all counties having a superintendent of elections, and the county board in all other counties, shall have complete charge of the permanent registration of all eligible voters within their respective counties.

The commissioner of registration in counties of the first class having less than eight hundred thousand inhabitants, and the county board in all other counties, shall have power to appoint temporarily, and the commissioner of registration in counties of the first class having more than eight hundred thousand inhabitants shall have power to appoint on a permanent, or temporary basis, such number of persons, as in his or its judgment may be necessary in order to carry out the provisions of this Title. All persons appointed by the commissioner of registration in counties of the first class having more than eight hundred thousand inhabitants to serve for terms of more than six months in any one year shall be in the classified service of the civil service and shall be appointed, and hold their positions, in accordance with the provisions of Title 11, Civil Service. Persons appointed by the

commissioner of registration in such counties to serve for terms of six months or less in any one year and persons appointed by the commissioner of registration, or by the county board of elections, in other counties shall not be subject to any of the provisions of Title 11, Civil Service, but shall be in the unclassified service.

The commissioner of registration in counties having a superintendent of elections, and the county board in all other counties, shall provide such printed forms, blanks, supplies and office telephone and transportation equipment and shall prescribe such reasonable rules and regulations as are necessary in the opinion of the commissioner or county board to carry out the provisions of this Title and any amendments or supplements thereto.

All necessary expenses incurred, as and when certified and approved by the commissioner of registration in counties having a superintendent of elections, and by the county board in all other counties, shall be paid by the county treasurer of the county; *provided, however,* that all expenses of every nature in the office of the commissioner of registration in counties of the first class, exclusive of county board expenses, shall not exceed the sum of two hundred ninety-five thousand dollars ($295,000.00) per annum commencing with the year one thousand nine hundred and fifty-three and annually thereafter.

Proviso.

If the commissioner of registration in counties having a superintendent of elections determines that the money which will be available for expenditure by him, as such commissioner, in the year one thousand nine hundred and fifty-three will be insufficient to enable him to properly carry out the duties imposed upon him, as such commissioner by law, he shall then determine the amount of additional money which will be needed by him for such purpose and file a certificate of both determinations with the clerk of the board of chosen freeholders of such county.

Immediately after the filing of such certificate with the clerk of the board of chosen freeholders, the board of chosen freeholders shall make such additional money, as set forth in said certificate, available to such commissioner for expenditure and if necessary such board of chosen freeholders shall issue its negotiable notes for such purpose.

Such additional money shall be added to all other moneys made available to such commissioner for the year one thousand nine hundred and fifty-three and shall be as available to such commissioner for expenditure during the year one thousand nine hundred and fifty-three as if it had been included in his budget appropriation for the year one thousand nine hundred and fifty-three, and if the amount of additional money set forth in any certificate filed pursuant to this act will, when added to all other moneys made available to such commissioner, as such commissioner, for the year one thousand nine hundred and fifty-three exceed two hundred and ninety-five thousand dollars ($295,000.00), the board of chosen freeholders shall not be required under this act to make available to such commissioner, as such commissioner, any money in excess of said total of two hundred and ninety-five thousand dollars ($295,000.00).

Nothing in the provisions of subtitle two of the Title, Municipalities and Counties (40:16–1 et seq.), shall in anywise be construed to affect, restrict or abridge the powers herein conferred on the commissioners in counties having a superintendent of elections, and upon the county boards in all other counties.

All powers granted to the commissioner in all counties not having superintendents of elections by the provisions of this Title are hereby conferred on the county board in such counties, and any and all duties conferred upon the commissioner in all counties not having a superintendent of elections by the provisions of this Title shall only be exercised and performed by such commissioner under the instructions and directions of and subject to the approval of the county board of such counties.

Section amended.

2. Section 19:32–2 of the Revised Statutes is amended to read as follows:

Deputy, chief clerk, secretary, other personnel, limitation on expenses.

19:32–2. Each superintendent may appoint a chief deputy, a chief clerk, a secretary, such personnel as is authorized under section 19:48–6 of this Title, and any other assistants he considers necessary to carry out the provisions of this Title, and, except as hereinafter provided, may remove the same whenever he deems it necessary and all persons so appointed, by superintendents of elections in counties of the first class having more than eight hundred thousand inhabitants, to serve for terms of more than six months in any one year, shall be in the classified service of the civil service and shall be appointed in accordance with and shall be subject to the provisions of Title 11, Civil Service, but all other persons so appointed shall not be subject to any of the provisions of Title 11, Civil Service, but shall be in the unclassified service. Each superintendent shall fix the salaries of the persons so appointed and such salaries certified to and approved under his hand shall be paid semimonthly by the county treasurer of the county in which such persons are so engaged. All other necessary expenses incurred in carrying out the provisions of this Title when certified to and approved by the superintendent shall be paid by the county treasurer of the county in which the superintendent shall maintain his office; *provided, however*, that all expenses of every nature in the office of the superintendent of elections shall not exceed the sum of three hundred and sixty thousand dollars ($360,000.00) per annum commencing with the year one thousand nine hundred and fifty-three and annually thereafter, of which the sum of one hundred twenty thousand dollars ($120,000.00) per annum shall be used exclusively for expenses arising out of his duties in connection with the use of voting machines; and the unexpended balance which remains of the amount or amounts appropriated to the county board of elections in each county of the first class by the board of chosen free-

holders thereof for the year one thousand nine hundred and forty-five for the purpose of paying all salaries in connection with and defraying the cost of storing, delivering to and from polling places, repairing, servicing, and maintaining voting machines, shall be transferred forthwith to the account of the superintendent of elections and shall be used by him solely for such purpose, and no other.

If the superintendent of elections of any county determines that the money which will be available for expenditure by him, as such superintendent, in the year one thousand nine hundred and fifty-three will be insufficient to enable him to properly carry out the duties imposed upon him, as such superintendent by law, he shall then determine the amount of additional money which will be needed by him for such purpose and file a certificate of both determinations with the clerk of the board of chosen freeholders of such county.

Immediately after the filing of such certificate with the clerk of the board of chosen freeholders, the board of chosen freeholders shall make such additional money, as set forth in said certificate, available to such superintendent for expenditure and if necessary such board of chosen freeholders shall issue its negotiable notes for such purpose.

Such additional money shall be added to all other moneys made available to such superintendent for the year one thousand nine hundred and fifty-three and shall be as available to such superintendent for expenditure during the year one thousand nine hundred and fifty-three as if it had been included in his budget appropriation for the year one thousand nine hundred and fifty-three, and if the amount of additional money set forth in any certificate filed pursuant to this act will, when added to all other moneys made available to such superintendent, as such superintendent, for the year one thousand nine hundred and fifty-three exceed three hundred and sixty thousand dollars ($360,000.00), the board of chosen freeholders shall not be required under this act to make available to such

superintendent as such superintendent, any money in excess of said total of three hundred and sixty thousand dollars ($360,000.00).

3. This act shall take effect immediately.

Approved August 8, 1953.

CHAPTER 349

AN ACT concerning local boards of health in certain townships, and amending sections 26:3–3, 26:3–5, 26:3–6, 26:3–7, 26:3–9, 26:3–10, 26:3–12, 26:3–13, 26:3–14, 26:3–15 and 26:3–16 of the Revised Statutes.

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

Section amended.

1. Section 26:3–3 of the Revised Statutes is amended to read as follows:

Local boards of health, number of members.

26:3–3. The local board in every municipality, other than a township, which is subject to the provisions of subdivision C of this article, shall be composed of not less than five nor more than seven members, except that in a city of the first class the board shall consist of ten members, and in a city having a population of over one hundred thousand, but not of the first class, the board shall consist of not less than five nor more than ten members.

Section amended.

2. Section 26:3–5 of the Revised Statutes is amended to read as follows:

Appointment of members.

26:3–5. The members of the local board in every municipality, other than a township which is subject to the provisions of subdivision C of this article, shall be appointed in such manner as the governing body may by ordinance provide, except that in a city of the first class all the members of the board shall be appointed by the mayor and confirmed by the board or body having charge of the finances in such city.

3. Section 26:3–6 of the Revised Statutes is amended to read as follows: Section amended.

26:3–6. The members of the local board in every municipality, other than a township, which is subject to the provisions of subdivision C of this article, shall serve for such term as the governing body may by ordinance provide, but, except in a city having a population of over one hundred thousand but not of the first class, no term shall exceed four years, and in a city of the first class the term shall be three years. The terms shall be so arranged that the terms of not more than three members shall expire in any one year, except that in a city of the first class the terms of three members shall expire in one year, the terms of an additional three members in the next succeeding year, and the terms of the remaining members in the second succeeding year. Terms.

4. Section 26:3–7 of the Revised Statutes is amended to read as follows: Section amended.

26:3–7. If any vacancy shall occur on the local board of any municipality, other than a township which is subject to the provisions of subdivision C of this article, it shall be filled in the same manner in which the original appointment was made, but for the unexpired portion of the term only. Vacancies.

5. Section 26:3–9 of the Revised Statutes is amended to read as follows: Section amended.

26:3–9. The local board in every township having a population of not more than twenty thousand inhabitants shall be composed of the members of the township committee, the township assessor or, if the township has a board of assessors, the township clerk, and one physician to be appointed by the township committee for a term of three years from the time of his appointment and until his successor is appointed, but any such township may by ordinance adopt the provisions of subdivision B of this article and thereafter shall be subject to the provisions thereof and shall not be subject to the provisions of this subdivision of this article. Compostiion of township boards of health.

Section amended.

6. Section 26:3–10 of the Revised Statutes is amended to read as follows:

Terms.

26:3–10. The local board in every township having a population of more than twenty thousand inhabitants shall be composed of not less than five nor more than seven members who shall be appointed in such manner and hold their respective offices for such terms, not exceeding four years, as the township committee or other governing body may by ordinance provide, but the terms of not more than three members shall expire in any one year, but any such township may by ordinance adopt the provisions of subdivision B of this article and thereafter shall be subject to the provisions thereof and shall not be subject to the provisions of this subdivision of this article.

Section amended.

7. Section 26:3–12 of the Revised Statutes is amended to read as follows:

Notice of meeting published.

26:3–12. The local board in every township, which is subject to the provisions of this subdivision of this article, shall appoint, on the day of its organization, a place, day, and hour for the regular meeting of the board for the hearing of complaints, reports, and general business, and shall cause to be published in the township newspaper, or a paper circulating in the township, notice of the same. At least one regular meeting shall be held in each year. Special meetings may be called at any time by the president of the board or by the State department.

Section amended.

8. Section 26:3–13 of the Revised Statutes is amended to read as follows:

Compensation.

26:3–13. For attendance on meetings of the board, members of a township board, which is subject to the provisions of this subdivision of this article, shall each receive the sum of two dollars ($2.00) for each meeting, to be paid in the same manner as members of township committees are paid for their services.

Section amended.

9. Section 26:3–14 of the Revised Statutes is amended to read as follows:

State department to appoint physician upon failure of committee to act.

26:3–14. If a township committee in a township having a population of not more than twenty thousand inhabitants, which is subject to the provisions of this subdivision of this article, shall fail to appoint a physician member within ten days after the death, removal or resignation of any physician, or after the expiration of his term, the State department may appoint a physician as a member of the local board, who shall hold his office for the term of three years from the time of his appointment by the State department and until his successor shall be appointed.

Local board.

If a physician shall not be appointed either by the township committee or by the State department, the members of the township committee and the assessor shall constitute the local board of the township and shall continue to constitute the board until the appointment shall be made.

Section amended.

10. Section 26:3–15 of the Revised Statutes is amended to read as follows:

Township clerk to succeed assessor.

26:3–15. In a township having a population of not more than twenty thousand inhabitants, which is subject to the provisions of this subdivision of this article, in case of the death, removal, or resignation of an assessor before the time of electing his successor, the township clerk shall succeed the assessor as a member of the local board, and shall continue as a member until an assessor shall be elected or appointed.

Section amended.

11. Section 26:3–16 of the Revised Statutes is amended to read as follows:

Filling vacancy in board.

26:3–16. If a vacancy shall occur in the board of any township having a population of more than twenty thousand inhabitants, which is subject to the provisions of this subdivision of this article, it shall be filled in the same manner in which the original appointment was made, but for the unexpired portion of the term only.

12. This act shall take effect immediately.

Approved August 8, 1953.

New Jersey State Library

CHAPTER 350

AN ACT concerning leaves of absence for field training in the National Guard, Naval Militia, Air National Guard or in any reserve component of the Armed Forces of the United States for certain State, county and municipal employees, and supplementing Title 38 of the Revised Statutes.

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

C. 38:23-1.1. To be granted leave of absence for field training.

1. Any full time officer or employee of the State, or of a county or municipality serving in office, position or employment under ad interim or temporary appointment, who is a member of the National Guard, Naval Militia, Air National Guard, or of a reserve component of any of the Armed Forces of the United States, shall be entitled to leave of absence from his duties not to exceed thirty days in the aggregate in any one year, while engaged in field training, as follows:

a. Without loss of pay or time if he has served under such ad interim or temporary appointment for one year or longer.

b. Without pay and with loss of time if he has served under such ad interim appointment for less than one year.

C. 38:23-1.2. Deemed additional leave.

2. Leaves of absence granted pursuant to this act shall be in addition to annual or regular vacation leave.

3. This act shall take effect immediately.

Approved August 8, 1953.

CHAPTER 351

AN ACT concerning leave of absence for field training in the Armed Forces of the United States, and amending section 38:23–1 of the Revised Statutes.

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

1. Section 38:23–1 of the Revised Statutes is amended to read as follows: Section amended.

38:23–1. An officer or employee of the State or a county, school district or municipality, who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve or United States Marine Corps Reserve, or other organization affiliated therewith, shall be entitled to leave of absence from his respective duty without loss of pay or time on all days on which he shall be engaged in field training. Such leave of absence shall be in addition to the regular vacation allowed such employee. Entitled to leave for field training.

2. This act shall take effect immediately.

Approved August 8, 1953.

CHAPTER 352

AN ACT concerning the relinquishment or release of curtesy and dower by one spouse to the other, and supplementing chapter two of Title 37 of the Revised Statutes.

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

C. 37:2-18.1. Release of curtesy and dower rights.

1. A married man may relinquish or release to his wife his right of curtesy in any real estate whereof his wife is seized of an estate of inheritance, and a married woman may relinquish or release to her husband her right of dower in any real estate whereof her husband is seized of an estate of inheritance, by deed duly executed and acknowledged, in the manner provided by law for deeds to be recorded, or by deed conveying such estate of inheritance in said real estate by said husband to said wife or by said wife to said husband wherein said husband's right of curtesy or said wife's right of dower is specifically relinquished or released and thereafter said real estate may be conveyed, devised, or otherwise disposed of, and shall descend, free and clear of any such right or estate of curtesy or dower, but said real estate may descend to said husband or widow, as the case may be, in case of the death of the wife or husband intestate, in accordance with law, notwithstanding such reliniquishment or release.

2. This act shall take effect immediately.

Approved August 8, 1953.

CHAPTER 353

AN ACT relating to provident loan associations providing for the conversion thereof into general corporations, and into licensees under the small loan law, and supplementing Title 17 of the Revised Statutes.

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

C. 17:11-13. May become a general corporation.

1. Any provident loan association heretofore incorporated under any law of this State for the formation of a corporation for the purpose of aiding persons deemed in need of pecuniary assistance by loans of money, at interest, and required to have the words "provident loan association" form a part of the name of such association and which shall have operated the business of such provident loan association for a period of at least five years, may become and be a corporation with the same effect as if incorporated pursuant to Title 14 of the Revised Statutes, and a licensee under and with all of the powers and duties of such a licensee under Title 17, chapter ten, of the Revised Statutes.

C. 17:11-14. Method of conversion.

2. Any such provident loan association may effect its conversion into a general corporation and a licensee under the small loan law as follows: Its board of directors shall adopt a resolution declaring that such a conversion is in the best interests of said provident loan association and shall cause to be prepared an amended certificate of incorporation for such provident loan association in which shall be set forth

(a) The name by which such provident loan association shall be known after its conversion is effected; such name may be the same as the name of such association prior to its conversion;

(b) The street, street number, if any, and the municipality in which the principal office of the

corporation is to be located, which shall be the same location then occupied by the principal office or a branch office of such provident loan association;

(c) The date upon which said corporation commenced business as a provident loan association and the period during which said operations continued, which shall be a period of not less than five years;

(d) The powers which the association will be authorized to exercise, which may be any powers authorized to be included in a certificate for the formation of a corporation under the provisions of Title 14 of the Revised Statutes, shall include all the powers of a licensee under the provisions of Title 17, chapter ten, of the Revised Statutes, subject to the restrictions and duties applicable to a licensee under said small loan law after the granting of the license therein provided;

(e) The amount of the capital stock, the number of shares into which it is divided, and the par value of each share;

(f) The number of directors, or provision that the number of directors shall be not less than a stated minimum or more than a stated maximum.

(g) The names of the persons who will serve as directors until the first annual meeting of stockholders;

(h) Such other provisions not inconsistent with law, as the directors may choose to insert for the regulation of the business and affairs of the association.

C. 17:11-15. Directors' meetings, procedure.

3. The directors shall fix a date for a meeting of stockholders to take action upon said resolution and upon the amended certificate of incorporation, upon such notice not more than twenty days nor less than ten days prior to said meeting, as the directors may determine. If, at such meeting, or at any adjournment thereof, the holders of at least two-thirds of the capital stock of such association shall vote, in person or by proxy, to approve (a) the conversion of such provident loan association

into a small loan company, and (b) an amended certificate of incorporation, said amended certificate of incorporation in the form finally approved by said stockholders shall be signed and acknowledged by any two officers of the provident loan association and shall be transmitted to the Commissioner of Banking and Insurance, together with an affidavit made by any two officers of the association that the amended certificate of incorporation was presented to the stockholders and approved by them as required by this act.

C. 17:11-16. Endorsement of amended certificate.

4. If the Commissioner of Banking and Insurance shall be satisfied that the requirements of this act have been met, and that the amended certificate of incorporation contains no provisions not permissible under the laws of this State, he shall endorse his approval on the amended certificate of incorporation and shall file a copy thereof in the Department of Banking and Insurance and said amended certificate of incorporation shall then be recorded in the office of the clerk of the county in which the principal office of said corporation is to be located, and filed and recorded in the office of the Secretary of State, and thereupon said provident loan association shall become and be a general corporation under Title 14 of the Revised Statutes and a licensee under and subject to the provisions of chapter ten of Title 17 of the Revised Statutes, and all loans thereafter made shall be under and pursuant to the provisions of said chapter ten and all business of said corporation shall be conducted subject thereto, except that such loans then due to said provident loan association shall be collected under and pursuant to the laws governing such associations unless and until such loan be renewed by a transaction under the provisions of chapter ten aforesaid.

C. 17:11-17. Effect of conversion on corporation.

5. The conversion of such a provident loan association into a general corporation with the powers and duties of a licensee under the small loan law pursuant to this act shall not effect a dissolution of such provident loan association, or in any

manner interrupt or impair the continuity of its corporate existence, nor shall any such conversion in anywise affect any right, act, contract or relationship of any such provident loan association or of its stockholders, depositors, creditors or other person having relations with or claims against said provident loan association, except as hereinafter provided with respect to dissenting stockholders.

C. 11:17-18. Conversion of stock, procedure.

6. Upon the conversion of any provident loan association, as provided by this act, the certificates of stock of every stockholder shall be converted into stock of the converted corporation. If any stockholder in any such provident loan association not voting in favor of such conversion and amendment to the certificate of incorporation shall dissent therefrom, and shall refuse or neglect to convert his stock into the stock of such converted corporation, and at any time prior to the vote on such conversion at the meeting of the stockholders at which such conversion shall have been approved, shall give to the provident loan association in which he is a stockholder written notice of his dissent, such dissenting stockholder may, at any time within thirty days after the filing of the amended certificate of incorporation in the office of the Secretary of State with the approval of the Commissioner of Banking and Insurance endorsed thereon, apply by petition to the Superior Court in the county in which the chief office of the corporation is located, on reasonable notice to be prescribed by such court, to such converted corporation, for the appointment of three disinterested appraisers to appraise the full market value of his stock without regard to any depreciation or appreciation thereof in consequence of the conversion of said provident loan association into a small loan company.

Thereafter the proceedings and the rights and remedies of the respective parties shall be the same as is provided in section 14:12–6 of Title 14 of the Revised Statutes in the case of the appointment of appraisers to appraise the market value of stock of dissenting stockholders of corporations

enjoying the right to exercise any franchise for public use; and the judgment upon the award as provided for therein shall be a judgment against such converted corporation, and shall be a lien on all property and assets acquired by the converted corporation, subject only to such liens as existed against such property and assets at the time of such conversion.

At the time of appointing the appraisers or at any time thereafter, the court may direct the dissenting stockholder to submit his certificate of stock to the clerk of the court for notation thereon of the pendency of the appraisal proceedings, and if the stockholder fails to comply with such direction the court may dismiss the proceedings.

7. This act shall take effect immediately.

Approved August 8, 1953.

CHAPTER 354

AN ACT authorizing certain municipalities to provide by ordinance for a system of truck routes in such municipalities.

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

1. The governing body of any municipality may, by ordinance, establish a system of truck routes in such municipality, subject to the provisions of this act. Any such ordinance may provide that all trucks having a total combined gross weight of vehicle plus load, in excess of four tons, shall be excluded from all streets in such municipality, except from those streets which form a part of the system of truck routes upon which trucks are permitted to travel and operate, which should be designated in the ordinance.

C. 40:67-16.1. Authorized to establish truck routes.

C 40:67-16.2. Construing.

2. Nothing in this act shall be construed to prevent such trucks from making deliveries of merchandise or other property along streets from which such trucks are excluded or to authorize the exclusion from any street in any municipality of trucks used by public utility companies in connection with the construction, installation, operation or maintenance of public utility facilities.

C. 40:67-16.3. To provide suitable connections.

3. Any system of truck routes established pursuant to any such ordinance shall provide suitable connection with all State routes entering and leaving such municipality. No State highway route shall be designated as part of such system of truck routes, nor shall any such truck be excluded from any State highway route without the approval of the State Highway Commissioner.

C. 40:67-16.4. Markings.

4. Any such ordinance shall provide for the conspicuous marking of the streets forming the truck routes. The marking shall be by signs so placed and maintained as to clearly show the truck routes by both day and night, and shall designate the weight of the trucks which are required to use such truck routes.

C. 40:67-16.5. Enforcement of ordinance.

5. Any such ordinance shall provide for its enforcement and prescribe the penalties for violations within the limitations imposed by law.

C. 40:67-16.6. Not to impair right to limit use of streets.

6. Nothing in this act shall be deemed to be a limitation upon the authority of any such municipality to limit the use of streets to certain classes of vehicles pursuant to section 39:4–197 of the Revised Statutes.

7. This act shall take effect immediately.

Approved August 8, 1953.

CHAPTER 355

AN ACT concerning the salaries to be paid to the mayor and councilmen in boroughs in certain counties of the second class, and supplementing chapter eighty-seven of Title 40 of the Revised Statutes.

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

C. 40:88-3.1. Salary of mayor and councilmen.

1. Notwithstanding the provisions of sections 40:46–23 to 40:46–28 of the Revised Statutes, the governing body of any borough in counties of the second class having more than five hundred thousand population, may fix and determine by ordinance as in the case of other salaries, the salary to be paid to the mayor and to its members, as follows:

a. In boroughs having less than five hundred population, the annual salary of the mayor shall be not more than one hundred fifty dollars ($150.00), and that of each councilman not more than seventy-five dollars ($75.00).

b. In boroughs having from five hundred to two thousand five hundred population, the annual salary of the mayor shall be not more than two hundred fifty dollars ($250.00), and that of each councilman not more than one hundred fifty dollars ($150.00).

c. In boroughs over two thousand five hundred but not exceeding five thousand population, the annual salary of the mayor shall be not more than five hundred dollars ($500.00), and that of each councilman not more than three hundred fifty dollars ($350.00).

d. In boroughs over five thousand but not exceeding ten thousand population, the annual salary of the mayor shall be not more than seven hundred fifty dollars ($750.00), and that of each

councilman not more than five hundred dollars ($500.00).

e. In boroughs over ten thousand but not exceeding fifteen thousand population, the annual salary of the mayor shall be not more than one thousand dollars ($1,000.00), and that of each councilman not more than seven hundred fifty dollars ($750.00).

f. In boroughs over fifteen thousand but not exceeding twenty thousand population, the annual salary of the mayor shall be not more than one thousand two hundred fifty dollars ($1,250.00), and that of each councilman not more than one thousand dollars ($1,000.00).

g. In boroughs over twenty thousand population, the annual salary of the mayor shall be not more than one thousand five hundred dollars ($1,500.00), and that of each councilman not more than one thousand two hundred fifty dollars ($1,250.00).

C. 40:88-3.2. Adoption of ordinance, petition, number of signatures

2. Any such ordinance shall not be adopted except by a vote of not less than two-thirds of the members of the council, and shall become operative in ten days after the publication thereof after its final passage, unless within said ten days, a petition, signed by the voters of such borough equal in number to at least fifteen per centum (15%) of the entire vote cast in the last preceding election protesting against the passage of such ordinance, be presented to the governing body, in which case such ordinance shall remain inoperative unless and until a proposition for the ratification thereof shall be adopted at the next general election by a majority of the qualified voters voting on said proposition.

C. 40:88-3.3. Construing

3. This section shall not be construed to prevent the determination or increase of salaries in greater amounts than the maximum salaries provided herein, when such determination or increase is made pursuant to article six of chapter forty-six of this Title (40:46–23 et seq.).

4. This act shall take effect immediately.

Approved August 10, 1953.

CHAPTER 356

AN ACT concerning the salaries of members of the board of fire commissioners in townships, and amending section 40:151–35 of the Revised Statutes.

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

1. Section 40:151–35 of the Revised Statutes is amended to read as follows: Section amended.

40:151–35. Each member of the board of fire commissioners shall receive a salary of six dollars ($6.00) for each meeting attended. The gross amount of such salary shall not exceed one hundred dollars ($100.00) in any one year. The secretary shall receive as compensation an amount not to exceed one hundred twenty dollars ($120.00) 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, shall receive as additional compensation the sum of two hundred dollars ($200.00). Salary, fire commissioners, limitation.

2. This act shall take effect immediately.

Approved August 10, 1953.

CHAPTER 357

AN ACT providing for the grant of an easement by the State of New Jersey to the New Jersey Power & Light Company, across lands now occupied by the New Jersey Sanatorium for Chest Diseases in the township of Lebanon and county of Hunterdon, and providing for payment of consideration therefor.

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

Authorized to grant easement.

1. The State House Commission, acting for and on behalf of and in the name of the State of New Jersey, for and in consideration of the payment to the State of the sum of one hundred dollars ($100.00) by the grantee, is hereby authorized and empowered to grant to the New Jersey Power & Light Company, a corporation of the State of New Jersey, an easement one hundred (100) feet in width, over, upon and across lands of the State, now occupied by the New Jersey Sanatorium for Chest Diseases in the township of Lebanon and county of Hunterdon, bounded as follows:

Description.

Easterly by other lands of grantor; southerly by lands of Central Railroad of New Jersey and Rock Run Road; westerly by lands of Central Railroad of New Jersey; and northerly by lands of Central Railroad of New Jersey. The center line of right of way enters grantors' property from a point in the northerly line of the right of way of the Central Railroad of New Jersey said point being distant 72.60 feet from the southwesterly corner of a certain lot now or formerly owned by one Haight, said point being also distant 476 feet westerly from mile post #54 on said railroad company right of way; thence extending

across grantors' lands N 19° 37′ E for a distance of 25.1 feet to a point on grantors' land; thence extending across grantors' land N 51° 0′ W 3070.0 feet, more or less, to a point on grantors' land; thence extending across grantors' land S 76° 56′ W 123.2 feet, more or less, to a point in the northerly line of the right of way of the Central Railroad of New Jersey, said point being distant 812.0 feet southeasterly from a rail monument set in the Central Railroad of New Jersey right of way.

Permitted to construct and maintain facilities.

2. The New Jersey Power & Light Company shall be permitted to construct, maintain and operate upon said easement one or more lines for the transmission or distribution of electric energy consisting of supporting structures, conductors, overhead and underground lightning protective wires, communication wires, guys, push braces and other accessory apparatus and equipment necessary for the proper conduct of the business of the grantee, together with the right from time to time to redesign, rebuild or alter said lines and to install such additional lines, apparatus and equipment as grantee may at any time deem necessary to the proper conduct of its business and the right to remove any line or any part thereof.

The grantee shall have the right to remove or clear and keep clear trees, underbrush, structures and other obstructions upon said right of way and such trees beyond the same as in the judgment of the grantee may interfere with or endanger said lines or appurtenances when erected.

Certain rights retained by State.

3. There is reserved to the State of New Jersey the right to cultivate the grounds within the limits of said easement herein granted; *provided,* that such use shall not interfere with or obstruct the rights herein granted, and the New Jersey Power & Light Company, grantee herein, shall compensate the State for any damage to its property caused by grantee in the course of constructing, rebuilding or repairing said lines, and shall restore the

lands remaining to the State in the same condition that they enjoyed prior to the erection by the grantee of the power lines herein described.

4. This act shall take effect immediately.

Approved August 10, 1953.

CHAPTER 358

AN ACT concerning the approval and filing of maps, supplementing chapter twenty-three of Title 46, and repealing sections 46:23–1, 46:23–2, 46:23–3, 46:23–4, 46:23–5, 46:23–6, 46:23–7, 46:23–8 and 46:23–9, of the Revised Statutes.

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

C. 46:23-9.1. Terms defined.

1. As used in this act:

(a) "Map" means a map, plat, plan, chart, or survey of lands presented for filing in accordance with the provisions of this act.

(b) "Municipal engineer" means the official professional licensed engineer appointed by the governing body of the municipality wherein the territory shown on a map is situate.

(c) "Engineering design" means the alignment, location and width of streets, easements, rights-of-way and drainage, and lot areas and dimensions.

(d) "Governing body" means the chief legislative body of a municipality wherein the territory shown on a map is situate; in a city having a board of public works, it means such board.

C. 46:23-9.2. Map to conform to requirements before filing.

2. No map required, or that may be required, by law to be filed with a county recording officer, or that may be presented to a county recording officer for filing, shall be received for filing by such officer unless it shall conform to the following:

(a) It shall be clearly and legibly drawn, and, where required, endorsed, with black waterproof

India ink upon translucent tracing cloth of good quality, and shall be accompanied by a cloth print duplicate thereof.

(b) It shall be of one of three standard sizes, namely thirty inches by forty-two inches, twenty-four inches by thirty-six inches, and fifteen inches by twenty-one inches. If one sheet is not of sufficient size to contain the entire territory, the map may be divided into sections to be shown on separate sheets with references on each sheet to the adjoining sheets.

(c) It shall show the scale, which shall be in inches to feet and large enough to contain legibly written data on the dimensions, bearings and all other details of the boundaries.

(d) It shall show dimensions, bearings and angles sufficient to enable the definite location of all lines and boundaries shown thereon, including the public easements and areas dedicated for public use.

(e) Where lots are shown thereon, those in each block shall be numbered consecutively beginning with number one. In municipalities where tax maps exist, block designations shall conform therewith. In counties which have adopted or shall adopt the local or block system of indices pursuant to sections 46:24–1 to 46:24–22 of the Revised Statutes, it shall have delineated and shown thereon the block boundary or boundaries and designations established by the board of commissioners of land records of such counties respecting the territory intended to be shown on such map.

(f) The reference meridian used for bearings on the map shall be shown graphically and definitely described. Magnetic bearings shall show the date of observation.

(g) All municipal boundary lines crossing or adjacent to the territory intended to be shown shall be shown and designated.

(h) All watercourses, natural and artificial, streams, shorelines, or other water boundaries shall be shown.

(i) All monuments, as required by this act, shall be clearly shown in place or by legend or symbol and a distinction made between monuments which were found and monuments which were placed on the tract boundary and those set for the survey control.

(j) It shall conform to such other engineering design controls as may be required by the provisions of local ordinances, including minimum width of streets and minimum area and lot dimensions.

(k) The name of the map, municipality and county shall be shown.

(l) The date of the survey shall be shown.

(m) There shall be endorsed thereon or attached thereto a certificate of a land surveyor, as follows:

> I hereby certify that this map and the survey has been made under my immediate supervision, and complies with the laws of the State of New Jersey.
>
> I further certify that *(all monuments have been accurately set under my supervision.) (a bond has been given to the municipality guaranteeing the setting of such monuments which are being deferred for a specified period.)
>
> .....
> Licensed Land Surveyor No.

* Strike out inappropriate phrase.

(n) There shall be endorsed thereon or attached thereto a certificate of the municipal engineer as follows:

> I have carefully examined this map and find it conforms with all the laws of the State and the municipal ordinances and requirements applicable thereto.
>
> .....
> Municipal Engineer.

(o) There shall be endorsed thereon or attached thereto a certificate signed and acknowledged by each record holder of an interest in the title to the land delineated thereon consenting to the filing thereof.

(p) Where required by any other law or by local ordinance, there shall be endorsed thereon or attached thereto the certificate or certificates of the governing body, or other municipal agency or officer, approving or constituting approval of the map, or stating its exemption from approval.

(q) If the map shows streets, avenues, roads, lanes or alleys, and a certificate or certificates under subsection (p) hereof is not required, there shall be endorsed thereon or attached thereto the resolution of the governing body approving such streets, avenues, roads, lanes or alleys, except where such map is prepared and presented for filing by the State of New Jersey or any of its agencies.

C. 46:23-9.3. Monuments required, approval or disapproval, time.

3. No map which, by the provisions of subsection (q) of section two of this act, is required to be approved by a governing body shall be approved unless it conforms to the requirements of this act as to monuments. The governing body shall approve or disapprove such map within forty-five days from the receipt thereof.

C. 46:23-9.4. Specification for monuments, location.

4. Monuments shall be of hard durable material at least thirty inches long. The top shall be a minimum of five inches square and bottom a minimum of six inches square with uniform taper from one end to the other. They shall be firmly set in the ground so as to be visible at the following control points; *provided,* that in lieu of installation of the monuments, the municipality may accept bond with sufficient surety in form and amount to be determined by the governing body, conditioned upon the proper installation of said monuments upon the completion of the grading of the streets and roads shown on the map.

Proviso.

(a) At each boundary corner of the property delineated by the map unless found monumented.

(b) At each intersection of the above mentioned boundary with the side lines of all streets.

(c) At diagonally opposite block corners at street intersections through which the alignment of each street extends as a straight line.

(d) At all block corners at street intersections through which the alignment of any street does not extend as a straight line.

(e) At the beginning and ending of all curves on each side of the street, or on one side of the street between street intersections provided that the map records full curve data, including radius, arc length, chord length and subtended angle.

(f) At intermediate points in the sidelines of a street between two adjacent street intersections in cases where the street deflects from a straight line or the line of sight between the adjacent intersections is obscured by a summit or other obstructions which are impractical to remove.

(g) In cases where it is impossible to set a monument at any of the above designated points, a nearby reference monument shall be set and its relation to the designated point shall be clearly designated on the map.

(h) In areas where permanency of monuments may be better insured by off-setting the monuments from the property line, the municipal engineer may authorize such procedure; *provided,* that proper instrument sights may be obtained and complete off-set data is recorded on the map.

Proviso.

Where subsurface or rock conditions shall make the setting of a monument thirty inches in length impracticable, the municipal engineer, in lieu thereof, may designate a monument of lesser length, which shall, however, be set permanently, so as to be stable.

C. 46:23-9.5. Construing.

5. The approval of any map for the purposes of filing under this act by the governing body or other municipal agent or officer shall in no wise be construed as acceptance of any road, street or highway indicated thereon; nor shall any such approval in any way obligate the State of New Jersey,

or any county or municipality therein, to maintain or exercise jurisdiction over such roads, streets or highways.

C. 46:23-9.6. Filing.

6. The county recording officer of each county shall, when received by him for that purpose in accordance with the provisions of this act, file in folios, slides, cabinets or other proper receptacles, maps of lands lying in whole or in part in the county where the same are offered to be filed; *provided,* that he shall retain the original tracing unmounted in an appropriate file or container, for preservation and use for reproduction purposes only. He shall endorse on the tracing and cloth print duplicate in black India ink the date of the filing thereof in his office, and he shall provide and keep a proper index of all maps on file in his office. The county recording officer shall, for filing and indexing each such map receive such fee as may be provided by law, except that when any map shall be presented for filing by the State of New Jersey, or any of its agencies, no fee shall be charged for the filing thereof.

Proviso.

C. 46:23-9.7. Repealer.

7. Sections 46:23–1, 46:23–2, 46:23–3, 46:23–4, 46:23–5, 46:23–6, 46:23–7, 46:23–8 and 46:23–9 of the Revised Statutes are repealed.

C. 46:23-9.8. Act effective.

8. This act shall take effect January first, one thousand nine hundred and fifty-four.

Approved August 10, 1953.

CHAPTER 359

A SUPPLEMENT to the "Veterinary Practice Law," approved May sixteenth, one thousand nine hundred and fifty-two (P. L. 1952, c. 198).

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

C. 45:16-7.1. Requirements to take examination, license granted.

1. Any person who is more than twenty-one years of age and of good moral character, a citizen of the United States; and a resident of this State at the time of the adoption of this act, and who has completed his primary and secondary education in an approved private or public school of this State; and who has subsequently completed a four years' course of study in a college of arts and sciences of this State approved by the Commissioner of Education of this State; and who has subsequently completed a four years' course of study in a legally incorporated veterinary or professional college in the United States, and has received therefrom a diploma conferring upon him a degree of doctor of veterinary medicine; and has subsequently received the degree of doctor of veterinary medicine from a college or university accredited by the United States Bureau of Animal Industry or the United States Civil Service Commission; and has been satisfactorily examined by the veterinary licensing board of another State of the United States, and has been licensed as a veterinarian in said State, shall upon proof of the foregoing to the State Board of Veterinary Medical Examiners, be admitted to examination by said board for license to practice veterinary medicine and surgery, anything to the contrary in the act to which this is a supplement, or in any of its various other supplements and amendments to the contrary notwithstanding, and to such subsequent examinations as therein provided for other applicants admitted to

examination thereunder, and upon passing such examination, shall be entitled to receive from said board, a license to practice veterinary medicine and surgery in all its branches in this State.

2. This act shall take effect immediately.

Approved August 11, 1953.

CHAPTER 360

AN ACT relating to the Teachers' Pension and Annuity Fund, and supplementing chapter thirteen of Title 18 of the Revised Statutes.

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

C. 18:13-70.3. Minimum retirement allowance.

1. The total retirement allowance to be paid to a member now retired, who retired for disability, or on or after attaining age sixty-two with twenty or more years of service, consisting of service to his credit in the New Jersey Teachers' Pension and Annuity Fund and service in New Jersey prior to April tenth, one thousand nine hundred and nineteen, shall be not less than eight hundred dollars ($800.00) per annum. Eligible members must apply within one year from the effective date of this act to the Board of Trustees of the Teachers' Pension and Annuity Fund, and provide satisfactory evidence as to service to the Board of Trustees.

C. 18:13-70.4. Act effective.

2. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved August 11, 1953.

CHAPTER 361

AN ACT relating to the Teachers' Pension and Annuity Fund, and amending section 18:13–56 of the Revised Statutes.

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

Section amended.

1. Section 18:13–56 of the Revised Statutes is amended to read as follows:

Minimum retirement allowance, exception.

18:13–56. The total retirement allowance, prior to any reduction in accordance with section 18:13–68 of the Revised Statutes, to be paid on and after July second, one thousand nine hundred and fifty-two, to a member who shall have retired prior to said date with twenty or more years of service as a teacher to his credit in the New Jersey Teachers' Pension and Annuity Fund, shall be his annuity plus a pension of not less than eight hundred dollars ($800.00) per annum, except that a minimum pension of four hundred dollars ($400.00) instead of such minimum pension of eight hundred dollars ($800.00) shall apply in the case of any new-entrant referred to in subsection "C" of section 18:13–55 of the Revised Statutes who shall have retired prior to said date.

The total retirement allowance to be paid after July first, one thousand nine hundred and fifty-two, to a member who has retired after said date, or shall retire hereafter, for reasons other than disability and before attaining age sixty-two, with twenty or more years of service, shall be his annuity, plus a pension of not less than four hundred dollars ($400.00) per annum.

The total retirement allowance to be paid after July first, one thousand nine hundred and fifty-three, to a member who shall retire after said date, or who has retired after July first, one thousand nine hundred and fifty-two, after attaining age

sixty-two or by reason of disability, with twenty or more years of service, shall be his annuity plus a pension of not less than eight hundred dollars ($800.00) per annum.

2. This act shall take effect July first, one thousand nine hundred and fifty-three. Note: Act effective

Approved August 11, 1953.

CHAPTER 362

AN ACT relating to the retirement on pension of certain clerks of county district courts.

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

1. Any clerk of any county district court who heretofore has served, or hereafter, or heretofore and hereafter, shall have served continuously as such clerk and as clerk of any former city district court located within the county for a period of forty years may be retired upon the adoption of a resolution by the board of chosen freeholders of the county to that effect, upon an annual pension not exceeding the amount of his annual salary at the time of his retirement, which shall be paid to him semimonthly for his or her natural life in the same manner as other county employees are paid. C. 43:9-34. Pension authorized for district court clerks.

2. The board of chosen freeholders of the county shall provide for the payment of such pension when granted as provided in this act. C. 43:9-35. Provision for payment.

3. This act shall take effect immediately.

Approved August 11, 1953.

CHAPTER 363

AN ACT to regulate the practice of medicine and surgery and to license physicians and surgeons, and supplementing chapter nine of Title 45 of the Revised Statutes.

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

C. 45:9-8.2. Requirements to be admitted to examination, license.

1. Any person who was a resident of this State five years immediately preceding the thirty-first day of December, one thousand nine hundred and fifty-two, who shall in addition to the requirements set forth in sections 45:9–6 and 45:9–7 of the Revised Statutes, prove to the State Board of Medical Examiners that he has received a diploma from a legally incorporated professional school or college in the United States, after completing a four years' course in study, conferring upon him the degree of Doctor of Medicine, and has completed an internship acceptable to the board of at least one year in a hospital approved by the board; and who in addition has (a) served satisfactorily as a resident physician for a period of ten years in a municipal, county or State hospital in New Jersey; or (b) served honorably in the medical corps of one of the armed services of the United States for a period of not less than two years, after the seventh day of December, one thousand nine hundred and forty-one; or (c) received a diploma conferring upon him a graduate pharmacist degree of Ph.G. and is the holder of a certificate of registration permitting him to practice pharmacy in the State of New Jersey; shall, upon proof of the foregoing to the State Board of Medical Examiners, be admitted to examination by said board, for license to practice medicine and surgery, anything to the contrary in the act to which this is a supplement, or in any of various supplements and amend-

ments to the contrary notwithstanding, and upon passing such examination, shall be entitled to receive from the board a license to practice medicine and surgery in all its branches in this State.

C. 45:9-8.3. Limits time in which to apply.

2. Any candidate who shall apply to be admitted to examination by the board under this act must so apply within ninety days of the effective date of this act.

C. 45:9-8.4. Act inoperative.

3. This act shall take effect immediately and shall become void and of no effect six months after the effective date thereof.

Approved August 11, 1953.

CHAPTER 364

AN ACT to regulate the practice of medicine and surgery and to license physicians and surgeons, and supplementing chapter nine of Title 45 of the Revised Statutes.

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

C. 45:9-8.5. Requirements for admission to examination, license.

1. Any person who has been a resident of this State for a period of five years immediately preceding the date of the adoption of this act, who shall in addition to the requirements set forth in sections 45:9–6 and 45:9–7 of the Revised Statutes, prove to the State Board of Medical Examiners that he has received a diploma from a professional school or college in the country of Denmark, France, the Netherlands or Switzerland, conferring upon him the degree of Doctor of Medicine, and further prove to the satisfaction of that board that prior to the receipt of such diploma from any such professional school or college he had studied and successfully completed four courses of lectures acceptable to the board of at least eight months each, consecutively or in four different calendar years,

which courses shall have included a thorough course of instruction in medicine and surgery; and shall further so prove that after receiving such diploma he completed an internship acceptable to the board of at least one year in a hospital approved by the board, shall be admitted to examination by the board, for license to practice medicine and surgery, anything to the contrary in the act to which this is a supplement, or in any of its various other supplements and amendments to the contrary notwithstanding, and upon passing such examination, shall be entitled to receive from the board a license to practice medicine and surgery in all its branches in this State.

C. 40:9-8.6. Act inoperative.

2. This act shall take effect immediately, but shall become void and of no effect December thirty-first, one thousand nine hundred and fifty-seven.

Approved August 11, 1953.

CHAPTER 365

AN ACT concerning the commission form of government law, and amending sections 40:72–1, 40:72–1.1 and 40:72–1.2 of the Revised Statutes.

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

Section amended.

1. Section 40:72–1 of the Revised Statutes is amended to read as follows:

Number of members on commission, residence requirement.

40:72–1. The commission shall consist of three members in municipalities having less than twelve thousand inhabitants; and of five members in municipalities having twelve thousand inhabitants or more, subject to the provisions of sections 40:72–1.1 to 40:72–1.3 of this Title.

Each member shall have been a citizen and resident of the municipality for at least two years immediately preceding his election.

2. Section 40:72–1.1 of the Revised Statutes is amended to read as follows: Section amended.

40:72–1.1. When any municipality, which when voting to adopt the commission form of government had a population of less than twelve thousand, has increased in population to twelve thousand or more, two additional commissioners shall be elected at an election to be held on the second Tuesday in May following the official announcement of such increase in population; *provided,* that in any municipality of more than twelve thousand population and less than twenty-five thousand population said election shall not be held until a proposed ordinance increasing the number of commissioners from three to five shall be submitted to the board of commissioners by petition signed by electors of the municipality equal in number to fifteen per centum (15%) of the votes cast at the last general election, held for the election of all the members of the General Assembly, requesting that said ordinance be submitted to the vote of the people, if not passed by the board of commissioners. Additional commissioners elected, petitions, signatures required. Proviso.

The signatures, verification, authentication, inspection, certification, amendment and submission of such petition shall be the same as for petitions to recall commissioners. Upon the filing of said petition and certification of the same by the municipal clerk the board of commissioners shall within twenty days thereafter pass said ordinance without change or submit said ordinance without change to the vote of the electors of the municipality at the next general election. Said petitions must be filed and certified to by the municipal clerk at least sixty days before the general election at which the proposed ordinance shall be submitted to a vote of the electors.

Section amended.

Form of question.

3. Section 40:72–1.2 of the Revised Statutes is amended to read as follows:

40:72–1.2. The question shall be printed upon the ballots to be used at such general election in substantially the following form:

"To vote upon the public question printed below, 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.

	Yes.	'Shall the ordinance ..... (stating the nature of the proposed ordinance) be adopted?' "
	No.	

In counties where voting machines are used, the ballot shall be prepared in accordance with the provisions of Title 19 of the Revised Statutes concerning elections.

4. This act shall take effect immediately.

Approved August 11, 1953.

CHAPTER 366

AN ACT concerning election of commissioners in municipalities governed under the commission form of government law, and amending sections 40:75–3 and 40:75–4 of the Revised Statutes.

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

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

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

Each certificate shall be a separate paper and shall contain the names of not more than ten signers and the name of but one candidate. No signer shall, at the time of filing the certificate, have signed more certificates for candidates for that office than there are places to be filled. If an elector has signed two or more conflicting certificates all such certificates shall be rejected.

Section amended.

2. Section 40:75–4 of the Revised Statutes is amended to read as follows:

Form of petition for nomination, forms furnished.

40:75–4. The petition of nomination shall read substantially as follows:

"PETITION OF NOMINATION.

Each of the undersigned, a qualified elector of ..... residing at the residence stated opposite his name below, certifies that he does hereby join in a petition for the nomination of ....., whose residence is at ....., for the office of commissioner, to be voted for at the municipal election to be held in such municipality on the ..... day of ....., 19...., and he further certifies that he knows this candidate to be a qualified elector of the municipality and a person of good moral character, and qualified in his judgment for the duties of such office, and he further certifies that he has not signed more petitions or certificates of nomination than there are places to be filled in the above office.

	Signature	*Residence*
(Signed)	.....	.....
	.....	.....
	.....	.....
	.....	.....
	.....	.....
	.....	.....
	.....	.....
	.....	.....
	.....	.....
	.....	.....

Each of the undersigned, being duly sworn, deposes and says that he is the person who signed the foregoing certificate; that the statements contained therein are true and correct.

(Signed) .....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Subscribed and sworn to before me

..... "

The municipal clerk shall furnish upon application a reasonable number of forms of individual certificates of the above character.

3. This act shall take effect immediately.

Approved August 11, 1953.

CHAPTER 367

AN ACT to amend "An act concerning alcoholic beverages, and supplementing chapter one of Title 33 of the Revised Statutes," approved March thirtieth, one thousand nine hundred and forty-five (P. L. 1945, c. 55).

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

Section amended.

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

C. 33:1-46-1. Authorized to grant club license.

1. It shall be lawful for the governing board or body of any municipality in which a referendum has been held pursuant to the provisions of section 33:1–45 or section 33:1–46, of the Revised Statutes wherein a majority of the legal voters of said municipality voted "No," to issue a club license as defined in and regulated by subsection five of section 33:1–12 of the Revised Statutes, to a bona fide golf and country club in said municipality, incorporated not for pecuniary gain, and to adopt an enabling ordinance therefor.

2. This act shall take effect immediately.

Approved August 11, 1953.

CHAPTER 368

AN ACT authorizing the State House Commission to sell at public or private sale certain lands and premises wherein the State of New Jersey has a reversionary interest and which are located in the town of Kearny, county of Hudson and State of New Jersey.

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

Authorized to sell State's interest in certain lands.

1. The State House Commission, acting for and on behalf of and in the name of the State of New Jersey and upon being certified by the Department of Institutions and Agencies that the State's interest in the lands hereinafter described pursuant to the condition included in the Deed of the State of New Jersey, represented by the State House Commission, to the Wilson-Gugleman Post, No. 1302, Department of New Jersey, Veterans of Foreign Wars of the United States, dated October thirteenth, one thousand nine hundred and forty-two, and recorded March eleventh, one thousand nine hundred and forty-three, in the office of the register of the county of Hudson, in book 2027 of deeds for said county on page 314, is no longer required for public purposes, is hereby authorized and empowered to sell at public or private sale and convey at a sales price which such commission shall deem adequate, and subject to the said deed, the said interest of the State of New Jersey in and to the following described lands and premises:

Location and description.

All that said tract of land situate in the Town of Kearny, County of Hudson and State of New Jersey, described as follows, to wit:

Beginning at a point on the easterly side of Belgrove Drive distant 252.61 feet southerly

from the southerly side of Afton Street and running, thence (1) along the southerly line of property of the Joseph Edwin Frobisher Jr. Post #99, Department of New Jersey, American Legion, South 57° 42′ East 205.09 feet, to the westerly line of Brighton Avenue; thence (2) along the westerly line of Brighton Avenue South 33° 38′ West 208.0 feet more or less; thence (3) North 57° 42′ West 200.3 feet more or less to a point in the easterly line of Belgrove Drive; thence (4) along the easterly line of Belgrove Drive North 32° 18′ East 208.0 feet more or less to the point of beginning.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

Terms and conditions of deed.

2. The terms, conditions and provisions of the deed to be given pursuant to this act shall be as determined by the said State House Commission not inconsistent with the provisions hereof.

3. This act shall take effect immediately.

Approved August 11, 1953.

CHAPTER 369

AN ACT relating to the Attorney-General and deputy Attorneys-General and assistant deputy Attorneys-General, amending "An act to establish a Department of Law in the State Government," approved March seventh, one thousand nine hundred and forty-four (P. L. 1944, c. 20), and supplementing the "Department of Law and Public Safety Act of 1948," approved October fifteenth, one thousand nine hundred and forty-eight (P. L. 1948, c. 439).

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

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

3. The Division of Law in the Department of Law and Public Safety shall be administered by the Attorney-General and his assistant Attorneys-General, deputy Attorneys-General and assistant deputy Attorneys-General as herein provided. C. 52:17A-3. Administration of law division, Attorney-General to devote entire time.

The Attorney-General in office on January twentieth, one thousand nine hundred and fifty-four, and every Attorney-General thereafter appointed shall devote his entire time to his duties as Attorney-General and shall not, while in office, engage in the private practice of law. He shall receive such salary as shall be provided by law.

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

6. The Attorney-General may appoint as his legal assistants in the Division of Law in the Department of Law and Public Safety assistant Attorneys-General, deputy Attorneys-General and assistant deputy Attorneys-General who shall perform such duties as the Attorney-General shall from time to time designate. The Attorney-Gen- C. 52:17A-6. Assistant and deputy Attorneys-General, other personnel.

eral may also appoint necessary clerks and employees and fix their compensation.

Section amended.

3. Section seven of the act of which this act is amendatory is amended to read as follows:

C. 52:17A-7. Term of office.

7. Deputy Attorneys-General and Assistant Attorneys-General in the Division of Law shall hold their offices at the pleasure of the Attorney-General and shall receive such salaries as he shall from time to time designate.

Section amended.

4. Section eight of the act of which this act is amendatory is amended to read as follows:

C. 52:17A-8. Assistant deputy Attorneys-General, term, tenure, removal, compensation.

8. Assistant deputy Attorneys-General of the Division of Law in the Department of Law and Public Safety shall be appointed by the Attorney-General to serve at his pleasure and, after three years' service in their positions, they shall hold their positions during efficiency and good behavior and shall not be removed therefrom except for good cause, and not because of religious or political opinions or affiliations, after a public, fair, and impartial hearing before the Civil Service Commission. They shall receive such salaries, not exceeding the sum of seventy-five hundred dollars ($7,500.00) per year, as the Attorney-General shall from time to time designate and shall devote their entire time to the performance of their duties in the Division of Law, and shall not engage in the private practice of law.

Section amended.

5. Section twelve of the act of which this is amendatory is amended to read as follows:

C. 52:17A-12. Assignments.

12. The Attorney-General may assign an assistant Attorney-General, a deputy Attorney-General or an assistant deputy Attorney-General to serve in any legal capacity in or for any officer, department, board, body, commission or instrumentality of the State Government on a part-time or full-time basis whenever, in the judgment of the Attorney-General, such assignment will contribute to the efficiency of the operation of such office, department, board, body, commission or instrumentality, but such member of the Division of Law shall remain under the supervision and control of

the Attorney-General while so serving and his compensation shall be payable solely from appropriations made to the Department of Law and Public Safety.

6. Whenever the term "deputy Attorney-General" occurs or any reference is made thereto in any other law heretofore enacted the same shall be deemed to include an "assistant Attorney-General" as well as a "deputy Attorney-General." C. 52:17B-51.1. Use of words.

7. This act shall take effect immediately.

Approved August 12, 1953.

CHAPTER 370

AN ACT concerning Passaic Valley Sewerage District, and amending section 58:14–4 of the Revised Statutes.

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

1. Section 58:14–4 of the Revised Statutes is amended to read as follows: Section amended.

58:14–4. Each of the commissioners shall, before entering upon the duties of his office, take and subscribe an oath that he will faithfully and impartially execute and perform the duties imposed upon him by law, and shall cause the same to be filed in the office of the Secretary of State. Oath, filing, salary.

The commissioners shall each receive for services under this chapter an annual salary of six thousand five hundred dollars ($6,500.00), payable in equal monthly installments, and they shall receive no other compensation than that herein provided.

2. This act shall take effect immediately.

Approved August 12, 1953.

CHAPTER 371

AN ACT to amend "An act concerning the several counties and municipalities, regulating the effect of the Federal census for the year one thousand nine hundred and fifty on offices and employments and the compensation of officers and employees in the several counties and municipalities," approved February eleventh, one thousand nine hundred and fifty-two (P. L. 1952, c. 1).

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

Section amended.

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

C. 40:11-17.3. Census not to affect pensions, proviso.

2. The promulgation or taking effect of said census shall not operate to create or to fill, in the several counties and municipalities, any additional offices or employments, or grant any pension or increase any pension; *provided, however,* that nothing in this act contained shall be construed to apply to the appointment of county judges in counties of the second class of this State.

2. This act shall take effect immediately.

Approved August 12, 1953.

CHAPTER 372

AN ACT concerning the County Courts, and amending section 2A:3–20 of the New Jersey Statutes.

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

1. Section 2A:3–20 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:3–20. When the judge of a County Court, who is not required by law to devote his entire time to his judicial duties, is assigned to sit temporarily without the county in and for which he is appointed, in the Superior Court or in a County Court, he shall, in addition to his regular salary, be entitled to sixty dollars ($60.00) per day while so sitting. The payment of the sixty dollars ($60.00) per day for such services in the Superior Court shall be made by the State Treasurer from the State treasury, and the payment of the sixty dollars ($60.00) per day for such services in a County Court shall be made by the county treasurer to the extent of forty dollars ($40.00) per day from the county funds of the county in which the services are rendered, and to the extent of twenty dollars ($20.00) per day by the State Treasurer from the State treasury, on claim signed by the judge and approved by the administrative director of the courts. Per diem allowance.

2. This act shall take effect July first, one thousand nine hundred and fifty-three. Note: Act effective.

Approved August 12, 1953.

CHAPTER 373

AN ACT concerning education, and supplementing article ten of chapter seven of Title 18 of the Revised Statutes.

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

C. 18:7-117.1. Public hearing, notice.

1. The board of education in any school district coming within the provisions of section 18:7–108 of this Title shall, upon delivery of the statement mentioned in section 18:7–117 of this Title, fix a date, place and time for the holding of a public hearing by the board of school estimate with respect to the amount of money to be raised for the purpose or purposes mentioned in said section 18:7–117, which date shall be not less than fifteen nor more than thirty days after the date of delivery of said statement and which date shall be not less than seven days after the publication of said statement as herein provided, and shall cause notice of such public hearing and said statement to be published at least once in at least one newspaper published in the municipalities comprised in said school district or if no newspaper is published therein then in at least one newspaper circulating in said municipalities, not less than seven days prior to the date fixed for such public hearing, and said notice shall also set forth that said statement will be on file and open to the examination of the public, between reasonable hours to be fixed therein, and at a place to be named therein, from the date of said publication until the date of holding of said public hearing and said board of education shall cause said statement to be on file and open to the examination of the public accordingly and to be produced at said public hearing for the information of those attending the same.

2. On the date and at the time and place so fixed for such public hearing the board of school estimate, in school districts coming within the provisions of section 18:7–108 of this Title, shall at a public hearing grant the taxpayers and other interested persons an opportunity to present objections and to be heard with respect to said statement and the amount of money necessary to be raised for any of the purposes mentioned in said section 18:7–117 of this Title and with respect to the various items and purposes for which the same is to be raised and at or after said hearing, such board of school estimate shall fix and determine the amount necessary for said purposes as provided in section 18:7–118 of this Title.

C. 18:7-117.2. Board to determine amount after hearing.

3. This act shall take effect July first, one thousand nine hundred and fifty-three.

C. 18:7-117.3. Act effective.

Approved August 13, 1953.

CHAPTER 374

A SUPPLEMENT to "An act to facilitate the financing and effectuation of air terminals by the Port of New York Authority and agreeing with the State of New York with respect thereto," approved April second, one thousand nine hundred and forty-seven (P. L. 1947, c. 43).

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

1. Notwithstanding any contrary provision of law, upon any application by the Port Authority to a judge of the Superior Court to fix the amount to be paid for lands to be taken by the Port Authority pursuant to the act to which this act is a supplement, such judge may appoint three commissioners to view said lands and to advise him what

C. 32:1-35.17a. Judge to appoint commissioners to assess damages, report, determination.

damages, if any, should be assessed for the taking of such lands. The commissioners shall proceed under such directions and rules as shall from time to time be fixed by the said judge to view the lands, to hear such evidence as they may desire, and to fix such sum, if any, that in their judgment will represent the fair value of the lands so taken. The said judge may review such findings and shall not be bound thereby, but may alter or reject such findings in such manner as will, in his judgment, fairly protect the interests of the parties, and such review may be made either with or without further hearing. The commissioners so appointed to advise said judge shall make their report to him within one hundred days from the date of their qualifications. It shall be the duty of the judge or the commissioners, designated by him, to view the real property to be acquired.

C. 32:1-35.17b. Act effective.

2. This act shall take effect upon the enactment into law of the legislation amendatory of section fifteen of the act to which this act is supplementary, passed by the Legislature at its present session as a part of "An act concerning Interstate and Port Authorities and Commissions, and revising parts of the statutory law."

Approved August 13, 1953.

CHAPTER 375

A SUPPLEMENT to "An act to facilitate the development by the Port of New York Authority of marine terminals, and agreeing with the State of New York with respect thereto," approved April second, one thousand nine hundred and forty-seven (P. L. 1947, c. 44).

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

C. 32:1-35.36a. Judge to appoint commissioners to assess damages, report, determination.

1. Notwithstanding any contrary provision of law, upon any application by the Port Authority to a judge of the Superior Court to fix the amount to be paid for lands to be taken by the Port Authority pursuant to the act to which this act is a supplement, such judge may appoint three commissioners to view said lands and to advise him what damages, if any, should be assessed for the taking of such lands. The commissioners shall proceed under such directions and rules as shall from time to time be fixed by the said judge to view the lands, to hear such evidence as they may desire, and to fix such sum, if any, that in their judgment will represent the fair value of the lands so taken. The said judge may review such findings and shall not be bound thereby, but may alter or reject such findings in such manner as will, in his judgment, fairly protect the interests of the parties, and such review may be made either with or without further hearing. The commissioners so appointed to advise said judge shall make their report to him within one hundred days from the date of their qualifications. It shall be the duty of the judge or the commissioners, designated by him, to view the real property to be acquired.

C. 32:1-35.36b. Act effective.

2. This act shall take effect upon the enactment into law of the legislation repealing section seven of the act to which this act is supplementary, passed

by the Legislature at its present session as a part of "An act concerning Interstate and Port Authorities and Commissions, and revising parts of the statutory law."

Approved August 13, 1953.

CHAPTER 376

AN ACT concerning municipal budgets, and supplementing chapter two of Title 40 of the Revised Statutes.

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

C. 40:2-11.2. Notice upon failure to transmit copy of taxing ordinance.

1. Where the clerk of the municipality or other proper officer of the taxing district shall fail to transmit a copy of the taxing ordinance or resolution or other evidence showing the amount to be raised by taxation for the purposes of the taxing district to the county board of taxation within the ninety (90) day period set forth in section 54:4–42 of the Revised Statutes, it shall be the duty of the county board of taxation to advise the Director of the Division of Local Government in the Department of the Treasury of such failure.

C. 40:2-11.3. Director to transmit certificate showing amount, preparation.

2. The Director of the Division of Local Government shall within three days after the receipt of such advice transmit a certificate to the county board of taxation setting forth the amount required for the operations of the municipality for the budget year. Such certificate shall be prepared by using the revenues and appropriations appearing in the adopted budget of the preceding year with suitable adjustments to include, without limitation, any amounts required for principal and interest of indebtedness falling due in the budget year and any deferred charges or statutory expenditures

required to be raised in the budget year, and in addition the Director shall adjust the revenues, local tax requirements and surplus revenues appearing in the adopted budget of the preceding year in such manner that the cash basis provisions of Chapter 2 of Title 40 of the Revised Statutes shall apply. It is the intent of this section that the operating budget of the preceding year shall constitute and limit the appropriations of the current year with suitable adjustments for debt service, revenues, etc.

C. 40:2-11.4. County board to fill out table of aggregates, substitution of adopted budget.

3. Immediately upon the receipt of the certificates referred to in the preceding section, the county board of taxation shall, in any event, before April tenth of the budget year, proceed to fill out the table of aggregates called for by section 54:4–52 of the Revised Statutes. Said county board of taxation in filling out the table of aggregates shall fix and determine the amount of "other local taxes" for the year based on the figures certified to it by the Director of the Division of Local Government. In the event that the municipality shall have adopted a budget for the fiscal year on or before April tenth and shall have transmitted a certified copy of said budget to the county board of taxation on or before April tenth, it shall be lawful for the said county board of taxation to substitute the adopted budget in the place of the amount certified by the Director of the Division of Local Government as in this act provided, but in no event shall it be lawful for the county board of taxation to accept such substitution after April tenth of the budget year.

C. 40:2-11.5. Act effective.

4. This act shall take effect January first, one thousand nine hundred and fifty-four.

Approved August 13, 1953.

CHAPTER 377

AN ACT concerning municipal planning, amending section 40:55–15 and supplementing chapter fifty-five of Title 40, of the Revised Statutes.

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

Section amended.

1. Section 40:55–15 of the Revised Statutes is amended to read as follows:

Suit to restrain transfer, parties, court empowered, limitation.

40:55–15. If any owner or agent of any owner of any land transfers or sells or agrees to sell any land which forms a part of a subdivision as defined in this Title, before such subdivision has been approved by the approving agency, whether the planning board or governing body, the municipality in addition to any other remedy shall be entitled to institute and maintain a civil action in the Superior Court of New Jersey to restrain the transfer or sale or the performance of the agreement of sale and to set aside and invalidate any conveyance made pursuant to such transfer or sale. In any such action the transferee, purchaser or grantee of such land may be made a party or, if not made a party, may intervene therein, and the said transferee, purchaser or grantee shall be entitled to a lien upon the whole parcel, tract or plot of land from which the subdivision was made to secure the return of any deposit made or purchase price paid, and, also, a reasonable search fee, survey expense and title closing expense, if any. The said court shall have full jurisdiction to afford the said relief to the municipality and to the said transferee, purchaser or grantee, including the enforcement of said lien, and to afford incidental relief to any of the parties to such action. The right to bring any such action shall expire two years after the date of the recording of the instrument of transfer, sale or conveyance of said land and no

such action shall be commenced after such expiration.

C. 40:55-14.1. No approval required.

2. In any case in which a subdivision shows no new street or streets or is of such character that no new street or streets will be laid in the course of its development or are or will be required to afford proper ingress and egress to any lot or lots shown thereon, the governing body of the municipality, or the planning board if it has the authority to approve such subdivision, may, by resolution, expressly waive the requirements of approval of such subdivision and in such event no approval of such subdivision shall be required under the act to which this act is a supplement.

3. This act shall take effect immediately.

Approved August 13, 1953.

CHAPTER 378

AN ACT concerning municipalities governed by municipal council and municipal manager, and amending section 40:81–11 of the Revised Statutes.

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

Section amended.

1. Section 40:81–11 of the Revised Statutes is amended to read as follows:

Appointment of municipal officers, qualifications, terms.

40:81–11. The municipal council shall appoint a municipal manager, an assessor, or where required by law a board of assessors, an auditor, a treasurer, a clerk, and an attorney. One person may be appointed to two or more such offices, except that the offices of municipal manager and auditor or assessor shall not be held by the same person. In municipalities containing more than ten thousand inhabitants the municipal attorney must have been

admitted in the State of New Jersey to practice as a counsellor, except in cities having a population of not less than forty-five thousand and not more than seventy-five thousand inhabitants, in which cities the municipal attorney may be an attorney-at-law who has been admitted to practice as such for a period of five years or more. All such officers appointed by the council shall hold office during the pleasure of the council.

2. This act shall take effect immediately.

Approved August 13, 1953.

CHAPTER 379

AN ACT to amend "An act to regulate and license employment agencies and certain employees of such agencies, defining the same, fixing the fees for such licenses and imposing penalties for violations, and supplementing Title 34 of the Revised Statutes," approved July nineteenth, one thousand nine hundred and fifty-one (P. L. 1951, c. 337).

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

Section amended.

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

C. 34:8-25. Application of act.

2. The provisions of this act shall not apply to:

(1) A business or persons engaged therein which is confined to procuring employment in schools or institutions of learning recognized and approved as such by the Department of Education of this State, or by the duly established authority of the State in which the employment is procured when the employment procured is restricted to positions for teachers who are recognized and ap-

proved as such by the said Department of Education under its authority to qualify and certify teachers;

(2) Departments or bureaus maintained by persons for the purpose of securing help for themselves where no fee is charged the applicant for employment, or to any State, Federal, or municipal or charitable agency where no fee is charged. The exemption from the provisions of this act of departments or bureaus maintained by persons for the purpose of securing help for themselves shall not be construed to exempt associations or organizations of employers from the requirement to procure such license or licenses as are otherwise required under this act;

(3) The procuring of employment by any labor union for any of its members in any job or jobs coming under the jurisdiction of the union; *provided,* that no fee is charged any employee for being furnished employment or information where employment may be procured; Proviso.

(4) Any nurses' registry conducted by any association of registered nurses, whose membership is not less than ten registered nurses, duly incorporated as a nonprofit organization under the laws of New Jersey, and operated under the supervision of a registered nurse legally authorized to practice as such in the State of New Jersey; *provided,* that no such nurses' registry shall furnish help or employment in any occupation other than as a registered nurse, a practical nurse, licensed by the State of New Jersey, or persons other than baby sitters approved by the registered nurse in charge of such nurses' registry and sent by the agency to an employer to assist nonprofessionally in the care of the sick or ailing; or Proviso.

(5) Any association of farmers duly incorporated on a nonprofit basis, under the provisions of the law of New Jersey, and certified to the commissioner by the Secretary of Agriculture of New Jersey as being an association of bona fide farmers of New Jersey; *providing,* that such association of Proviso.

farmers does not furnish help to any person or persons other than members of their association;

Proviso. *and further provided,* that no fee is charged any employee for being furnished employment or information where employment may be procured. The provisions of this act shall not apply to any person who furnishes for or to farmers, workers to be employed on a seasonal basis in the occupation of field workers or harvest hands and by whom no fee is charged either directly or indirectly to any worker, or to whom any fee is paid either directly or indirectly by any worker for the furnishing or agreeing to furnish either help for farmers or employment for workers provided that the wages of such workers are paid directly to the workers by the farmers by whom they are em-

Proviso. ployed; *provided, however,* the exemptions established in this paragraph shall not apply to any person who induces or attempts to induce a person working under contract with his employer to leave the employment in which he is working under said contract until such time as said contract is completed or the employee is no longer responsible for its completion.

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

C. 34:8-33. Prohibited acts. 10. No employment agency shall:

(1) Conduct a lodging house for the unemployed unless it is separate and apart from the agency.

(2) Conduct its business, or any phase thereof, in any room or place where

(a) person or persons sleep or conduct their household affairs, or

(b) boarders or lodgers are kept.

(3) Charge or accept payment of any fees other than shown by its schedule of fees filed with the commissioner and posted in the agency.

(4) Accept and receive any valuable thing or gift as or in lieu of a fee.

(5) Divide or offer to divide fees, directly or indirectly, with prospective or actual employers or any agent, employee, or representative of said employers.

(6) Accept payment of any fee or attempt to collect any fees for any service rendered with relation to any specific help or employment which the applicant has not accepted or obtained through the agency in cases where it is established that the applicant did not accept or obtain such help or employment through the agency.

(7) Make any statement or in any way allege or indicate to any applicant sent to seek employment at any place or by any prospective employer that work or employment is available at any such place or by any such prospective employer unless the agency does have a bona fide order for an employee to fill the job alleged or indicated as being available.

(8) Send or cause to be sent any female to become a servant or inmate of, or to enter, any place of bad repute, house of ill-fame or assignation, or to any house or place of amusement kept for immoral purposes, or to a place resorted to for the purposes of prostitution, or to a gambling house.

(9) Knowingly permit persons of bad character, prostitutes, gamblers, intoxicated persons or procurers to frequent the agency.

(10) Accept any application for employment made by or on behalf of any child under the age of sixteen years, or place or assist in placing any such child in any employment whatever or place or assist in placing any minor under eighteen years of age in any unlawful occupation.

(11) Induce or compel any person to enter the agency, for any purpose, by the use of force or by taking forcible possession of such person's property.

(12) Publish or cause to be published any false or fraudulent or misleading notice or advertisement. All advertisements of any agency by means of cards, circulars or signs, or in newspapers and

other publications, and all letterheads, receipts and blanks shall contain the name and address of the agency, and no agency shall give any false promise or false representation concerning employment to any applicant for employment or help, or enter into any contract with any applicant for help or employment or induce or try to induce any applicant for help or employment to make any agreement, the provisions of which contract or agreement, if fulfilled, is in violation of any provisions of this act.

(13) Induce or attempt to induce any persons working under contract with his employer to leave the employment under which he is working under said contract until such time as said contract is completed or the employee is no longer responsible for its completion.

3. This act shall take effect immediately.

Approved August 13, 1953.

CHAPTER 380

AN ACT concerning unemployment compensation, and amending section 43:21–14 of the Revised Statutes.

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

Section amended.

1. Section 43:21–14 of the Revised Statutes is amended to read as follows:

Collection of contributions, report and payment.

43:21–14. (a) In addition to such reports as the Director of the Division of Employment Security may require under the provisions of subsection (g) of section 43:21–11 of this chapter (R. S. 43:21–1 et seq.), every employer shall file with the division periodical contribution reports on such forms and at such times as the director shall prescribe, to disclose the employer's liability for con-

tributions under the provisions of this chapter (R. S. 43:21–1 et seq.), and at the time of filing each contribution report shall pay the contributions required by this chapter (R. S. 43:21–1 et seq.) for the period covered by such report. The director may require that such reports shall be under oath of the employer. Any employer who shall fail to file any report, required by the director, on or before the last day for the filing thereof shall pay a penalty of one dollar ($1.00) for each day of delinquency until and including the tenth day following such last day and, for any period of delinquency after such tenth day, a penalty of one dollar ($1.00) a day or twenty per centum (20%) of the amount of the contributions due and payable by the employer for the period covered by the report, whichever is the lesser. If there be no liability for contributions for the period covered by any contribution report or in the case of any report other than a contribution report, the employer or employing unit shall pay a penalty of one dollar ($1.00) a day for each day of delinquency in filing or fifteen dollars ($15.00), whichever is the lesser. Any employer who shall fail to pay the contributions due for any period on or before the date they are required by the division to be paid, shall pay interest at the rate of one per centum (1%) a month on the amount thereof from such date until the date of payment thereof. Upon the written request of any employer or employing unit, filed with the division on or before the due date of any report or contribution payment, the director, for good cause shown, may grant, in writing, an extension of time for the filing of such report or the paying of such contribution with interest at the rate of one per centum (1%) a month on the amount thereof; *provided,* no such extension shall exceed thirty days and that no such extension shall postpone payment of any contribution for any period beyond the day preceding the last day for filing tax returns under Title IX of the Federal Social Security Act for the year in which such period occurs.

(b) The contributions, penalties, and interest due from any employer under the provisions of this chapter (R. S. 43:21–1 et seq.), from the time they shall be due, shall be a personal debt of the employer to the State of New Jersey, recoverable in any court of competent jurisdiction in an action at law in the name of the State of New Jersey; *provided, however,* that except in the event of fraud, no employer shall be liable for contributions, penalties or interest unless assessed before four years have elapsed from the time when the contributions were due. Upon application therefor, the division shall furnish interested persons and entities certificates of indebtedness covering employers, employing units and others for contributions, penalties and interest, for each of which certificates the division shall charge and collect a fee of twenty-five cents ($0.25) per name, no such certificate to be issued, however, for a fee of less than one dollar ($1.00). All fees so collected shall be paid into the unemployment compensation auxiliary fund.

(c) If any employer shall fail to make any report as required by the rules and regulations of the division pursuant to the provisions of this chapter (R. S. 43:21–1 et seq.), the division may make an estimate of the liability of such employer from any information it may obtain and, according to such estimate so made, assess such employer for the contributions, penalties, and interest due the State from him, give notice of such assessment to the employer, and make demand upon him for payment.

(d) After a report is filed under the provisions of this chapter (R. S. 43:21–1 et seq.) and the rules and regulations of the division, the division shall cause the report to be examined and shall make such further audit and investigation as it may deem necessary, and if therefrom there shall be determined that there is a deficiency with respect to the payment of the contributions due from such employer, the division shall assess the additional

contributions, penalties and interest due the State from such employer, give notice of such assessment to the employer, and make demand upon him for payment.

(e) As an additional remedy, the division may issue to the Clerk of the Superior Court of New Jersey a certificate stating the amount of the employer's indebtedness under this chapter (R. S. 43:21–1 et seq.) and describing the liability, and thereupon the clerk shall immediately enter upon his record of docketed judgments such certificates or an abstract thereof and duly index the same. Such certificate or abstract from the time of such docketing shall have the same force and effect as a judgment obtained in the Superior Court of New Jersey, and the division shall have all the remedies and may take all the proceedings for the collection thereof which may be had or taken upon the recovery of such a judgment in an action at law upon contract in said court. Such debt, from the time of the docketing thereof, shall be a lien on and bind the lands, tenements, and hereditaments of the debtor.

The Clerk of the Superior Court shall be entitled to receive for docketing such certificate fifty cents ($0.50), and for a certified transcript of such docket fifty cents ($0.50). If the amount set forth in said certificate as a debt shall be modified or reversed by any court, the Clerk of the Superior Court shall, when an order of modification or reversal is filed, enter in the margin of the docket opposite the entry of the judgment the word "modified" or "reversed," as the case may be, and the date of such modification or reversal.

The employer, or any other person having an interest in the property upon which the debt is a lien, may deposit the amount claimed in the certificate with the Clerk of the Superior Court of New Jersey, together with fifty dollars ($50.00) to cover interest and the costs of court, or in lieu of depositing the amount in cash, may give a bond to the State of New Jersey in double the amount claimed

in the certificate, and file the same with the Clerk of the Superior Court. Said bond shall have such surety and shall be approved in the manner required by the rules of the Supreme Court.

After the deposit of said money or the filing of said bond, the employer or any other person having an interest in the said property, may review the legality or validity of the indebtedness or the amount thereof by civil action in lieu of prerogative writs, and the said deposit of cash shall be as security for and the bond shall be conditioned to prosecute the action with effect and to pay and satisfy, if the debt be sustained, the amount adjudged by the court and all interest and costs.

Upon the deposit of said money or the filing of the said bond with the Clerk of the Superior Court, all proceedings on such judgment shall be stayed until the final determination of the cause, and the moneys so deposited shall be subject to the lien of the indebtedness and costs and interest thereon, and the lands, tenements, and hereditaments of said debtor shall forthwith be discharged from the lien of the State of New Jersey and no execution shall issue against the same by virtue of said judgment.

(f) If not later than two years after the calendar year in which any moneys were erroneously paid to, or collected by the division, whether such payments were voluntarily or involuntarily made or made under mistake of law or of fact, an employer, employing unit, or employee who has paid such moneys shall make application for an adjustment thereof, the said moneys shall, upon order of the director, be either credited or refunded, without interest, from the appropriate fund. For like cause and within the same period, credit or refund may be so made on the initiative of the director.

(g) All interest and penalties collected pursuant to this section shall be paid into a special fund to be known as the unemployment compensation auxiliary fund; all moneys in this special fund shall

be deposited, administered and disbursed, in the same manner and under the same conditions and requirements as is provided by law for other special funds in the State treasury, and shall be expended, under legislative appropriation, solely for the purpose of aiding in defraying the cost of the administration of this chapter (R. S. 43:21–1 et seq.) and for essential and necessary expenditures in connection herewith not provided in or by grants of the Federal Government. The Treasurer of the State shall be ex officio the treasurer and custodian of this special fund and, subject to legislative appropriation, shall administer the fund in accordance with the directions of the division. Any balances in this fund shall not lapse at any time, but shall be continuously available, subject to legislative appropriation, to the division for expenditure. The State Treasurer shall give a separate and additional bond conditioned upon the faithful performance of his duties in connection with the unemployment compensation auxiliary fund in an amount to be fixed by the division, the premiums for such bond to be paid from the moneys in the said special fund.

2. This act shall take effect immediately.

Approved August 13, 1953.

CHAPTER 381

AN ACT authorizing a conveyance by the Department of Conservation and Economic Development, Division of Fish and Game, of certain lands in the townships of Downe and Commercial, county of Cumberland and State of New Jersey, in exchange for other lands in said townships for the use of said Division of Fish and Game.

Preamble. WHEREAS, The Department of Conservation and Economic Development is possessed of certain lands situate in the townships of Downe and Commercial containing approximately 564 acres, which said lands are not required for its use; and

Preamble. WHEREAS, Whitehead Brothers Company is the owner of certain lands in said townships, formerly occupied as Millville Army Airfield, which said lands would be particularly advantageous to the uses of the Department of Conservation and Economic Development, Division of Fish and Game; and

Preamble. WHEREAS, The Department of Conservation and Economic Development desires to make an exchange of said lands and have entered into a tentative agreement to exchange the lands above mentioned; and

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

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

1. It shall be lawful for the Department of Conservation and Economic Development to convey to Whitehead Brothers Company, a corporation of New Jersey, by good and sufficient deed in the name of the State of New Jersey, all its rights, title and interest in that certain tract of land in the townships of Downe and Commercial, not exceeding 564 acres, which land is described as follows:

Department authorized to make transfer.

Beginning at the intersection of the common property line between the State of New Jersey and Whitehead Brothers Company and the northerly line of the Central Railroad of New Jersey, said point being approximately 5.5 chains east of Whitehead Brothers Company road, measured along the railroad right-of-way,

Location and description.

(1) thence easterly along the northerly line of the railroad a distance of 60 chains (3960 feet) to a point;

(2) thence northerly and at right angles to the northerly line of the aforementioned railroad, a distance of approximately 102 chains (6732 feet) to a point on Ackley road;

(3) thence westerly along Ackley road a distance of 47 chains (3102 feet) to a point;

(4) thence southerly and at right angles to Ackley road a distance of 52 chains (3432 feet) to a point;

(5) thence westerly and at right angles to the previous course and also parallel to Ackley road a distance of approximately 30 chains (1980 feet) to a point on the common property line of the State of New Jersey and Whitehead Brothers Company;

(6) thence in a generally southerly direction along the several courses of the State of New Jersey-Whitehead Brothers Company common property line to the point of beginning.

Containing approximately 564 acres of land.

reserving unto itself the use thereof for hunting and fishing as part of the public shooting and fishing grounds, in exchange for a conveyance by Whitehead Brothers Company to the State of New Jersey, of its rights, title and interest in and to that certain tract of land in said townships, comprising approximately 3100 acres, for the use of the Department of Conservation and Economic Development, Division of Fish and Game, which said land is described as follows:

The two descriptions covering Parcel 2 and Parcel 4 are taken from deed dated December 15, 1943, being a corrective deed, and Parcels 1, 3, 5, 6 and 7 taken from deed dated September 30, 1943. All conveyed by Beulah E. Compton to Whitehead Brothers Company and situate in the township of Downe, county of Cumberland and recorded in Cumberland County Clerk's Office on January 6, 1944 in Book 588 of Deeds at Pages 290 &c., and October 1, 1943 in Book 585 of Deeds at Pages 544 &c., respectively.

PARCEL 1—(Compton No. 6)

All that portion of the following described land lying north of the Central Railroad of New Jersey, beginning at a stake standing in the line on the southwest end of the one hundred acres of land which the said Isiah Kemble sold to Henry Powell and is also a corner to eighteen acres owned by James Compton then bounding said Powell north eighty-seven degrees west sixty-nine perches and twenty links to a pine being also a corner of John Tuffs land thence bounding on said Tuffs land south fifteen degrees and a quarter west thirty-nine rods and ten links to a stake being a corner of Manley Kemble land thence bounding on said Kemble North seventy-seven and a half degrees east seventy-two rods to a stake in James Compton line thence bounding on said Compton north thirteen degrees and twenty minutes east fifty-seven rods and thirteen links to the place of beginning, containing twenty-five acres of land.

PARCEL 2—(Compton No. 3)

All that portion of the following described land lying north of the Central Railroad of New Jersey, beginning at a Black Oak corner to lands formerly belonging to Dallas Lore and to the heirs of William Kemble, deceased, and runs from thence South 79-¾ degrees East 44 chains to a pieec of land loaned to Samuel Compton; thence North 10½ degrees East 33 chains and 25 links to John Compton's land; thence North by his land 79-¾ degrees West 27 chains and 50 links to Henry Shaw's land and by the same South 6 degrees West 9 chains; thence South 42 degrees West 85 links; thence South 89 degrees West 12 chains and 75 links; thence North 78 degrees West 8 chains and 40 links; thence South 13 degrees West 22 chains to a corner; and from thence South 87 degrees East 8 chains and 40 links to the beginning, containing 136 acres of land more or less.

PARCEL 3—(Compton No. 4)

All that portion of the following described land lying north of the Central Railroad of New Jersey, beginning at station in the southwest side line of the tract of land formerly the lands of James Compton dec'd and is a corner of No. 17 of lots and laid off to Elizabeth Ladow in the division of said lands thence north ten and a half degrees east thirty-three chains and twenty-five links to a corner of said Elizabeth Ladow lot in the line of John Compton's 98 acre Lot No. 20 thence south seventy-nine and three quarters east four chains to a corner of Eli Burnet lot thence north thirty-five and three quarter degrees East nine chains and ninety links to a corner thence north sixteen and a quarter degrees east eleven chains and thirty-four links to a corner of Gilbert Compton's 108 acre lot No. 19, thence South seventy-eight and a quarter degrees east six chains and fifty links to a corner thence south sixteen and a quarter degrees west

seven chains and ten links to a corner thence south seventy-two and three quarters east fifteen chains and thirty-eight links to a corner the same is a corner of aforesaid Gilbert Compton's lot No. 19 thence south ten and a half degrees west forty-four chains and forty-five links to a corner thence north seventy-nine and three quarters degrees west about thirty and a half chains to the beginning, containing one hundred thirty-five acres of land be the same more or less, the same being made up of two lots of land, one which is Samuel Compton's lot No. 18 set off to him in the division of the estate of James Compton dec'd of 110 acres and the other lot adjoining No. 18 is a lot of 25 acres conveyed by Eli Burnet & John Tullis to Samuel Compton by deed dated January 26th, 1826.

PARCEL 4—(Compton No. 8)

Beginning at a corner (stone) of J. Abbott Mints land in line of Daniel B. Compton's land; thence bounding thereon South 20 degrees 25 minutes West 26 chains and 25 links to a stake; thence North 69 degrees 37 minutes West 7 chains and 25 links to a stake in line of Nathaniel Lore's land; thence bounding thereon North 20 degrees 25 minutes East 25 chains and 19 links to a stake; thence bounding on the said Mint's line South 78 degrees 2 minutes East 7 chains and 36 links to the place of beginning. Containing 18½ acres more or less.

PARCEL 5—(Compton No. 5)

Beginning at a black oak tree corner to James & Ichabod Compton land thence north five degrees and forty-five minutes east one hundred and fifty-seven rods and five links to a sassafras stake corner to Henry Shaw Jr. lot thence south eighty-one degrees east sixty rods and eighteen links to a red oak corner to land formerly belonging to Samuel Ogden thence north thirty minutes east sixty-nine rods and fourteen links to a stake corner to Zack-

ers Joslins land thence north eighty-five degrees west one hundred and forty-two rods and fourteen links to a stake on the north side of the Buckshutem Road corner to Henry Shaw Sr. land thence south forty-seven degrees east fifty-two rods to a stake corner to Henry Shaw Sr. land thence south eighty degrees west seven rods to a stake for a corner thence south fifteen degrees west one hundred seventy-five rods and sixteen links to a pine tree corner to John Tuft & Edmund Sheppards lot thence south seventy-seven degrees east seventy eight rods to the place of beginning. Containing by estimation one hundred and seven acres and twelve square perches the same more or less.

PARCEL 6—(Compton No. 9)

Begins at a stone corner to Daniel B. Compton's land thence bounding thereon north nine degrees and twenty-three minutes east forty chains and eighteen links to a stone thence still along said Compton's land south seventy-six degrees and fifty minutes east thirteen chains and seventeen links to a stone corner of the Mattison land thence bounding thereon south nine degrees and fifty-two minutes west thirty-six chains and ninety-six links (35.80 ch to centre of Dividing Creek & Millville road) to a stake in a small branch thence south forty-three degrees and twenty-eight minutes west one chain and thirty links to a stake thence north eighty-five degrees and eighteen minutes west twelve chains and fifty links to the beginning and contains fifty and one half acres more or less.

PARCEL 7—(Compton No. 7)

Beginning at a large white oak tree corner to Joseph Mayhew's land thence south sixty-three degrees and fifteen minutes west four chains and fifty links to a stone thence north thirty-five degrees and ten minutes west sixteen chains and seven links to a stone thence north forty-eight de-

grees and five minutes west nine chains and fifty links to a stake thence north fifteen degrees and fifty minutes west seven chains and thirty-five links to a stake thence north eight degrees and ten minutes east four chains and fifty links to a stake thence north three degrees and forty minutes east one chain and fifty-four links to a stake thence south eighty degrees and fifty minutes east one chain and fifty links to a stake thence north three degrees and forty minutes east six chains and fifty links to a stake on the north side of the Ackley Road thence south eighty-eight degrees and thirty-five minutes east ten chains and sixty-three links to a stake thence south three degrees and forty minutes west one chain and fifty-seven links to a stake thence south twenty-eight degrees and fifty minutes east sixteen chains to a stake thence south four degrees and eighteen minutes east fifteen chains more or less to the beginning and containing forty-three acres of land more or less.

II. The following parcels No. 8 through No. 16 are described in Deed dated June 12, 1937—Harriet M. Hand, Widow, to Whitehead Brothers Company, land situate in Townships as noted.

PARCEL 8—(Hand No. 6)—Township of Downe

Beginning in Kennys branch run, thence bounding on lands of John L. Mayhew, Benjamin Ackley and Harry Mayhew, South one degree West, twenty nine chains and seventy two links to a stake in the North line of the Cumberland and Maurice River Railroad; thence by the North line thereof North seventy seven and a quarter degrees West seventy one chains and forty six links to a stake in said line and also in line of Daniel B. Compton's land; thence along the same North ten degrees East twenty five chains and ninety four links to a stake in the line of said Compton's land and corner of Joseph Mayhew's land; thence along the same South eighty nine degrees East forty one chains and fifty two links to a corner of Harry Mayhew's

land; thence along the same South one degree West two chains and nineteen links to a stone in the run of Kenny's branch; thence down the same to the place of beginning. Containing two hundred and one quarter acres, more or less, and is known as part of the Mull land.

PARCEL 9—(Hand No. 5)—Township of Downe

Beginning at an old white oak tree, partly down on the North side of an old road, also a corner of land formerly Deborah Mayhew's also corner of land of late D. B. Compton's, deceased; thence along the line of Compton land, South sixty four degrees and thirty five minutes West, eighteen rods and five links to a stone corner, on the North side of the aforesaid old road; thence still along Compton's land; and crossing the road from Dividing Creek to Millville, North thirty three degrees and fifty minutes West, sixty four rods and seven links to a stone corner; thence still along the same North seventy four degrees and five minutes West, thirty rods to a stone corner; thence still along the same North fifteen degrees and fifty minutes West, twenty six rods to a stone corner; thence still along the same, South five degrees and forty minutes West, forty four rods and fourteen links to a stone corner near a Black Oak stump; thence still along the same, North seventy seven degrees and fifty minutes West, ten rods and twelve links to a stone corner of the Henry Shaw tract, now Compton's land; thence along the line of the Shaw or Compton tract, South eleven degrees West, one hundred and twelve rods and thirteen links to a stone corner in said Shaw line, also a corner of another tract of said Compton's; thence along said tract, South seventy four degrees and fifteen minutes East, one hundred and twenty six rods and twenty three links to a stone corner of the Barnett Field, also Compton's corner; thence along the same North forty one degrees and fifteen minutes East, thirty nine rods and eighteen links to a stone cor-

ner on the Southwest side of the road that leads into the Barnett Field; thence still along the same north twenty two degrees east, forty six rods and thirteen links to a stone corner of said Compton's, in the line of the Deborah Mayhew land; thence up along the line of the Mayhew land, North forty eight degrees and fifteen minutes West, fifty four rods and five links to the place of beginning. Containing one hundred and two acres and three quarters of an acre of land, be the same more or less.

PARCEL 10—(Hand No. 8)—Townships of Downe and Commercial

Beginning at a large flat stone for a corner by the side of Bagwells Bailey's field, and is about twenty chains South of the Ackley road, and runs thence North one degree East nineteen chains and seventy five links to a center of the Ackley road; thence along the same North eighty degrees West, sixty one chains; thence by the same South eighty three and one-half degrees West, nineteen chains and twenty-five links to the center of the Millville and Dividing Creek roads; thence by the same South forty one degrees West forty eight chains and sixteen links; thence South nine and one-quarter degrees East, six chains and fifty five links to a large white oak; thence South fifty four degrees East, fourteen chains and twenty five links to the Barnett field; thence South seventy seven and one-half degrees East, six chains and fifty links to another corner of same; thence South seventeen degrees West, seven chains and ten links; thence South seventy-two degrees East, fifteen chains and ninety six links; thence South eleven and one quarter degrees West, two chains and thirty links; thence South eighty eight degrees East forty one chains and seventy five links to a stone on the East side of Kinney's Branch, corner of Daniel Buzby's land; thence North two degrees East, twenty six chains and twenty five links to a stone; thence North eighty nine and one-half degrees West, three

chains and eighty five links; thence North twenty and one quarter degrees West sixteen chains and seventy-five links to a stone corner of Thomas Mayhew's land, now Daniel Buzby's land; thence South eighty eight and one quarter degrees East forty seven chains to the place of beginning. Containing four hundred and eighty acres of land, more or less.

PARCEL 11—(Hand No. 9)—Township of Commercial

Beginning at a corner in the line of Joseph Mayhew's land and line of Rhoda B. Ackley's land; thence bounding said Rhoda B. Ackley's land South forty minutes West by the meridian bearing forty nine chains and seventy three links to the line of Kinney's Branch; thence up said run the several courses thereof to a corner of said Joseph Mayhew's land; thence bounding thereon North forty minutes East, twenty nine chains to a corner of said Joseph Mayhew's land; thence still bounding thereon South eighty seven degrees and fifty minutes West, three chains and ninety seven links to a stone for a corner of said Mayhew's land; thence still by the same North twenty two and one quarter degrees West seventeen chains and twenty five links to a corner of said Joseph Mayhew's land; thence still bounding thereon North eighty seven degrees and forty five minutes East eighteen chains and twenty five links; thence still by the said Joseph Mayhew's land South eighty nine and a half degrees East, one chain and fifty links to the place of beginning. Containing fifty five and a half acres of land, be the same more or less.

PARCEL 12—(Hand No. 10)—Township of Downe

Beginning at a stake in the run of Kenney's Branch, being the Southeast corner of a tract of land set off to Henry C. Mayhew and runs thence North forty minutes East forty nine chains and

seventy three links to the Northeast corner of Henry C. Mayhew's land and in line of formerly Joseph Mayhew's land, thence binding on said Joseph Mayhew's line South eighty nine and a half degrees East, eight chains and sixty four links to a stake and corner to a tract of land set off to Mary B. Hires; thence binding on the land South forty minutes West, forty nine chains and thirty eight links to a stake set in the run of Kenny's branch; thence along this run the several courses thereof to the place of beginning. Containing forty three and forty two one hundredths acres be the same more or less.

PARCEL 13—(Hand No. 4)—Township of Commercial

Beginning at a stone set for a corner in the public road leading from Millville to Dividing Creek, and in the Northerly edge of an old field known as the Ackley field, and running thence along said public road South thirty three degrees twenty minutes West, twenty chains seventy eight links to a small pine standing in the angle of the road, marked for a corner; thence still along said road South forty one degrees twenty five minutes West (crossing the middle of the Newport road at three chains twenty-five links) fifty one chains forty links to a stone corner to Joseph Mayhew's land; thence North eight degrees West, two chains fifty links to a stone; thence North nine degrees ten minutes West, five chains ninety links to a stone for a corner on the East side of an old road; thence North thirty and three quarters degrees West, fifteen chains seventy links to a pine stump for a corner; thence North one degree fifty minutes East (crossing Newport Road at nine chains fifty links) eighteen chains forty five links to a stone for a corner in James Brown's field; thence North seventy seven degrees ten minutes East (passing over Burn's well at nine chains twelve links) eleven chains five links to a stone for a cor-

ner on the field and in a line known as the Pamberton line; thence along said line North forty six and one quarter degrees West, ten chains fifty seven links to a stone corner to Ephriam Powell's land; thence North forty nine degrees ten minutes East, twenty four chains seventy seven links to a stone for a corner, standing one chain forty two links Northeasterly from the Middle of an old road and sixty seven links Southwesterly from the Middle of another old road, and being corner to Norton P. Lore's land; thence along his land South fifty six and one half degrees East, sixteen chains thirty four links to a stone for a corner; thence still by his line North thirty three and one half degrees East, four chains thirty links to a stone; thence still along his line South fifty seven degrees East, twelve chains thirty seven links to a stone for a corner; thence North seventy eight and one-half degrees East, five chains ninety four links to the place of beginning. Containing 180 acres of land, more or less.

PARCEL 14—(Hand No. 3)—Township of Commercial

Beginning at a stone corner of Debby Mayhew's land; thence North forty five degrees twenty five minutes West, one hundred perches seven links to a white oak tree for a corner, formerly Adrian Clunn's corner; thence North fifty six degrees East, fifty three perches eighteen links to a stone for a corner of lot of one Bowen; thence along the same South forty five degrees thirty minutes East one hundred and two perches eight links to a stone for a corner; thence South fifty degrees twenty minutes West, fifty four perches to the place of beginning. Containing 35 acres, more or less.

PARCEL 15—(Hand No. 2)—Township of Commercial

Beginning at a stake for a corner, also a corner to Deborah Mayhew's land, and formerly property to Alfred W. Bowen, and in line of James Camp division, and running thence South forty six and one quarter degrees East, ninety two perches to a stone for a corner, also in line of said Mayhew land; thence along the boundary of the Page land South sixty six degrees ten minutes West, eighty and sixteen hundredths perches to a stone for a corner; thence North twenty four degrees West, thirty nine and seven tenths rods to a stone for a corner, also a corner to land of the late John Lore; thence North eighteen degrees fifty minutes East sixty five and fifteen hundredths perches to the place of beginning. Containing 24 64/100 acres, more or less.

PARCEL 16—(Hand No. 1)—Township of Commercial

Beginning at a stone corner of Lot No. 34 and running thence North six degrees ten minutes East, sixty eight perches fourteen links; thence North sixty eight degrees, fifteen minutes West, one hundred and seventeen perches seven links; thence South forty two degrees forty minutes East, sixty three perches fifteen links to a stone, and thence South sixty one degrees twenty minutes West twelve perches four links; thence South thirty five degrees forty minutes East, twenty three perches to the place of beginning. Containing 18 76/100 acres, more or less.

III. The following Parcels No. 17 through No. 20 are described in Deed dated August 12, 1940—Dorothy V. Hilliard, et ux to Whitehead Brothers Company and recorded in Cumberland County Clerk's Office on August 14, 1940 in Book 554 of Deeds at Pages 88 &c.

PARCEL 17—(Hilliard No. 4)—Township of Downe

Beginning at a corner of land formerly of Frances Oglee, said corner being North twenty eight degrees, forty nine minutes East, four and seventy seven hundredths feet from a large loose stone laying on its side; thence (1) along said Oglee's land, South fifty-nine degrees, four minutes West, one hundred, twenty seven and thirty-eight hundredths feet to a stone for a corner of No. 3; thence continuing the same course a further distance of six hundred, fifty eight and three hundredths feet, making a total distance on this course of seven hundred, eighty-five and forty-one one hundredths feet to a stone for a corner of "The Clunn Piece"; thence (2) along "The Clunn Piece" North twelve degrees, thirty-six minutes West, one thousand, three hundred, thirty two and sixty three hundredths feet to a stone for a corner; thence (3) still by "The Clunn Piece", South seventy-seven degrees, twenty-seven minutes West, two thousand, three hundred, twenty-five and forty-two hundredths feet to a stone for a corner; thence (4) still by "The Clunn Piece," South eight degrees, thirteen minutes East, two thousand, one hundred, sixty-six and five tenths feet to a stone for a corner in line of land, formerly of Ephraim S. Glaspey; thence (5) along said Glaspey's land, South fifty-nine degrees, five minutes West, two thousand six hundred forty-four and forty-two hundredths feet (having passed fifty-two hundredths feet northwestwardly from a stone one thousand seven hundred forty eight and sixty-four hundredths feet from the last mentioned corner) to a stone for a corner of formerly Edward's field; thence (6) along said Edward's field, North forty-one degrees fifty-one minutes West, one thousand one hundred forty one and thirty-seven hundredths feet to a large stone for a corner of land formerly Lumis'; thence (7) along said Lumis' land, North twenty three degrees fourteen minutes East, six thousand

three hundred eighty three and forty-five hundredths feet (having passed ninety four hundredths southeastwardly from a stone one hundred twenty nine and twenty five hundredths feet from the last mentioned corner and three feet northwestwardly from a stone two thousand ninety four and two tenths feet from the said last mentioned corner), to a stone in Pine Branch for a corner in line of Iliff's land; thence (8) along said Iliff's land, South eighty seven degrees fifty two minutes East, three hundred seventy four and twenty eight hundredths feet, (having passed forty-seven hundredths feet northwardly from a marble monument one hundred forty-eight and eighteen hundredths feet from the last mentioned corner), to a stone for a corner of land formerly of James Diament; thence (9) along said Diament's land, South eighty seven degrees, forty three minutes East, four hundred twenty eight and seven tenths feet to a stone; thence continuing the same course a further distance of four hundred seventy nine and sixty two hundredths feet making a total distance on this course of nine hundred eight and thirty-two hundredths feet to a corner of formerly J. P. Brick's "Oglee Land"; thence (10) along said Brick's "Oglee Land", South thirty one degrees fourteen minutes East four thousand one hundred fifty six and six tenths feet to the place of beginning. Containing three hundred sixty-eight and seventy nine hundredths acres of land, be the same more or less.

PARCEL 18—(Hilliard No. 3)—Township of Downe

Beginning at a corner of land formerly of Frances Oglee in the centre line of the road leading from Millville to Dividing Creek; thence (1) along the centre line thereof, South thirty-seven degrees nineteen minutes West, one thousand two hundred thirty and seventy-seven hundredths feet to an angle therein; thence (2) still by the centre line

thereof, South thirty eight degrees, four minutes West one thousand four hundred, eighty and two tenths feet to a corner of the Ackley field; thence (3) along said Ackley field, South eighty three degrees, twenty four minutes West, four hundred sixty two and eighty-five hundredths feet to a corner; thence (4) still by said Ackley field, North fifty two degrees six minutes West eight hundred sixteen and forty two hundredths feet to a corner; thence (5) still by said Ackley field, South thirty eight degrees, twenty four minutes West, two hundred eighty three and eight tenths feet to a corner of land formerly of David Lore; thence (6) along said Lore's land, North fifty-one degrees thirty six minutes West, one thousand seventy nine and one tenth feet to a corner of land formerly of Ephraim S. Glaspey, said corner being forty four feet Southwestwardly from an old road and ninety four feet Northeastwardly from another old road; thence (7) along said Glaspey's land, North fifty-four degrees, four minutes East eight hundred sixteen and forty-two hundredths feet to a corner; thence (8) still by said Glaspey's land, North twenty nine degrees, twenty six minutes West, one thousand five hundred one and five tenths feet to a corner in the line of "The Clunn Piece"; thence (9) along "The Clunn Piece" and along No. 4 North fifty nine degrees, four minutes East three thousand seventy seven and five tenths feet to a stone for a corner of land formerly of Frances Oglee; thence (10) along said Oglee's land, South twenty-nine degrees fifty-six minutes East one thousand two hundred twenty eight and eighty-two hundredths feet to an old cedar stake; thence continuing the same course a further distance of one thousand two hundred eighteen and four tenths feet, making a total distance on this course of two thousand four hundred forty seven and twenty two hundredths feet to the place of beginning. Containing two hundred twenty seven and eighty seven hundredths acres of land, be the same more or less.

PARCEL 19—(Hilliard No. 2)—Township of Commercial

Beginning at a corner at the intersection of the centre line of the road leading from Millville to Dividing Creek with the centre line of the Ackley Road to Buckshutem, thence (1) along the centre line of the Millville-Dividing Creek Road, aforesaid, North forty-five degrees, fifty minutes East two hundred thirty and one tenth feet to an angle therein; thence (2) still by the centre line thereof, North thirty-eight degrees, four minutes East two thousand eight hundred seventy-five and five tenths feet to an angle therein; thence (3) still by the centre line thereof, North thirty-seven degrees nineteen minutes East one thousand two hundred thirty-six and six tenths feet to an angle therein; thence (4) still by the centre line thereof, North thirty-eight degrees twenty three minutes East, one thousand nine hundred forty and nine tenths feet to a corner of land now or formerly of Eliza M. Cook; thence (5) along said Cook's land South fifty-two degrees fifteen minutes East four and fifty-two hundredths feet to a stone, thence continuing the same course a further distance of two thousand six hundred twenty six and seventeen hundredths feet, making a total distance on this course of two thousand six hundred thirty and sixty nine hundredths feet to a stone at the foot of a Black Oak tree for a corner in line of land now or formerly of Daniel Buzby; thence (6) along said Buzby's land, South twenty-two degrees two minutes West one thousand two hundred forty three and twenty three hundredths feet to a stone for a corner; thence (7) still by said Buzby's land South five degrees six minutes West eight hundred ninety three and one tenth feet to a stone for a corner of land formerly of David Lore; thence (7½) North seventy four degrees fifty nine minutes West 396 feet to a corner; then (8) along said Lore's land, South thirteen degrees forty nine minutes West, one thousand four hundred ninety seven

and sixty five hundredths feet to a stone for a corner of land formerly of John Lore; thence (9) along said John Lore's land North seventy five degrees seven minutes West one thousand forty two feet to a stone for a corner; thence (10) still by said John Lore's land, South fifteen degrees thirty-eight minutes West seven hundred fifty six feet to a corner in the centre line of the Ackley road to Buckshutem, aforesaid; thence (11) along the centre line thereof, North seventy-four degrees, fifty-eight minutes West two thousand two hundred forty six feet to an angle therein; thence (12) still by the centre line thereof South eighty-seven degrees fifty six minutes West one thousand three hundred seven and three tenths feet to the place of beginning. Containing three hundred seventy six and sixty seven hundredths acres of land, be the same more or less.

PARCEL 20—(Hilliard No. 1)—Township of Commercial

Beginning at a corner in the centre line of the road leading from Millville to Dividing Creek at the northerly corner of land now or formerly of Eliza M. Cook; thence (1) along the centre line of said road, North thirty eight degrees twenty three minutes East, five hundred thirty and two tenths feet to a corner; thence (2) South fifty two degrees one minute East one and fifty four hundredths feet to a stone; thence continuing the same course a further distance of one thousand five hundred eighty five and three hundredths feet, making a total distance on this course of one thousand five hundred eighty-six and fifty seven hundredths feet to a corner; thence (3) North three degrees twenty-five minutes East one thousand five hundred thirty four and seven tenths feet to a corner in the middle of the road leading to Buckshutem; thence (4) along the middle thereof, South eighty one degrees, fifty seven minutes East three hundred thirty-five and ninety four hundredths feet

to a corner; thence (5) leaving said road, South fifty nine degrees, forty one minutes East four hundred seventy five and four tenths feet to a stone at the foot of an old tree; thence (6) South nine degrees twenty six minutes East one thousand four hundred eight and four tenths feet (having passed sixty four hundredths feet eastwardly from a stone, which stone is one hundred, thirty nine feet from the stone at the foot of the old tree aforesaid, to a pile of stones for a corner of land formerly of Daniel Buzby; thence (7) along said Buzby's land, South seventy one degrees forty two minutes West six hundred fifty-five and sixty five hundredths feet to a pile of stones for a corner; thence (8) still by said Buzby's land south six degrees five minutes West five hundred seven and eighty three hundredths feet to a stone for a corner; thence (9) still by said Buzby's land, South nine degrees fifty-one minutes West, one hundred thirty six and fifteen hundredths feet to a stone for a corner of Eliza M. Cook's land, aforesaid; thence (10) along said Cook's land, North fifty one degrees thirty two minutes West two thousand four hundred eighty nine and thirty one one hundredths feet to a stone; thence continuing the same course a further distance of three and one one-hundredths feet, making a total distance on this course of two thousand four hundred ninety two and thirty two hundredths feet to the place of beginning. Containing sixty three and eighteen hundredths acres of land be the same more or less.

IV. The following Parcels No. 21 and No. 22 described in Deed dated July 9, 1940—Walter H. Bacon, Jr., et ux, et als. to Whitehead Brothers Company and recorded in Cumberland County Clerk's Office on July 30, 1940 in Book 553 of Deeds at Pages 171 &c., situate in the Township of Downe.

PARCEL 21—(Bacon No. 1)

Beginning at a corner of No. 4 in the center of the New Road leading from Millville to Dividing Creek South 33 degrees West distance 33 chains from where John Elkintons line crosses said Road; thence running and bounding on Lot 4, North 38 degrees West 71 chains 75 links to Diament's line; thence by the same South 85 degrees West 33 chains, 60 links to a stone corner of land formerly Jeremiah Buck's deceased; thence by the same South 38 degrees East 64 chains 35 links crossing the road leading from Buckshutem to Shaw's Mill to a Pine corner of No. 6; thence South 52 degrees West 2 chains 60 links to a corner of a lot of land said to belong to Richard Laning; thence by the same South 38 degrees East 18 chains 25 links to a stone corner of the same, also corner of Lot No. 2 still continuing the same course along line of No. 2 18 chains 25 links more making in all 36 chains 50 links to the center of the aforesaid road and in the line between what is called Tomkin's land and the Campbell land and corner to Lot No. 2 thence along the center of said Road and line of Lot No. 3 North 33 degrees East 33 chains to the beginning. Containing 251 acres more or less.

PARCEL 22—(Bacon No. 2)

Beginning at a station in the center of the road leading from Millville to Dividing Creek and in line of land belonging to John Elkinton; thence running along said Road crossing the road from Buckshutem to Shaw's Mill South 33 degrees West 33 chains to a corner of Lot No. 5 in the line of Lot No. 3; thence by No. 5 North 38 degrees West 71 chains 75 links crossing the aforesaid road leading to Shaws Mill a corner in a line called Diament's land; thence North 85 degrees East 68 chains to a pine corner; thence South 16-¾ degrees East 8 chains to Elkinton's corner; thence South 52 degrees West 29 chains 89 links to a pine knot

corner of Elkinton's; thence still by his line South 64 degrees East 17 chains 25 links to the beginning. Containing 210 acres more or less.

PARCEL 23 (Lore)

Deed dated December 4, 1930—Norton Lore, et ux to Whitehead Brothers Co. and recorded in Cumberland County Clerk's Office on January 2, 1931 in Book 478 of Deeds at Pages 409 &c., situate in the Township of Commercial.

Beginning at a corner in a line of Elizabeth Mayhew's land and corner to Rhoda B. Ackley's land; thence along her land South five degrees and twenty minutes West seventeen chains and seventy eight links to a corner of Rhoda B. Ackley's land and in a line of Daniel B. Mayhew's land; thence along his land North eighty-six degrees and fifty five minutes West five chains to a corner in said Daniel B. Mayhew's line and corner to Mary B. Hire's land; thence along her land North five degrees and twenty minutes East seventeen chains and ninety-two links to a corner in a line of said Elizabeth Mayhew's land; thence along her land South eighty five degrees and ten minutes East five chains to the place of beginning. Containing eight acres and ninety two hundredths of an acre of land be the same more or less.

PARCEL 24 (Buzby)

Deed dated February 4, 1931—Lehman B. Buzby, U/W of Rhoda B. Shropshire, Deceased, to Whitehead Brothers Co. and recorded in Cumberland County Clerk's Office on February 20, 1931 in Book 482 of Deeds at Pages 8 &c., situate in the Township of Commercial.

Beginning at a stone for a corner in the line of Elizabeth Mayhew's land and corner of Nellie Lippincott's land, thence bounding on said Nellie Lippincott's land, South fifteen degrees and five minutes West eleven chains and four links to a stake

for a corner of Deborah Mayhew's land; thence bounding thereon North eighty six degrees and five minutes West two chains and twenty one links to a stake for a corner; thence still bounding on said Deborah Mayhew's land South seventeen degrees and forty minutes East six chains and eighty two links to a stone for a corner; thence bounding on Daniel B. Mayhew's land North eighty six degrees and fifty five minutes West six chains and twenty-two links to a corner of Henry C. Mayhew's land; thence bounding thereon North five degrees and twenty minutes East seventeen chains and seventy eight links to a corner in the line of Elizabeth Mayhew's land; thence bounding thereon South eighty-five degrees and ten minutes East, seven chains and sixty two links to the place of beginning. Containing ten and a half acres, reserving unto itself the mineral rights therein.

Terms and conditions.

2. The terms, conditions and provisions of said deed shall be as determined by the Department of Conservation and Economic Development, not inconsistent with the provisions hereof.

Deed recorded.

3. The Department of Conservation and Economic Development upon receipt of an appropriate deed from said Whitehead Brothers Company conveying said lands to the State of New Jersey, free and clear of all encumbrances, except as to the reservation of mineral rights, shall cause the said deed to be recorded, and thereafter keep the same in the custody of the State Treasurer as now provided by law.

4. This act shall take effect immediately.

Approved August 13, 1953.

CHAPTER 382

AN ACT concerning civil service in relation to certain plumbing inspectors.

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

C. 26:3-19.2. Placed in classified civil service.

1. Any person holding the position or employment of plumbing inspector under any local board of health of any municipality, which has adopted the provisions of subtitle three of Title 11 (Civil Service) of the Revised Statutes, who has held such position or employment continuously for twelve years from the date of his original appointment thereto, shall be placed in the classified service of civil service without examination, and such employee shall thereafter be subject to all the provisions of Title 11 of the Revised Statutes with respect to tenure, classification and compensation.

2. This act shall take effect immediately.

Approved August 13, 1953.

CHAPTER 383

AN ACT concerning pensions for widows of certain members of the State Police who have been retired or shall be retired, and supplementing chapter five of Title 53 of the Revised Statutes.

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

C. 53:5-2.2a. Widow to receive pension.

1. Notwithstanding the provisions of any other law, if any member of the Department of State Police has been retired or shall be retired pursuant

to "An act concerning the retirement on pension of members of the Department of State Police in certain cases, and supplementing chapter five, Title 53, of the Revised Statutes," approved May twenty-fifth, one thousand nine hundred and forty-nine (P. L. 1949, c. 251), and who has died or shall die and left or shall leave, surviving him, a widow who was his wife at the time of his retirement, and who was married to him prior to May twenty-fifth, one thousand nine hundred and forty-nine, such widow shall, so long as she remains unmarried, receive a pension equal to one-half the amount of the member's annual salary at the time of his retirement.

2. This act shall take effect immediately.

Approved August 14, 1953.

CHAPTER 384

AN ACT concerning the compensation of the mayor and the commissioners in certain townships of this State, and supplementing chapter seventy-two of Title 40 of the Revised Statutes.

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

C. 40:72-24.3. Salary, mayor and commissioners.

1. Notwithstanding any other provision of law, in all townships of this State now or hereafter governed by the provisions of the commission form of government law, and having a population in excess of fifteen thousand inhabitants, as ascertained by the preceding Federal census, the mayor of any such commission governed municipality shall receive an annual salary of thirty-five hundred dollars ($3,500.00) and the remaining members of the commission shall receive annual salaries of three thousand dollars ($3,000.00) each.

2. This act shall take effect immediately.

Approved August 14, 1953.

CHAPTER 385

AN ACT concerning county detectives and investigators, and amending section 2A:157–22 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:157–22 of the New Jersey Statutes is amended to read as follows:

Limitation on number.

2A:157–22. In any county in which the total number of county detectives and county investigators authorized by this chapter exceeds the total number of officers employed in the prosecutor's office of such county for the detection, apprehension, arrest, indictment and conviction of offenders against the law, as of the effective date of this chapter, no new appointments as county detective or county investigator shall be made, other than to fill vacancies hereafter occurring, without prior approval as to the number and salary thereof by the board of chosen freeholders or, in counties of the first class having a population of less than eight hundred thousand inhabitants, by order of the Superior Court Assignment Judge of the county.

2. This act shall take effect immediately.

Approved August 14, 1953.

CHAPTER 386

AN ACT concerning the compensation of the mayor and the commissioners in cities of the fourth class, having a population of not less than sixty thousand, and which have the commission form of government under subtitle four of Title 40 of the Revised Statutes, and supplementing chapter seventy-two of Title 40 of the Revised Statutes.

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

C. 40:72-24.1a. Salary, mayor and commissioners.

1. Notwithstanding any other provision of law, in cities of the fourth class now or hereafter having a population of not less than sixty thousand and having the commission form of government under subtitle four of Title 40 of the Revised Statutes, the mayor's annual salary shall be twelve thousand five hundred dollars ($12,500.00) and that of each commissioner shall be ten thousand dollars ($10,000.00). The said salaries shall be payable in installments in the same manner as in the case of the other officials of the municipality.

2. This act shall take effect immediately.

Approved August 14, 1953.

CHAPTER 387

AN ACT concerning the salaries of certain judges of county district courts, and amending section 2A:6–14 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:6–14 of the New Jersey Statutes is amended to read as follows:

Salaries, county district court judges.

2A:6–14. The annual salary of each judge of a county district court in counties of this State shall be as follows:

In counties of the first class with over eight hundred thousand inhabitants and having judges who devote their entire time to their duties and are prohibited from practice of law, not less than eight thousand dollars ($8,000.00), nor more than fourteen thousand dollars ($14,000.00) as shall be fixed by the board of chosen freeholders.

In counties of the first class having less than eight hundred thousand inhabitants and having six judges, nine thousand dollars ($9,000.00).

In counties of the second class having less than five hundred thousand and more than three hundred twenty-five thousand inhabitants and having five judges, six thousand dollars ($6,000.00).

In counties of the second class having less than three hundred twenty-five thousand inhabitants and more than three hundred thousand inhabitants and having four judges, seven thousand five hundred dollars ($7,500.00).

In counties of the second class having less than three hundred thousand inhabitants, and more than two hundred fifty thousand inhabitants and having one judge, nine thousand dollars ($9,000.00).

In counties of the second class having less than two hundred fifty thousand inhabitants and having two judges, six thousand dollars ($6,000.00).

In counties of the third class having less than two hundred thousand inhabitants and more than one hundred fifty thousand inhabitants and having one judge, eight thousand dollars ($8,000.00).

In counties of the third class having less than one hundred fifty thousand inhabitants and more than seventy-five thousand inhabitants and having three judges, four thousand dollars ($4,000.00).

In counties of the third class having less than seventy-five thousand inhabitants and more than sixty thousand inhabitants and having one judge, five thousand dollars ($5,000.00).

In counties of the third class having less than sixty thousand inhabitants and one judge, four thousand dollars ($4,000.00).

In counties of the fourth class having less than thirty thousand inhabitants and having one judge, three thousand five hundred dollars ($3,500.00).

In counties of the fifth class having more than one hundred fifty thousand inhabitants and having two judges, seven thousand five hundred dollars ($7,500.00).

In counties of the fifth class having less than one hundred fifty thousand inhabitants and having one judge, nine thousand dollars ($9,000.00).

All such salaries shall be payable in the same manner as other salaries payable by a county.

In each such county having more than one county district court judge, the judge designated as presiding judge shall receive extra compensation in addition to his salary, at the rate of five hundred dollars ($500.00) per annum for the time during which he shall act as presiding judge.

2. This act shall take effect January first, one thousand nine hundred and fifty-four. Note: Act effective.

Approved August 14, 1953.

CHAPTER 388

AN ACT concerning the Passaic Valley Sewerage Commissioners and the sanitation facilities constructed or to be constructed by it, providing for the issuance of bonds and other obligations for financing such facilities, and prescribing powers and duties of said commissioners and of municipalities with respect thereto, and supplementing chapter fourteen of Title 58 of the Revised Statutes.

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

C. 58:14-34.10. Declaratory statement of need for repair and replacement.

1. It has been ascertained by the Legislature of the State of New Jersey and is hereby declared: (a) that there is imperative need for repair, replacement and improvement of the sewerage system (hereinafter defined) operated by the commissioners (hereinafter defined), including particularly immediate enlargement and betterment of the sewage treatment and disposal works thereof; (b) that the existence of such need threatens the waters of the Passaic river and Newark bay with pollution, and failure or delay in meeting such need will jeopardize the health, safety and welfare of residents of the State and impair property and other economic values and, by reason of discharge of effluent from the sewerage system in waters of New York bay, will harm the relations of the State with other States and with public health agencies; (c) that such need arises principally from the long, continuous and heavy use made and being made of the sewerage system since its operation began in one thousand nine hundred and twenty-four, the impracticability during such use of making on an annual or any other periodic basis the alterations and improvements required

in order to provide for the increase of population and the rise in acceptable standards for sewage treatment and disposal, and the damage, wear and tear, depreciation and obsolescence incident to such use; (d) that the expense of meeting such need and providing such repair, replacement and improvement, together with any amortization or interest charges in connection with such expense, is in substance and effect part of the cost of maintenance, repair and operation of the sewerage system; (e) that the provisions of the statutes and of contracts made or to be made pursuant thereto whereby the contracting municipalities (hereinafter defined) or the commissioners could raise funds to meet such expense in the amounts required are not sufficiently flexible and are impracticable, and application thereof would result in oppressive or inequitable taxation to meet such expense; and (f) that it is necessary, as in this act provided, to afford a practical means of relief in the premises and to permit and require the contracting municipalities as users of the sewerage system to meet and pay the expense of meeting such need on an economical and reasonable basis over a reasonable number of years.

C. 58:14-34.11. Terms defined.

2. As used in this act, unless a different meaning clearly appears from the context:

(a) "Original act" shall mean chapter fourteen of Title 58 of the Revised Statutes (section 58:14–1, et seq.) and the acts continued thereby and the acts heretofore adopted amendatory thereof or supplemental thereto;

(b) "Commissioners" shall mean the Passaic Valley Sewerage Commissioners, the body politic and corporate of the State of New Jersey appointed, organized, created and existing pursuant to the original act;

(c) "Sewerage system" shall mean the Passaic Valley intercepting sewer together with its branches and appurtenances and all plants, structures and other real and tangible personal property acquired, constructed or operated by the commis-

sioners and such other plants, structures and other real and tangible personal property as may be acquired or constructed by the commissioners pursuant to this act;

(d) "Municipality" shall mean any city of any class, any borough, village, town, township, or any other municipality other than a county or a school district;

(e) "Contracting municipality" shall mean any municipality entitled to rights in and use of the sewerage system by virtue of contributions heretofore made by it to the commissioners toward the costs of construction of the sewerage system pursuant to the provisions of the original act and any contract heretofore made between the commissioners and one or more municipalities with respect to such construction and contributions;

(f) "Governing body" shall mean the commission, council, board or body, by whatever name it may be known, having charge of the finances of a municipality;

(g) "Project" shall mean any alteration, addition or modification to the trunk sewer, disposal works, treatment works, dispersal field pumping station, structures, equipment and appurtenances located southerly and easterly of Wilson Avenue and Avenue P in the city of Newark, New Jersey, which alteration, addition or modification is deemed by the commissioner to be necessary or desirable and comprises only rehabilitation of the dispersal field, rehabilitation and modernization of the sedimentation basins, construction of new grit chambers, bar racks and fine screens, rehabilitation or modernization or electrification of the pumping station and equipment with or without installation of additional pump units or direct-connected Diesel pump units or electrical substations, construction of necessary enclosing buildings, and miscellaneous repairs and reconstruction necessary in connection with the foregoing.

(h) "Bonds" shall mean bonds or other obligations of the commissioners issued pursuant to this act; and

(i) "System revenues" shall mean the moneys paid or required to be paid by any contracting municipality or any other user of the sewerage system to the commissioners on account of the cost of maintenance, repair and operation of the sewerage system.

C. 58:14-34.12. Additional powers.

3. For the purpose of carrying out any of said projects the commissioners shall have the power, in addition to the powers granted by the original act, to own, maintain, repair, reconstruct, operate and use the sewerage system and, to that end, to acquire, by purchase, gift, condemnation or otherwise, and, to construct, maintain, repair, reconstruct, operate and use all plants, structures, equipment and facilities, and other real and personal property, deemed necessary for, or incident to, any of said projects; and for said purpose only the commissioners may enter into any contracts, execute all instruments, and do all things necessary or convenient to carry out any power expressly given in this act.

C. 58:14-34.13. Commissioners continued a body politic and corporate, powers continued.

4. The commissioners shall be or continue to be a public body politic and corporate established as an instrumentality exercising public and essential governmental functions to provide for the public health and welfare and shall have the power, in its own name and on its own behalf, to acquire, hold, use and dispose of its system revenues and other moneys, and to provide for and secure the payment of any bonds and the rights of the holders thereof.

C. 58:14-34.14. Bonds authorized, issuing details.

5. (a) For the purpose of raising funds to pay the cost of any of the projects, as defined in section one of this act, or any part of said projects, the commissioners shall have power from time to time to authorize and provide for the issuance of its bonds pursuant to this act in an aggregate principal amount not exceeding ten million dollars ($10,000,000.00). Such bonds shall be authorized

by and be issued pursuant to a resolution or resolutions (in this act sometimes referred to as "bond resolution") of the commissioners which shall (1) describe the project or projects in brief and general terms sufficient for reasonable identification, and (2) state the amount of bonds authorized thereby. There shall be included in such cost of such project or projects such amounts as the commissioners shall deem necessary or advisable to provide for the cost of issuance of bonds, of financial, legal, and accounting services and advice, for engineering, inspection, and professional costs, and for all such other expenses as may be necessary and incident to the financing, acquisition, construction and completion of such project or projects and the placing of the same in operation.

(b) After adoption of a bond resolution, the commissioners shall (1) cause copy thereof, certified by its secretary, and a notice of the date, time and place of the hearing hereinafter mentioned to be mailed to the governing body of each contracting municipality; (2) cause such notice to be published at least once in a newspaper of general circulation published in the city of Newark, New Jersey; and (3) not sooner than thirty days after such publication and after such mailing, hold a public hearing in the Passaic Valley Sewerage District on said bond resolution at which any contracting municipality may appear in person or by agent or attorney and be heard with respect thereto. Said bond resolution shall take effect on the thirtieth day after the conclusion of such public hearing unless prior to such thirtieth day the governing bodies of contracting municipalities shall have caused to be filed with the secretary of the commissioners copies, certified by their respective clerks, of resolutions adopted by such governing bodies respectively objecting to said bond resolution and it shall appear that the contracting municipalities on behalf of which such objecting resolutions were adopted paid twenty-five per centum (25%) or more of the total amount of moneys received by the commissioners

from contracting municipalities during the calendar year ending on the last day of December next preceding the date of such public hearing.

(c) Upon the taking effect of a bond resolution, the commissioners shall have power to incur indebtedness, borrow money and issue its bonds for the purpose or respective purposes described therein. Such bonds shall be authorized by the bond resolution and may be issued in one or more series and shall bear such date or dates, mature at such time or times not exceeding forty years from the date thereof, bear interest at such rate or rates not exceeding six per centum (6%) per annum, be in such denomination or denominations, be in such form, either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable from such sources in such medium of payment at such place or places within or without the State, and be subject to such terms of redemption (with or without premium) as the bond resolution may provide.

(d) Bonds of the commissioners shall be sold by the commissioners at public sale not less than six nor more than forty days after notice of such sale has been published at least once in a newspaper published in the city of Newark and in a financial newspaper published and circulating in New York City, which shall state the terms of sale as determined by the commissioners. The bonds shall be sold at such a price that the interest cost to maturity of the money received for any issue of bonds (computed according to standard tables of bond values) shall not exceed six per centum (6%) per annum and at such public sale shall be awarded upon the proposal offering the lowest such interest cost.

C. 58:14-34.15. Publication of resolution, date of adoption, etc.

6. After the taking effect of a bond resolution, the commissioners may cause to be published in a newspaper of general circulation published in the city of Newark the title of said bond resolution together with a notice stating the date of its adop-

tion and also the date of the first publication of such notice and also that any action or proceeding of any kind or nature in any court questioning the validity of the creation and establishment of the commissioners, or the validity or proper authorization of the bonds provided for by said bond resolution, or the validity of this act or of any obligations, covenants, agreements or contracts provided for by this act or said bond resolution shall be commenced within twenty days after the first publication of such notice. If no such action or proceeding shall be commenced or instituted within twenty days after the first publication of such notice, then all contracting municipalities and residents and taxpayers and owners of property therein and all other persons whatsoever shall be forever barred and foreclosed from instituting or commencing any action or proceeding in any court, and from pleading in any action or proceeding any defense, questioning the validity of the creation and establishment of the commissioners, the validity or proper authorization of such bonds, or the validity of this act or of any such obligations, covenants, agreements or contracts, and all such bonds, obligations, covenants, agreements and contracts shall be conclusively deemed to be valid and binding obligations in accordance with their terms and tenor.

C. 58:14-34.16. Bonds and coupons negotiable.

7. Any provision of any law to the contrary notwithstanding, any bond or other obligation issued pursuant to this act shall be fully negotiable within the meaning and for all purposes of the negotiable instruments law of the State, and each holder or owner of such a bond or other obligation, or of any coupon appurtenant thereto, by accepting such bond or coupon shall be conclusively deemed to have agreed that such bond, obligation or coupon is and shall be fully negotiable within the meaning and for all purposes of said negotiable instruments law.

C. 58:14-34.17. Bond covenants.

8. Any bond resolution of the commissioners authorizing the issuance of any bonds may contain provisions, which regardless of the time of issu-

ance thereof shall be a part of the contract with the holders thereof, as to:

(a) the custody, security, use expenditure or application of the proceeds of the bonds;

(b) payment of the principal of or interest on the bonds, or any other obligations, and the sources and methods thereof, the rank or priority of any such bonds or obligations as to any lien or security;

(c) the use and disposition of any moneys of the commissioners;

(d) pledging, setting aside, depositing or trusteeing all or any part of the system revenues or other moneys or any contracts of the commissioners to secure the payment of the principal of or interest on the bonds or any other obligations, or the payment of expenses of operation or maintenance of the sewerage system, and the powers and duties of any trustee with regard thereto;

(e) the setting aside out of the system revenues or other moneys of the commissioners of reserves and sinking funds, and the source, custody, security, regulation, application and disposition thereof;

(f) System revenues and the rents, rates, fees, or other charges for connection with or the use or services of the sewerage system;

(g) vesting in a trustee or trustees such property, rights, powers and duties in trust as the commissioners may determine which may include any or all of the rights, powers and duties of the trustee appointed by the holders of bonds pursuant to section ten of this act, and limiting or abrogating the right of such holders to appoint a trustee pursuant to section ten of this act or limiting the rights, duties and powers of such trustee;

(h) payment of costs or expenses incident to the enforcement of the bonds or of the provisions of the bond resolution or of any covenant or contract with the holders of the bonds;

(i) the procedure, if any, by which the terms of any covenant or contract with, or duty to, the holders of bonds may be amended or abrogated,

the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given or evidenced.

C. 58:14-34.18. Application of provisions as to bondholders.

9. (a) The provisions of this section shall be applicable to a series of bonds authorized or issued under this act only if the bond resolution of the commissioners authorizing or providing for the issuance of such bonds, or an amendment thereof, shall provide in substance that the holders of the bonds of such series shall be entitled to the benefits, and be subject to the provisions of this section.

(b) In the event that there shall be a default in the payment of principal of or interest on any bonds of such series after the same shall become due, whether at maturity or upon call for redemption, and such default shall continue for a period of thirty days, or in the event that the commissioners shall fail or refuse to comply with the provisions of this act or shall fail or refuse to carry out and perform the terms of any contract with the holders of any of such bonds, and such failure or refusal shall continue for a period of ninety days after written notice to the commissioners of its existence and nature, the holders of twenty-five per centum (25%) in aggregate principal amount of the bonds of such series then outstanding by instrument or instruments filed in the office of the Secretary of State and proved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of the bonds of such series for the purposes provided in this section.

(c) Such trustee may and upon written request of the holders of twenty-five per centum (25%) in aggregate principal amount of the bonds of such series then outstanding shall, in his or its own name:

(1) By action, suit or proceeding in the nature of mandamus, injunction, certiorari or otherwise, enforce all rights of the holders of such bonds, including the right to require the

commissioners to charge and collect system revenues and other charges adequate to carry out any contract as to, or pledge of, such moneys, and to require the commissioners to carry out and perform the terms of any contract with the holders of such bonds or its duties under this act;

(2) Bring action upon all or any part of such bonds or interest coupons or claims appurtenant thereto;

(3) By action, suit or other proceeding, as if in equity, require the commissioners to account as if it were the trustee of an express trust for the holders of such bonds;

(4) By action, suit or other proceeding, as if in equity, enjoin any acts or things which may be unlawful or in violation of the rights of the holders of such bonds.

(d) Such trustee shall, in addition to the foregoing, have and possess all of the powers necessary or appropriate for the exercise of the functions specifically set forth herein or incident to the general representation of the holders of bonds of such series in the enforcement and protection of their rights.

(e) In any action, suit or other proceeding by such trustee, the fees, counsel fees and expenses of the trustee shall constitute taxable costs and disbursements, and all costs and disbursements, allowed by the court, shall be a first charge upon any system revenues of the commissioners pledged for the payment or security of bonds of such series.

C. 58:14-34.19. No personal liability.

10. Neither the members of the commission nor any person executing bonds issued pursuant to this act shall be liable personally on the bonds by reason of the issuance thereof. Bonds or other obligations issued pursuant to this act shall not be in any way a debt or liability of the State or of any county or municipality and shall not create or constitute any indebtedness, liability or obligation of the State or of any such county or municipality,

either legal, moral or otherwise, and nothing in this act contained shall be construed to authorize the commissioners to incur any indebtedness on behalf of or in any way to obligate the State or any county or municipality.

C. 58:14-34.20. Cost apportioned among municipalities.

11. (a) For all purposes of the original act, and of any contract made or hereafter made thereunder or for the purposes thereof, the cost and expense of maintenance, repair and operation of the sewerage system for any year (as herein referred to and described) shall be apportioned annually among the contracting municipalities and other users thereof in proportion to the amount of sewage by them respectively delivered and discharged into the sewerage system and, except as provided in subsequent paragraphs of this section, shall be deemed to include, and shall include, in addition to all other items heretofore included, all interest becoming due prior to the end of such year on bonds or other obligations of the commissioners issued pursuant to this act, plus the principal of any such bonds or obligations becoming due, recalled for redemption, prior to the end of such year, and redemption premium (if any) plus such sums as the commissioners may determine or by the terms of any contract be required to set aside during such year as a reserve for payment or security of principal of or interest on any such bonds or obligations or be by the terms of any contract required to set aside during such year as a reserve for any other purpose. The contracting municipalities and other users of the sewerage system are hereby authorized and directed to do and perform any and all acts and things necessary, convenient or desirable to pay to the commissioners annually the total cost and expense (as herein referred to and described) of maintenance, repair and operation of the sewerage system apportioned as above provided. If any payment on account of the cost and expense (as herein referred to and described) of maintenance, repair and operation of the sewerage system, or any part thereof, due to

the commissioners under the original act or any such contract from a contracting municipality or other user shall remain unpaid for thirty days after the commissioners have notified such contracting municipality or other user by mail of the amount due and the due date, such contracting municipality or other user shall be charged with and shall pay to the commissioners interest on the amount unpaid from thirty days after such notice of the commissioners was mailed until paid, at the rate of six per centum (6%) per annum. Every obligation assumed by or imposed upon any contracting municipality or other user by the original act or any such contract or this act shall be enforceable by the commissioners by appropriate action, suit or proceeding, and the commissioners may have and pursue any and all remedies provided by law for the enforcement of such obligation.

(b) The provisions of paragraph(a) of this section eleven shall not apply in the case of any contracting municipality which (1) at or before the end of the public hearing on a bond resolution provided for by paragraph (b) of section five files a written declaration or intention with the commissioners stating that said contracting municipality intends itself to finance all or any part of its share of the cost of any project or any part thereof to the financing of which said bond resolution relates, (2) prior to the publication of the notice of sale of bonds provided for in paragraph (d) of section five enters into an agreement relating to such bonds with the commissioners establishing a just and equitable formula pursuant to which annual adjustments shall be made in amounts due to the commissioners on account of the issuance of such bonds and to such contracting municipality on account of the payment of said share, as hereinafter determined, in the event of and as a result of any increase or decrease in the proportionate share of such contracting municipality in the cost and expense of maintenance, repair and operation of the sewerage system and (3) pays

New Jersey State Library

said share, as hereinafter determined, to the commissioners not later than thirty days after the commissioners shall have sold the bonds, as provided in paragraph (e) of section five, for the purpose of financing any project. Any contracting municipality which does not file a declaration of intention with, or does not pay its share to, the commissioners in accordance with the foregoing provision, shall be subject to the provisions of paragraph (a) of this section but shall not be barred from filing a declaration of intention with regard to any subsequent project.

(c) The share of any contracting municipality filing such a declaration of intention shall be determined and apportioned, for purposes of computing the payment to be made to the commissioners as provided in paragraph (b) of this section, on the basis of its proportionate share of the cost and expense of such maintenance, repair and operation for the year next preceding the year of adoption of the bond resolution. The share of any contracting municipality filing such declaration of intention and making such payment shall thereafter be determined and apportioned in the same manner and mode of procedure by which its share of any other cost and expense of maintenance, repair and operation of the sewerage system was determined in and for any year prior to the adoption of the bond resolution under the terms of the original act and any contract between such contracting municipality and the commissioners made thereunder or for the purpose of the original act, and the share of such a contracting municipality shall be increased or decreased only if its proportionate share of any other cost and expense of maintenance, repair and operation of the sewerage system is increased or decreased (as the case may be) under the original act and any such contract between such contracting municipality and the commissioners made thereunder or for the purposes of the original act by reason of the amount of sewage actually delivered or discharged into the sewerage system.

The obligation of any contracting municipality to pay its share as stated in a declaration of intention and its obligation to pay any additional amount shall be enforceable in the same manner as any other obligation assumed by or imposed upon any contracting municipality by the original act or any contract made thereunder or for the purpose of the original act, or by this act.

(d) Any contracting municipality filing a written declaration of intention with the commissioners under the provisions of paragraph (b) of this section twelve may finance its share of the cost of the project by the issuance of notes, bonds or other obligations in the manner or mode of procedure provided by the local bond law constituting sections 40:1–1 to 40:1–88, inclusive, of the local bond law, but without regard to and notwithstanding any limitations on the amount or percentage of indebtedness which any municipality may incur under said local bond law or any other law of the State.

C. 58:14-34.21. Not to dispose of property, exemption from executions.

12. Neither the commissioners nor any municipality shall have power to mortgage, pledge, encumber or otherwise dispose of any part of the sewerage system, except that the commissioners may dispose of such part or parts thereof as may be no longer necessary for the purposes of the commissioners. The provisions of this section shall be deemed to constitute a part of the contract with the holder of any bonds. All property of the commissioners shall be exempt from levy and sale by virtue of an execution and no execution or other judicial process shall issue against the same nor shall any judgment against the commissioners be a charge or lien upon its property; *provided, however,* that nothing herein contained shall apply to or limit the rights of the holder of any bonds to pursue any remedy for the enforcement of any pledge or lien given by the commissioners on its system revenues or other moneys.

Proviso.

C. 58:14-34.22. Legal investments.

13. Notwithstanding any restriction contained in any other law, the State and all public officers, municipalities, counties, political subdivisions and

public bodies, and agencies thereof, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries, may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any bonds, and such bonds shall be authorized security for any and all public deposits.

C. 58:14-34.23. Sewerage system deemed public property, tax exempt.

14. The sewerage system and all other property of the commissioners are hereby declared to be public property of a political subdivision of the State and devoted to an essential public and governmental function and purpose and shall be exempt from all taxes and special assessments of the State or any subdivision thereof. All bonds are hereby declared to be issued by a political subdivision of this State and for an essential public and governmental purpose and to be a public instrumentality and such bonds, and the interest thereon and the income therefrom, and all funds, income, system revenues and other moneys pledged or available to pay or secure the payment of such bonds, or interest thereon, shall at all times be exempt from taxation except for estate and transfer inheritance taxes and taxes on transfers by or in contemplation of death.

C. 58:14-34.24. Pledge and covenant of the State.

15. The State of New Jersey does hereby pledge to and covenant and agree with the holders of any bonds that the State will not limit or alter the rights hereby vested in the commissioners to acquire, construct, maintain, reconstruct and operate the sewerage system and to fulfill the terms of any agreement made with the holders of such bonds or other obligations, and will not in any way impair the rights or remedies of such holders, and will not modify in any way the exemptions from taxation provided for in this act, until the bonds,

together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged.

C. 58:14-34.25. Powers granted additional.

16. The powers granted and duties imposed by this act are cumulative and are granted or imposed in addition to and not in substitution for existing powers or duties of the commissioners or any municipality, and are not subject to any limitation or restriction prescribed by any other laws.

C. 58:14-34.26. Constitutionality and severability of provisions.

17. If any section, subsection, clause or provision of this act shall be adjudged unconstitutional or to be ineffective in whole or in part, to the extent that it is not adjudged unconstitutional or is not ineffective it shall be valid and effective and no other section, subsection, clause or provision of this act shall on account thereof be deemed invalid or ineffective, and the inapplicability or invalidity of any section, subsection, clause or provisions of this act in any one or more instances or under any one or more circumstances shall not be taken to affect or prejudice in any way its applicability or validity in any other instance or under any other circumstance.

18. This act shall take effect immediately.

Approved August 14, 1953.

CHAPTER 389

A SUPPLEMENT to "An act relating to the establishment of sewerage districts in first- and second-class counties, the creation of Sanitary Sewer District Authorities by the establishing of such districts, prescribing the powers and duties of any such authority and of other public bodies in connection with the construction of sewers and sewage disposal facilities in any such district, and providing the ways and means for paying the costs of construction and operation thereof," approved April twenty-third, one thousand nine hundred and forty-six (P. L. 1946, c. 123).

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

C. 40:36A-23.1. Prohibits pollution, enforcement.

1. No sewage or other polluting matter shall be discharged, directly or indirectly, into the waters of any river or stream or into the waters of any of the tributaries of any such river or stream, included within the boundaries of any sewerage district established pursuant to the act to which this act is a supplement, and the Sanitary Sewer District Authority established for said district may enforce the provisions of this act and of the act to which this act is a supplement, over and throughout all municipalities which may, or the inhabitants of which may, directly or indirectly, discharge sewage or other polluting matters into said waters and said Authority may institute in its corporate name suits or proceedings in the nature of suits at law or proceedings in equity as may be deemed necessary or appropriate to enforce the provisions of this act, and of the act to which this act is a supplement, and any court of appropriate jurisdiction hereby is vested with special jurisdiction to enforce

said provisions in a summary manner upon application of the Authority.

2. This act shall not apply to any territory within the jurisdiction of the Passaic Valley Sewerage Commission. C. 40:36A-23.2. Act not to apply.

3. This act shall take effect immediately.

Approved August 14, 1953.

CHAPTER 390

A SUPPLEMENT to the "Local Housing Authorities Law," approved March eighth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 19).

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

1. Any person holding the office, position, or employment of secretary of a municipal housing authority and who is in the unclassified service of civil service, at the time this act becomes effective, in any municipal housing authority created under the provisions of the act to which this act is a supplement, and who has held or shall continue to hold said position continuously for five years from the date of his original appointment, shall not be removed from such position except for good cause shown after a fair and impartial trial, but shall hold his position during good behavior. C. 55:14A-6.3. Tenure granted.

2. This act shall take effect immediately.

Approved August 15, 1953.

CHAPTER 391

AN ACT concerning fees and costs in county district courts, amending sections 22A:2–37, 22A:2–38, 22A:2–40 and repealing section 22A:2–39 of the New Jersey Statutes.

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

Section amended.

1. Section 22A:2–37 of the New Jersey Statutes is amended to read as follows:

Fees, county district court.

22A:2–37. In all civil actions and proceedings in the county district court, the following fees shall be paid to the clerk:

Copy of proceedings or transcript of the same, per folio, twenty cents ($0.20).

Instituting action without process where the amount claimed does not exceed five hundred dollars ($500.00), five dollars ($5.00).

Instituting action without process where the amount claimed exceeds five hundred dollars ($500.00), six dollars ($6.00).

Filing a pleading stating a counterclaim, where the amount claimed does not exceed five hundred dollars ($500.00), four dollars ($4.00).

Filing a pleading stating a counterclaim, where the amount claimed exceeds five hundred dollars ($500.00), five dollars ($5.00).

Execution, or an order in the nature of execution, on a judgment, or execution against the body, for one defendant, two dollars fifty cents ($2.50).

Execution against the body, each additional defendant, one dollar ($1.00).

Copy of execution, or other order, in the nature of execution, fifty cents ($0.50).

Mileage of constable in serving any summons, executions or warrant against the body, the distance to be computed by counting the number of miles, in and out, by the most direct route from

the place where process is issued, for every mile, four cents ($0.04).

Summons, one defendant, where the amount does not exceed five hundred dollars ($500.00), four dollars sixty cents ($4.60). For each additional defendant, forty cents ($0.40).

Summons, one defendant, where the amount exceeds five hundred dollars ($500.00), five dollars sixty cents ($5.60). For each additional defendant, forty cents ($0.40).

In tenancy, one defendant, four dollars ten cents ($4.10). For each additional defendant, forty cents ($0.40).

In replevin, for service of summons, one defendant, where the amount or value of goods does not exceed five hundred dollars ($500.00), four dollars sixty cents ($4.60). For each additional defendant, forty cents ($0.40).

In replevin, for service of summons, one defendant, where the amount or value of goods exceeds five hundred dollars ($500.00), five dollars sixty cents ($5.60). For each additional defendant, forty cents ($0.40).

In replevin, where writ is served with summons, one defendant, where the amount or value of goods does not exceed five hundred dollars ($500.00), six dollars fifty cents ($6.50). For each additional defendant, forty cents ($0.40).

In replevin, where writ is served with summons, one defendant, where the amount or value of goods exceeds five hundred dollars ($500.00), seven dollars fifty cents ($7.50). For each additional defendant, forty cents ($0.40).

In replevin, where writ is issued subsequent to service of summons, four dollars fifty cents ($4.50).

Summons in third party complaints, one defendant, where the amount does not exceed five hundred dollars ($500.00), four dollars sixty cents ($4.60). For each additional defendant, forty cents ($0.40).

Summons in third party complaints, one defendant, where the amount exceeds five hundred

dollars ($500.00), five dollars sixty cents ($5.60). For each additional defendant, forty cents ($0.40).

Actions instituted by capias or warrant to arrest, one defendant, where the amount does not exceed five hundred dollars ($500.00), four dollars eighty-five cents ($4.85). For each additional defendant, one dollar ($1.00). Copy of warrant to arrest, fifty cents ($0.50).

Actions instituted by capias or warrant to arrest, one defendant, where the amount exceeds five hundred dollars ($500.00), five dollars eighty-five cents ($5.85). For each additional defendant, one dollar ($1.00). Copy of warrant to arrest, fifty cents ($0.50).

Certificate of judgment, one dollar ($1.00).

Jury of six men, eight dollars fifty cents ($8.50).

Jury of twelve men, fourteen dollars ($14.00).

Capias, warrant to arrest, or commitment, one defendant, three dollars thirty-five cents ($3.35). For each additional defendant, one dollar ($1.00).

Warrant for possession in tenancy, four dollars ($4.00).

Writ of attachment, where the amount does not exceed five hundred dollars ($500.00), five dollars eighty-five cents ($5.85).

Writ of attachment, where the amount exceeds five hundred dollars ($500.00), six dollars eighty-five cents ($6.85).

Certifying statement of judgment for docketing in the Superior or County Court, one dollar ($1.00).

Certifying statement of judgment on mechanic's lien for docketing, one dollar ($1.00).

Restoring case marked not moved, one dollar ($1.00).

Vacating default, one dollar ($1.00).

Except as specifically provided for herein, there shall be no charge for any order up until the time of final judgment. After final judgment orders for warrants, orders to show cause, discovery or any other order not specifically provided for herein the clerk shall charge the sum of one dollar ($1.00).

Section amended.

2. Section 22A:2–38 of the New Jersey Statutes is amended to read as follows:

Fees payable to constables and sergeants-at-arms.

22A:2–38. From the fees mentioned in section 22A:2–37 of this Title, the clerk of the county district court shall pay to constables or sergeants-at-arms the following fees:

Serving summons on one defendant, sixty cents ($0.60).

Serving summons on every additional defendant, thirty cents ($0.30).

Warrant to arrest, capias, or commitment, for each defendant served, seventy-five cents ($0.75).

Serving writ and summons in replevin, taking bond and any inventory, against one defendant, two dollars fifty cents ($2.50). Against each additional defendant, thirty cents ($0.30).

Serving writ in replevin when issued subsequent to service of summons, one dollar fifty cents ($1.50).

Every execution, or any order in the nature of an execution on a judgment or execution against the body, for each defendant, seventy-five cents ($0.75).

Writ of attachment and making inventory, one dollar eighty-five cents ($1.85).

Warrant for possession, two dollars ($2.00).

For every mile of travel in serving any summons or capias against the body, execution, subpœna, notice or order, the distance to be computed by counting the number of miles in and out, by the most direct route from the place where process is issued, four cents ($0.04).

In addition to the foregoing, the following fees for constables and sergeants-at-arms shall be taxed in the costs and collected on execution, writ of attachment or order in the nature of an execution on any final judgment, or on a valid and subsisting levy of an execution or attachment which may be the effective cause in producing payment or settlement of a judgment or attachment.

For advertising property under execution or any order, thirty-five cents ($0.35).

For selling property under execution or any order, fifty cents ($0.50).

On every dollar of the first five hundred dollars ($500.00) collected on execution, writ of attachment or any order, ten cents ($0.10), and on every dollar of any amount in excess thereof, two cents ($0.02).

Section amended.

3. Section 22A:2–40 of the New Jersey Statutes is amended to read as follows:

Jury fees paid to treasurer.

22A:2–40. All jury fees received by the clerks of county district courts shall be credited upon receipt to the county treasurer and paid over as provided by law for other fees received by the clerk for the credit of the county treasurer.

Section repealed.

4. Section 22A:2–39 of the New Jersey Statutes is hereby repealed.

Note: Act effective.

5. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved August 15, 1953.

CHAPTER 392

AN ACT concerning the sale and distribution of goods, wares, publications or other articles in certain cases, and supplementing chapter one hundred seventy of Title 2A of the New Jersey Statutes.

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

C. 2A:115-3.1. A disorderly person.

1. Any person, firm or corporation, or any agent, officer or employee thereof, engaged in the business of distributing goods, wares, publications or other articles of any kind whatsoever to retail dealers, who shall refuse to furnish to any retail dealer such quantity of goods, wares, publications or other articles sought to be purchased by said retail dealer,

because said retail dealer refuses to purchase or accept delivery of lewd, lascivious or obscene publications or material is a disorderly person.

2. This act shall take effect immediately.

Approved September 14, 1953.

CHAPTER 393

AN ACT to amend "An act concerning the retirement and pensioning of certain persons holding office, position or employment in boroughs," approved May twenty-eighth, one thousand nine hundred and forty-nine (P. L. 1949, c. 262).

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

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

1. Whenever any person holding office, position or employment in any borough has or shall have been continuously in office, position or employed in such borough, or in such borough and a municipality from which it was created, whether elective or appointive or both elective and appointive, for a period of twenty-five years, and has or shall have attained the age of sixty-five years, the governing body of such borough may allow the retirement of such person from service, upon his application. C. 43:12-63. Retirement upon application.

2. This act shall take effect immediately.

Approved September 14, 1953.

CHAPTER 394

AN ACT providing for the transfer of actions from the Superior Court and the County Courts to the county district courts, in certain cases.

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

C. 2A:15-47.1. Provides for transfer of actions to county district courts.

1. When any civil action is pending in the Superior Court, Law Division, or in the Law Division of any County Court, and the matter is one within the jurisdiction of the county district court, the assignment judge of the Superior Court or the county judge, for or of the county wherein the venue of said action is laid or said action is pending, may, at any time before the final disposition of the action, order the transfer of said action to the county district court of said county; *provided,* all of the parties to the said action are residents of the county. Upon the filing with the clerk of the said county district court of a certified copy of such order, the county district court shall have jurisdiction of such action to the same effect as though said action had been commenced in said county district court. The practice and procedure for such transfers shall be according to the Rules of the Supreme Court governing Practice and Procedure in the Superior Court, County Courts and county district courts, in civil causes.

Proviso.

2. This act shall take effect immediately.

Approved September 14, 1953.

CHAPTER 395

AN ACT concerning counties, and supplementing Title 40 of the Revised Statutes.

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

1. Any county may enter into a contract with any person, firm or corporation for the supplying of fuel for heating purposes for any term not exceeding two years, subject to the provisions of chapter twenty-five of Title 40 of the Revised Statutes. C. 40:25-1.1. Fuel contracts, limitation.

2. This act shall take effect immediately.

Approved September 14, 1953.

CHAPTER 396

AN ACT concerning municipal courts, and amending section 2A:8–1 of the New Jersey Statutes.

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

1. Section 2A:8–1 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:8–1. Any municipality, or any two or more municipalities entering into an intermunicipal agreement as hereinafter provided, may, by ordinance or ordinances, establish a municipal court and determine upon the name thereof. The name of any municipal court so established shall be the "municipal court of (insert name of municipality or where there are two or more municipalities, insert name of municipalities or a name descriptive of the municipalities with respect to their location in the county, as shall be specified in the ordinances Joint municipal courts, name.

adopted by said municipalities).'' The name of any municipal court, established by two or more municipalities, may be changed after its establishment, to accord with the provisions of this act, by ordinances adopted by all of them.

2. This act shall take effect immediately.

Approved September 14, 1953.

CHAPTER 397

AN ACT concerning State Employees' Retirement System of New Jersey, and supplementing chapter fourteen of Title 43 of the Revised Statutes.

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

C. 43:14-71. To enroll employees of certain interstate commissions.

1. The board of trustees of the State Employees' Retirement System is hereby authorized and directed to enroll in the State employees' retirement system employees of the Palisades Interstate Park Commission, Interstate Sanitation Commission and the Delaware River Joint Toll Bridge Commission, who consent and file application for membership in the said retirement system.

In the case of the Delaware River Joint Toll Bridge Commission, the employees shall be only those who are employed on the free bridges across the Delaware river, under the control of said commission.

Upon such enrollment, the said employees shall be subject to the same contribution and benefit provisions of the retirement system as State employees.

2. This act shall take effect immediately.

Approved September 14, 1953.

CHAPTER 398

AN ACT concerning the carrying of concealed weapons, and amending section 2A:151–43 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:151–43 of the New Jersey Statutes is amended to read as follows:

Carry concealed weapons, persons excepted.

2A:151–43. Section 2A:151–41 of this Title does not apply to:

a. The United States Marshal or his deputies;

b. Members of the Armed Forces of the United States or of the national guard when on duty;

c. Any sheriff, undersheriff, deputy sheriff, county prosecutor, assistant prosecutor or prosecutor's detective;

d. The regularly employed members, including detectives, of the police department of any municipality at all times, while within the State of New Jersey, or any special policeman appointed by the governing body of any municipality while engaged in the actual performance of his official duties;

e. Any member of the State Police, or any motor vehicle inspector or State detective;

f. Any jailer, constable, railway police, canal or steamboat police, or any other peace officer, when in discharge of his duties;

g. The fish and game commissioners, or the regular fish and game wardens;

h. Any prison or jail wardens or their deputies, or any guard or keeper of any penal institution in this State, while engaged in the actual performance of the duties of their positions and when so required by their superior officers to carry firearms;

i. Any court attendant serving as such under appointment by the sheriff of the county or by the judge of or magistrate of any court of this State;

j. Any member of a legally organized detective agency;

k. Any guard in the employ of any railway express company, banking or building and loan or savings and loan institution of this State;

l. Any officer of the society for the prevention of cruelty to animals;

m. Any duly authorized military organization when under orders, or any member thereof when going to or from the place of meeting of the organization, carrying the weapons prescribed for drill, exercise or parade;

n. Persons having a hunter's license in going to or from places of hunting;

o. Members of government civilian rifle clubs duly organized in accordance with the rules prescribed by the national board for the promotion of rifle practice, in going to or from their several places of target practice and carrying weapons necessary for such practice;

p. The director, deputy directors, inspectors and investigators of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety;

q. Public utility corporations in the transportation of explosives; or

r. Any civil employee of the United States Government under the supervision of the commanding officer of any post, camp, station, base or other military or naval installation located within this State who is required, in the performance of his official duties, to carry firearms, and who is authorized to carry such firearms by said commanding officer, while such civil employee is engaged in the actual performance of his official duties.

2. This act shall take effect immediately.

Approved September 14, 1953.

CHAPTER 399

AN ACT concerning county bridge commissions, and supplementing article two of chapter nineteen of Title 27 of the Revised Statutes.

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

C. 27:19-36.2. Authorized to lease, lend, grant, etc., real property to county bridge commission, approval.

1. Any public department, agency or commission of the State of New Jersey, notwithstanding any other law, is hereby authorized and empowered to lease, lend, grant or convey to a county bridge commission at its request, with the approval of the State House Commission and upon such terms and conditions as the State House Commission may deem reasonable and fair, and without the necessity for any advertisement, order of court or other action or formality, other than the regular and formal action of the authorities concerned, any real property which may be necessary or convenient to the effectuation of the authorized purposes of such county bridge commission, including public roads and other real property already devoted to public use; to the extent, however, that such real property may, in the judgment of the authorities concerned, and subject to the approval of the State House Commission, be required by the county bridge commission for the erection of toll booths.

2. This act shall take effect immediately.

Approved September 16, 1953.

CHAPTER 400

AN ACT concerning motor vehicles and traffic regulations in relation to certain parks, and supplementing subtitle one of Title 39 of the Revised Statutes.

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

C. 39:5A-4. Application of subtitle.

1. The provisions of subtitle one of Title 39 of the Revised Statutes shall be applicable to the semi-public or private roads, streets, driveways, trails, terraces, bridle paths, parkways or other roadways open to or used by the public for purposes of vehicular traffic, either as a matter of right or otherwise, within any park maintained in whole or in part by any municipality.

2. This act shall take effect immediately.

Approved September 16, 1953.

CHAPTER 401

AN ACT concerning education and granting tenure in office to district clerks of boards of education in certain cases.

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

C. 18:5-51.3. Tenure granted.

1. Any person who has acquired, or shall hereafter acquire, tenure in any secretarial or clerical office, position or employment under the board of education of a school district, and who has been or shall hereafter be appointed district clerk or secretary of said school district shall have tenure in and shall hold said office, position or employment

as secretary and may not be removed therefrom except in accordance with the procedure set forth in section 18:5–51 of the Revised Statutes.

2. This act shall take effect immediately.

Approved September 16, 1953.

CHAPTER 402

AN ACT concerning hunting on Sunday in certain cases, and amending section 23:4–24 of the Revised Statutes.

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

1. Section 23:4–24 of the Revised Statutes is amended to read as follows: Section amended.

23:4–24. No person shall hunt with a hound or with firearms or weapons of any kind, or carry a gun in the woods or fields or on the waters on Sunday, under a penalty of twenty dollars ($20.00) for each offense. This section shall not prevent farm land owners, lessees actually occupying or farming the land, members of their immediate families, or their farm employees from hunting and destroying at any time and in any manner crows, woodchuck, fox and vermin on that land. Prohibits hunting on Sunday, exception.

2. This act shall take effect immediately.

Approved September 16, 1953.

CHAPTER 403

AN ACT to authorize any municipality to waive, release or modify any covenants, conditions or limitations as to the erection of buildings or any other use to be made of land imposed in sales and conveyances of lands by said municipality, and supplementing article two of chapter sixty of Title 40 of the Revised Statutes.

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

C. 40:60-51.5. May waive release or modify conditions on erection of buildings.

1. Any municipality is authorized and empowered, by resolution of the governing body thereof, to waive, release or modify any covenants, conditions or limitations as to the erection of buildings or any other use to be made of land heretofore imposed by said municipality in sales and conveyances of land by such municipality at public or private sale made prior to the effective date of this act, but only after public hearing held before such governing body, of the holding of which notice describing the lands in question and the covenants, conditions or limitations to be waived, released or modified and, if to be modified, describing the manner in which the same shall be modified, shall first have been given by advertisement published once each week for two weeks in a newspaper published in said municipality or, if no newspaper be published therein, then in a newspaper circulating in such municipality; *provided, however,* that the power herein granted shall not be exercised to impair any vested or contractual rights of third parties.

Proviso.

2. This act shall take effect immediately.

Approved September 16, 1953.

CHAPTER 404

AN ACT to amend the "Private Detective Act of 1939," approved November eighteenth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 369).

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

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

12. No person licensed under the provisions of this act, or the officers, directors, employees, operators or agents thereof, shall wear, carry or accept any badge or shield purporting to indicate that such person is a private detective or investigator or connected with the private detective business, but any such person, officer, director, employee, operator or agent, who is acting as a guard or performs any special service, may, while in uniform, and while on the premises of the employer of the licensee where he is so acting, wear a badge or shield inscribed with the name of the license holder, number, and the word "Guard" or "Special Service." Any person violating the provisions of this section shall be guilty of a misdemeanor. C. 45:19-19. Regulates wearing of certain badges.

2. This act shall take effect immediately.

Approved September 16, 1953.

CHAPTER 405

AN ACT concerning the county district courts, and amending section 2A:18–4 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:18–4 of the New Jersey Statutes is amended to read as follows:

Appeals to Superior Court.

2A:18–4. In civil actions or proceedings appeals may be taken from final judgments or determinations of the county district courts to the appellate division of the Superior Court.

2. This act shall take effect immediately.

Approved September 16, 1953.

CHAPTER 406

AN ACT concerning the compensation of certain court attendants, and amending section 2A:11–36 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:11–36 of the New Jersey Statutes is amended to read as follows:

Salary, court attendants.

2A:11–36. In each county having a population between one hundred and seventy-five thousand inhabitants and three hundred thousand inhabitants, according to the 1940 Federal census, the court attendants attending the Law Division of the Superior Court, the County Court and criminal ju-

dicial district court, shall receive and be paid monthly, by the county treasurer of the county, in lieu of all fees, an annual salary, to be fixed by the sheriff, with the approval of the board of chosen freeholders, as follows: For the first year of service, not less than two thousand dollars ($2,000.00) nor more than two thousand four hundred dollars ($2,400.00); for the second year of service, not less than two thousand one hundred dollars ($2,100.00) nor more than two thousand six hundred dollars ($2,600.00); for the third year of service, not less than two thousand two hundred dollars ($2,200.00) nor more than two thousand eight hundred dollars ($2,800.00); for the fourth year of service, not less than two thousand three hundred dollars ($2,300.00) nor more than three thousand dollars ($3,000.00); for the fifth year of service, not less than two thousand four hundred dollars ($2,400.00) nor more than three thousand two hundred dollars ($3,200.00); for the sixth year of service, not less than two thousand five hundred dollars ($2,500.00) nor more than three thousand four hundred dollars ($3,400.00); for the seventh year of service, not less than two thousand six hundred dollars ($2,600.00) nor more than four thousand dollars ($4,000.00); for the eighth year of service, not less than two thousand seven hundred dollars ($2,700.00) nor more than four thousand dollars ($4,000.00); for the ninth and each succeeding year of service, not less than two thousand eight hundred dollars ($2,800.00) nor more than four thousand dollars ($4,000.00).

From and after January first, one thousand nine hundred and fifty-two, in each county having a population between three hundred thousand and six hundred thousand inhabitants, according to the 1940 Federal census, the court attendants attached or assigned to the Superior Court, the County Court, the Juvenile and Domestic Relations Court and the criminal judicial district court, and to the various bureaus and departments in the office of the sheriff of the county, shall receive and be paid

semimonthly by the county treasurer of the county, in lieu of all fees, compensation as follows: two thousand four hundred dollars ($2,400.00) for the first year of service; two thousand six hundred dollars ($2,600.00) for the second year of service; two thousand eight hundred dollars ($2,800.00) for the third year of service; three thousand dollars ($3,000.00) for the fourth year of service; three thousand two hundred dollars ($3,200.00) for the fifth year of service; three thousand four hundred dollars ($3,400.00) for the sixth and each succeeding year of service. Such maximum compensation may be increased by resolution of the board of chosen freeholders of the county wherein said court attendants are employed respectively.

This section shall not be construed as reducing the annual compensation which any court attendant was receiving on June second, one thousand nine hundred and forty-seven.

In all cases where any court attendant has already been serving, the time served shall be considered in fixing the salary to be paid to each court attendant respectively.

2. This act shall take effect immediately.

Approved September 16, 1953.

CHAPTER 407

AN ACT to validate acknowledgments or proofs of certain deeds or mortgages.

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

Validates acknowledgments to certain deeds.

1. All acknowledgments or proofs of deeds or mortgages, heretofore made or taken, including acknowledgments made by attorneys in fact, shall, if otherwise valid, be good and sufficient in law and equity, for all purposes whatsoever, notwithstanding any imperfection in said acknowledgments or proofs; *provided, however,* that all such deeds or mortgages shall have been duly recorded for a period of at least five years in the proper recording office; *and provided further,* that no actions or proceedings shall have heretofore been instituted in any court in respect to the validity of any such deed, mortgage, acknowledgment or proof.

2. This act shall take effect immediately.

Approved September 16, 1953.

CHAPTER 408

AN ACT validating certain final decrees or judgments for foreclosure of tax sale certificates and providing for the release of the conditions upon which such tax sale certificates were assigned.

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

Validates decrees foreclosing tax sale certificates.

1. Any final decree or judgment for foreclosure of a tax sale certificate assigned, pursuant to "An act relating to the sale by municipalities of certificates of tax sale including subsequent municipal liens held by such municipalities," approved April eighth, one thousand nine hundred and forty-three (P. L. 1943, c. 149), shall be validated and confirmed and any condition upon which such assignment was made shall be released, notwithstanding that such final decree or judgment was not filed or recorded within two years from the date of the confirmation of the sale of such tax sale certificate, or within any time limited by any extension or extensions thereof theretofore granted, if proceedings to foreclose resulting in such final decree or judgment were begun within said period of two years or such extension or extensions thereof and the governing body of the municipality, by which such assignment was made, shall, pursuant to resolution, release such condition within six months after the effective date of this act; *provided,* that such final decree or judgment has been duly recorded not later than six months after the resolution releasing such condition is adopted by said governing body.

2. This act shall take effect immediately.

Approved September 16, 1953.

CHAPTER 409

AN ACT concerning education, and amending sections 18:4–7, 18:5–3, 18:7–12, 18:7–18, 18:7–20, 18:7–27, 18:7–30, 18:7–31, 18:7–32, 18:7–35, 18:7–36, 18:7–44, 18:7–45, 18:7–47, 18:7–55 and 18:7–69 of the Revised Statutes.

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

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

18:4–7. A county superintendent of schools may: Powers, county superintendent of schools.

a. Administer, without charge, oaths to teachers and school officers;

b. Issue orders on the county treasurer in favor of the custodian of the school moneys of the several school districts in the county for that portion of the State school tax, the State appropriation and the interest of the surplus revenue, to which each of such school districts is entitled;

c. Exercise general supervision over the public schools of the county under his charge in accordance with the rules and regulations prescribed from time to time by the State Board;

Visit and examine all the schools under his care;

Inquire into the management, methods of instruction, and discipline in such schools;

Note the condition of the schoolhouses, sites, buildings, and appurtenances;

Examine the courses of study, textbooks, and school libraries;

Advise with and counsel boards of education in relation to their duties, particularly in respect to the construction, heating, ventilating, and lighting of schoolhouses;

Recommend to boards of education and teachers proper studies, methods, discipline and management for schools;

d. Appoint members of the board of education for a new township, incorporated town, or borough school district and for any school district under his supervision which shall fail to elect members at the regular time or in case of a vacancy in the membership of the board of education which occurs by reason of the removal of a member for failure to have the qualifications required by section 18:7–11 of the Revised Statutes or as the result of a recount or contested election or which is not filled within sixty-five days of the occurrence of the vacancy. Such appointees shall serve only until the organization meeting of the board of education after the next election in the district for members of the board of education.

Section amended.

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

Election to create separate districts.

18:5–3. Upon receipt of a resolution passed by the governing body of any one of the municipalities constituting a single school district under section 18:5–2 of this Title, the board of education of such school district shall at once, in accordance with the request contained in the resolution, appoint a day and hour for the election, which day shall not be more than forty-five days from the receipt of the resolution, and designate a polling place therefor in the municipality requesting the election.

The election shall be held on the day fixed and at the place designated and between the hours fixed by law for the holding of other school elections and shall be by ballot. Such election shall be called and shall be conducted in the same manner as, and the question shall be submitted in the form prescribed by, the provisions of law regulating special school elections in school districts governed under chapter seven of this Title and the qualifications of voters eligible to vote at such election shall be the same as those provided for such special school elections.

The tally sheet, poll list and ballots shall be placed in a sealed package by the secretary, indorsed with the name of the municipality, the name

of the county, and the date of the election. The package together with a statement of the result of the election signed by the chairman and secretary shall within five days after the election be forwarded by the chairman to the county superintendent of schools of the county in which the municipality is situated, who shall preserve the same for one year.

If the county superintendent of schools shall ascertain from the statement received by him that the number of votes cast at the election in favor of constituting the municipality a separate school district exceeds the number of votes cast against the proposition, he shall immediately notify the board of education of the result of the election, and thereafter the municipality shall be a separate school district.

Section amended.

3. Section 18:7–12 of the Revised Statutes is amended to read as follows:

Oath of board members.

18:7–12. A member of a board shall, before entering upon the duties of his office, take and subscribe an oath, before an officer authorized to administer oaths, that he possesses the qualifications prescribed in section 18:7–11 of this Title, and the oath prescribed by section 41:1–3 of the Revised Statutes. The oaths shall be filed with the secretary.

Section amended.

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

Additional polling places, basis.

18:7–18. Whenever at two consecutive annual school elections there shall be more than five hundred ballots cast, the board shall provide an additional polling place for each five hundred ballots cast or part thereof, and shall so divide the district that as near an equal number of voters as may be possible shall be eligible to vote in the respective polling places provided.

Whenever at two consecutive annual elections there shall be less than five hundred votes cast in the district, the board may provide but one polling place for the district so long as the number of votes cast in the entire district at two consecutive

annual school elections shall not exceed five hundred.

Section amended.

5. Section 18:7–20 of the Revised Statutes is amended to read as follows:

Equipping polling places.

18:7–20. The secretary shall furnish the proper equipment for polling places. The equipment shall consist of tables, booths, chairs, lights, and all other things which may be considered necessary for the performance of the duties of the election officers. The booths shall be sufficiently large to enable the voter to conveniently prepare his ballot and shall have swinging doors or curtains so arranged that some part of the person of the voters standing in the booths may be seen from the outside thereof when the doors or curtains are closed. Each booth shall contain a counter or shelf suitably placed to enable voters to place their ballots thereon while preparing the same for voting. The equipment shall be ready and properly erected in ample time for the holding of the election. At least one booth shall be provided for each one hundred votes or major fraction thereof cast at the preceding annual election; *provided, however,* that not less than two booths shall be installed at each polling place. The ballot box shall be at least one foot in depth, width, and length, constructed of wood, metal, or glass, with a properly slitted hinged top which shall be kept locked during the time the polls are open.

The ballot box shall be within the polling room or place and so placed that the voter shall be able to deliver his ballot to the election officer after emerging from the booth and before leaving the room or place within which the booths and ballot box are placed.

Section amended.

6. Section 18:7–27 of the Revised Statutes is amended to read as follows:

Qualifications of voters.

18:7–27. Every citizen of the United States of the age of twenty-one years, who shall have been a resident of the State one year and of the county in which he claims his vote five months next before the election, and whose name appears on the signa-

ture copy register shall be entitled to vote at any annual or special school election.

No person shall be permitted to vote at any school election unless his name appears on the signature copy register mentioned in section 18:7–28 of this Title, as having been registered to vote, and for the purpose of said school election no person shall be entitled to vote unless he shall be registered at least forty days prior to the date of said school election.

Section amended.

7. Section 18:7–30 of the Revised Statutes is amended to read as follows:

Specifications for ballot.

18:7–30. All elections for members of the board shall be by ballot. Each ballot shall have at the top thereof a coupon at least one inch deep extending across the ballot above a perforated line. The coupons shall be numbered consecutively from one to the number of ballots prepared for use in such election district. Upon the coupon and above the perforated line shall be the words "To be torn off by the judge of election" and "Fold to this line." Below the perforated line shall be printed the words "School Election Ballot" and below which and extending across the ballot in one or more lines shall be the name of the municipality or municipalities comprising the district, the date of the election, and if the district is divided into two or more polling places, the number, name or other mark or designation to distinguish the polling place, and the printed facsimile signature of the secretary. The heading shall be set apart from the body of the ballot by a heavy diagram rule. Below this rule shall be printed the following directions instructing the voter how to indicate his choice for the person for whom he may desire to vote and stating the maximum number of candidates he may vote for: "To vote for any person whose name appears on this ballot mark a cross (×) or (+) or check (√) mark with black ink or black 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 and mark a cross (×) or plus (+) or check (√) mark with black ink or black lead pencil in the space or square at the left of the name of such person. Do not vote for more candidates than are to be elected." Below these instructions shall be printed a heavy diagram rule below which shall be printed such directions to the voter as may be necessary as "Vote for one," or "Vote for two," or a greater number, as the case may be, immediately after which shall be printed the names of the candidates duly nominated by petition as they appear signed to the certificate of acceptance in the order prescribed by law, but no candidate who has failed to file a certificate of acceptance shall have his name printed upon the ballot. The grouping of two or more candidates upon any ballot to be used for the election of members of the board is hereby prohibited. The same size and style of type shall be used in printing the name of each candidate and between the name of each candidate shall be printed a heavy diagram rule and the space between each of the rules shall be exactly equal. Immediately after the space allotted to the names of candidates there shall be as many ruled blank spaces as there are members to be voted for. Immediately to the left and on the same line with the name of each candidate and blank space there shall be printed a square the same size of type in which the name of the candidate is printed, which type shall, in no case, be larger than twenty-four point. In case a member of a board is to be elected for a full term, and a member is to be elected to fill an unexpired term, the ballots shall designate which of the persons to be voted for is to be elected for the full term and which for the unexpired term.

8. Section 18:7–31 of the Revised Statutes is amended to read as follows: Section amended.

18:7–31. The following is an illustration of the form of ballot: Form of ballot.

No.....

To be torn off by the Judge of Election

Fold to this line.

SCHOOL ELECTION BALLOT

Township of Webster

February 14, 1922

Polling District No. 1 JOHN HENRY DOE, *Secretary.*

Main Street School

To vote for any person whose name appears on this ballot mark a cross (×) or plus (+) or check (√) mark with black ink or black pencil in the place 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 and mark a cross (×) or plus (+) or check (√) mark with black ink or black lead pencil in the space or square at the left of the name of such person. Do not vote for more candidates than are to be elected.

For Membership to Board of Education, Full Term. *Vote for three.*

☐ RUTHERFORD B. FALLON

☐ WILLIAM F. SEIBEL

☐ JAMES A. STEPHENS

☐ THOMAS TEMPLETON

☐

☐

☐

For Membership to Board of Education, Unexpired Two-Year Term. *Vote for one.*

☐ HENRY JONES

☐ JOHN SMITH

☐

For Membership to Board of Education, Unexpired One-Year Term. *Vote for one.*

☐ FRANCIS R. LOORI

☐ ARTHUR H. PATTERSON

☐

using as much of the said form as may be applicable to the current school board election and extending the same to provide for cases not herein specified.

9. Section 18:7–32 of the Revised Statutes is amended to read as follows: Section amended.

18:7–32. All questions to be voted upon at the annual school election or any other proposition or question that may be required shall be placed upon the official ballot immediately following the names of the candidates for election to the board of education in the following form: Questions on ballot.

———	Yes. —— No.	(Question to be voted on.)

If the voter makes a cross (×) or plus (+) or check (√) mark in black ink or black pencil in the square to the left of and opposite the word "Yes," it shall be counted as a vote in favor of the proposition.

If the voter makes a cross (×) or plus (+) or check (√) mark in black ink or black pencil in the square to the left of and opposite the word "No," it shall be counted as a vote against the proposition. In case no marks are made in the square to the left of and opposite either the word "Yes" or "No," it shall not be counted as a vote either for or against the proposition.

10. Section 18:7–35 of the Revised Statutes is amended to read as follows: Section amended.

18:7–35. The board shall make public proclamation through a board member or other person qualified to vote in the school district designated by the president of said board of the opening of the election. A chairman who shall also be judge of elections, a secretary, and two tellers shall be appointed, and assistant tellers not to exceed in number one for every two signature copy registers used in the polling district may be appointed, by the board of education at the regular January meeting of the board from the qualified voters of the district other than regularly nominated candidates, board members, or employees and they shall Opening of election, challengers.

be notified accordingly. The chairman, secretary and two tellers shall hold office until the next regular January meeting of the board. In case of any vacancy in such offices at the time of the opening of the election, the person authorized to open the election shall appoint from among those present to fill the vacancy. Thereupon the election shall be open and the balloting shall continue without recess in accordance with the instructions printed upon the ballot and the provisions of this article until the hour of closing has arrived. In any district having a population of one thousand or less as determined by the last published census, the board of education may pay each such election officer a compensation not to exceed five dollars ($5.00) and in any district having a population of more than one thousand as so determined, the board of education may pay each such election officer a compensation not to exceed ten dollars ($10.00).

Each candidate nominated by petition may act as a challenger and may appoint also one challenger for each polling district in which he is to be voted for. The appointment of challengers shall be in writing under the hand of the person making the same and shall specify the names and addresses of the challengers and the polling district for which they are severally appointed. The appointment of the challengers shall be filed with the secretary of the board not later than five days preceding the annual election. No person shall be appointed challenger who is not a legal voter of the school district and no challenger shall serve in any polling district other than that to which he is appointed. The secretary of the board shall certify such appointed challengers, and such certification shall be submitted by the challengers to the election officials of the respective polling districts to which they are assigned. Each challenger shall wear a mark of identification as a challenger which shall be furnished to him by the secretary of the board. The challengers shall have power to challenge the right

to vote therein of any person claiming such right at any time before the person's ballot shall have been deposited in the ballot box and shall have the right to ask all necessary questions to determine this right. They may be present while the votes cast at any election are being counted, may stand where they can see the markings on the ballots, provided they do not interfere with the orderly counting of the votes, and shall have the right to challenge the counting or rejecting of any ballot or any part of a ballot. The election officers are authorized to maintain order in the polling place and to require to leave the polling room all persons other than challengers, candidates, and persons in the process of voting, and to prohibit electioneering in the building in which the election is being conducted. Any person interfering with the orderly conduct of the election shall be guilty of a misdemeanor and shall be punishable by a fine not exceeding five hundred dollars ($500.00), or by imprisonment not exceeding one year, or both.

Section amended.

11. Section 18:7–36 of the Revised Statutes is amended to read as follows:

Voting procedure, penalty for violation.

18:7–36. In all school districts after the election officers shall have ascertained that a voter is properly registered and qualified to vote, the election officers shall furnish to the voter one official ballot numbered to correspond with the poll number of the voter, allowing for spoiled ballots, if any.

No ballot shall be handed to a voter until there is a booth ready for occupancy and until the voter shall have signed the poll list. The election officers shall not allow a voter to mark his ballot outside of an election booth unless the voter is unable to enter the booth by reason of his physical disability.

The election officers shall instruct the voter how to fold the ballot and shall crease the ballot so as to indicate the point where the voter shall fold the ballot, but before handing the ballot to the voter the election officer shall see that the face of the ballot including the coupon is exposed, and at the same time shall call off the ballot number to the

official having charge of the polling book, who shall make certain that the ballot number and poll number agree, allowing for spoiled ballots, if any.

If the number of the ballot does not follow consecutively the missing number or numbers shall be written on a blank sheet of paper signed by the election officers and placed on the string with the coupons in its or their proper place or places.

Every voter to whom a ballot is given shall thereupon retire into the polling booth. Not more than one voter shall be permitted to enter or be in the same booth at one time. The voter shall prepare his ballot in the booth secretly and screened from the observation of others.

Any person or voter who shall violate the provisions of this section shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars ($500.00), or by imprisonment not exceeding one year or both at the discretion of the court.

Section amended.

12. Section 18:7–44 of the Revised Statutes is amended to read as follows:

Ballots, tally sheets, etc., forwarded to superintendent.

18:7–44. At an annual or special election of the legal voters of a district held at a single polling place, the tally sheet, poll list and ballots shall be placed by the secretary in a sealed package indorsed with the name of the district, the name of the county in which the district is situated, and the date on which the election was held. Such package, together with a statement of the result of the election, signed by the chairman and secretary, shall be delivered forthwith by the chairman to the secretary of the board who shall add to the statement the result of the canvass of the military service ballots as certified to him, if any, shall forward the statement and package to the county superintendent of schools within five days after the date of the election, and the same shall be preserved for one year. The unused ballots shall be delivered to the secretary of the board.

13. Section 18:7–45 of the Revised Statutes is amended to read as follows: Section amended.

18:7–45. At an annual or special election of the legal voters of the district held at two or more polling places, the tally sheet, poll list, and ballots shall be placed by the secretary of each election in a sealed package indorsed with the address of the polling place and the date on which the election was held, and the chairman shall deliver the same immediately to the secretary of the board, together with a statement of the result of the election, signed by the chairman and secretary. Thereupon the secretary of the board shall add to the statement the canvass of the military service ballots as certified to him, if any, and shall announce the result of the election and shall immediately combine the reports from all polling places, and within five days after the date of the election, forward a sealed package containing the ballots, poll lists, and tally sheets to the county superintendent of schools who shall preserve them for one year. Statement of canvass.

14. Section 18:7–47 of the Revised Statutes is amended to read as follows: Section amended.

18:7–47. The form of ballot and the manner of expressing the voter's vote at a special election to authorize the board to issue bonds or other evidences of indebtedness under sections 18:7–85 to 18:7–99 of this Title shall be the same as is required for the submission of public questions at annual school elections pursuant to section 18:7–32 of the Revised Statutes. Form of ballot at special election.

15. Section 18:7–55 of the Revised Statutes is amended to read as follows: Section amended.

18:7–55. The board may fill a vacancy in its membership except as provided in section 18:7–51 of this Title and except a vacancy caused by a failure to elect, or by removal of a member for failure to have the qualifications required by section 18:7–11 of the Revised Statutes or as the result of a recount or contested election or one which is not filled within sixty-five days after the occurrence of the vacancy. The person so appointed shall Filling vacancy in board.

serve only until the organization meeting of the board after the next election for members.

Section amended.

16. Section 18:7–69 of the Revised Statutes is amended to read as follows:

Duties of secretary.

18:7–69. A secretary appointed under the title of district clerk or a secretary appointed as provided in section 18:7–68 of this Title, shall have all of the powers and perform all of the duties provided by law to be exercised or performed by a district clerk including the following:

a. Record in a suitable book all proceedings of the board and of the annual and special school meetings;

b. Pay out by orders on the custodian of school moneys and in the manner prescribed by law all school moneys of the district;

c. Keep a correct and detailed account of all the expenditures of school moneys in the district;

d. Report to the board at each regular meeting:

1. The amount of the total appropriations and the cash receipts for each account;

2. The amount for which warrants have been drawn and the amount of orders for all contractual obligations since the date of his last report;

3. The accounts against which the warrants have been drawn and the accounts against which the contractual obligations are chargeable; and

4. The cash balance and free balance to the credit of each account;

f. Post notices of the annual and of any special elections of the legal voters, and insert in the notices the object or objects for which the election is called;

g. Notify all members of the board of all regular and special meetings of the board;

h. During the month of July in each year, present to the board a detailed report of its financial transactions 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 secretary at the close of the school year shall not be delivered to him until written notice has been received from the county superintendent that the secretary has filed with him such annual report; and

i. Report to the Commissioner of Education on or before August first of each year the amount of the interest-bearing school debt then remaining unpaid, if any, together with the rate of interest, the date or dates on which the bonds, notes, or other evidences of indebtedness were issued, and the date or dates on which they will fall due.

17. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 410

AN ACT concerning the destruction and unlawful possession of public records, revising chapter three of Title 47 of the Revised Statutes, and repealing certain statutes relating thereto.

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

1. This act shall be known and cited as "Destruction of Public Records Law (1953)." C. 47:3-15. Short title.

2. As used in this act, except where the context indicates otherwise, the words "public records" mean any paper, written or printed book, document or drawing, map or plan, photograph, microfilm, sound-recording or similar device, or any copy thereof which has been made or is required by law to be received for filing, indexing, or reproducing by any officer, commission, agency or authority of the State or of any political subdivision thereof, C. 47:3-16. Terms defined.

including subordinate boards thereof, or that has been received by any such officer, commission, agency or authority of the State or of any political subdivision thereof, including subordinate boards thereof, in connection with the transaction of public business and has been retained by such recipient or its successor as evidence of its activities or because of the information contained therein.

As used in this act the word "bureau" means the Bureau of Archives and History in the Department of Education.

C. 47:3-17. Approval of bureau.

3. No person shall destroy, sell or otherwise dispose of any public record, archives or printed public documents which are under his control or in his care or custody, whether or not they are in current use, without first having advised the Bureau of Archives and History in the Department of Education of their nature, and obtained the written consent of that bureau; which consent may be given by said bureau only if the same is in conformance with regulations governing the granting thereof which shall be made and promulgated by the State Records Committee established by section six of this act.

C. 47:3-18. Classifications and categories established.

4. The bureau may from time to time establish specific classifications and categories for various types of the said "public records" and, in giving its consent as provided herein, may do so in a general and continuing manner according to the said classifications and categories.

C. 47:3-19. Schedules of submission prepared.

5. The bureau, in co-operation with the several State departments, commissions and agencies, shall make a study of the kind and character of public records in their control or custody and shall prepare proposed schedules for submission to the State Records Committee established by section six hereof for its approval and advise the said several departments, commissions and agencies of all applicable operative schedules.

C. 47:3-20. Approval of schedule, powers of committee, members.

6. No such schedule shall be operative unless approved by the State Records Committee which is hereby established in the State Department of

Education and which shall consist of the State Treasurer, the Attorney-General, the State Auditor, the Director of the Division of Local Government in the Department of the Treasury, and the head of the Bureau of Archives and History in the Department of Education. Each member of the committee may designate in writing a representative to act in his place on said committee.

The State Records Committee shall have the powers and duties prescribed for it herein and shall make and promulgate such regulations, not inconsistent with law, as may be necessary to adequately effectuate such powers and duties.

C. 47:3-21. Schedule filed.

7. Whenever any such schedule is approved by the committee, a copy thereof shall be filed with the State department, commission or agency involved and with the State Auditor, and the original approval shall be retained by the Bureau of Archives and History in the Department of Education. Thereupon, such schedule shall remain in force and effect and may be acted upon by the said department, commission or agency until superseded by a subsequent duly approved schedule.

C. 47:3-22. No liability.

8. No State official, or head of a State department, commission or other agency shall be held liable on his official bond, or in the way of damages for loss, or in any other manner, civil or criminal, because of the destruction of public records pursuant to the provisions of this act or any other law authorizing such destruction.

C. 47:3-23. Destruction of evidences of indebtedness authorized.

9. Whenever, under the laws of this State, there shall have been issued and sold by the State or by any municipality, county, or school district, bonds, coupons, or other evidences of indebtedness and such bonds, coupons and other evidences of indebtedness shall have been cancelled and redeemed by the State Treasurer, the State House Commission, or by any agency or authorized official of the State, or by any municipality, county, or school district issuing the same, it shall be lawful for the official or officials in charge of the issuance, redemption and cancellation of such bonds, coupons

or other evidences of indebtedness to destroy the same upon the written consent of the bureau, subject to regulations which shall be made and promulgated by the State Records Committee established by section six hereof.

The said officials, in the same manner, may destroy any bonds, coupons or other evidences of indebtedness which have been printed and which remain unused, or any registered bonds which remain unused at the time the issue has completely matured.

C. 47:3-24. Consent to destruction of other records.

10. The bureau, subject to regulations which shall be made and promulgated by the State Records Committee established by section six hereof, may give its consent to the immediate destruction or other disposition of bonds, coupons or other evidences of indebtedness which have not been used, but shall not consent to the destruction or other disposition of temporary bonds unless they have been replaced by definitive bonds, and then, only after the expiration of a year from the date of such replacement, or to the destruction or other disposition of bonds, coupons or other evidences of indebtedness which have been issued, except after the expiration of a period of seven years from their cancellation or maturity dates.

C. 47:3-25. Certificate of destruction, filing.

11. Whenever bonds, coupons or other evidences of indebtedness are destroyed or otherwise disposed of under the provisions of this section, a certificate of destruction shall be prepared by the official having charge of such destruction or other disposition, setting forth the dates of issuances, the series and serial numbers and the face amounts of such bonds, coupons or other evidences of indebtedness.

Where the said certificates relate to State issues, they shall be filed in the office of the Secretary of State and where they relate to county or municipal issues, they shall be filed in the office of the chief financial officer of the county or municipality, as the case may be. Any such certificate or certified copy thereof shall be receivable in evidence in

any court or proceeding as prima facie evidence of the destruction of such bonds, coupons or other evidences of indebtedness.

C. 47:3-26. Standards and procedures.

12. The Bureau of Archives and History in the Department of Education, with the approval of the State Records Committee established by section six hereof, shall formulate standards and procedures for the photographing, microphotographing and microfilming of public records and for the preservation, examination and use of such records, including the indexing and arrangement thereof, for convenient reference purposes.

Whenever any officer, commission, agency or authority of the State or of any political subdivision thereof, including subordinate boards thereof, shall have photographed, microphotographed or microfilmed all or any part of the public records, kept or required by law to be received and indexed in such manner as to conform with the standards and procedures, and such photographs, microphotographs or microfilms have been placed in conveniently accessible files and provision shall have been made for the preservation, examination and use of the same in conformity with the said standards and procedures, the original records from which the photographs, microphotographs or microfilms have been made, or any part thereof, may be destroyed or the records therein otherwise effectively obliterated; *provided,* the said bureau shall first have given its written consent to such destruction or other disposition.

In the event of any such destruction or other disposition of any public records under the provisions of this section, the photograph, microphotograph or microfilm, or a certified copy of said photograph, microphotograph or microfilm, shall be receivable in evidence in any court or proceeding and shall have the same force and effect as though the original public record had been there produced and proved.

C. 47:3-27. State records privately held.

13. The bureau is empowered to demand and receive from any person any public record in private possession belonging to this State, or to any county, municipality or school district thereof.

C. 47:3-28. Demand for records.

14. Any person who is entitled by law to the custody of public records shall demand the same from any person in whose possession they may be, and such records forthwith shall be delivered to the officer charged by law with their custody.

C. 47:3-29. High misdemeanor.

15. Any person who 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.

C. 47:3-30. Rules and regulations.

16. The bureau shall, with the approval of the State Records Committee established by section six hereof, make and promulgate rules and regulations for the effective administration of the laws relating to public records.

C. 47:3-31. Repealer.

17. Sections 47:3–1 to 47:3–6 of the Revised Statutes and "An act concerning the destruction of cancelled and redeemed acknowledgments of indebtedness, commonly known as 'scrip,' which have been issued and sold by any municipality or county, and supplementing chapter three of Title 47 of the Revised Statutes," approved June fourteenth, one thousand nine hundred and thirty-eight, are repealed.

C. 47:3-32. Controlling acts.

18. In the event of any inconsistency between the provisions of this act and the provisions of "An act concerning certain papers and records on file in the offices of the county clerks and registers of deeds and mortgages, and supplementing chapter three of Title 47 of the Revised Statutes," approved July twenty-fifth, one thousand nine hundred and fifty-three (P. L. 1953, c. 269) or of "An act concerning the destruction or other disposition of certain papers on file in the offices of the county clerks, pertaining to the former courts of oyer and terminer, circuit courts, courts of common pleas, courts of quarter sessions and courts of special sessions," approved July twenty-fifth, one thousand nine hundred and fifty-three (P. L.

1953, c. 270), the provisions of such other act shall prevail.

19. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 411

AN ACT concerning legal newspapers, and amending sections 35:1–2.1 and 35:1–2.2 of the Revised Statutes.

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

1. Section 35:1–2.1 of the Revised Statutes is amended to read as follows: Section amended.

35:1–2.1. Whenever it is required to publish resolutions, official proclamations, notices or advertising of any sort, kind or character, including proposals for bids on public work and otherwise, by this State or by any board or body constituted and established for the performance of any State duty or by any State official or office or commission, the newspaper or newspapers selected for such publication must meet and satisfy the following qualifications, namely: said newspaper or newspapers shall be entirely printed in the English language, shall be printed and published within the State of New Jersey, shall be a newspaper of general paid circulation possessing an average news content of not less than thirty-five per centum (35%), shall have been published continuously in the municipality where its publication office is situate for not less than two years and shall have been entered for two years as second-class mail matter under the postal laws and regulations of the United States. In case a newspaper cannot meet these qualifications, itself, but has acquired another newspaper which meets these qualifications, the acquiring newspaper shall be State publications, qualifications of newspapers.

deemed to meet these qualifications if it is published in the same municipality and entered in the same post office as was the acquired newspaper. Continuous publication within the meaning of this section shall not be deemed interrupted by any involuntary suspension of publication for a period not exceeding six months, resulting from loss, destruction, mechanical or electrical failure of typesetting equipment or printing presses or the unavailability, due to conditions beyond the control of the publisher, of paper or other materials and supplies necessary for operation, or resulting from a labor dispute with a recognized labor union, and any newspaper so affected shall not be disqualified hereunder in the event that publication is resumed within said period of six months.

Section amended.

2. Section 35:1–2.2 of the Revised Statutes is amended to read as follows:

County publications, etc., qualifications of newspapers.

35:1–2.2. Whenever, by law it is required that there be published by printing and publishing in a newspaper or newspapers ordinances, resolutions or notices or advertisements of any sort, kind or character by any county, city or other municipality or municipal corporation, or by any municipal board or official board, or body, or office, or officials, or by any person or corporation, such newspaper or newspapers must, in addition to any other qualification now required by law, meet the following qualifications, namely: said newspaper or newspapers shall be entirely printed in the English language, shall be printed and published within the State of New Jersey, shall be a newspaper of general paid circulation possessing an average news content of not less than thirty-five per centum (35%), shall have been published continuously in the municipality where its publication office is situate for not less than two years and shall have been entered for two years as second-class mail matter under the postal laws and regulations of the United States. In case a newspaper cannot meet these qualifications itself but has acquired another newspaper which meets these qualifications, the ac-

quiring newspaper shall be deemed to meet these qualifications if it is published in the same municipality and entered in the same post office as was the acquired newspaper. Continuous publication within the meaning of this section shall not be deemed interrupted by any involuntary suspension of publication for a period not exceeding six months resulting from loss, destruction, mechanical or electrical failure of typesetting equipment or printing presses or the unavailability, due to conditions beyond the control of the publisher, of paper or other materials and supplies necessary for operation, or resulting from a labor dispute with a recognized labor union, and any newspaper so affected shall not be disqualified hereunder in the event that publication is resumed within said period of six months.

3. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 412

AN ACT to amend "An act concerning motor vehicles and traffic regulations, and supplementing chapter three of Title 39 of the Revised Statutes," approved April fifth, one thousand nine hundred and forty-one (P. L. 1941, c. 31).

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

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

C. 39:3-24.1. Registering farm machinery, fee, restrictions.

1. The director may register motor vehicles, not for hire, used exclusively as farm machinery or farm implements, to travel upon the public highways from one farm, or portion thereof, to another farm, or portion thereof, both owned or managed

by the registered owner of the vehicle or vehicles. The fee for such registration shall be one dollar ($1.00) per annum, whether the registration is issued for a yearly period or only a portion thereof. Any vehicle so registered may draw not more than one vehicle used exclusively on the farm and a vehicle so drawn need not be registered. A vehicle registered pursuant to this section shall not be:

(a) used to traverse more than five miles of highway in traveling from one farm, or portion thereof, to another farm, or portion thereof; or

(b) used to deliver or transport any farm products, goods, wares or merchandise, except from one farm, or portion thereof, to another farm, or portion thereof, both owned or managed by the registered owner of the vehicle or vehicles; or

(c) operated on the highway at any time between sunset and sunrise; or

(d) operated on the highway if it is equipped with wheels of a type that will damage or will be likely to damage the highway, or if any vehicle drawn by it is equipped with such wheels; or

(e) operated upon the highway at a speed exceeding four miles per hour if such vehicle, or the vehicle which it may be drawing, is not equipped with rubber tires on all wheels.

2. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 413

AN ACT making unlawful certain discriminations in prices charged to retail dealers engaged in the sale of motor fuel; to prevent unfair competition and unfair trade practices in the sale of motor fuel; to confer powers and impose duties on the Director of the Division of Taxation and on persons, as herein defined, engaged in the sale of motor fuel at retail or wholesale; and providing remedies and imposing penalties for violations thereof; and supplementing "An act to regulate the retail sale of motor fuels and providing penalties for violations," approved May twelfth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 163).

Preamble. WHEREAS, Certain discriminations and practices, services or facilities furnished involving the sale of motor fuel have been and are demoralizing and disorganizing the retail sale of motor fuel business; and

Preamble. WHEREAS, Unfair, discriminative and destructive trade business practices involving the sale of motor fuel with the intent of destroying or substantially lessening competition, is an unfair and deceptive business practice; and

Preamble. WHEREAS, Such practices adversely affect the economy of a large segment of the people of the State of New Jersey who are engaged in the retail sale of motor fuel and the continuation of such practices would adversely affect the best interests of the people of this State; and

Preamble.

WHEREAS, It is hereby declared to be the policy of this State to protect and promote the public welfare by prohibiting such practices, and it is the purpose of this act to carry out that policy in the public interest; therefore

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

C. 56:6-19. Declaration of policy.

1. Legislative declaration of policy:

(a) It is hereby declared that:

The methods and practices of the distribution and sale of motor fuels in this State have developed unfair methods of competition in the marketing of motor fuels; such conditions have produced waste harmful to the public and impaired the sale and distribution of motor fuel; that such conditions have caused unfair methods of competition in the industry resulting in the impairment of the supply of motor fuel needed by the general public and thereby affecting the general economic welfare of the people of this State.

(b) These conditions vitally concern the health, safety and general economic welfare of the people of this State.

(c) The distribution and sale of motor fuels within this State is hereby declared to be affected with a public interest. The provisions of this article are enacted in the exercise of the police powers of this State for the purpose of protecting the health, safety and general welfare of the people of this State.

C. 56:6-20. Short title.

2. This act shall be known and may be cited as the "Unfair Motor Fuels Practices Act."

C. 56:6-21. Terms defined.

3. The following words, terms and phrases, when used in this act, shall have the meaning ascribed to them except where the context clearly indicates a different meaning:

(a) "Distributor" or "refiner" or "supplier" means and includes every person, wherever resident or located, who imports or causes to be imported into this State motor fuels for distribution

or sale after the same shall reach this State, whether in the original packages or containers in which it is imported or otherwise; and also any person who produces, refines, manufactures, blends or compounds or causes to be produced, refined, manufactured, blended or compounded fuels and distributes or sells the same within this State.

(b) "Wholesaler" means any person who engages in the business of selling motor fuels to other persons who resell the said motor fuel or who place or have the said fuel placed into their containers or storage tanks for future consumption. The words "containers" or "storage tanks" as herein used shall not apply to vehicle service tanks used only to carry motor fuels for use in propelling only the vehicle carrying such tanks.

(c) "Director" means the Director of the Division of Taxation in the Department of the Treasury.

(d) "Branded Motor Fuel" shall be that motor fuel which a retail dealer sells using the trade name of the refiner or supplier.

(e) "Tank wagon price" is the invoice cost of motor fuel to the retailer.

C. 56:6-22. Unlawful acts.

4. It shall be unlawful and a violation of this act for any distributor, refiner, wholesaler or supplier, with intent to injure competitors or destroy or substantially lessen competition:

(a) To offer, directly or indirectly, a rebate, concession, allowance, discount or benefit, of any kind or nature whatsoever, in connection with the sale or distribution of motor fuel or other products marketed by the distributor, refiner, wholesaler or supplier except that this shall not apply to discounts uniformly applied for timely payments, quantity, or quality; or

(b) To lease or make a contract on condition, promise, agreement or understanding, where the effect of such lease, contract on condition, promise, agreement or understanding may be to substantially lessen competition that the lessee or purchaser thereof shall not use or deal in goods, wares,

merchandise, supplies or other commodities of a competitor of such distributor, refiner, wholesaler or supplier except that this shall not apply to tanks or pumps if furnished by the distributor, refiner, wholesaler or supplier to be used in the distribution of its motor fuel; or

(c) To discriminate, either directly or indirectly, in tank wagon price between different retail dealers purchasing the same grade, quality or quantity of branded motor fuel, except to meet competition.

(d) Any distributor, refiner, wholesaler or supplier who violates the provisions of this section shall be guilty of a misdemeanor.

C. 56:6-23. Contracts void.

5. Any contract expressed or implied, made by any person in violation of any of the provisions of this act, is declared to be an illegal and void contract and no recovery thereon shall be had.

C. 56:6-24. Rules and regulations.

6. The director may adopt rules and regulations for the enforcement of this act.

C. 56:6-25. Action to restrain or enjoin violations.

7. (a) An action may be maintained in any court of equitable jurisdiction to prevent, restrain or enjoin a violation, or threatened violation, of any of the provisions of this act. Such an action may be instituted by any person injured by any violation or threatened violation of this act or by the Attorney-General, upon the request of the director. If in such action a violation or threatened violation of this act shall be established, the court shall enjoin and restrain, or otherwise prohibit, such violation or threatened violation. In such action it shall not be necessary that actual damages to the plaintiff be alleged or proved, but where alleged and proved, the plaintiff in said action, in addition to such injunctive relief and costs of suit, including reasonable attorney's fees, shall be entitled to recover from the defendant the actual damages sustained by such plaintiff.

(b) In the event that no injunctive relief is sought or required, any person injured by a violation of this act may maintain an action for damages and costs of suit in any court of competent jurisdiction.

C. 56:6-26. Empowered to suspend or revoke license.

8. (a) In addition to the provisions of this act, the director is empowered to suspend or revoke the license or any licenses of any person, licensed under the provisions of R. S. 54:39–1, et seq. No such license or licenses shall be suspended or revoked except upon notice to the licensee and after a hearing as prescribed by said director. The said director, upon a finding by him that the licensee has failed to comply with any provision of this act or any rule or regulation promulgated thereunder, shall, in the case of the first offender, suspend the license or licenses of the said licensee for a period of not less than five nor more than twenty consecutive business days, and, in the case of a second or plural offender, shall suspend said license or licenses for a period of not less than twenty consecutive business days nor more than twelve months, and, in the event said director finds the offender has been guilty of willful and persistent violations, he may revoke said person's license or licenses.

(b) Any person whose license or licenses have been so revoked may apply to the director at the expiration of one year for a reinstatement of his license or licenses. Such license or licenses may be reinstated by the director if it shall appear to the satisfaction of said director that the licensee will comply with the provisions of this act and the rules and regulations promulgated thereunder.

C. 56:6-27. Not to sell during period of suspension.

9. No person whose license has been suspended or revoked shall sell motor fuel or permit motor fuel to be sold during the period of such suspension or revocation on the premises occupied by him or upon other premises controlled by him or others or in any other manner or form whatever. Nor shall any disciplinary proceedings or action be barred or abated by the expiration, transfer, surrender, continuance, renewal or extension of any license issued under the provisions of R. S. 54:39–1, et seq.

No bar to action.

C. 56:6-28. Review.

10. Any determination by the director and any order of suspension or revocation of a license or licenses thereunder or refusal to reinstate a license

or licenses after revocation shall be reviewable by the Superior Court by proceedings in lieu of the prerogative writs.

C. 56:6-29. Enforcement.

11. In order to effectuate the purposes of this act it shall be the duty of the director to carry out the enforcement provisions of this act. In accordance with the provisions of Title 11, Civil Service, of the Revised Statutes, the director may, within the limits of available appropriations, employ and fix the duties and compensation of such inspectors and other personnel necessary to carry out the provisions of this act.

C. 56:6-30. Provisions for enforcing.

12. All of the powers vested in the Director of the Division of Taxation by the provisions of R. S. 54:39–1, et seq., aforesaid, shall be available to the said director in the enforcement of this Unfair Motor Fuels Practices Act.

C. 56:6-31. Provisions severable.

13. The provisions of this act shall be deemed to be severable and if for any reason any provision shall be determined to be unconstitutional or invalid, such determination shall not be held to affect any other provision hereof. And no such determination shall be deemed to invalidate or render ineffectual any of the provisions of R. S. 54:39–1 et seq.

C. 56:6-32. Act effective.

14. This act shall take effect July first, one thousand nine hundred and fifty-four.

Approved September 18, 1953.

CHAPTER 414

AN ACT relating to workmen's compensation, and amending section 34:15–43 of the Revised Statutes.

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

1. Section 34:15–43 of the Revised Statutes is amended to read as follows: Section amended.

34:15–43. Every employee of the State, county, municipality or any board or commission, or any other governing body, including boards of education, and also each and every active volunteer fireman doing public fire duty and also each and every active volunteer, first aid or rescue squad worker doing public first aid or rescue duty under the control or supervision of any commission, council or any other governing body of any municipality, any board of fire commissioners of such municipality or of any fire district within the State, or of the board of managers of any State institution, and every county fire marshal and assistant county fire marshal, who may be injured in line of duty shall be compensated under and by virtue of the provisions of this article and article two of this chapter (sections 34:15–7 et seq.). No former employee who has been retired on pension by reason of injury or disability shall be entitled under this section to compensation for such injury or disability; *provided, however,* that such employee, despite retirement, shall, nevertheless, be entitled to the medical, surgical and other treatment and hospital services as set forth in section 34:15–15 of the Revised Statutes. Public employees within workmen's compensation law. Proviso.

As used in this section, the terms "doing public fire duty" and "who may be injured in line of duty," as applied to active volunteer firemen, county fire marshals or assistant county fire mar-

shals, shall be deemed to include participation in any authorized public showing, exhibition, or parade of said volunteer firemen or marshals either with or without their fire apparatus and to include also the rendering of assistance in case of fire in any political subdivision or territory of another State of the United States or on property ceded to the Federal Government while such assistance is being rendered and while going to and returning from the place in which it is rendered.

Every active volunteer fireman shall be deemed to be doing public fire duty under the control or supervision of any such commission, council, governing body, board of fire commissioners or fire district or board of managers of any State institution within the meaning of this section, if such control or supervision is provided for by statute or by rule or regulation of the board of managers or the superintendent of such State institution, or if the fire company of which he is a member receives contributions from, or a substantial part of its expenses or equipment are paid for by, the municipality, or board of fire commissioners of the fire district or if such fire company has been or hereafter shall be designated by ordinance as the fire department of the municipality.

Every active volunteer, first aid or rescue squad worker shall be deemed to be doing public first aid or rescue duty under the control or supervision of any such commission, council, governing body, board of fire commissioners or fire district within the meaning of this section if such control or supervision is provided for by statute, or if the first aid or rescue squad of which he is a member receives or is eligible to receive contributions from, or a substantial part of its expenses or equipment are paid for by, the municipality, or board of fire commissioners of the fire district, or if such first aid or rescue squad has been or hereafter shall be designated by ordinance as the first aid or rescue squad of the municipality.

Nothing herein contained shall be construed as affecting or changing in any way the provisions of any statute providing for sick, disability, vacation or other leave for public employees or any provision of any retirement or pension fund provided by law.

2. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 415

AN ACT concerning the disposal of dead animals, providing for the licensing of disposal plants and fixing penalties for violations of the provisions hereof.

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

1. As used in this act:

C. 4:5A-1 Terms defined

a. "Department" means the Department of Agriculture.

b. "Board" means the State Board of Agriculture.

c. "Disposal plant" means a place of business or a location where the carcasses of domestic animals or meat-packing house refuse are received or unloaded and where such carcasses or refuse either (1) are processed for the purpose of obtaining the hide, skin, grease, residue, fertilizer, food for animals or any other by-product from said animals or refuse, in any way whatsoever, or (2) are fed to hogs, dogs, fur-bearing or other animals; but the term "disposal plant" shall not apply to an establishment operating under United States or state government meat inspection, or under the supervision of the State Department of Health.

d. "Carcasses of domestic animals" means bodies, or any part or portion thereof, of dead livestock, the carcasses or parts of which are not intended for human food.

C. 4:5A-2. License required.

2. No person shall operate or conduct a disposal plant as defined in section one of this act unless licensed as provided in this act.

C. 4:5A-3. Application fee.

3. Any person desiring to obtain a license to operate a disposal plant shall file with the department on or before June first of each year or thirty days before the license shall become effective, an application for such license. Such application shall be upon a form furnished by the department and shall contain such information as the department may prescribe. At the time of filing such application, the applicant shall pay to the department a license fee of ten dollars ($10.00). All such fees shall be forwarded by the department to the state treasurer.

C. 4:5A-4. Inspection before issuing license.

4. Upon receiving an application for such license, the department shall send a representative to inspect the buildings and equipment where the applicant desires to conduct a disposal plant to ascertain whether the requirements of this act and the rules and regulations of the board adopted hereunder are being complied with. If so, the department shall issue to said applicant a license to conduct such business. All such licenses shall expire on the thirtieth day of June next succeeding their date of issuance.

C. 4:5A-5. Requirements for disposal plants.

5. All disposal plants licensed under this act shall conform with the following requirements:

a. All floors, walls and ceilings of buildings shall be constructed in such a manner as to be easily cleaned and of impervious material.

b. Adequate sanitary drainage approved by the State Department of Health must be provided; and all buildings must be so constructed and maintained that no unsterile liquid is permitted to escape openly therefrom.

c. There shall be an adequate supply of hot and cold running water and sufficient steam and steam hose to clean trucks, floors, containers, meat grinders, mixers, instruments, hoists or any other items which are used in connection with the operation of the plant. All such equipment and buildings shall at all times be kept in a sanitary condition.

d. All disposal plants shall be so located, arranged, constructed, and maintained, and the operation so conducted at all times consistent with public health and safety.

C. 4:5A-6. Conditions and limitations for vehicles.

6. All vehicles used in the transportation upon public highways of the carcasses of any domestic animals or meat-packing house refuse, shall conform with the following conditions and limitations:

a. The carcasses of dead animals or meat-packing house refuse shall be placed in containers or vehicles which are constructed of, or lined with, impervious material, and which do not permit the escape of any liquid, and which are covered in such a way that the contents shall not be openly exposed to insects.

b. After original loading, the carcasses of domestic animals shall not be moved from the transporting container or vehicle upon a public highway or in any other place except at the disposal plant.

c. Containers and vehicles shall be disinfected each time before leaving a disposal plant and before entering the public highway, all in conformance with requirements and regulations prescribed by the board.

d. Containers and vehicles used for transporting of carcasses of animals or meat-packing house refuse shall not be used for the transportation of live animals nor for the transportation of food or feed for human or livestock consumption.

C. 4:5A-7. License required.

7. Any person desiring to transport carcasses of domestic animals or meat-packing house refuse into New Jersey from without this State, or outside the State from within this State, shall obtain a license for such purpose from the department in the same

manner, under the same conditions, and upon payment of the same fee as the operator of a disposal plant which is located in this State. Each conveyance used by such person on the highways of New Jersey, and the records kept by him, shall meet the requirements of this act and regulations adopted hereunder, and shall be subject to inspection, either within or without the State, in the discretion of the department. Any disposal plant operated outside the State by any such licensee shall be subject to inspection in the discretion of the department, as a condition of such license.

C. 4:5A-8. Vehicle inspected, permit number displayed.

8. Each vehicle shall be inspected and granted a permit number which shall be painted on the side of the body of the vehicle in letters at least two inches high which shall be plainly visible to the traveling public.

C. 4:5A-9. Records kept.

9. The licensee shall keep, at his place of business, a record of each place where he obtains the carcasses of domestic animals, giving name and address, the date picked up and the sequence in which such carcasses are picked up from such places on each date. Such records shall be kept in a stitched ledger and shall be available on demand of any police officer or any agent of the State Department of Agriculture or State Department of Health.

C. 4:5A-10. Requirements for disposal of carcasses.

10. The following requirements shall be observed in the disposal of the carcasses of domestic animals:

a. No person shall move the carcass of a domestic animal which has died suddenly of inapparent cause from the location at which it died until it shall be determined that the cause of death was not a highly infectious or contagious disease. Such carcasses may be moved only after release by a veterinarian who may release those which he determines are not affected with a highly infectious disease. Those found to have died of a highly infectious, transmissible disease shall not have their location changed without special permit having been obtained from the director of the division of animal industry of the department.

b. All carcasses shall be processed or disposed of within 48 hours after being delivered to the disposal plant provided that during the processing there is discovered no evidence of the carcass having been affected with a highly infectious or contagious disease.

c. At the time of processing carcasses, there shall be present a person who is familiar with the lesions of highly infectious disease.

d. The hide of the animal being processed shall be held separate and apart from other hides or parts of carcasses until the carcass is opened and it is determined that the animal was not affected with a highly infectious or contagious disease.

e. The plant shall keep a record of the disposal of meat and glands from all carcasses processed, if not fed on the premises of the disposal plant, and of the quantity and dates of delivery, such records to be available for perusal on demand by any representative of the department and by State and local health officers.

f. The skinning, dismembering and grinding of carcasses of domestic animals shall be done within a building of the disposal plant.

g. No carcasses or parts of carcasses exhibiting lesions or signs of any highly infectious or communicable disease shall be fed to any animal but shall be placed in metal drums until disposed of in a manner prescribed by the department, nor shall any such carcasses be thereafter skinned and processed until the establishment is thoroughly cleaned and disinfected, including all equipment, instruments and clothing that may have become contaminated by the handling of the infected carcass.

h. The person gathering carcasses of domestic animals shall wear rubber overshoes or boots which shall be cleaned and disinfected immediately on alighting from his truck upon arrival at the premises and on leaving the premises.

i. All vehicles, tackle and other equipment employed in the removal of carcasses of domestic ani-

mals shall be cleaned and disinfected prior to leaving the premises on which the carcass has been obtained and at the end of each day of use.

j. Whenever it becomes known that the carcass of an animal exhibits lesions of a highly infectious disease, it shall be reported immediately by telephone to the office of the division of animal industry of the department.

C. 4:5A-11. Carcass disposed of within 24 hours.

11. No person caring for or owning any animal that has died shall allow the carcass to lie about his premises. Such carcass shall be disposed of within twenty-four hours after death by cooking, burying or burning or by disposing of it within said time to a person licensed under this act; *provided,* that the department may prohibit the hauling or transportation of the carcass of any animal which has died of a highly contagious, infectious or communicable disease and may order the destruction thereof in accordance with this act.

Proviso.

C. 4:5A-12. Rules and regulations.

12. The department shall make such rules and regulations for the carrying on and conduct of disposal plants pursuant to this act as it may deem advisable, and all persons engaged in such business shall comply therewith.

C. 4:5A-13. Yearly inspection.

13. The department shall send a representative to inspect each place licensed under this act at least once each year, or as often as it deems necessary, and for the purpose of making such inspection the representative shall have free access to all buildings and premises licensed under this act.

C. 4:5A-14. Suspension or revocation of license for violations.

14. Upon determining that any person licensed under this act has violated or failed to comply with the provisions of this act or with any of the rules or regulations of the department made hereunder, the department shall suspend or revoke the license held by the licensee.

C. 4:5A-15. Penalties.

15. Any person who violates any of the provisions of this act or any order, rule or regulation made by the board under this act shall for a first offense be liable to a penalty of not less than one hundred dollars ($100.00) nor more than two hun-

dred dollars ($200.00) and shall for each subsequent offense be liable to a penalty of two hundred dollars ($200.00) or to imprisonment for not more than one year, or both.

C. 4:5A-16. Jurisdiction.

16. Jurisdiction of proceedings to collect penalties collectible under the provisions of this act is vested in the County Courts, the county district courts and the municipal courts in any county or municipality where the defendant may be apprehended or where he may reside, and all other courts or officers specifically authorized by the law under which the proceeding is had, all of which courts and officers are hereinafter in this act designated as the "court." Process shall be either a summons or warrant and proceedings shall be brought in a summary manner pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.).

C. 4:5A-17. Arrest without warrant.

17. For a violation of any provision for which a penalty is prescribed which is collectible under this act, done within the view of any constable, police officer or member of the State Police, the officer may arrest the offender without a warrant and take him before the court in the county wherein such arrest is made.

C. 4:5A-18. Commitment for failure to pay penalty.

18. If judgment is rendered for the plaintiff the court shall cause a defendant who shall fail to pay forthwith the amount of the judgment rendered against him, and all costs and charges incident thereto, to be committed to the county jail for a period of not less than five nor more than ninety days in the case of a first offense and not less than ten nor more than two hundred days for a second and each subsequent offense.

C. 4:5A-19. Act effective.

19. This act shall take effect January first, one thousand nine hundred and fifty-four.

Approved September 18, 1953.

CHAPTER 416

AN ACT to amend "An act concerning marriages," approved May third, one thousand nine hundred and thirty-eight (P. L. 1938, c. 126).

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

Section amended.

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

C. 37:1-20. Serological test required, exception.

1. Before any person, who now is or may hereafter be authorized by law to issue marriage licenses, shall issue any such license, each applicant therefor shall file with him a certificate signed by a physician licensed to practice medicine and surgery in all its branches in this State or any other State or in any other territory of the United States, or the District of Columbia, or by a commissioned medical officer on active duty with the Armed Forces of the United States or with the Public Health Service, which certificate shall state that the applicant has submitted to an approved serological test for syphilis and that, in the opinion of such physician, the applicant either is not infected with syphilis or is not in a stage of that disease which is likely to become communicable. The physician signing such certificate shall set forth his office address therein and such certificate shall be valid for thirty days from the date of the approved serological test.

A physician licensed to practice medicine and surgery in all its branches in this State may submit to the person authorized by law to issue marriage licenses, in lieu of such certificate, a statement over his signature that the female applicant for the license is near the termination of her pregnancy or the death of one or both applicants is imminent and that he has taken blood samples adequate for serological testing from such applicant or appli-

cants, excepting those whose death is imminent, and forwarded same to the State Department of Health laboratory, in which case a certificate shall not be required of such applicant or applicants prior to issuance of a license.

Section amended.

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

C. 37:1-21. Contents of certificate.

2. The above mentioned certificate shall contain a statement signed by the person in charge of the laboratory making the test, or other person authorized by the laboratory to sign such certificates, setting forth the test performed, the date thereof, the name and address of the person whose blood was tested, and certifying that said laboratory is approved for performance of serological tests for syphilis by the State Department of Health or the Armed Forces of the United States or the Public Health Service, or by the department of health of the District of Columbia, or of the territory or State in which the laboratory is situated. The applicant shall also sign a statement on the certificate setting forth that he is the applicant referred to therein.

Section amended.

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

C. 37:1-22. Premarital certificate form.

3. The above mentioned certificate shall be on a form to be provided and distributed by the State Department of Health to approved laboratories in the State or on a form approved for use in this State by the department. This form is hereinafter referred to in this act as the "Premarital Certificate Form."

Section amended.

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

C. 37:1-23. Approved serological test.

4. For the purpose of this act an approved serological test shall be a test for syphilis approved by the State Department of Health. Such test shall be made at a laboratory in this State approved to make such tests by said department or at a laboratory outside this State approved by said department or the health department of the State or territory of the United States or District of Colum-

bia wherein it is located or at a laboratory of the Armed Forces of the United States or the Public Health Service. Such laboratory tests as are required by this act shall be made on request without charge at the laboratory of the State Department of Health.

Section amended.

5. Section five of the act of which this act is amendatory is amended to read as follows:

C. 37:1-24. Premarital certificate attached to license.

5. Before the licensing officer issues any marriage license he shall attach thereto the above mentioned premarital certificate form or a physician's statement, submitted in lieu thereof, of each applicant. No minister or other person authorized to perform marriage ceremonies in New Jersey shall perform any such ceremony unless the premarital certificate form or a physician's statement, submitted in lieu thereof, of each party is attached to the marriage license, and they shall remain so attached until the marriage certificate is filed with the State Bureau of Vital Statistics.

Section amended.

6. Section six of the act of which this act is amendatory is amended to read as follows:

C. 37:1-25. Misrepresentation of facts, penalty.

6. Any applicant for a marriage license, physician, or representative of a laboratory who shall misrepresent any of the facts called for by the "Premarital Certificate Form" or a physician's statement, submitted in lieu thereof, prescribed by this act; or any licensing officer who shall fail to receive the "Premarital Certificate Form," or a physician's statement, submitted in lieu thereof, or who shall have reason to believe that any of the facts thereon has been so misrepresented, and shall nevertheless issue a marriage license; or any person who shall otherwise fail to comply with the provisions of this act shall be subject to a penalty of not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00), to be recovered with costs, in a civil action of debt by and in the name of the local board of health of the municipality where the marriage license was issued, or by and in the name of the State Department of Health.

7. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 417

AN ACT concerning the creation of new school districts, and supplementing chapter five of Title 18 of the Revised Statutes, and repealing sections 18:5–1 to 18:5–10, inclusive, of the Revised Statutes and "An act concerning education, and supplementing chapter five of Title 18 of the Revised Statutes," approved June thirteenth, one thousand nine hundred and fifty (P. L. 1950, c. 230).

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

C. 18:5-1.1. School districts, boards of education.

1. Each township, city, incorporated town and borough shall be a separate school district, except as hereinafter provided, but each incorporated village shall remain and be a part of the school district in which it is situated at the time of its incorporation.

Whenever a new municipality other than a city is created from parts of two or more municipalities, such municipality shall be a separate school district and shall be governed by chapter seven of Title 18 of the Revised Statutes, except as otherwise provided. The several parts of the new municipality shall remain and constitute parts of the several school districts until a board of education shall have been appointed for the new school district. Such board of education shall consist of nine persons who are legal residents of the district. They shall be appointed by the county superintendent of schools immediately upon the creation of the new municipality or as soon thereafter as possible. The qualifications of the members so appointed shall be the same as those required for members of the boards of education in other school districts, except that the three years' residence requirement pursuant to section 18:7–11 of the Revised Statutes

shall be waived and be of no effect in such school district until the fourth annual school meeting of the newly created school district. The appointed members of the board of education shall continue in office until the ensuing annual school meeting, at which time the legal voters shall elect members of the board of education in the manner provided in chapter seven of Title 18 of the Revised Statutes.

C. 18:5-1.2. To remain one district.

2. Whenever a municipality is divided into two or more municipalities, such municipalities shall remain and constitute but one school district until such time as the legal voters of one of such municipalities shall have determined by an election conducted, as provided in this act, that such municipality shall be constituted a separate school district.

C. 18:5-1.3. Report of investigation on making a municipality a separate school district.

3. Any one of the municipalities constituting a school district under section two of this act may by resolution request the county superintendent of schools to make a study and investigation as to the advisability of constituting the municipality a separate school district. The county superintendent shall within thirty days of the request for the study and investigation file with the governing bodies of the municipalities within the school district and with the board of education a report setting forth the amount of indebtedness, if any, to be assumed by each school district in the event of constituting the municipality a separate school district, which amount shall be calculated pursuant to section twelve of this act. He shall also include in his report such financial, educational and other information as he may deem necessary to enable the governing bodies and the board of education to form an intelligent judgment as to the advisability of the proposed separation and the effect thereof upon the educational and financial situation of the proposed new district and the remaining district.

C. 18:5-1.4. Petition to submit question to election.

4. The governing body of the municipality which requested the study and investigation may, within thirty days of the filing of the report required by section three of this act, petition the Commissioner

of Education for permission to submit to the legal voters of the municipality the question whether the municipality shall be constituted a separate school district. The petition shall be accompanied with proof of service of a copy of the petition upon the other municipality or municipalities in the school district, the board of education of the district, and the county superintendent of schools.

C. 18:5-1.5. To file answer to petition.

5. The remaining municipality or municipalities in the school district or the board of education shall, within fifteen days of the acknowledgment of the proof of service, file an answer to the petition wherein it may either (a) consent to the granting of the application; (b) oppose the same for the reason that (1) an excessive debt burden will be imposed upon the remaining district, that (2) an efficient school system cannot be maintained in the remaining district without excessive cost, that (3) there will be insufficent pupils in the remaining district to maintain a properly graded school system or (4) other good cause; or (c) request that if the petition is granted, the amount of debt which the remaining district would be required to assume according to the formula prescribed in section twelve of this act be reduced for the reason that (1) such an amount of indebtedness together with other indebtedness of the municipality will be excessive, or that (2) it will require so great an expenditure for debt service that sufficient funds will not be available for current expenses without excessive taxation, or that (3) the amount of indebtedness to be assumed under the proposed separation will materially impair the credit of the municipality or the remaining school district to pay punctually the principal and interest of its debt and to supply essential educational facilities and public improvements and services the need for which may be reasonably anticipated, and that (4) the amount of indebtedness to be assumed by the district is inequitable taking into account the value of the property to be acquired by the district. A copy of the answer shall be filed with the municipality originat-

ing the request, the board of education, and the county superintendent of schools. The petitioning municipality may likewise request in its original petition a specific reduction in the amount of indebtedness to be assumed by the proposed new district or may offer to assume a specific increase in the amount of indebtedness.

C. 18:5-1.6. Petition and answers submitted to board of review.

6. Within fifteen days of the filing of the answers to the petition, the Commissioner of Education shall submit the petitions and answers to a board of review to consist of the Commissioner of Education as chairman, the Commissioner of the Department of Conservation and Economic Development, and the Director of the Division of Local Government in the Department of the Treasury. Any interested parties shall be entitled to a hearing before the board of review. The board of review shall consider the effect of the proposed separation upon the educational and financial situations of both the new and the remaining districts in the light of the considerations referred to in section five of this act. Within sixty days of the receipt of petitions and answers, the board of review shall, by a majority vote of its members, grant or deny the petitions, and, if the petitions are granted, the board's determination shall include the amount of indebtedness, if any, to be assumed by the remaining and the new district, respectively.

C. 18:5-1.7. Fixing time for holding election, conducting.

7. If the application shall be granted, the county superintendent shall fix, within thirty days, the day and time for holding a special election, at which the question shall be submitted to the legal voters of the municipality whether the municipality shall be constituted a separate school district. The posted notices of the special election, newspaper advertisement, and the ballot required by law shall each disclose the amount of indebtedness to be assumed by the proposed new district and the effect of such indebtedness upon the borrowing margin of the municipality and the proposed new district. The special election shall be conducted by the board of education of the school district in the manner pro-

vided for the conduct of school elections by chapter seven of Title 18 of the Revised Statutes. If the county superintendent of schools shall ascertain from the statement received by him that the number of votes cast at the election in favor of constituting the municipality a separate school district exceeds the number of votes cast against the proposition, he shall immediately notify the board of education of the results of the election, and thereafter the municipality shall be a separate district.

C. 18:5-1.8. Children to continue in enrolled schools.

8. When a new district is created, the children residing therein shall continue to attend the schools in which they are enrolled until the end of the then current school year.

C. 18:5-1.9. Original board to continue to end of current year.

9. The board of education of the district from which the newly-created district was set off, hereinafter referred to as the original district, shall have control of all the schools and schoolhouses in both the newly-created district and in the remaining district and shall, out of the appropriations theretofore granted the board of education of the original district, pay the salaries of all the teachers, janitors and other persons employed therein until the end of the then current school year. The members of the board of education of the original district shall continue in that office until the end of the then current school year as members of that board whether they reside in the remaining district or in the newly-created district. At the end of the current school year, all books, documents and records shall be turned over to the board of education of the new district or the remaining district, whichever has the larger or largest amounts of taxable property as ascertained from the last published report of the Director, Division of Taxation in the Department of the Treasury.

C. 18:5-1.10. To be members of new district board.

10. Whenever a new district is created under section seven of this act, the members of the board of education of the original district who reside in the area of the newly-created district shall be members of the board of education of the newly-created dis-

trict and the members of the board of education of the original district who reside in the area not set off to the newly-created district shall be members of the board of education of the remaining district. In each case such members shall continue in office as members of the respective boards until the date or dates when their respective terms of office would have expired as members of the board of education of the original district. The county superintendent of schools shall appoint such additional members of the board of education of the newly-created district as shall be required to complete the full membership of the board of education for that district, and shall likewise appoint such additional members of the board of education of the remaining district as shall be required to complete the full membership of the board of education for that district. In each case such appointees shall serve only until the next election in the district for members of the board of education.

C. 18:5-1.11. Name of new district.

11. The name of the newly-created district shall be "The Board of Education of the (township, town, borough or city, as the case may be, wherein the school district is situate) of (here insert the name of the municipality) in the county of ...." and the name of the remaining district shall be "The Board of Education of the (township, town, borough or city, as the case may be, wherein the school district is situate) of (here insert the name of the municipality) in the county of ...."

C. 18:5-1.12. Vested with title to school property, exception.

12. The board of education of the new district shall become vested, in its corporate capacity, with the title to all school grounds and buildings, including the furnishings and equipment thereof, in the district. Except as the liability is modified by the action of the Board of Review, pursuant to section six of this act, it shall assume the liability for the amount of indebtedness of the original school district in the ratio which the original cost of the buildings, including grounds, furnishings and

equipment, plus any additions thereto, in the newly-created district, bears to the original cost of the school buildings, including grounds, furnishings and equipment, plus any additions thereto, in the whole original district.

Any indebtedness which has been incurred, or authorized but not yet incurred, for the purchase of land or improvement of land or for the erection, alteration, repair or furnishing of a schoolhouse shall be treated as if the bonds or notes had actually been issued. In fixing the amount of indebtedness to be assumed the amount of indebtedness authorized shall be deemed to be the original cost. The original cost shall be determined according to rules and regulations which shall be prescribed by the Commissioner of Education with the approval of the State Board of Education, and shall be in accordance with recognized accounting practices.

C. 18:5-1.13. To continue payment of principal and interest.

13. The board of education of the original district shall continue to pay the principal and interest of the indebtedness to be assumed by the newly-created district and shall bill the new district as the same becomes due. The board of education of the original district may, if necessary, maintain an action therefor against the board of education of the new district.

C. 18:5-1.14. To make a division of assets and liabilities.

14. Whenever a new school district is created, the county superintendent of schools of the county in which it is situated, at the end of the then current school year, shall make between the new district and the remaining district a division of the assets, (excepting school buildings, grounds, furnishings and equipment), and of the liabilities (other than the bonded indebtedness) of the original district, from which the new district was created. In determining the amount of assets to be divided, the county superintendent shall take into account the present value of school books, supplies, fuel, motor vehicles, and all personal property other than furnishings and equipment; *provided*, that, in the case of any vehicle used for the transportation of

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school children, the original cost of the vehicle, minus any State aid apportioned therefor shall be deemed to be the present value.

C. 18:5-1.15. Basis of division.

15. The division of assets and liabilities provided for in this act shall be made on the basis of the ratables in the respective district on which the last school tax was levied and shall be made as directed by the county superintendent in a written report signed by him.

C. 18:5-1.16. Repealer.

16. Sections 18:5–1 to 18:5–10, inclusive, of the Revised Statutes, and "An act concerning education, and supplementing chapter five of Title 18 of the Revised Statutes," approved June thirteenth, one thousand nine hundred and fifty, are repealed.

C. 18:5-1.17. Act effective.

17. This act shall take effect July first, one thousand nine hundred and fifty-four.

Approved September 18, 1953.

CHAPTER 418

AN ACT concerning the admission for a temporary period of observation to institutions, maintained by the State, a county, or a municipality, of persons suffering from a mental or nervous illness or from a psychosis caused by drugs or alcohol.

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

C. 30:4-46.1. Admissions for observation.

1. A person who upon examination by a duly licensed physician of this State shall be found to be suffering from a mental or nervous illness or from a psychosis caused by drugs or alcohol which renders him or her incapable of executing a voluntary application for admission to an institution maintained by the State or a county or a municipality treating such illness, may upon the certificate of

such physician, the form whereof shall be approved by the Department of Institutions and Agencies, and in the discretion of the chief executive or other officer in charge of such institution, be admitted thereto for observation for a period not exceeding seven days, excluding Saturdays, Sundays and holidays, unless such person is thereafter detained under the authority of a formal commitment entered pursuant to the provisions of sections 30:4–23 to 30:4–48 of the Revised Statutes or other applicable statute.

C. 30:4-46.2 Discharge.

2. A person admitted to any institution under section one of this act may be discharged therefrom within the said observation period upon the certificate of the chief executive officer or other officer in charge thereof stating that further observation in the institution is unnecessary or undesirable.

3. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 419

AN ACT concerning the licensing and bonding of certain commission merchants, dealers and brokers, and amending sections 4:11–15, 4:11–16 and 4:11–20 of the Revised Statutes.

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

Section amended.

1. Section 4:11–15 of the Revised Statutes is amended to read as follows:

Terms defined.

4:11–15. Definitions. As used in this article:

"Agent" means any person receiving, buying, soliciting or negotiating the sale of any perishable agricultural commodity from the grower thereof for or on behalf of any commission merchant, dealer or broker.

"Broker" means any person engaged in the business of soliciting or negotiating the sale of any perishable agricultural commodity on behalf of the grower.

"Commission merchant" means any person engaged in the business of soliciting or receiving any perishable agricultural commodity for sale on commission on behalf of the grower thereof.

"Dealer" means any person engaged in the business of buying any perishable agricultural commodity from the grower thereof for the purpose of shipping or for sale, resale or manufacture.

"Eggs" means avian eggs of the kind produced and used for human food including the eggs of chickens, turkeys, ducks, geese and guineas, but not those sold or resold for purposes of hatching and laboratory or biological uses.

"Grower" means any person engaged in the business of growing or producing any perishable agricultural commodity in this State, or any agricultural co-operative association organized pursuant to the provisions of chapter thirteen of this Title (§ 4:13–1 et seq.).

"Perishable agricultural commodity" means any fruit or vegetable of every kind, including those frozen or packed in ice, and any poultry product.

"Poultry product" means live poultry and eggs as defined in this act, when purchased in wholesale quantities from a grower, or his agent, or a marketing association for sale or resale for human consumption.

"Poultry" means domestic fowl, including all marketing classifications of chickens, turkeys, ducks, geese and guineas, not sold for show or breeding purposes.

"Secretary" means the Secretary of Agriculture.

Section amended.

2. Section 4:11–16 of the Revised Statutes is amended to read as follows:

Article not to apply.

4:11–16. This article shall not apply to any transaction in which the grower receives in cash at the time of the transaction full payment of the amount due him, or to any duly incorporated agricultural

co-operative association in its dealings with its members or to any agent, broker, commission merchant or dealer who purchases only poultry products exclusively from duly incorporated agricultural co-operative associations.

3. Section 4:11–20 of the Revised Statutes is amended to read as follows: Section amended.

4:11–20. The application shall be accompanied by a good and sufficient surety bond executed in favor of the secretary in his official capacity, for the benefit of all growers with whom the applicant shall transact business, by a surety company duly authorized to transact business in this State in the sum of at least three thousand dollars ($3,000.00) (except that any such bond accompanying the application of any person for a license to engage in or carry on the business of agent, broker, commission merchant, or dealer for the purchase of eggs only shall be in the sum of at least five hundred dollars ($500.00)) conditioned for the payment of all moneys due and owing by the liccensee to such grower or growers during the period that the license is in force. The bond shall be executed upon a form prescribed by the secretary and shall be subject to his approval as to form and sufficiency. The applicant may in lieu of the bond deposit with the secretary United States Government securities in an amount equal to the sum secured by the bond required to be filed as herein provided. Such securities so deposited with the secretary shall constitute a separate fund and shall be held in trust for and applied exclusively to the payment of claims arising under the provisions of this article against the licensee making such deposit for the period for which such license is issued. All proceeds from surety bonds, money or securities shall be distributed to the grower-creditors by the secretary. Bond to accompany application.

The secretary may require a licensee to file an additional bond, to be executed as provided in this section, in the sum to be determined by the secretary, but the maximum amount of the bond

shall not exceed twenty-five thousand dollars ($25,000.00).

Note: Act effective.

4. This act shall take effect January first, one thousand nine hundred and fifty-four.

Approved September 18, 1953.

CHAPTER 420

AN ACT concerning bio-analytical laboratories and the directors thereof, providing for the licensing of directors and registration of laboratories by the Board of Medical Examiners, providing penalties for violations thereof, and amending sections 45:9–1, 45:9–5, and 45:9–21 of the Revised Statutes.

Preamble.

WHEREAS, The health and lives of the citizens of the State of New Jersey are endangered by incompetent supervision of bio-analytical laboratory tests, and

Preamble.

WHEREAS, A due regard for public health and preservation of human life demands that none but scientists, competent and properly qualified by sufficient education and training in the fundamental sciences, and experienced in their applications in the bio-analytical laboratory, shall be permitted to direct and supervise the work of such laboratories; therefore,

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

C. 45:9-42.1. Short title.

1. This act shall be known, and may be cited as the "Bio-analytical Laboratory and Laboratory Directors Act (1953)."

C. 45:9-42.2. Terms defined.

2. As used in this act, the following terms are defined as follows:

a. "Board" means the State Board of Medical Examiners who shall have authority to register bio-analytical laboratories and license bio-analytical laboratory directors as defined in this act. The board is authorized to make necessary rules to implement the provisions of this act.

b. "License" means a license granted and issued by the board under this act to any person who makes application therefor and fulfills the requirements set forth by the board for bio-analytical laboratory directors.

c. A "Bio-analytical Laboratory" is any place, establishment or institution organized and operated primarily for the performance of chemical, microscopic, serological, parasitological, bacteriological or any other tests, by the practical application of one or more of the fundamental sciences, to material originating from the human body, for the purpose of obtaining scientific data which may be used as an aid to ascertain the state of health. The interpretation of cytologic and histologic criteria of disease is not considered to be within the scope of this definition of a bio-analytical laboratory.

d. A "Bio-analytical Laboratory Director" is any person licensed and qualified to direct and supervise the technical work in a bio-analytical laboratory as defined in this act.

C. 45:9-42.3. Meetings to examine applicants, records.

3. The State Board of Medical Examiners shall, in addition to conducting examinations for licenses to practice medicine and surgery, and chiropody, hold meetings for the examination of all applicants under this act for a license as a bio-analytical laboratory director, which meetings shall be held at such place in the city of Trenton as the board shall designate, on the third Tuesday of June and October of each year and at such other times and places as the board may deem expedient. The board shall keep an official record of all such meetings and an official register of all applicants for such license.

The register shall show the name, age, nativity, last and intended place of residence of each candidate, as well as his educational and other qualifications for license as a bio-analytical laboratory director. The register shall show whether said applicant was examined, licensed or rejected under this act, and it shall be prima facie evidence of all matters therein contained.

C. 45:9-42.4. Application, qualifications, fee.

4. All persons desiring a bio-analytical laboratory director's license shall apply therefor to the board. Every such applicant for examination shall present to the secretary of said board, at least thirty days before the examination at which he requests to be examined, a written application on a form provided by the board, together with satisfactory proof that he is a citizen of the United States, has been a resident of the State of New Jersey for at least one year, is more than twenty-one years of age, is of good moral character and has met satisfactorily all the necessary requirements of education, training and experience as hereinafter provided. An examination fee of twenty-five dollars ($25.00) shall accompany the application.

C. 45:9-42.5. To receive license without examination, fee.

5. Any resident of the State of New Jersey, who has conducted a full-time, established, properly equipped bio-analytical laboratory in this State for a period of at least two years prior to the effective date of this act shall, upon application to the board, together with such evidence as the board may require, be issued a license as a bio-analytical laboratory director without examination. Any such application shall be made within three months after the effective date of this act and shall be accompanied by a license fee of twenty-five dollars ($25.00).

C. 45:9-42.6. Admitted to examination without further qualifications, fee.

6. Any resident of the State of New Jersey, who, on the effective date of this act is conducting a full-time, properly equipped bio-analytical laboratory in this State, established less than two years prior to the effective date of this act, shall be admitted to examination for license as a bio-analytical laboratory director without further qualification;

provided, such person files an application for examination, together with such evidence as the board may require, and a fee of twenty-five dollars ($25.00), not later than three months after the effective date of this act. Proviso.

Any resident of the State of New Jersey who has been or shall be honorably discharged from the Armed Forces of the United States on or before January first, one thousand nine hundred and fifty-seven and who shall have had on or before said date not less than one year of experience, as "years of experience" is defined in section seven, shall be admitted to examination for a license as a bio-analytical laboratory director without further qualification upon the filing of an application for examination accompanied by a fee of twenty-five dollars ($25.00). Any such application shall be filed at least thirty days before the date of the examination at which the applicant requests to be examined.

C. 45:9-42.7. Qualifications as to education and experience.

7. Any person possessing the educational and experience qualifications hereinafter set forth may apply for examination for a license as a bio-analytical laboratory director. The following qualifications as to education and experience are established as prerequisites for application for examination for a bio-analytical laboratory director's license:

As to applications made prior to January first, one thousand nine hundred and fifty-seven:

a. A bachelor's degree, or a higher degree, plus not less than one year of experience, or

b. A high school diploma and graduation from a school of medical technology approved by the board plus not less than five years of experience, or

c. A high school diploma plus not less than ten years of experience;

As to applications made on and after January first, one thousand nine hundred and fifty-seven:

a. A doctorate degree, plus not less than one year of experience, or

b. A master's degree, plus not less than two years of experience, or

c. A bachelor's degree, plus not less than three years of experience.

The above academic degrees shall be course-earned in the fields of chemistry, pharmacy or the biological sciences and awarded by an educational institution approved by the board. "Years of experience," as used in this section, means years of general bio-analytical laboratory experience in a laboratory or laboratories acceptable to the board.

C. 45:9-42.8. May take testimony, administer oaths, refund of fee, re-application.

8. Any member of the Board may inquire of any applicant for examination concerning his qualifications and may take testimony, under oath, of anyone in regard thereto. Any member of the board is authorized to administer an oath to any witness appearing before the board or a member thereof. License examination fees shall be returned by the board if, for any reason, the applicant is not admitted to the examination. If any applicant has been accepted for examination, his fee shall not be refunded unless sickness or other good cause, satisfactory to the board, prevents the applicant from attending and completing such examination or the next succeeding examination. An applicant, who fails to pass an examination for licensing as a bio-analytical laboratory director, may reapply by submitting a new application together with the usual fee, not less than one year after the examination which was failed.

C. 45:9-42.9. Examination in English, scope.

9. All examinations shall be written in the English language, but the board, in its discretion, may use supplementary oral and practical examinations of the whole class or of individual applicants. The scope of the examination shall be such as to determine the competence of the applicant to perform and supervise such tests as are included under paragraph "c" of section two of this act.

C. 45:9-42.10. Records retained for five years.

10. All application and examination papers shall be retained in the files of the said board for at least five years, and they shall be prima facie evidence of all matters therein contained.

C. 45:9-42.11. License issued, signatures, display.

11. License certificates shall be issued to successful applicants and shall be signed by the president and the secretary of the board and shall be attested by the seal thereof. The certificates shall be displayed in a prominent place in the laboratory where the licensee practices.

C. 45:9-42.12. License required.

12. On and after January first, one thousand nine hundred and fifty-four, it shall be unlawful for any person to conduct a bio-analytical laboratory in this State, unless such person is the holder of a bio-analytical laboratory director's license.

C. 45:9-42.13. Causes for refusing to grant licenses, or revoking.

13. The board may refuse to grant or may revoke or may suspend a license for any of the following causes:

The license and registration of all persons licensed or registered under this article may be revoked, suspended for a fixed period or annulled, or such person reprimanded, censured or otherwise disciplined, in accordance with the provisions and procedure defined in this act and in the rules of the board, upon due hearing for (a) fraud and deceit in practice or in procuring the license or registration; (b) that he or she has been convicted in a court of competent jurisdiction, either within or without this State, of a crime involving moral turpitude; or (c) that he or she is or has been an habitual drunkard or is or has been addicted to the use of morphine, cocaine or other drugs having similar effect, or has become insane; or (d) that he or she is practicing beyond the limits of his or her profession; or (e) that he or she has been guilty of unprofessional conduct.

C. 45:9-42.14. Applicant given an official statement of causes, hearing.

14. Before a license is refused, suspended or revoked under the provisions of this act, the applicant or licensee shall be furnished with an official statement of the reasons for the board's proposed action. He shall be afforded opportunity for a hearing before the board, on reasonable notice, in person, and may be represented by counsel. Any person who, after the refusal, suspension or revocation of his license, attempts or continues practice

as a bio-analytical laboratory director shall be guilty of a violation of this act.

C. 45:9-42.15. Annual registration, fee, forms furnished, penalty.

15. Every licensed bio-analytical laboratory director shall procure each year from the secretary of the board, on or before January first, an annual certificate of registration which shall be issued by said secretary upon the payment of a fee, in an amount to be fixed by the board, not to exceed ten dollars ($10.00). The secretary shall mail to each licensed bio-analytical laboratory director, on or before October first of each year, a printed blank form to be properly filled in and returned to said secretary by such licensee on or before the succeeding November first, together with such fee. Upon the receipt of said form, properly filled in, and such fee, the annual certificate of registration shall be issued and transmitted. Said secretary shall annually, on or before March first, mail to each licensed bio-analytical laboratory director, and to each physician, or member of other profession licensed by the board, a list of the names and addresses of all bio-analytical laboratories and licensed bio-analytical laboratory directors registered under this act for said year. Every bio-analytical laboratory director, who continues to operate or direct a laboratory after having failed to obtain an annual certificate of registration at the time and in the manner required by this act, shall be subject to a penalty of twenty-five dollars ($25.00) for each such failure.

C. 45:9-42.16. Laboratory to register, information furnished.

16. Within sixty days after passage of this act, and annually thereafter, every laboratory performing any of the tests enumerated in paragraph "c" of section two of this act shall register with the board and give such information about its organization, personnel and scope of work, and such other information as the board may require. The board shall maintain a list of all laboratories so registering to be known as the Register of Bio-analytical Laboratories. No laboratory, other than those enumerated in section twenty of this act, which is not so registered shall perform any of the tests

enumerated in paragraph "c" of section two of this act.

C. 45:9-42.17. Annual registration fee.

17. The annual registration shall be accompanied by a fee of fifteen dollars ($15.00), and the board shall issue a certificate of annual registration which shall be conspicuously displayed in the laboratory and shall be exhibited whenever required to any authorized representative of the board.

C. 45:9-42.18. Supervision of laboratories.

18. Each bio-analytical laboratory shall be under the direct and constant supervision of either

(a) a person licensed to practice medicine and surgery in the State of New Jersey, or

(b) a licensed bio-analytical laboratory director.

C. 45:9-42.19. Request for examination of material, origin.

19. Requests for examinations of material from the human body shall be honored by a bio-analytical laboratory only if such requests are made by or on behalf of, or originate from a licensed physician, dentist, osteopath, chiropodist or other person licensed by the board, or are made by the State Department of Health, an authorized public health officer or local board of health, and the reports of the scientific data obtained shall be submitted in writing, signed by a licensed laboratory director, addressed to a licensed physician, dentist, osteopath, chiropodist or other person licensed by the board, or to an authorized public health officer or local board of health.

C. 45:9-42.20. Provisions not to affect.

20. The provisions of this act shall not affect:

a. Physicians or members of other professions who, in their private practices perform bio-analytical laboratory tests in their own offices or laboratories for their own patients pursuant to licenses respectively granted to them according to law.

b. Nonprofit research institutions.

c. Bio-analytical laboratories of hospitals, licensed by the New Jersey Department of Institutions and Agencies, where the work is confined to regularly admitted patients or registered clinic patients of the hospital.

d. Bio-analytical laboratories operated by the United States Government, the State Department

of Health, or any county or municipality of the State.

C. 45:9-42.21. Violations, penalty.

21. Whoever conducts, operates, or directs a bio-analytical laboratory in this State without having first obtained from the board a license to do so, or who performs such bio-analytical laboratory work except in a registered bio-analytical laboratory under the specific direction and supervision of a licensed bio-analytical laboratory director, or who solicits, receives, accepts or delivers material originating from the human body on behalf of any bio-analytical laboratory located without this State and which is not under the direction of a licensed bio-analytical laboratory director and registered under this act, or similarly licensed and registered under the laws of the State in which it is located, or whoever violates any of the provisions of this act or rules of the board issued pursuant thereto, shall be liable to a penalty of not less than one hundred dollars ($100.00), nor more than five hundred dollars ($500.00) for each such offense, which penalty shall be sued for and recovered in the name of the board in a summary manner, pursuant to "the penalty enforcement law" and the Rules of the Supreme Court.

C. 45:9-42.22. Unprofessional and unethical practices.

22. The following shall be considered as unprofessional and unethical conduct within the meaning of said terms as set forth in section thirteen (e) of this act:

a. The violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any provision of this act.

b. Displaying or listing one's name in any city, commercial, telephone or public directory in a manner different or distinct from other listings therein or under a listing other than a bio-analytical laboratory. (Such as the use of display, bold face or block type.) It shall not be construed as unprofessional or unethical conduct to make use of two paid lines in the telephone directory in order to announce office hours or, if only a specialty is practiced, to so state in an additional line.

c. Displaying or listing prices or fees for laboratory services.

d. Advertising by a bio-analytical laboratory director of the prices or charges to be made, the character or accuracy of his work, or advertising that he would perform laboratory services free of charge, or on credit or installments, or at reduced or special fees, or anything similar to the foregoing, by means of circulars, cards, signs, posters or pictures, or by advertising in newspapers, magazines, or other publications or by projections by means of light, rays, electronics, crier, radio broadcasting, television or by use of advertising solicitor or publicity agent, or any other advertising media, or using his name or permitting the use of his name as a bio-analytical laboratory director, directly or indirectly, in the sale of advertising to the public of bio-analytical laboratory products or work. The foregoing portion of this section shall not be construed as prohibiting personal and direct announcements to a licensed practitioner of any of the healing arts of the services rendered by a bio-analytical laboratory, or such other pertinent, scientific material as may be of interest to such practitioner; *provided, however,* that no statements concerning the performance of laboratory services free of charge, or on credit or installments, or at reduced or special fees, or anything similar to the foregoing be made, or from which the foregoing may be inferred. A licensee may, however, announce the opening of a bio-analytical laboratory, his affiliation or association with a bio-analytical laboratory, his change of affiliation or removal of said laboratory, or his absence from or return to said laboratory by way of a professional announcement card containing such announcement, together with his name, profession, title, degree, laboratory location, office hours, telephone number, and residence address and telephone number, if desired, and may insert such announcement (two inches by two columns) in a newspaper for a period not exceeding one month; *provided, further,* that a licensee may display his

Proviso.

Proviso.

name or the laboratory name, or both, on the premises where the laboratory is located and upon the windows or doors thereof, and by one doorplate, and upon a name or office directory where the information is limited to that of a business card, but no licensee shall use more than a total of three signs visible from the street, and such signs shall be separated from each other and each sign shall not exceed an over-all area of three hundred sixty square inches or thirty inches in width, but when such sign is above second-floor level, it shall not exceed an over-all area of five hundred four square inches or forty-two inches in width, nor shall the lettering of such signs be larger than five inches in height. Any announcement, permitted by the provisions of this paragraph, which is false or misleading shall also be considered unethical and unprofessional conduct.

e. Using, displaying or listing the name of a deceased bio-analytical laboratory director of this State by a registered bio-analytical laboratory in connection with its practice for a period of more than one year after the death of a bio-analytical laboratory director.

f. Using, displaying, or listing the name of a bio-analytical laboratory director who has retired from active practice, or who has sold his practice, or has moved to another State and is in practice in that State, by a registered bio-analytical laboratory director in connection with his practice for a period of more than one year after such retirement, sale or removal.

g. Practices involving rebates and discounts, or other financial inducements for the obtaining of referrals, either direct or indirect, shall be considered unprofessional and unethical practice.

h. Conduct, which, in the opinion of the board, disqualifies a licensee to practice with safety to the public.

The foregoing paragraphs are not intended as a complete definition of that which constitutes un-

professional or unethical conduct. The board may, by rule, establish additional standards of professional and ethical conduct.

C. 45:9-42.23. Provisions severable.

23. In the event that any section or portion thereof, or any provision of this act, shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not impair the remainder thereof, but shall be confined strictly in its operation to the particular clause, section, paragraph or part thereof so held to be invalid.

C. 45:9-42.24. Act not to affect rights of health department.

24. This act shall not affect the right of the State Department of Health, or any local Board of Health and their representatives to inspect and supervise laboratories or laboratory tests performed for governmental agencies or in connection with administration of any law.

C. 45:9-42.25. Disposition of fees.

25. All fees, fines, penalties and other moneys derived from the operation of this act shall be paid to the board, and remitted by it to the State Treasurer.

Section amended.

26. Section 45:9–1 of the Revised Statutes is amended to read as follows:

State board of medical examiners, members, terms, chiropractors, advisory committee of laboratory directors.

45:9–1. The State Board of Medical Examiners, hereinafter in this chapter, designated as the "board" created and established by the act entitled "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof," approved May twenty-second, one thousand eight hundred and ninety-four (L. 1894, c. 306, p. 454), as supplemented by an act approved April second, one thousand nine hundred and thirteen (L. 1913, c. 224, p. 408), and by an act approved March thirty-first, one thousand nine hundred and twenty-one (L. 1921, c. 136, p. 263), is continued and the members and officers of said board as constituted pursuant to said act, and the amendments and supplements of said act, shall continue to hold office until the expiration of their terms. The board shall consist of eleven full members and two qualified members who shall be persons of recognized professional ability and

honor, and shall possess a license to practice his or her respective profession in New Jersey, and who shall be appointed by the Governor from a list to be furnished within thirty days after any vacancy occurs in the membership of said board by the society or organization of whom the persons nominated are members, if there be such a society or organization, or if such society or organization has a membership in good standing of not less than one hundred, and for every membership filled in said board at least three names shall be submitted to the Governor, and from the names thus submitted the Governor shall select one person to be a member of said board; *provided, however,* that said board shall consist of nine graduates of schools of medicine who shall possess the degree of M. D., of whom five shall be old school physicians, three shall be homeopaths and one an eclectic, and in addition the membership of said board shall comprise one osteopath, one chiropractor, one qualified member who shall be a chiropodist and one qualified member who shall be a licensed bio-analytical laboratory director, who may or may not be the holder of a degree of M.D. The qualified members of the board shall have equal rights and privileges with the other members of the board, but shall vote only on matters pertaining to their own specialties and shall have no vote on the selection of officers. The term of office of members of the board hereafter appointed shall be three years or until their successors are appointed. Said appointees shall, within thirty days after receipt of their respective commissions, take and subscribe the oath or affirmation prescribed by law and file the same in the office of the Secretary of State.

Proviso.

The Governor shall appoint two chiropractors who are licensed to practice chiropractic in the State of New Jersey to serve for a term of three years each and until their successors are appointed and qualify, who shall be available to assist the board in the administration of sections four, five, six, seven, eight, nine, twelve, fifteen and sixteen

of chapter two hundred thirty-three of the laws of one thousand nine hundred and fifty-three, which act supplements chapter nine of Title 45 of the Revised Statutes, and contains this amendment to this section. Within the limits of available appropriations therefor each such chiropractor shall be paid a fee of ten dollars ($10.00) for each applicant assigned to him for examination and when designated and authorized by the board to do business on behalf of the board outside of the State shall receive fifty dollars ($50.00) per day and when performing authorized official duties in or out of the State shall be reimbursed for all proper expenses incurred in the performance of such duties.

The Governor shall also appoint an advisory committee to consist of four licensed bio-analytical laboratory directors, only two of whom shall possess the degree of M.D., and who shall be appointed from a list to be submitted by the society or organization of which the persons nominated are members. The members of this advisory committee shall serve for a term of three years and until their successors are appointed and qualified, and shall be available to assist the board in the administration of the Bio-analytical Laboratory and Laboratory's Director's Act. The advisory committee shall meet at the call of the board. The board may authorize reimbursement of the members of the advisory committee for their actual expenses incurred in connection with the performance of their duties as members of the committee.

Section amended.

27. Section 45:9–5 of the Revised Statutes is amended to read as follows:

Meetings, salaries, minutes, official register.

45:9–5. The board shall hold meetings once a month, and shall hold meetings for examinations on the third Tuesday of June and October of each year, which shall be held at the capitol of this State and at such other times and places as it may deem expedient. The secretary of the board shall receive an annual salary as provided by section 45:1–4 of this Title, and each member thereof, including said secretary and the two qualified mem-

bers shall receive the sum of two hundred and fifty dollars ($250.00) for each regular examination so held, which sum shall be paid from the receipts of the board before any unused balances are paid over to the State Treasurer; but if an appropriation is made for the expenses of the board such sums shall be paid from such appropriation. The board shall keep an official record of all its meetings and an official register of all applicants for a license to practice medicine and surgery in this State. The register shall show the name, age, nativity, last and intended place of residence of each applicant, the time he has spent in obtaining a competent academic and professional education as hereinafter provided, and the names and location of all professional schools or colleges, or examining and licensing boards which have granted the applicant any degree or certificate of attendance upon lectures upon medicine and surgery or State examinations. The register shall also show whether the applicant was licensed or rejected under this article; if licensed, whether the applicant was examined or licensed without examination, and the register shall be prima facie evidence of all matters therein contained.

Section amended.

28. Section 45:9-21 of the Revised Statutes is amended to read as follows:

Prohibitory provisions not to apply.

45:9-21. The prohibitory provisions of this chapter shall not apply to the following:

a. A commissioned surgeon or physician of the regular United States Army, Navy or Marine hospital service while so commissioned and actively engaged in the performance of his official duties. This exemption shall not apply to reserve officers of the United States Army, Navy or Marine Corps, or to any officer of the National Guard of any State or of the United States;

b. A lawfully qualified physician or surgeon of another State taking charge temporarily, on written permission of the board, of the practice of a lawfully qualified physician or surgeon of this State during his absence from the State, upon written

request to the board for permission so to do. Before such permission is granted by the board and before any person may enter upon such practice he must submit proof that he can fulfill the requirements demanded in the other sections of this article relating to applicants for admission by examination or indorsement from another State. Such permission may be granted for a period of not less than two weeks nor more than four months upon payment of a fee of twenty-five dollars ($25.00). The board in its discretion may extend such permission for further periods of two weeks to four months but not to exceed in the aggregate one year;

c. A physician or surgeon of another State of the United States and duly authorized under the laws thereof to practice medicine or surgery therein, if such practitioner does not open an office or place for the practice of his profession in this State;

d. A person while actually serving as a member of the resident medical staff of any legally incorporated charitable or municipal hospital or asylum approved by the board. Hereafter such exemption of any such resident physician shall not apply with respect to any individual after he shall have served as a resident physician for a total period of two years, and such exemption of resident physicians, except with respect to persons who shall have commenced service as resident physicians prior to July first, one thousand nine hundred and thirty-nine, shall apply only to persons who have been issued certificates under provisions contained in section 45:9–8 of this Title;

e. The practice of dentistry by any legally qualified and registered dentist;

f. The ministration to, or treatment of, the sick or suffering by prayer or spiritual means, whether gratuitously or for compensation, and without the use of any drug or material remedy;

g. The practice of optometry by any legally qualified and registered optometrist;

h. The practice of chiropody by any legally licensed chiropodist;

i. The practice of pharmacy by a legally licensed and registered pharmacist of this State, but this exception shall not be extended to give to said licensed pharmacist the right and authority to carry on the business of a dispensary, unless the dispensary shall be in charge of a legally licensed and registered physician and surgeon of this State;

j. A person claiming the right to practice medicine and surgery in this State who has been practicing therein since before July fourth, one thousand eight hundred and ninety, if said right or title was obtained upon a duly registered diploma, of which the holder and applicant was the lawful possessor, issued by a legally chartered medical institution which, in the opinion of the board, was in good standing at the time the diploma was issued;

k. A chiropodist, professional nurse, or a graduate physio-therapist, masseur, electro-therapist, or hydro-therapist, while operating in each particular case under the specific direction of a regularly licensed physician or surgeon. This exemption shall not apply to such assistants of persons who are licensed as osteopaths, chiropractors, optometrists or other practitioners holding limited licenses;

l. A person while giving aid, assistance or relief in emergency or accident cases pending the arrival of a regularly licensed physician or surgeon or under the direction thereof; or

m. The operation of a bio-analytical laboratory by a licensed bio-analytical laboratory director, or any person working under the direct and constant supervision of a licensed bio-analytical laboratory director.

Note: Sec. 21. Act effective.

29. This act shall take effect immediately, except that section twenty-one hereof shall take effect January first, one thousand nine hundred and fifty-four.

Approved September 18, 1953.

CHAPTER 421

AN ACT concerning places of imprisonment, and amending section 2A:164–15 of the New Jersey Statutes.

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

1. Section 2A:164–15 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:164–15. Every person sentenced under the laws of this State to imprisonment for any time less than one year shall be confined in the common jail of the county where conviction was had, or the county workhouse or penitentiary, in the discretion of the court, and there safely kept until the term of his confinement shall expire and the fine and costs of prosecution be paid, or until he shall be discharged by due course of law; *provided,* in counties of the first class no sentence exceeding six months shall be made to the common jail of the county. Every person so sentenced to the county workhouse or penitentiary shall be transferred to and confined therein within ten days after the sentence. Place of imprisonment. Proviso.

Every person sentenced to hard labor or imprisonment, except as hereinafter provided, for any term of one year or longer shall be imprisoned in the State Prison; except that in any county in which a penitentiary is located, a person sentenced to hard labor and imprisonment for a term of not less than one year and not exceeding eighteen months, shall be imprisoned in the penitentiary of such county instead of the State Prison, unless the person so convicted shall have previously served a term in the State Prison, in which case the person so convicted may, in the discretion of the court, be imprisoned in the State Prison; *provided,* nothing herein contained shall be construed to prevent the Proviso.

sentence of persons to penitentiaries in counties of the first class to terms of between six months and one year.

In any county in which a workhouse is located, any person sentenced to hard labor and imprisonment for a term of not less than one year and not exceeding eighteen months, may, in the discretion of the court so sentencing, be imprisoned in such county workhouse instead of the State Prison or county penitentiary.

In case any person, while confined in any jail, workhouse or penitentiary under sentence, shall be sentenced to imprisonment in the State Prison for a term, the minimum of which is equal to or exceeds the sentence then being served by him in any jail, workhouse or penitentiary, the court imposing such sentence of imprisonment to the State Prison may, in its discretion, direct that the sentence to imprisonment in the State Prison shall be served concurrently with the balance of the sentence then being served by such prisoner in the jail, workhouse or penitentiary and that the prisoner shall be immediately taken to the State Prison by the sheriff, there to serve such sentence to imprisonment in the State Prison and the balance of the sentence then being served by such prisoner in the jail, workhouse or penitentiary, concurrently, in accordance with law.

2. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 422

AN ACT concerning food and drugs, and amending sections 24:10–1, 24:10–95 and 24:10–96 of the Revised Statutes.

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

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

24:10–1. For the purposes of this article the following definitions are set up: Definitions set up.

a. Cream is a portion of milk which contains not less than sixteen per centum (16%) of milk fat and shall not contain any foreign fat or oils.

b. Cream cheese is the unripened cheese made by the Neufchatel, or similar process from whole milk enriched with cream. It contains, in the water-free substance, not less than sixty-five per centum (65%) of milk fat and may contain not more than one-half of one per centum (½ of 1%) by weight of stabilizers, improvers or similar substances, approved by the State Department of Health.

c. Creamery is defined as any establishment where milk or cream is received or stored for sale or distribution by wholesale, or for manufacture of the same into butter, cheese, condensed milk, ice cream or other food for human consumption.

d. A dairy or dairy farm is any place or premises where one or more cows are kept, a part or all of the milk or milk products from which is sold or delivered to any person.

e. Ice cream is defined as the frozen product made from cream with the addition of milk or milk products or eggs, fruits, fruit juices, or nuts, with or without sugar or harmless artificial flavoring, or colors certified by the United States Department of Agriculture and containing not more than one-half of one per centum (½ of 1%) by weight of

stabilizers, improvers or similar substances, approved by the State Department of Health.

f. Ice cream mix is an unfrozen mixture containing in whole or in part the ingredients enumerated under the definition of ice cream.

g. Milk is defined to be the lacteal secretion obtained by the complete milking of one or more healthy cows properly fed and kept, excluding that obtained within fifteen days before and five days after calving or such longer period as may be necessary to render the milk practically colostrum free; which contains not less than eleven and one-half per centum (11½%) of milk solids, and not more than eighty-eight and one-half per centum (88½%) of watery fluids, or less than three per centum (3%) of milk fats.

h. Milk fat or butter fat is the fat of milk.

i. A milk plant is any place or premises or establishment where milk or milk products are collected, handled, processed, manufactured, stored, bottled, pasteurized, or prepared for distribution.

j. Milk products is defined as cream, ice cream, ice cream mix, sherbets, cream cheese, or other food for human consumption made from milk or cream, or both.

k. Non-fat milk is whole milk from which practically all butter fat has been removed, leaving no more than one-half of one per centum (½ of 1%) of butter fat.

l. Non-fat fortified milk is non-fat milk to which has been added two thousand U.S.P. units of vitamin A, and four hundred U.S.P. units of vitamin D, per quart.

m. Pasteurization is the process of heating every particle of milk or milk products to a temperature of not less than one hundred forty-two degrees Fahrenheit and holding same at that temperature for thirty consecutive minutes in approved pasteurizing apparatus or equipment, or by such other method demonstrated to accomplish the same results.

n. Sherbet is any frozen, sweetened, fruit-flavored products containing five per centum (5%) or less by weight of total milk solids or skimmed milk solids.

Section amended.

2. Section 24:10–95 of the Revised Statutes is amended to read as follows:

Fat-free milk to be labeled.

24:10–95. No milk from which the cream or any part thereof has been removed shall be sold, offered or exposed for sale, or had in possession for purpose of sale, or retailed out of a container which is not appropriately labeled "skimmed milk," "non-fat milk," or "non-fat fortified milk," as the case may be, in letters not less than one inch in height and the lines of which shall be at least one-eighth of an inch in width, except that in the case of glass bottles where the label appears on the caps thereof the lettering shall be not less than one-eighth of an inch in height.

In lieu of such label every glass bottle may have blown on it the words "skimmed milk," "non-fat milk," or "non-fat fortified milk," as the case may be, in letters at least one inch in height and the lines of which shall be at least one-eighth of an inch in width.

Section amended.

3. Section 24:10–96 of the Revised Statutes is amended to read as follows:

Regulates size of container, penalties.

24:10–96. No milk from which the cream or any part thereof has been removed shall be sold or offered or exposed for sale, or had in possession for the purpose of sale in a container having a capacity of forty quarts or more which does not have securely attached to the container in a conspicuous place on the outside a label or tag with the words "skimmed milk," "non-fat milk" or "non-fat fortified milk," as the case may be, printed thereon in letters at least one inch in height and the lines of which shall be at least one-eighth of an inch in width.

Every person who shall violate this section shall be liable to a penalty of twenty-five dollars ($25.00) for the first offense, and to a penalty of fifty dollars ($50.00) for the second and each subsequent of-

fense. Each container sold or offered or exposed for sale, or had in possession with intent to distribute or sell in violation of this section shall constitute a separate and distinct offense.

4. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 423

AN ACT for the establishment of an alcoholic beverage control law enforcement officers pension fund, and making an appropriation therefor.

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

C. 43:8A-1. Terms defined.

1. The following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings:

(1) "Pension fund" shall mean the alcoholic beverage control law enforcement officers pension fund as defined in section two of this act.

(2) "Law enforcement officer" shall mean any permanent and full-time active employee of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety of the State of New Jersey having the power of arrest.

(3) "Member" shall mean any law enforcement officer included in the membership of the pension fund as provided in section three of this act.

(4) "Present entrant" shall mean any member who, prior to the date of the establishment of this pension fund, has been permanently appointed as a law enforcement officer or has received a temporary appointment as a law enforcement officer prior to qualifying for permanent appointment.

(5) "New entrant" shall mean any member who, on or after the date of establishment of this pension fund, is permanently appointed as a law enforcement officer or receives a temporary appointment as a law enforcement officer prior to qualifying for permanent appointment.

(6) "Board of trustees" or "board" shall mean the board provided for in section five of this act to administer the pension fund.

(7) "Medical board" shall mean the board of physicians provided for in section five of this act.

(8) "Employer" shall mean said Division of Alcoholic Beverage Control.

(9) "Service" shall mean service as a law enforcement officer paid for by the employer.

(10) "Creditable service" shall mean service rendered while a member, or before becoming a member, of the pension fund, for which credit is allowed as provided under section four of this act.

(11) "Regular interest" shall mean interest as determined from time to time by the board of trustees under the provisions of section five, subsection fourteen, of this act.

(12) "Aggregate contributions" shall mean the sum of the amounts deducted from a member's salary and credited to his account in the annuity savings fund.

(13) "Annuity" shall mean payments for life derived from the aggregate contributions of a member. All annuities shall be paid in equal monthly installments.

(14) "Pension" shall mean payments for life derived from contributions by the employer. All pensions shall be paid in equal monthly installments.

(15) "Retirement allowance" shall mean the sum of the pension and annuity, if any.

(16) "Earnable compensation" shall mean the full rate of the salary that would be payable to an employee if he worked the full normal working time for his position. In cases where salary includes maintenance, the board of trustees shall fix

the value of the part of the salary not paid in money which shall be considered under this act.

(17) "Average final compensation" shall mean the average annual earnable salary of an employee during his last five years of service as an employee or if he had less than five years of service, then his average earnable salary for his total service.

(18) "Retirement" shall mean withdrawal from active service with a retirement allowance granted under the provisions of this act.

(19) "Annuity reserve" shall mean the present value of all payments to be made on account of any annuity or benefit in lieu of any annuity computed upon the basis of such mortality tables as shall be adopted by the board of trustees, and regular interest.

(20) "Pension reserve" shall mean the present value of all payments to be made on account of any pension or benefit in lieu of any pension computed upon the basis of such mortality tables as shall be adopted by the board of trustees, and regular interest.

(21) "Actuarial equivalent" shall mean a benefit of equal value when computed upon the basis of such mortality tables as shall be adopted by the board of trustees, and regular interest.

(22) "Beneficiary" shall mean any person receiving a retirement allowance or other benefit as provided by this act.

(23) "Division of Alcoholic Beverage Control" shall mean the Division of Alcoholic Beverage Control of the Department of Law and Public Safety of the State of New Jersey, and its predecessor, the Department of Alcoholic Beverage Control of the State of New Jersey.

(24) "Permanent appointment" shall mean an appointment to continue during good behavior without limit as to time or duration.

C. 43:8A-2. Alcoholic beverage law enforcement officers pension fund established.

2. A pension fund is hereby established for the purpose of providing retirement allowances and other benefits for law enforcement officers under the provisions of this act. The pension fund so

created shall be established on October one, one thousand nine hundred and fifty-three. It shall have the powers and privileges of a corporation and shall be known as the "Alcoholic Beverage Law Enforcement Officers Pension Fund" and by such name all of its business shall be transacted, all of its funds invested, and all of its cash and securities and property held in trust for the purpose for which received.

C. 43:8A-3. Membership.

3. (1) On or after the date of the establishment of this pension fund any person becoming permanently appointed as a law enforcement officer or becoming temporarily appointed prior to qualifying for permanent appointment shall become a member of this pension fund as a new entrant.

(2) (a) After the date of the establishment of this pension fund any person permanently appointed as a law enforcement officer prior to that date or holding a temporary appointment received before that date prior to qualifying for permanent appointment shall have the right to become a member of this pension fund as a present entrant. This right may be exercised only within six months after the date of the establishment of this pension fund, in accordance with the rules and regulations prescribed by the board of trustees.

(b) Where, on the date of the establishment of this pension fund, a law enforcement officer is a member of any other retirement system or pension fund supported in whole or in part by the State of New Jersey, he shall have the right to become a member of this pension fund as a present entrant. This right may be exercised only within six months after the date of the establishment of this pension fund, in accordance with the rules and regulations prescribed by the board of trustees. Upon the commencement of the membership of such law enforcement officer in this pension fund, there shall be transferred to the State Treasurer, and credited to the annuity savings fund of this pension fund, the aggregate contributions of said law enforcement officer to such other retirement system or pen-

sion fund. In determining the amount of interest on said aggregate contributions which should be so transferred, the provisions of the enabling legislation of such other retirement system or pension fund governing the crediting of interest for purposes other than withdrawal shall apply. Upon the transfer of said aggregate contributions said present entrant shall receive credit toward service retirement, as provided in section seven of this act, as though he had contributed to this pension fund for the period of time for which such contributions were made to such other retirement system or pension fund.

(3) Should any member in any period of four consecutive years after last becoming a member be absent from service for more than two years, or withdraw his aggregate contributions, or become a beneficiary or die, he shall thereupon cease to be a member.

C. 43:8A-4. Creditable service.

4. Only service as a law enforcement officer which was rendered by a member before the date of the establishment of this pension fund, or since he became a member, or since he last became a member in case of a break in service, shall be considered as creditable for the purposes of this act.

C. 43:8A-5. Board of trustees, members, terms, oaths, vacancies, powers and duties.

5. (1) The general supervision of the operation of the retirement system is hereby vested in a board of trustees which shall be organized immediately after three of the trustees provided for in this section have qualified and taken the oath of office.

(2) The board shall consist of five trustees as follows:

(a) Two public members to be appointed by the Governor for a term of three years; *provided, however,* that the term of office of the first two public trustees shall be for one year and two years, respectively, as indicated by the Governor.

Proviso.

(b) The State Treasurer, ex officio.

(c) Two law enforcement officers who shall be members of the pension fund and who shall be elected by the members of the pension fund for a term of three years according to such rules and regulations as the board of trustees shall adopt to govern such election; *provided, however,* that the term of office of the first two trustees so elected shall begin immediately following their election and shall expire July first, one thousand nine hundred and fifty-six, and July first, one thousand nine hundred and fifty-seven, in the order named. Proviso.

(3) Each trustee shall, within ten days after his appointment or election, take an oath of office that, so far as it devolves upon him he will diligently and honestly administer the affairs of the said board, and that he will not knowingly violate or willingly permit to be violated any of the provisions of the law applicable to the pension fund. Such oath shall be subscribed by the member making it, and certified by the officer before whom it is taken, and immediately filed in the office of the Secretary of State.

(4) If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled.

(5) The trustees shall serve without compensation, but they shall be reimbursed for all necessary expenses that they may incur through service on the board.

(6) Each trustee shall be entitled to one vote in the board. Three votes shall be necessary for a decision by the trustees at any meeting of said board.

(7) Subject to the limitations of this act the board of trustees shall, from time to time, establish rules and regulations for the administration of the funds created by this act and for the transaction of its business.

(8) The board of trustees shall elect from its membership a chairman. The secretary and the actuary of the State Employees' Retirement System shall be the secretary and the actuary, respectively, of the pension fund. The board shall engage such other special services as shall be required to transact the business of the pension fund. The compensation of all persons engaged by the board of trustees shall be paid at such rates and in such amounts as the board of trustees shall approve.

(9) The board of trustees shall keep in convenient form such data as shall be necessary for actuarial valuation of the various funds of the pension fund, and for checking the experience of the system.

(10) The board of trustees shall keep a record of all of its proceedings which shall be open to public inspection. It shall publish annually a report showing the fiscal transactions of the pension fund for the preceding year, the amount of the accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the pension fund by means of an actuarial valuation of the assets and liabilities of the pension fund.

(11) The Attorney-General of the State of New Jersey shall be the legal adviser of the board of trustees.

(12) The board of trustees shall designate a medical board to be composed of one, two or three physicians as the board shall designate who are not eligible to participate in the pension fund. If required, other physicians may be employed to report on special cases. The medical board shall arrange for and pass upon all medical examinations required under the provisions of this act, shall investigate all essential statements and certificates by or on behalf of a member in connection with an application for disability retirement, and shall report in writing to the board of trustees its conclusions and recommendations upon all matters referred to it.

(13) Immediately after the establishment of the pension fund, the actuary shall prepare and submit

to the board of trustees the mortality and service tables which he recommends to the board for adoption. Having regard to such recommendations, the board shall adopt for the pension fund such mortality and service tables as shall be deemed necessary, and shall certify the rates of contribution payable under the provisions of this act. At least once in every five-year period following the establishment of the pension fund, the actuary shall make an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries of the retirement system, and taking into account the results of such investigation, the board of trustees shall adopt for the retirement system such mortality, service and other tables as shall be deemed necessary and shall certify the rates of contribution payable under the provisions of this act.

(14) The board of trustees from time to time shall set the rate of regular interest at such per centum rate compounded annually as shall be determined by the board to be equitable in its judgment, both to members and to the taxpayers of the State, such rate to be limited to a minimum of two per centum (2%) and a maximum of four per centum (4%) with the rate of three per centum (3%) applicable until changed by the board.

(15) On the basis of such tables as the board of trustees shall adopt and regular interest, the actuary shall make an annual valuation of the assets and liabilities of the funds of the pension fund created by this act.

(16) The various funds created by this act shall be subject to the supervision of the Department of Banking and Insurance of the State of New Jersey.

C. 43:8A-6. Retirement for age.

6. (1) Any new entrant member in service who attains age fifty-five years may retire on a service retirement allowance upon written and duly executed application to the board of trustees, setting forth at what time, not less than thirty days nor more than ninety days, subsequent to the filing thereof, he desires to be retired. Any new entrant

member in service who attains age sixty years shall be retired on a service retirement allowance forthwith or on the first day of the next calendar month; *provided, however,* that any new entrant member in service in an administrative position as provided for in section twenty-two of this act may remain in service until attaining age sixty-five years whereupon he shall be retired on a service retirement allowance forthwith or on the first day of the next calendar month.

Proviso.

Service retirement allowance.

(2) Upon retirement for service a new entrant member shall receive a service retirement allowance which shall consist of:

(a) An annuity which shall be the actuarial equivalent of his aggregate contributions at the time of retirement; and

(b) A pension in the amount which when added to the member's annuity will provide a total retirement allowance equal to two per centum (2%) of his average final compensation multiplied by the number of years of creditable service up to twenty-five, plus one per centum (1%) of his average final compensation multiplied by the number of years of creditable service over twenty-five.

(3) (a) Upon the receipt of proper proofs of the death of a new entrant member after service retirement, there shall be paid to such person as he shall have nominated by written designation, duly executed and filed with the board of trustees, otherwise to his estate, a death benefit of two thousand dollars ($2,000.00).

(b) The beneficiary of a death benefit after service retirement may elect to receive the amount payable in one sum or in equal installments over a period of years or as a life annuity.

C. 43:8A-7. Present member service retirement allowance.

7. (1) Any present entrant member in service who has attained or who attains age fifty-five may retire on a service retirement allowance upon writ-

ten and duly executed application to the board of trustees, setting forth at what time, not less than thirty days nor more than ninety days, subsequent to the filing thereof, he desires to be retired. Any present entrant member in service, shall be retired on a service retirement allowance forthwith or on the first day of the next calendar month upon the completion of twenty-five years of service but not before attaining age sixty years; *provided, however,* that any present entrant member may remain in service beyond the completion of twenty-five years of service and attaining age sixty years with the permission of the head of said Division of Alcoholic Beverage Control. Proviso.

(2) Upon retirement for service a present entrant member shall receive a service retirement allowance which shall consist of:

(a) An annuity which shall be the actuarial equivalent of his aggregate contributions at the time of retirement; and

(b) A pension in the amount which when added to the member's annuity will provide a total retirement allowance equal to two per centum (2%) of his average final compensation multiplied by the number of years of service during the first twenty-five years of service for which the member has contributed, up to twenty-five, plus one per centum (1%) of his average final compensation multiplied by the number of all other years of service.

C. 43:8A-8. Application for retirement, ordinary disability.

(3) (a) Upon the receipt of proper proofs of the death of a present entrant member after service retirement, there shall be paid to such person as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to his estate, a death benefit of two thousand dollars ($2,000.00).

(b) A beneficiary of a death benefit after service retirement may elect to receive the amount payable in one sum or in equal installments over a period of years or as a life annuity.

8. (1) Upon the written application of a member in service or of his employer, any member who has had five or more years of creditable service may be retired by the board of trustees, not less than thirty days and not more than ninety days next following the date of filing such application, on an ordinary disability retirement allowance; *provided,* that the medical board, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for the performance of his usual duty and of any other available duty in the Division of Alcoholic Beverage Control which his employer is willing to assign to him and that such incapacity is likely to be permanent and to such an extent that he should be retired.

(2) Upon retirement for ordinary disability, a member shall receive an ordinary disability retirement allowance which shall consist of:

(a) An annuity which shall be the actuarial equivalent of his aggregate contributions at the time of retirement; and

(b) A pension equal to the annuity provided by the aggregate contributions but not less than the amount which when added to the member's annuity will provide a total retirement allowance of twenty-five per centum (25%) of the member's average final compensation.

(3) Upon the receipt of proper proofs of the death of a member who has retired on an ordinary disability retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, the sum of two thousand dollars ($2,000.00).

C. 43:8A-9. Retirement for accidental disability.

9. (1) Upon the written application of a member or of his employer any member may be retired by the board of trustees, not less than thirty nor more than ninety days next following the date of filing such application, on an accidental disability re-

tirement allowance; *provided,* that the medical board, after a medical examination of such member, shall certify that the natural and proximate cause of such disability was an accident met in the actual performance of duty within two years preceding the date of such application and that such disability was not the result of the member's willful negligence and that such member is mentally or physically incapacitated for performance of his usual duty and of any other available duty in the Division of Alcoholic Beverage Control which his employer is willing to assign to him, and that such incapacity is likely to be permanent and to such an extent that such member should be retired.

(2) Upon retirement for accidental disability, a member shall receive an accidental disability retirement allowance which shall consist of:

(a) An annuity which shall be the actuarial equivalent of the member's aggregate contributions at retirement; and

(b) A pension equal to one-half of the member's average final compensation.

(3) Upon the receipt of proper proofs of the death of a member who has retired on an accidental disability retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, the sum of five thousand dollars ($5,000.00).

C. 43:8A-10. Examination by medical board.

10. (1) Upon the receipt by the board of trustees of a written application for a disability retirement allowance, the board shall refer the application to the medical board, which shall examine the applicant and the report of the medical board shall be considered by the board of trustees in acting upon such application.

(2) Any beneficiary under the age of fifty-five years who has been retired on a disability retirement allowance under this act, on his request may

be given a medical examination and he shall submit to an examination by the medical board within the State, or to an examination by a physician or physicians designated by the medical board at such place to be mutually agreed upon, twice a year for a period of three years and once a year thereafter in order to determine whether or not the disability which existed at the time he was retired has vanished or has materially diminished. If the report of the medical board shall show that such beneficiary is able to perform either his former duty or any other available duty in the Division of Alcoholic Beverage Control which his employer is willing to assign to him, the beneficiary shall report for duty within ten days. If the beneficiary fails to submit to any such medical examination or fails to return to duty within ten days after being ordered so to do, or within such further time as may be allowed by the commission for valid reason, as the case may be, the pension shall be discontinued during such default. A beneficiary shall immediately advise the board of trustees of any change in his residence.

C. 43:8A-11. Payment of contributions and benefits upon death.

11. (1) Upon the receipt of proper proofs of the death of a member in service on account of which no accidental death benefit is payable under section twelve, there shall be paid to such person as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to his estate:

(a) His aggregate contributions at the time of death; and

(b) If the member has five or more years of creditable service, an ordinary death benefit of five thousand dollars ($5,000.00).

(2) The beneficiary of an ordinary death benefit may elect to receive the amount payable in equal installments over a period of years or as a life annuity.

C. 43:8A-12. Accidental death benefit.

12. (1) Upon the accidental death of a member before retirement, provided that evidence shall be submitted to the board of trustees justifying the determination that the natural and approximate cause of such death was an accident met in the actual performance of duty within two years preceding the date of such death and that such death was not the result of the member's willful negligence, an accidental death benefit shall be payable.

(2) The accidental death benefit shall consist of:

(a) The amount of the member's aggregate contributions at the time of death; and

(b) A pension equal to fifty per centum (50%) of the annual compensation being received by the member to the widow of the member if he leaves a widow to whom he was married at the time of such accident.

C. 43:8A-13. Additional death benefits.

13. (1) Within six months after July first, one thousand nine hundred and fifty-three or after the effective date of membership, whichever date is later, each member shall have the right to select additional death benefit coverage.

(2) Upon the receipt of proper proof of the death in service of a member selecting coverage under this section, on account of which no accidental death benefit is payable under section nine of this act, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, the sum of five thousand dollars ($5,000.00).

(3) Each member selecting the additional death benefit coverage under this section shall agree to the deduction of a percentage of his compensation in addition to that required under section eighteen. The actuary of the pension fund shall determine the constant percentage of contribution which if deducted from each payment of the prospective earnable compensation throughout active service

of each member selecting coverage under this section, is computed to be sufficient to provide for all benefits of this section.

(4) The percentage rate of contribution payable by members selecting coverage under this section shall be subject to adjustment from time to time by the board of trustees on the basis of annual actuarial valuations and experience investigations as provided under section five so that the value of future contributions of members selecting the additional death benefit coverage under this section shall be equal to the value of prospective benefit payments.

(5) All other provisions of this section notwithstanding, this section and the benefits extended under this section shall not come into effect until seventy-five per centum (75%) of the members shall have applied for the additional death benefit coverage under this section. Such application shall be made with the secretary of the board of trustees, in such a manner and upon such forms as the board of trustees shall provide.

(6) Any other provision of this act notwithstanding, the additional contributions of members selecting the additional death benefit coverage under this section shall not be returnable to the member or his beneficiary in any manner or for any reason whatsoever, nor shall such contributions be included in any annuity payable to any such member or his beneficiary.

C. 43:8A-14. Payment upon severance of employment.

14. If after two years of membership in the pension fund a member should cease to be a State law enforcement officer, he shall be paid the amount of his aggregate contributions with two per centum (2%) interest; *provided, however,* that if such a member continues in the employ of the State or public agency in which position he is covered by another pension fund or retirement system supported in whole or in part by the State of New Jersey, his aggregate contributions shall be transferred to that pension fund or retirement system

and he shall receive due credit for such contributions to such pension fund or retirement system.

C. 43:8A-15. Ineligible for retirement benefits.

15. From and after the date of becoming a member of this pension fund no member shall be eligible for, or receive, retirement benefits under sections 43:4–1, 43:4–2 and 43:4–3 of the Revised Statutes.

C. 43:8A-16. Optional forms.

16. Until the first payment on account of a retirement allowance becomes normally due, any member may elect to convert the retirement allowance otherwise payable on his account after retirement into a retirement allowance of equivalent actuarial value of one of the optional forms named below; *provided, however,* that no election of an optional benefit shall be effective until sixty days after the date of the filing of the election thereof with the board of trustees, or until sixty days after retirement, whichever is later, and should the member die before such election becomes effective, the benefits payable on his account shall be the same as though his election has not been filed and he had not been retired.

Option 1. A reduced retirement allowance payable during his life, with the provision that at his death a lump sum equal in amount to the difference between his aggregate contributions at the time of his retirement and the sum of the annuity payments actually made to him during his lifetime shall be paid to such person, if any, as he has nominated by written designation duly acknowledged and filed with the board, otherwise to his estate; or

Option 2. A reduced retirement allowance payable during his life, with the provision that it shall continue after his death for the life of the beneficiary nominated by him by written designation duly acknowledged and filed with the board at the time of retirement should such beneficiary survive him; or

Option 3. A reduced retirement allowance payable during his life, with the provision that it shall continue after his death at one-half the rate paid to him and be paid for the life of the beneficiary nominated by him by written designation duly ac-

knowledged and filed with the board at the time of retirement should such beneficiary survive him.

C. 43:8A-17. Control of investments.

17. (1) The Director of the Division of Investment in the Department of the Treasury shall have control over the investment of the moneys of the pension fund. The secretary shall report on the investment of these moneys to the board of trustees.

(2) The Treasurer of the State of New Jersey shall be the custodian of the several funds created by section eighteen of this act. All payments from said funds shall be made by him only upon vouchers signed by two persons designated by the board of trustees. A duly attested copy of a resolution of the board of trustees designating such persons and bearing on its face specimen signatures of such persons shall be filed with the treasurer as his authority for making payments upon such vouchers. No voucher shall be drawn unless it has previously been authorized by resolution of the board of trustees.

(3) Except as otherwise herein provided, no trustee and no employee of the board of trustees shall have any direct interest in the gains or profits of any investments made by the board of trustees; nor shall any trustee or employee of the board directly or indirectly, for himself or as an agent in any manner use the moneys of the retirement system, except to make such current and necessary payments as are authorized by the board of trustees; nor shall any trustee or employee of the board of trustees become an endorser or surety, or in any manner an obligor for moneys loaned to or borrowed from the board of trustees.

C. 43:8A-18. Contributions.

18. (1) The contributions required for the support of the pension fund shall be made by members and their employers except for the expenses of administration which shall be paid by the State.

(2) Upon the basis of such tables as the board shall adopt and regular interest, the actuary of the pension fund shall determine for each age at entrance into the system the uniform and constant

percentage of compensation of the member entering at such age, which, if deducted from each payment of his prospective earnable compensation throughout active service, is computed to be sufficient to provide for all benefits on account of his membership.

(3) The percentage contribution rate of each member toward the service retirement, ordinary disability retirement, and termination of service benefits provided by this act shall be fixed according to his age at entrance into service and shall be one-half of the total percentage contribution rate calculated for such age to be required to provide all such benefits. The additional percentage rate of contribution of each member selecting the additional death benefit coverage provided in section thirteen of this act shall be fixed according to his age at the time of selecting such coverage and shall be the total percentage contribution rate calculated for such age to be required to provide such additional death benefit coverage.

(4) Each employer shall make an annual contribution, as certified by the board of trustees, sufficient to provide with previous contributions of employers all benefits for which employers are responsible.

(5) The board of trustees shall certify to the Director of the Division of Budget and Accounting in the Department of the Treasury the percentage of salary payable by each member and by the State on behalf of each member. The officer or officers responsible for the payment of salaries of the employer shall cause to be deducted from the salary of each member on each and every payroll of such employer for each and every payroll period the percentage of earnable compensation of each member certified for payment by the member. In determining the amount earnable by a member in a payroll period, the board of trustees may consider the rate of salary payable to such member on the first day of the payroll period as continuing throughout such payroll period, and it may omit

deduction from salary for any period less than a full payment period if any employee was not a member on the first day of the payroll period, and to facilitate the making of deductions it may modify the deduction required of any member by such an amount as shall not exceed one-tenth of one per centum (1/10 of 1%) of the annual salary upon the basis of which such deduction is to be made.

(6) The deductions provided for herein shall be made, notwithstanding that the minimum salary provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions made and provided for herein and shall receipt for his full salary or compensation, and payment of salary or compensation less said deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the service rendered by such person during the period covered by such payment, except as to the benefits provided under this act. The Director of the Division of Budget and Accounting in the Department of the Treasury shall certify to the board of trustees on each and every payroll or in such other manner as the board of trustees may prescribe, the amounts to be deducted; and each of said amounts shall be deducted, and when deducted shall be paid into said annuity savings fund, and shall be credited to the individual account of the member from whose salary said deduction was made.

(7) On the first day of July in each year the State Treasurer shall credit the amount payable by the State, and the amount of deductions from the salary of the members in the employ of the employer to the appropriate fund, or funds, of the pension fund.

(8) The expenses of administration of the pension fund shall be paid by the State of New Jersey. The board of trustees shall estimate and certify, annually, to the budget director of the State the amount required during the ensuing fiscal year to provide for the expense of operation of the pension

fund, and such amount shall be appropriated for expenditure on the first day of July of said ensuing fiscal year.

(9) Prior to the receipt of contributions from members and the State, any moneys in the funds of the pension fund may be used temporarily to cover disbursements but such moneys shall be restored to their proper funds on or prior to the end of the second year of operation.

C. 43:8A-19. Crediting assets.

19. (1) All of the assets of the pension fund shall be credited according to the purpose for which they are held to one of three funds, namely the annuity savings fund, the pension accumulation fund, and the retirement reserve fund.

(2) The annuity savings fund shall be a fund in which shall be accumulated contributions from the compensation of members to provide for their annuities and additional death benefit coverage under section thirteen of this act. The aggregate contributions of a member withdrawn by him or paid to his estate or his designated beneficiary in event of his death as provided in this act shall be paid from the annuity savings fund. Upon the retirement or death of a member where the aggregate contributions and additional death benefit coverage under section thirteen of this act of the member are to be provided in the form of an annuity, the aggregate contributions of the member shall be transferred from the annuity savings fund to the retirement reserve fund.

(3) The pension accumulation fund shall be the fund in which shall be credited contributions made by employers. Upon the retirement or death of a member the reserve of any pension and death benefit under any section of this act other than section thirteen payable to or on his account shall be transferred to the retirement reserve fund. All interest and other income from investments shall be credited to the pension accumulation fund and annually the board of trustees shall transfer from the pension accumulation fund to the retirement re-

serve fund regular interest on the mean amount in the retirement reserve fund for the year. The board of trustees, in its discretion, may transfer to and from the pension accumulation fund any surplus or deficit in the retirement reserve fund.

(4) The retirement reserve fund shall be the fund in which shall be held the reserves on all retirement allowances and death benefits granted to members or their beneficiaries and from which all benefits in lieu thereof shall be paid. Should a member who retired on account of disability be restored to active service his pension reserve shall be transferred from the retirement reserve fund to the pension accumulation fund and the excess of his aggregate contributions as they stood at retirement over the amount of annuity payments made shall be transferred to the annuity savings fund.

C. 43:8A-20. Tax exempt.

20. The right of a person to a pension, an annuity, or a retirement allowance, to the return of contributions, any benefit or right accrued or accruing to a person under the provisions of this act and the moneys in the various funds created under this act, shall be exempt from any State or municipal tax and from levy and sale, garnishment, attachment or any other process, and except as in this act otherwise provided, shall be unassignable.

C. 43:8A-21. False statements, correction of errors.

21. Any person who shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of the pension fund in any attempt to defraud such pension fund as a result of such act shall be guilty of a misdemeanor and shall be punishable therefor under the laws of the State of New Jersey. Should any change or error in the records result in any member or person receiving from the pension fund more or less than he would have been entitled to receive had the records been correct, the board of trustees shall correct such error, and as far as practicable, shall adjust the payments in such manner that the actuarial equivalent of the benefit to which such member or beneficiary was correctly entitled shall be paid.

C. 43:8A-22. Director to certify administrative positions, proviso.

22. The Director of the Division of Alcoholic Beverage Control shall determine and certify to the board of trustees which positions, if any, held by new-entrant members within such department or public agency, are administrative in nature; *provided, however,* the number of such positions shall not exceed fifteen per centum (15%) of the total number of permanent positions within such department or public agency.

C. 43:8A-23. May change payee.

Change method of payment.

23. Any member may file, and alter from time to time during his lifetime, as desired, a request with the board of trustees naming the payee of any death benefit provided by this act. Such member may also file, and alter from time to time during his lifetime, as desired, a request with the board of trustees directing payment of said benefit in one sum or in equal annual installments over a period of years or as a life annuity. Upon the death of such a member, a beneficiary to whom a benefit is payable in one sum may elect to receive the amount payable in equal annual installments over a period of years or as a life annuity.

C. 43:8A-24. Other laws not to apply.

24. No other provison of law in any other statute which provides wholly or partly at the expense of the State of New Jersey or of any county, municipality, school district, or any other political subdivision of the State for pensions, retirement, or death benefits for State law enforcement officers, their widows, or other dependents, shall apply to members, or beneficiaries of the pension fund established by this act, their widows or other dependents.

C. 43:8A-25. Appropriation.

25. (1) There is hereby appropriated a sum of five thousand dollars ($5,000.00) for the administration of the pension fund established by this act for the fiscal year commencing July first, one thousand nine hundred and fifty-three.

(2) There is further hereby appropriated a sum of twenty thousand dollars ($20,000.00) which shall be the employer's contribution to the pension fund established by this act for the fiscal year commenc-

ing July first, one thousand nine hundred and fifty-three.

26. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 424

AN ACT providing for tenure in office, position or employment of certan superintendents of public works.

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

C. 40:87-30.2. Tenure, superintendents of public works.

1. When any person shall have held the office, position or employment of superintendent of public works of any borough in a county of the second class of this State for a continuous period of not less than five years from the date of his original appointment and immediately prior thereto shall have been a full-time employee in the department of public works of such borough for a continuous period of not less than ten years, such person shall hold and continue to hold said office, position or employment, notwithstanding he is serving for a fixed term, during good behavior and shall not be removed therefrom for political reasons or except for good cause, and then only upon written charge or charges, filed with the borough clerk of said borough, and after a public, fair and impartial hearing; *provided, however,* that the governing body of said municipality shall first pass a resolution by a majority vote of said governng body approving and authorizing the tenure of office herein provided; and that any such person may be retired by the governing body of said municipality when he shall have attained seventy years of age.

Proviso.

The term "superintendent of public works," as used in this section means and includes the officer or employee of such borough whose duty it is to supervise the care and maintenance of streets, roads, avenues, public buildings, public places, sewers and motor vehicles of said borough.

C. 40:87-30.3 Written charges, hearing.

2. Upon the filing of such written charges, a certified copy thereof shall be served upon such person at least five days before the hearing, and at such hearing, or the adjourned date thereof, such person shall have the right to be represented by counsel, to produce and to have process to compel the attendance of witnesses on his own behalf, and to cross-examine the witnesses produced against him.

C. 40:87-30.4 Application of act.

3. This act shall not apply in those municipalities which have heretofore or shall hereafter adopt the provisions of Title 11 (Civil Service) of the Revised Statutes.

4. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 425

AN ACT respecting the issuance of hunting and fishing licenses, and amending section 23:3–1 of the Revised Statutes.

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

Section amended.

1. Section 23:3–1 of the Revised Statutes is amended to read as follows:

Hunters, trappers and fishers to be licensed, penalty, exception.

23:3–1. No person shall at any time hunt for, take, kill or pursue, with a gun or any firearms of any kind or character, or with bow and arrow, a wild bird, animal or fowl, or take or attempt to take any skunk, mink, muskrat, otter or other fur-

bearing animal by means of a trap, or set a trap for any fur-bearing animal, and no person above the age of fourteen years shall at any time take or attempt to take fish in any of the fresh waters of this State by the method commonly known as angling with a hand line or rod and line, unless he has first procured a proper license. Nor shall any person engage in hunting or trapping unless he has in addition first procured a button or tag showing the number of the license and whether the hunter or trapper is a residnet or a nonresident; and such button or tag shall be worn in a conspicuous place on his outer clothing at the time of such hunting or trapping. A licensee shall exhibit his license and tag or button for inspection to any warden, deputy warden, police officer or other person requesting to see it. A person under fourteen years of age, who is a bona fide resident of this State, may trap fur-bearing animals without license during the season when it is legal so to do.

Any person found hunting or trapping without his button or tag conspicuously displayed shall be liable to a penalty of five dollars ($5.00) and costs to be recovered pursuant to the provisions of Title 23, chapter ten, of the Revised Statutes.

A resident of this State, while he or she is on active duty with any branch of the armed service of the United States, shall be entitled to hunt and fish in this State in accordance with law without being licensed.

A nonresident, who is on active duty with any branch or department of the armed service of the United States, shall be entitled to hunt or fish upon obtaining the proper resident license therefor.

Nothing in this section shall prevent the occupant of a farm in this State, who actually resides thereon, or the immediate members of his family who also reside thereon, from hunting for, taking, killing or pursuing with a gun or firearm on the farm a wild bird, animal or fowl, from taking any skunk, mink, muskrat, otter or other fur-bearing animal by means of a trap or from setting a trap

for a fur-bearing animal on the farm, or from taking fish on the farm with hand line or rod and line, in the manner provided by law during the time when it is lawful so to do, without being licensed hereunder. The exemption of this paragraph shall not apply to a person residing on the farm or in a tenant house thereon who is not a member of the occupant's family, nor to a servant of the occupant.

2. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 426

AN ACT to amend the "Temporary Disability Benefits Law" (P. L. 1948, c. 110).

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

1. Section eight of the act of which this act is amendatory is amended to read as follows: Section amended. C. 43:21-32.

8. Establishment of private plans. Any covered employer may establish a private plan for the payment of disability benefits in lieu of the benefits of the State plan hereinafter established. Benefits under such a private plan may be provided by a contract of insurance issued by an insurer duly authorized and admitted to do business in this State, or by an agreement between the employer and a union or association representing his employees, or by a specific undertaking by the employer as a self-insurer. Subject to the insurance laws of this State, such a contract of insurance may be between the insurer and the employer; or may be between the insurer and two or more employers, acting for the purpose through a nominee, designee or trustee; or may be between the insurer and the union or association with which the employer has Private plans, establishing.

an agreement with respect thereto. Each such private plan shall be submitted in detail to the Division of Employment Security and shall be approved by the division, to take effect as of the first day of the calendar quarter next following, or as of an earlier date if requested by the employer and approved by the Division of Employment Security, if it finds that:

(a) all of the employees of the employer are to be covered under the provisions of such plan with respect to any disability commencing after the effective date of such plan, except as otherwise provided in this section; and

(b) eligibility requirements for benefits are no more restrictive than as provided in this act for benefits payable by the State plan; and

(c) the weekly benefits payable under such plan for any week of disability are at least equal to the weekly benefit amount payable by the State plan, taking into consideration any coverage with respect to concurrent employment by another employer, and the total number of weeks of disability for which benefits are payable under such plan is at least equal to the total number of weeks for which benefits would have been payable by the State plan; and

(d) no greater amount is required to be paid by employees toward the cost of benefits than that prescribed by law as the amount of worker contribution to the State disability benefits fund for covered individuals under the State plan; and

(e) coverage is continued under the plan while an employee remains a covered individual as defined in section three of this act, but not after the employee may become employed by another employer following termination of employment to which the plan relates; and

(f) a majority of the employees to be covered by the plan have or shall have agreed to the plan prior to the effective date thereof, if employees are required to contribute to the cost of the private plan, as provided in section nine.

Subject to the approval of the Division of Employment Security, any such private plan may exclude a class or classes of employees, except a class or classes determined by the age, sex or race of the employees, or by the wages paid such employees, the exclusion of which, in the opinion of the division, will result in a substantial selection of risk adverse to the State plan. Covered individuals so excluded shall be covered by the State plan and subject to the employee contribution required by law to be paid into the State disability benefits fund.

2. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 427

AN ACT concerning fees and costs of courts of limited criminal jurisdiction and of their officers, and amending section 22A:3–4 of the New Jersey Statutes.

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

1. Section 22A:3–4 of the New Jersey Statutes is amended to read as follows: Section amended.

22A:3–4. The fees provided in the following schedule, and no other charges whatsoever, shall be allowed for court costs in any proceedings of a criminal or quasi criminal nature in all county district courts, criminal judicial district courts, county traffic courts, municipal courts, park police courts, or other inferior courts of limited criminal jurisdiction, but no charge shall be made for the services of any salaried police officer of the State, county or municipal police, or a State Motor Vehicle Inspector. Schedule of fees, no other charges allowed.

COURT

For violations of Title 39 of the Revised Statutes, or of traffic ordinances, at the discretion of the court, up to but not exceeding five dollars, ($5.00).

For all other cases, at the discretion of the court, up to but not exceeding ten dollars ($10.00).

The provisions of this act shall not prohibit the taxing of additional costs when authorized by section 39:5–39 of the Revised Statutes.

CONSTABLES OR OTHER OFFICERS

From the fees allowed for court costs in the foregoing schedule, the clerk of the court shall pay the following fees to constables or other officers:

Serving warrant or summons, seventy-five cents ($0.75).

Serving every subpœna, thirty-five cents, ($0.35).

Serving every execution, seventy-five cents ($0.75).

Advertising property under execution, thirty-five cents ($0.35).

Sale of property under execution, fifty cents ($0.50).

Serving every commitment, seventy-five cents ($0.75).

Transport of defendant, actual cost.

Mileage, for every mile of travel in serving any warrant, summons, commitment, subpœna or other process, computed by counting the number of miles in and out, by the most direct route from the place where such process is returnable, exclusive of the first mile, four cents ($0.04).

If defendant is found guilty of the charge laid against him, he shall pay the costs herein provided, but if, on appeal, the judgment is reversed, the costs shall be repaid to defendant. If defendant is found not guilty of the charge laid against him, the costs shall be paid by the prosecutor, except when the Commissioner of Motor Vehicles or the inspector of motor vehicles, a peace officer, or a police officer shall have been prosecutor.

2. This act shall take effect July first, one thousand nine hundred and fifty-three.

Approved September 18, 1953.

CHAPTER 428

AN ACT correcting certain errors in the statutes, and revising parts of the statute law.

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

1. Section 18:14–114 of the Revised Statutes is amended to read as follows: Section amended.

18:14–114. In every case of conviction under the provisions of this Title, when a fine is imposed, the defendant may pay the fine together with the costs into the court wherein the conviction was had and the court shall receive the same and cause the fine within ten days thereafter to be transmitted to the custodian of school moneys of the school district where the offense was committed, for the use of the public schools thereof. Payment of fine and costs, disposition.

2. Section 40:37–50 of the Revised Statutes is amended to read as follows: Section amended.

40:37–50. Whenever the county park commission shall determine to make any improvement of any parkway, boulevard or part thereof, theretofore laid out or opened by it, which improvement may consist of grading, paving, or surface construction, or of planting trees or shrubbery, or one or more, or all of the items of construction or improvement which are or may be authorized by law, it may, in the manner provided by secton 40:37–41 of this Title, apply to a judge of the Superior Court for the appointment of commissioners to ascertain, fix and determine the amount of special benefits which the improvement may confer upon any owner of property benefited thereby. Application to appoint commissioners to assess benefits.

The commissioners shall be appointed and shall proceed to make their assessments for benefits in the manner provided by sections 40:37–41 to 40:37–46 of this Title and all of the provisions of those sections, so far as they relate to assessments for benefits, shall apply to assessments for benefits in connection with the improvements authorized by this section.

Section amended.

3. Section 41:2–1 of the Revised Statutes is amended to read as follows:

Officers authorized to take oaths, affirmations and affidavits.

41:2–1. All oaths, affirmations and affidavits required to be made or taken by law of this State, or necessary or proper to be made, taken or used in any court of this State, or for any lawful purpose whatever, may be made and taken before any one of the following officers:

The Chief Justice of the Supreme Court or any of the justices or judges of courts of record of this State;

Masters of the Superior Court;

Municipal Magistrates;

Mayors or aldermen of cities, towns or boroughs or commissioners of commission governed municipalities;

Surrogates, registers of deeds and mortgages, county clerks and their deputies;

City clerks;

Clerks of all courts;

Notaries public;

Commissioners of deeds;

Attorneys-at-law of this State.

This section shall not apply to official oaths required to be made or taken by any of the officers of this State, nor to oaths or affidavits required to be made and taken in open court.

Section amended.

4. Section 22A:4–4 of the New Jersey Statutes (P. L. 1953, c. 22) is amended to read as follows:

Fees, register of deeds and mortgages, county clerks.

22A:4–4. Registers of deeds and mortgages and, in counties not having such office, the county clerk shall charge for the services herein enumerated the following fees:

For recording deeds, mortgages, bills of sale, chattel mortgages, notices of lis pendens or judgments by confession, and all instruments of the nature of those enumerated in Title 46, of the Revised Statutes, and all other instruments for which no specific fee is provided by law: When written in whole, per folio, twenty cents ($0.20); when written and printed or typewritten in whole or in part with type of eight-point face and with not less than four-point space between lines, or when written and printed or typewritten in whole or in part with type of more than eight-point face, per folio, twenty cents ($0.20); when printed or typewritten in whole or in part with type of less than eight-point face with less than four-point space between the lines, in broken measure, tabular, schedule or figure work, per folio, twenty-five cents ($0.25).

For official copies and abstracts of such instruments from the records and files of the respective recording offices, per folio, twenty-five cents ($0.25).

For preparing and transmitting to the assessor, collector or other custodian of the assessment map of any taxing district, the abstract of an instrument evidencing title to realty, as required by section 54:4–31 of the Revised Statutes, fifty cents ($0.50).

For entering the marginal notation of an order, judgment, statement or warrant discharging or annulling a notice of lis pendens, and for filing such order, judgment or statement, sixty cents ($0.60).

For entering the marginal notation of a discharge, assignment, postponement, extension, cancellation or release of a mortgage, sixty cents ($0.60).

For preparing and forwarding an abstract of a discharge, cancellation or release of a building and loan mortgage, as required by section 46:18–8 of the Revised Statutes, twenty-five cents ($0.25), additional.

For filing and entering statement of satisfaction of conditional sale and noting the cancellation of

the contract and date thereof on the margin of the page upon which the contract was entered, thirty cents ($0.30).

For registering each and every mortgage, one dollar ($1.00), if the description and boundaries of the real estate therein described shall not contain in excess of one folio; and for all excess of description over and above one folio, at the rate of twenty cents ($0.20) per folio.

For registering abstract of a mortgage, fifty cents ($0.50).

For every receipt for a mortgage, fifteen cents ($0.15).

For a marginal notation of the discharge of a mortgage in counties where mortgages are indexed under a system requiring a duplication of indices and description, one dollar ($1.00).

For supplemental indexing under the plan or system known as that of local indexing by county blocks, an additional fee of one dollar ($1.00) for every instrument so indexed.

For filing and recording notices of Federal tax liens or certificates discharging such liens, two dollars fifty cents ($2.50).

For filing and entering or refiling conditional sale contract or copy, one dollar twenty-five cents ($1.25).

For furnishing a certified copy of an honorable discharge of a veteran, fifty cents ($0.50).

For filing each map, plat, plan or chart filed pursuant to chapter twenty-three of Title 46, of the Revised Statutes, to be paid by the party delivering same (except that there shall be no charge when the same is presented by the State or some one of its agencies), six dollars ($6.00).

For recording a tax sale certificate, two dollars fifty cents ($2.50) unless held by and recorded at the request of a municipality, in which case, one dollar ($1.00).

For recording redemption or assignment of sales, two dollars fifty cents ($2.50).

5. Section six of chapter one hundred twelve of the laws of one thousand nine hundred and forty-two is amended to read as follows:

Section amended.

6. Any person aggrieved by an order issued by a public officer under this act may, within sixty days after the posting and service of such order, bring an action for injunctive relief to restrain the public officer from carrying out the provisions of the order and for any other appropriate relief. The court may proceed in the action in a summary manner or otherwise. The remedy herein provided shall be exclusive, and no person affected by an order of the public officer shall be entitled to recover any damages for action taken pursuant thereto, or because of noncompliance by any person with any order of the public officer.

C. 40:48-2.8. May institute action for injunctive relief.

6. Section eleven of chapter fifty of the laws of one thousand nine hundred and forty-seven is amended to read as follows:

Section amended.

11. (a) Any aggrieved taxpayer may, within three months after any decision, order, finding, assessment or action of the director made pursuant to the provisions of this act, appeal therefrom to the division of tax appeals, by filing a petition of appeal with said division in the manner and form prescribed by the said division and on giving security, approved by the commissioner, conditioned to pay the tax heretofore levied, if the same remains unpaid, with interest and costs.

C. 54:10A-19.2. Appeals by taxpayer.

(b) No such appeal shall stay the collection of any tax or the enforcement of the same by entry as a judgment, unless by order of such division, and then only after security approved by the director of said division has been furnished to the commissioner. The judgment or order of the division of tax appeals respecting any matter arising under the provisions of this subtitle may be reviewed by a proceeding in lieu of prerogative writ in the same manner as other judgments of said division.

Section amended.

7. Section one of chapter four hundred twenty-seven of the laws of one thousand nine hundred and forty-eight is amended to read as follows:

C. 18:5-29.1. Authorized to sell free of restriction.

1. Whenever any school district of this State has heretofore received a conveyance of lands subject to a recital or condition in the deed of conveyance, substantially providing that the land and premises conveyed is intended to be conveyed for the express purpose of building a public schoolhouse on the same and for the uses and purposes of a public school for said district, and the lands so conveyed have been held by the district for more than thirty years upon which no public schoolhouse has ever been built or has stood for the past twenty years, and the board of education of the district shall determine that the lands are not required for school uses and purposes; the board of education of the district may sell and convey the said lands and make, execute and deliver a valid conveyance thereof, free of any such recital or condition and thereby vest a title in fee simple absolute in the grantee as fully as though such recital or condition was not contained in the deed of conveyance to the school district; *provided*, that no proceeding or action shall be commenced against said school district for the recovery of said lands or the enforcement of such recital or condition within the period of one year from the date of conveyance of said lands by the board of education of the district.

Proviso.

Section amended.

8. Section one of chapter two hundred thirty-six of the laws of one thousand nine hundred and fifty-two is amended to read as follows:

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

18:2–4. The State Board may:

Powers and duties of State board.

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

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

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

d. Decide appeals from the decisions of the commissioner;

e. Make and enforce rules and regulations for the granting of appropriate certificates or licenses to teach or to administer, direct, or supervise, the teaching, instruction or educational guidance of pupils in public schools operated by boards of education, for each of which certificates a fee of not less than five dollars ($5.00) shall be charged.

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

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

g. Appoint, upon application, a superintendent of schools in two or more districts whenever in its opinion it is advisable so to do, and apportion the expense equitably among the districts;

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

i. Except as provided by sections 18:14–5 and 18:14–7 of this Title, fix rates to be paid by a district for the tuition of children sent from it to the schools of other districts, when the districts cannot agree among themselves as to the proper rates, and require any districts having the necessary accommodations to receive pupils from other districts at rates agreed upon or which it may fix in the event of disagreement;

j. Compel the production at such time and place within the State as it may designate of any and all books, papers, and vouchers in any way relating to schools or to the receipt or disbursement of school moneys; compel the attendance before it or before any of its committees or before the commissioner or

one of his assistants at such time and place as it may designate of any member of a board of education or of any person in the employ of a board of education, and suspend from office any person refusing to attend or to submit such books, papers, and vouchers as he may have been directed to produce;

k. Issue subpœnas signed by its president and secretary compelling the attendance of witnesses and the production of books and papers in any part of the State before it or before any of its committees or before the commissioner or one of his assistants. Any person who shall neglect or refuse to obey the command of the subpœna or who, after appearing, shall refuse to be sworn and testify, except such refusal be on grounds recognized by law, shall in either event be liable to a penalty of one hundred dollars ($100.00) for each offense to be recovered by the State Board of Education in a civil action. Such penalty when recovered shall be paid into the treasury of the State;

l. Advance the education of people of all ages;

m. Establish standards of higher education;

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

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

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

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

r. Investigate and recommend respecting the needs for facilities and services at the State University of New Jersey as an instrumentality of the State for providing public higher education and

thereby to increase the efficiency of the public school system of the State, advise with the State University of New Jersey regarding its annual budget for services, lands, buildings, and equipment and jointly with the State University make recommendations to the Governor and to the Legislature in support of such budget, and make with the State University contracts in behalf of the State in accordance with legislative appropriations;

s. Make to the Governor and the Legislature such recommendations as the State Board deems necessary with regard to appropriations that may be required for services, lands, buildings, and equipment to be furnished by institutions of higher education other than the State University of New Jersey, and make contracts in behalf of the State with such institutions in accordance with legislative appropriations; *provided,* that no disbursement of moneys so appropriated shall be made to any such institution or institutions utilized by the State for the purpose of public higher education, except on recommendation of the State Board; and the State Board shall see to the application of the money for such purposes;

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

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

Section amended.

9. Section twelve of chapter two hundred fifty-two of the laws of one thousand nine hundred and fifty-two is amended to read as follows:

12. Section 40:1–16.1 added to the Revised Statutes by P. L. 1940, chapter two hundred sixty-two, section two, is amended to read as follows:

Computation of borrowing power.

40:1–16.1. Computation of borrowing power under section 40:1–16d. a. The annual amount referred to in subsection "d" of section 40:1–16 as to a fiscal year subsequent to the thirty-first day of December, nineteen hundred and thirty-eight, in which an appropriation has been made in the budget to meet debt redemption charges for indebtedness as defined in subsection "b" of this section, shall be a portion of such appropriation, computed as follows: said appropriation shall be multiplied by four in the case of a county, or by seven in the case of a municipality, and shall be divided by an amount (which in no event shall be less than four in the case of counties or seven in the case of municipalities) equal to one hundred multiplied by the percentage of net debt shown in the annual debt statement last filed prior to said appropriation.

The fiscal year referred to above shall be each fiscal year in which the debt of a county or municipality exceeds the limitations imposed by section 40:1–14 or 40:1–15, as shown in the annual debt statement filed at the end of such fiscal year or, where said fiscal year has not ended, as shown in the supplemental debt statement filed pursuant to section 40:1–13 prior to the authorization by the county or municipality of obligations pursuant to subsection "d" of section 40:1–16. As to a fiscal year subsequent to the thirty-first day of December, nineteen hundred and fifty-two, the amount of said appropriation, before its multiplication as aforesaid, may be increased by the amount of any decrease during the preceding fiscal year, as shown by the two annual debt statements last filed prior to said appropriation, in the amount of notes or bonds issued for school purposes and included in

the gross debt, issued by the municipality or by any school district, in excess of the amount of the deductions in said statements applicable to such notes or bonds under the provisions of paragraph (a) or paragraph (c) or paragraph (d) of section 40:1–77 of this Title.

b. For the purposes of subsection "a" of this section:

"Indebtedness" shall mean indebtedness included in the gross debt of said county or municipality as defined in section 40:1–76 of this Title, other than indebtedness incurred for school, relief of the poor or self-liquidating purposes or to be retired by funds taken as a deduction (pursuant to subsection "a" of section 40:1–77 of this Title) in the last annual debt statement filed prior to said appropriation.

"Debt redemption charges" shall mean required payments for sinking fund purposes as well as payments of principal of obligations maturing in such year.

"The percentage of net debt shown in the annual debt statement" shall mean the percentage shown in the annual debt statement except that where said percentage has been wrongly computed or has not been stated as a decimal computed to four decimal places it shall be recomputed to four decimal places, for the purposes of this section.

Section amended.

10. Section twenty-five of chapter nine of the laws of one thousand nine hundred and fifty-three is amended to read as follows:

C. 9:12A-1. Authorized to establish children's shelters.

25. The board of chosen freeholders of any county may establish, equip and maintain a home for the temporary detention of children, separated entirely from any place of confinement of adults, to be known as "The Children's Shelter of ..... County," which shall be conducted as an agency for the purposes of caring for the children of the county whose cases are pending before the juvenile and domestic relations court of the county or who are homeless or abandoned, abused, neglected or

cruelly treated, or who, being under sixteen years of age, are witnesses before such court or some other court.

The board may appropriate sufficient funds for the purchase of property and the building or buildings and the furnishing of supplies and equipment therefor from the annual appropriations, or if they consider the amount too great to add to the annual appropriation, they may issue bonds for such purpose.

The building may be built on property owned by the county or the board may acquire the same by gift, purchase or condemnation.

The board may appoint a committee of seven citizens of the county, at least two of whom shall be women, who together with the judge of the juvenile and domestic relations court of the county and the director of the board of chosen freeholders as ex-officio members shall constitute the board of trustees of the children's shelter. The board of trustees shall make the rules and regulations for the management of the children's shelter and the groupings of the children therein.

The shelter shall be in charge of a superintendent and matron who shall reside therein and the board of managers shall have authority to appoint the superintendent, matron and other employees in like manner as other court employees are appointed; the board of chosen freeholders shall provide the funds for carrying on the shelter and for the betterments, improvements and replacements that may be required, in the annual appropriations, but money for new buildings and the equipment thereof and other permanent improvements may be raised by bond issue.

11. Section thirty-seven of chapter forty-three of the laws of one thousand nine hundred and fifty-three is amended to read as follows:

Section amended.

37. Section five of chapter three hundred forty-two of the laws of one thousand nine hundred and thirty-eight is amended to read as follows:

C. 45:8-31. Oath, adopt a seal, power of subpœna.

5. Each member of the examining board before entering upon the duties of his office, shall subscribe to an official oath of office as provided by section 41:1–3 of the Title, Oaths and Affidavits, of the Revised Statutes, which oath shall be filed in the office of the Secretary of State.

The examining board shall be entitled to the services of the Attorney-General in connection with the affairs of the board and the board shall have power to compel the attendance of witnesses, and any member thereof may administer oaths and the board may take testimony and proofs concerning any matters within its jurisdiction.

The board shall adopt and have an official seal.

In carrying into effect the provisions of this chapter, the board may, under the hand of its president and the seal of the board, subpœna witnesses and compel their attendance, and also may require the production of books, papers, documents, et cetera, in a case involving the revocation of license or practicing or offering to practice without license. If any person shall refuse to obey any subpœna so issued, or shall refuse to testify or produce any books, papers or documents, the board may apply ex parte to the Superior Court to compel the person to comply forthwith with the subpœna.

R. S. 4:7-52. Section repealed.

12. Section sixteen of chapter five of the laws of one thousand nine hundred and fifty-three is repealed.

13. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 429

AN ACT concerning the suspension or revocation of drivers' licenses in certain cases, and supplementing chapter five of Title 39 of the Revised Statutes.

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

C. 39:5-30.1. Reciprocal revocation of drivers' licenses.

1. Whenever the reciprocity driving privilege of any New Jersey resident is suspended or revoked by lawful authority in another State upon a conviction of a violation of the Motor Vehicle Act of such State and the report of such conviction is transmitted by the motor vehicle administrator of such State to the Director of the Division of Motor Vehicles of this State pursuant to any law providing for reciprocal exchange thereof, the Director shall suspend or revoke the driving privilege of such resident in this State, in the manner prescribed by section 39:5–30 of the Revised Statutes, for a period not less than that for which the reciprocity driving privilege was suspended or revoked in such other State nor more than the period for which the driving privilege would have been suspended or revoked had a conviction of a like offense occurred in this State.

2. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 430

AN ACT concerning certain employees of the Division of Motor Vehicles in the Department of Law and Public Safety, amending section 48:4–29, and supplementing subtitle two of Title 11, of the Revised Statutes.

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

1. Section 48:4–29 of the Revised Statutes is amended to read as follows: Section amended.

48:4–29. The Director of the Division of Motor Vehicles may appoint one or more auditors and investigators and such clerical assistants as he may deem necessary, subject to the provisions of Title 11, Civil Service. May appoint auditors, assistants, etc.

2. The Director of the Division of Motor Vehicles in the Department of Law and Public Safety is hereby authorized to certify to the Civil Service Commission the names of all those employees now employed in the said division as principal investigators, senior investigators and auditor-investigators in connection with the Bus Excise Bureau, and who were on July first, one thousand nine hundred and forty-seven in the employ of the State. C. 11:4-3.13. Director to certify names of certain employees to civil service.

3. When the Director of the Division of Motor Vehicles in the Department of Law and Public Safety has certified the names of the aforesaid employees, the Civil Service Commission shall classify the employees so certified, in the competitive class of civil service without examinaton and such employees shall thereafter be subject to all the provisions of Title 11 of the Revised Statutes with respect to tenure, classification and compensation. C. 11:4-3.14. Classified by civil service.

4. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 431

AN ACT authorizing the State House Commission to sell certain lands and premises belonging to the State of New Jersey to the Gloucester County Board of Agriculture.

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

Authorized to sell certain State-owned lands.

1. The State House Commission, acting for and on behalf of and in the name of the State of New Jersey and upon being certified by resolution of the Fish and Game Council in the Division of Fish and Game of the Department of Conservation and Economic Development that the lands hereinafter described are no longer required for public purposes, is hereby authorized and empowered to sell and convey to the Gloucester County Board of Agriculture at a sales price which such commission shall deem adequate, the following described land situate in the borough of Glassboro, in the county of Gloucester:

Description.

Beginning at a cement monument in the line of the land of the Fish and Game Commission which is also the northeast corner of the land now owned by the Gloucester County Board of Agriculture. Thence (1) south 15 degrees, 30 minutes east, 1007 feet to a cement monument. Thence (2) south 78 degrees, 20 minutes west, 392.70 feet to a cement monument. Thence (3) south 19 degrees, 5 minutes east, 660.45 feet to a cement monument. Thence (4) south 54 degrees, no minutes east, 496.40 feet to the place of beginning. Containing 4 acres and 81 hundredths acres of land more or less.

2. The terms, conditions and provisions of the sale shall be as determined by the said State House Commission, not inconsistent with the provisions hereof. Terms and conditions.

3. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 432

AN ACT to amend "An act for the punishment of crimes, and supplementing Title 2A of the New Jersey Statutes," approved June eighteenth, one thousand nine hundred and fifty-two (P. L. 1952, c. 332).

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

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

1. Any person engaged in the business of selling tangible personal property or in the maintenance and repair of such property who, by his own act or through any agent or employee, removes, defaces, alters, changes, destroys, covers, obliterates, counterfeits or substitutes or who contrives, assists, plans, aids or abets in removing, defacing, altering, changing, destroying, covering, obliterating, counterfeiting or substituting any trade-mark, distinguishing or identification number, manufacturer's serial number or mark, on or from any machine, device, apparatus, appliance, mechanism, or manufacturer's product or any part or appurtenance thereof, which may be used or operated in whole or in part by or in conjunction with manual, gas, gasoline or electrical power, excepting a motor vehicle as defined in this act, is a disorderly person. C. 2A:111-25. Defacement of identification marks, disorderly person.

Section amended.

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

C. 2A:111-26. Acquiring apparatus with defaced identification marks, disorderly person.

2. Any person who shall knowingly acquire, for the purpose of sale or resale, and who shall knowingly possess, any machine, device, apparatus, appliance, mechanism, or manufacturer's product, or any part or appurtenance thereof, which may be used or operated in whole or in part by or in conjunction with manual, gas, gasoline or electrical power, excepting a motor vehicle, as defined in this act, from or on which any trade-mark, distinguishing or identification number, or manufacturer's serial number or mark has been removed, covered, altered, changed, defaced, destroyed, obliterated, counterfeited or substituted is a disorderly person.

3. This act shall take effect immediately.

Approved September 18, 1953.

CHAPTER 433

AN ACT concerning municipalities in relation to municipal planning, repealing sections 40:55–1 to 40:55–21, inclusive, and supplementing chapter fifty-five of Title 40 of the Revised Statutes.

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

C. 40:55-1.1. Short title.

1. This act shall be known and may be cited as the "Municipal Plannng Act (1953)."

C. 40:55-1.2. Terms defined.

2. As used in this act:

"Municipality" means any city, borough, town, township or village.

"Mayor" means the elected official who serves as the chief executive of the municipality, whatever his official designation may be.

"Governing body" means the chief legislative body of the municipality. In cities having a board

of public works "governing body" means such board.

"Plat" means the map of a subdivision.

"Subdivision" means the division of a lot, tract, or parcel of land into two or more lots, sites or other divisions of land for the purpose, whether immediate or future, of sale or building development; except that the following divisions shall not be considered subdivisions within the meaning of this act; *provided, however,* that no new streets or roads are involved: divisions of land for agricultural purposes where the resulting parcels are three acres or larger in size, divisions of property by testamentary or intestate provisions, or divisions of property upon court order. Subdivision also includes resubdivision, and where appropriate to the context, relates to the process of subdividing or to the lands or territory divided. Proviso.

"Performance guarantee" means any security which may be accepted under section twenty-two of this act in lieu of a requirement that certain improvements be made before the planning board or other approving body approves a plat, including performance bonds, escrow agreements, and other similar collateral or surety agreements.

"Street" means any street, avenue, boulevard, road, lane, parkway, viaduct, alley or other way which is an existing State, county, or municipal roadway, or a street or way shown upon a plat heretofore approved pursuant to law or approved by official action as provided in section seventeen of this act or a street or way on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a planning board and the grant to such board of the power to review plats, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the street lines.

"Official map" means a map adopted in accordance with the Official Map and Building Permit

Act (1953). Such a map shall be deemed to be conclusive with respect to the location and width of the streets, public parks and playgrounds, and drainage rights-of-way shown thereon.

"Master plan" means a composite of the mapped and written proposals recommending the physical development of the municipality which shall have been duly adopted by the planning board under section ten of this act.

"Drainage right-of-way" means the lands required for the installation of storm water sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage in accordance with chapter one of Title 58 of the Revised Statutes.

"Circulation" means provision for the movement of people, goods, water, sewage, or power by means of streets, highways, railways, waterways, airways, pipes, conduits, or other means, and including facilities for transit, transportation and communication.

C. 40:55-1.3. Construing, constitutionality, powers exercised by ordinance.

3. This act shall be construed most favorably to municipalities, its intention being to give all municipalities the fullest and most complete powers possible concerning the subject matter hereof.

Should any section or provision of this act be held to be unconstitutional or invalid, such determination shall not affect the constitutionality or validity of the remainder hereof.

The governing body may by ordinance grant any of the powers exercisable by a planning board to a planning board continued by section twenty-seven of this act or to be created under section four of this act, but no particular power may be exercised until expressly granted by ordinance and until compliance is made with the conditions, standards, procedures and regulations enumerated in the sections describing such power.

C. 40:55-1.4. Planning board members, classes, terms, vacancies.

4. The governing body may by ordinance create a planning board of not less than five nor more than nine members. The members shall consist of, and

be divided into, for convenience in designating the manner of appointment, the four following classes:

Class I—mayor.

Class II—one of the officials of the municipality to be appointed by the mayor.

Class III—a member of the governing body to be appointed by it.

Class IV—other citizens of the municipality to be appointed by the mayor.

When the board consists of less than seven members Class II shall be omitted. All members of the board shall serve without compensation, and the members of Class IV shall hold no other municipal office, except that one of such members may be a member of the zoning board of adjustment and one may be a member of the board of education. The terms of the members composing Classes I and III shall correspond to their respective official tenures. The term of the member composing Class II shall terminate with the term of the mayor appointing him. The term of one member of Class IV first appointed shall expire at the end of each year beginning at the end of the first year. Thereafter the term of each shall be the same number of years as there are members of Class IV on the board. If a vacancy in any class shall occur otherwise than by expiration of term, it shall be filled by appointment as above provided for the unexpired term. No member of the planning board shall be permitted to act on any matter in which he has, either directly or indirectly, any personal or financial interest. Members may, after a public hearing, be removed for inefficiency, neglect of duty, or malfeasance in office by the officer or body appointing them.

C. 40:55-1.5. Organization.

5. The planning board shall elect a chairman from the members of Class IV and create and fill such other offices as it may determine. It may em-

ploy experts and a staff, and pay for their services and for such other expenses as may be necessary and proper, not exceeding in all, exclusive of gifts, the amount appropriated by the governing body for its use.

C. 40:55-1.6. Appropriation.

6. The governing body of any municipality creating a planning board shall appropriate in the same manner as other appropriations are made, such money as in its discretion is necessary for the work of the planning board for the year for which the appropriation is made. The amount so appropriated shall be assessed, levied and collected in the same manner as moneys appropriated for other current expenses in the municipality.

C. 40:55-1.7. Hearing, publication of notice, contents of notice, minutes.

7. Whenever a hearing is required under any section of this chapter before action by a planning board, notice of the hearing shall be published in the official newspaper of the municipality or in a newspaper of general circulation in the municipality at least ten days prior to the hearing. In cases dealing with plat approval, notice of the hearing shall be mailed at least five days prior thereto, addressed to the owners, as their names appear on the municipal tax record, of adjoining property and property directly across the street or streets from the property involved.

The notice of hearing shall contain a brief description of the property involved, a statement as to its location, a list of the maps and other documents to be considered, and a summary statement of the matters to be heard. Copies of the maps and other documents to be considered at the hearing shall be filed in the office of the municipal clerk. Such copies shall be made available at such office for public inspection.

Minutes of every such hearing shall be kept and shall include the names of the persons appearing and addressing the board, and of the persons who appear by attorney, agent or other representative, the action taken by the board, the findings, if any, made by it and the reasons therefor. The minutes shall thereafter be made available for inspection at

the office of the municipal clerk. The failure of the planning board or the secretary thereof to make a record of or file with the municipal clerk such minutes shall not be a ground for setting aside the action of the planning board, provided such action was duly recorded in the records of the planning board and such record is made available upon request, to any person or persons desiring to examine such record.

C. 40:55-1.8. To act as the zoning commission.

8. Wherever there is a planning board, such board shall have the additional authority and duty of acting as the zoning commission under article three of chapter fifty-five of Title 40 of the Revised Statutes.

C. 40:55-1.9. Advisory committee.

9. After the appointment of a planning board, the mayor may appoint one or more persons as a citizens' advisory committee to assist or collaborate with the planning board in its duties, but such person or persons shall have no power to vote or take other action required of the board. Such person or persons shall serve at the pleasure of the mayor.

C. 40:55-1.10. Master plan, preparation.

10. The planning board may prepare, and after public hearing, adopt, and from time to time amend, a master plan for the physical development of the municipality which generally shall comprise land use, circulation, and a report presenting the objectives, assumptions, standards and principles which are embodied in the various interlocking portions of the master plan. The master plan shall be a composite of the one or more mapped and written proposals recommending the physical development of the municipality which the planning board shall have adopted either as a whole or severally after public hearing. Such master plan may include proposals for various stages in the future development of the municipality.

C. 40:55-1.11. Scope of master plan.

11. In scope the master plan may cover proposals for: (a) the use of land and buildings—residential, commercial, industrial, mining, agricultural, park, and other like matters; (b) services—water supply, utilities, sewerage, and other like matters; (c) transportation—streets, parking, public transit,

freight facilities, airports, and other like matters; (d) housing—residential standards, slum clearance and redevelopment, and other like matters; (e) conservation—water, forest, soil, flood control, and other like matters; (f) public and semi-public facilities—civic center, schools, libraries, parks, playgrounds, fire houses, police structures, hospitals, and other like matters; (g) the distribution and density of population; (h) other elements of municipal growth and development.

The master plan may include in its scope areas outside the boundaries of the municipality which the planning board deems to bear an essential relation to the planning of the municipality. The studies in connection with the master plan shall be conducted wherever possible with the co-operation of adjacent planning agencies.

C. 40:55-1.12. Consideration given to ability to effect plan.

12. In the preparation of the master plan the planning board shall give due consideration to the probable ability of the municipality to carry out, over a period of years, the various public or quasi-public projects embraced in the plan without the imposition of unreasonable financial burdens.

In such preparation, the planning board shall cause to be made careful and comprehensive surveys and studies of present conditions and the prospects for future growth of the municipality. The master plan shall be made with the general purpose of guiding and accomplishing a co-ordinated, adjusted and harmonious development of the municipality and its environs which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity and general welfare, as well as efficiency and economy in the process of development and the maintenance of property values previously established. To such end, the master plan shall also include adequate provision for traffic and recreation, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of good civic design and arrangements, the wise and efficient expenditure of public funds, and adequate

provision for public utilities and other public requirements.

C. 40:55-1.13. Review of portion of master plan by planning board.

13. Whenever the planning board after public hearing shall have adopted any portion of the master plan, the governing body or other public agency having jurisdiction over the subject matter, before taking action necessitating the expenditure of any public funds, incidental to the location, character or extent of one or more projects thereof, shall refer action involving such specific project or projects to the planning board for review and recommendation, and shall not act thereon without such recommendation or until forty-five days after such reference have elapsed without such recommendation. This requirement shall apply to action by a housing, parking, highway or other authority, redevelopment agency, school board, or other similar public agency, Federal, State, county or municipal.

The governing body may by ordinance provide for the reference of any other matter or class of matters to the planning board before final action thereon by any municipal public body or municipal officer having final authority thereon, with or without the provision that final action thereon shall not be taken until the planning board has submitted its report, or until a specified period of time has elapsed without such report having been made.

Whenever the planning board, pursuant to this act shall have made a recommendation to another body, such recommendation may be overridden only by a majority of the full membership of such other body. Where the body which shall have overridden a recommendation of the planning board is a municipal body or agency, the action of such body shall not become final until the governing body of the municipality shall, by majority vote, approve its action in overriding the recommendation of the planning board.

The planning board shall have full power and authority to make such investigations, maps and reports and recommendations in connection there-

with relating to the planning and physical development of the municipality as it deems desirable.

C. 40:55-1.14. May provide for regulation of subdivisions by ordinance, approval before filing, fee, standards, exemptions.

14. The governing body may by ordinance provide for the regulation of subdivisions within the municipality by requiring the approval of the governing body, by resolution, of all plats after favorable referral by the planning board before such plats may be filed with the county recording officer and may authorize and empower the planning board to review plats in accordance with regulations, requirements and standards established by the governing body and may further fix filing fees to be paid for by any applicant for subdivision approval.

In any ordinance creating a planning board or in any amendment or supplement thereto, provision may be made for the regulation of subdivisions within the municipality by approval of the planning board acting in lieu of the governing body of all plats before such plats may be filed with the county recording officer, provided such ordinance regulating subdivisions establishes regulations, requirements, and standards for plat approval by the planning board. If such power of approval is granted to the planning board, the procedures of the planning board under this act shall be required in connection with such approval, and the signature of the chairman of the planning board shall have the same force as the signature of the mayor.

Any such ordinance may exempt from the requirement of local municipal approval, subdivisions wherein the number of new lots is less than a designated number, or plats that do not involve new streets, or such other classes of subdivisions as such ordinance shall designate. In all cases involving such exempted subdivisions, the mayor or planning board chairman, as the case may be, and the municipal clerk shall certify the exemption on the plat, deed, or instrument to be filed with the county recording officer.

C. 40:55-1.15. Waiver of notice of hearing, adoption of standards for approval.

15. A planning board may be empowered by the subdivision ordinance to waive full notice and hearing and favorable referral by a majority of the board on a subdivision if no new street is shown and if a subdivision committee of the planning board appointed by the chairman with the approval of the board unanimously find no cause for review by the entire board or for unfavorable action upon the subdivision and such finding shall be deemed to be favorable approval or referral by the planning board.

Before the planning board may take the action of favorable referral and the governing body may approve subdivisions or before a planning board may be authorized to grant final approval, the governing body shall adopt by ordinance, standards for approving the design of subdivisions and the required street improvements, requirements for the submission of subdivision plats, and the procedure to be followed by subdividers. Where there is a municipal zoning ordinance, the standards in the subdivision ordinance with respect to minimum lot sizes and lot area requirements shall be identical with the provisions of the zoning ordinance. Where a zoning ordinance contains no such provisions or where there is no such ordinance, the standards including minimum lot sizes and lot area requirements shall be specified in the subdivision ordinance. Copies of the subdivison ordinance and regulations shall be made available to the public and shall be filed with the county recording officer. A reasonable charge may be made for such copies. A plat shall be deemed to have been submitted when an application for approval has been delivered to the municipal clerk in conformance with the printed requirements governing the submission of subdivision plats.

C. 40:55-1.16. Plats to conform to standards.

16. Plats shall conform with the standards prescribed by chapter twenty-three of Title 46 of the Revised Statutes, as amended or supplemented, and any applicable ordinance not inconsistent therewith.

C. 40:55-1.17. Approval of plat, endorsement, notice of filing.

17. No plat shall be accepted for filing by the county recording officer until it has been approved by the governing body or the planning board, as the case may be, if such approval is required by local ordinance, and such approval has been endorsed on the instrument in such manner as the governing body may designate.

It shall be the duty of the county recording officer to notify the planning board in writing within three days of the filing of any plat approved by the governing body or planning board, identifying such plat by its title, date of filing, and official number.

C. 40:55-1.18. Approval of plat, disapproval, reasons stated, action by planning board.

18. The planning board, after hearing, may approve the plat, if so authorized, or may recommend approval by giving favorable referral to the governing body or may disapprove such plat. If the planning board disapproves any plat, the findings and reasons for such disapproval shall be stated upon the records of the planning board and the applicant shall be given a copy. If the planning board requires any substantial amendment in the layout of improvements proposed by the subdivider that have been the subject of a hearing, an amended plat must be submitted, and proceeded upon as in the case of the original plat.

Where approval of a plat, map or plan of land is required by any officer or body of a municipality, including a board of health under the provisions of any other law or ordinance, such approval shall be certified on the plat before the final plat shall be approved as a prerequisite to its acceptance for filing by the county recording officer.

The planning board shall take action under this section within forty-five days after the submission of the final plat for approval, or within such further time as the applying party may agree to. Otherwise such plat shall be deemed to have been given favorable approval or referral to the governing body, and the certificate of the municipal clerk as to the date of the submission of the plat for approval or referral and as to the failure of the planning board to report action thereon within the

aforesaid forty-five days or such further time as agreed to by the applying party shall be issued on request of the owner or his agent and shall be sufficient, in lieu of the written endorsement or other evidence of favorable approval or referral herein required.

Following favorable referral by the planning board where referral is required, the plat shall be submitted to the governing body for approval. The governing body shall take action under this section not later than the second regular meeting after the planning board submits the plat to the municipal clerk for transmission to the governing body, or within such further time as the applying party may agree to. Otherwise such plat shall be deemed to have been approved, and the certificate of the municipal clerk as to the date of the submission of the plat for approval by the governing body, and as to the failure of the governing body to act thereon not later than the second regular meeting or such further time as agreed to by the applying party, shall be issued on request of the owner or his agent and shall be sufficient, in lieu of the written endorsement or other evidence of approval herein required. If the governing body disapproves any plat, the findings and reasons for such action shall be stated upon the records of the governing body, and the applicant shall be given a copy.

The governing body or the planning board, as the case may be, may tentatively approve a plat showing new streets or roads or the resubdivision of land along a mapped street. This tentative approval shall confer upon the applicant the following rights for a three-year period from the date of the tentative approval:

(1) that the general terms and conditions upon which the tentative approval was granted will not be changed.

(2) that the said applicant may submit on or before the expiration date the whole or part or parts of said plat for final approval.

New Jersey State Library

The final approval by the governing body or the planning board, as the case may be, of a plat showing a new street or the resubdivision of land along a mapped street shall expire ninety days from the date of such approval, unless within the period such plat shall have been duly filed by the owner or his agent with the county recording officer. The governing body for good cause shown may extend the time for plat filing for a period not to exceed ninety days.

C. 40:55-1.19. Appeals by aggrieved parties.

19. If any person shall be aggrieved by the action of the planning board, appeal in writing to the governing body may be taken within ten days after the date of the action of the planning board. A hearing thereon shall be had on notice to all parties in interest, who shall be afforded an opportunity to be heard. After such hearing the governing body may affirm or reverse the action of the planning board by a recorded vote of a majority of the total members thereof. The findings and reasons for the disposition of the appeal shall be stated on the records of the governing body, and the applying party shall be given a copy.

Nothing in this act shall be construed to restrict the right of any party to obtain a review by any court of competent jurisdiction according to law.

C. 40:55-1.20. Drainage, width of streets and size of lots, etc., requirements.

20. In acting upon plats the planning board shall require, among other conditions in the public interest, that the tract shall be adequately drained, and the streets shall be of sufficient width and suitable grade and suitably located to accommodate the prospective traffic, to provide access for fire-fighting equipment to buildings and to be co-ordinated so as to compose a convenient system, conforming to the official map, or if there is no official map, relating properly to the existing street system. Where the planning board after hearing has adopted portions of the master plan with proposals regarding the street system within the proposed subdivision, the board may require that the street shown conform in design and in width to the pro-

posals shown on the master plan. No street of a width greater than fifty feet within the right-of-way lines may be required unless said street already has been shown on such master plan at the greater width, or already has been shown in greater width on the official map.

The planning agency shall further require that all lots shown on the plats shall be adaptable for the intended purposes without danger to health or peril from flood, fire, erosion, or other menace.

If portions of the master plan contain proposals for drainage rights-of-way, schools, parks, or playgrounds within the proposed subdivision or in its vicinity, or if standards for the allocation of portions of subdivisions for drainage rights-of-way, school sites, park and playground purposes have been adopted, before approving subdivisions the planning board may further require that such drainage rights-of-way, school sites, parks or playgrounds be shown in locations and of sizes suitable to their intended uses. The governing body or the planning board shall be permitted to reserve the location and extent of school sites, public parks and playgrounds shown on the master plan or any part thereof for a period of one year after the approval of the final plat or within such further time as agreed to by the applying party. Unless during such one-year period or extension thereof the municipality shall have entered into a contract to purchase or instituted condemnation proceedings according to law, for said school site, park or playground, the subdivider shall not be bound by the proposals for such areas shown on the master plan. This provision shall not apply to the streets and roads or drainage rights-of-way required for final approval of any plat and deemed essential to the public welfare.

C. 40:55-1.21. Guarantees required for street grading, lighting, curbs, trees, etc.

21. Before final approval of plats the governing body may require, in accordance with the standards adopted by ordinance, the installation, or the furnishing of a performance guarantee in lieu thereof,

of any or all of the following improvements it may deem to be necessary or appropriate: street grading, pavement, gutters, curbs, sidewalks, street lighting, shade trees, surveyor's monuments, water mains, culverts, storm sewers, sanitary sewers or other means of sewage disposal, drainage structures, and such other subdivision improvements as the municipal governing body may find necessary in the public interest.

C. 40:55-1.22. Adequate performance guarantees, liability of surety.

22. The governing body may accept adequate performance guarantees for the purpose of assuring improvements, as provided in section twenty-one of this act and section ten of the Official Map and Building Permit Act (1953).

The amount of any performance guarantee may be reduced by the governing body by resolution when portions of the improvements have been completed, and the time allowed for installation of the improvements for which the performance guarantee has been provided may be extended by said body by resolution.

If the required improvements shall not have been installed in accordance with the performance guarantee, the obligor and surety, if any, shall be liable thereon to the municipality for the reasonable cost of the improvements not installed and upon the receipt of the proceeds thereof the municipality shall install such improvements.

C. 40:55-1.23. Selling before approval, penalty, suits by municipalities.

23. If, before approval or favorable referral and approval have been obtained, any person transfers or sells or agrees to sell, as owner or agent, any land which forms a part of a subdivision which, by ordinance, the planning board or the planning board and the governing body are required to act, such person shall be subject to a fine not to exceed two hundred dollars ($200.00) or to imprisonment for not more than thirty days and each parcel, plot or lot so disposed of shall be deemed a separate violation.

In addition to the foregoing, if the streets in the subdivision are not such that a structure on said land in the subdivision would meet the require-

ments for a building permit under section three of the Official Map and Building Permit Act (1953) the municipality may institute and maintain a civil action:

(1) For injunctive relief.

(2) To set aside and invalidate any conveyance made pursuant to such a contract or sale if a certificate of compliance has not been issued in accordance with section twenty-four of this act, but only if the municipality has a planning board or a committee thereof with power to act and which

(a) meets regularly on a monthly or more frequent basis, and

(b) whose governing body has adopted standards and procedures in accordance with section twenty of this act.

In any such action the transferee, purchaser or grantee shall be entitled to a lien upon the portion of the land from which the subdivison was made that remains in the possession of the subdivider or his assigns or successors, to secure the return of any deposit made or purchase price paid, and also a reasonable search fee, survey expense and title closing expense, if any. Any such action must be brought withn two years after the date of the recording of the instrument of transfer, sale or conveyance of said land, or within six years if unrecorded.

C. 40:55-1.24. Certificates showing approval, contents.

24. The prospective purchaser, prospective mortgagee, or any other person interested in any land which forms part of a subdivision, or which, since the thirteenth day of June, one thousand nine hundred and fifty-one, formed part of such a subdivision, may apply in writing to the proper official or, if said official is unknown to the applicant, then to the clerk of the municipality, for the issuance of a certificate certifying whether or not such subdivision has been approved by the planning board or governing body. Such application shall contain a diagram showing the location and dimension of

the land to be covered by the certificate, and the name of the owner thereof.

The governing body of the municipality shall, by resolution, designate the municipal clerk, municipal engineer or some other official as the official who shall make and issue such certificates, and the official so designated shall issue such certificate within fifteen days after the receipt of such written application and the fees therefor. Said officials shall keep a duplicate copy of each certificate, consecutively numbered, including a statement of the fees charged, in a binder as a permanent record of his office.

Each such certificate shall be designated a "certificate as to approval of subdivision of land," and shall certify:

a. Whether there exists in said municipality a duly established planning board which meets regularly on a monthly or more frequent basis and whether there is an ordinance controlling subdivisions of land, adopted under the authority of this act.

b. Whether the subdivision or resubdivision, as it relates to the land shown in said application, has been approved by the planning board or governing body, and, if so, the date of such approval.

c. Whether such subdivision or resubdivision, if the same has not been approved, is exempt from the requirement of approval as provided in this act.

The official designated shall be entitled to demand and receive for each such certificate issued by him a reasonable fee, not in excess of those provided in sections fourteen and fifteen of chapter five of Title 54 of the Revised Statutes. The fees so collected by such official shall be paid by him to the municipality.

C. 40:55-1.25. To hold land free of any right or remedy under provisions of act.

25. Any person who shall acquire for a valuable consideration an interest in the lands covered by any such certificate of approval of a subdivision in reliance upon the information therein contained shall hold such interest free of any right, remedy

or action which could be prosecuted or maintained by the municipality pursuant to the provisions of section twenty-three of this act.

If the official designated to make and issue any such certificate fails to issue the same within fifteen days after receipt of an application and the fees therefor, any person acquiring an interest in the lands described in such application shall hold such interest free of any right, remedy or action which could be prosecuted or maintained by the municipality pursuant to the provisions of section twenty-three of this act.

Any such application addressed to the municipal clerk of the municipality shall be deemed to be addressed to the proper designated official and the municipality shall be bound thereby to the same extent as though the same was addressed to the designated official.

C. 40:55-1.26. Application of act.

26. This act shall apply only to municipalities having a planning board heretofore created pursuant to chapter fifty-five of Title 40 of the Revised Statutes or hereafter created under the provisions of this act.

C. 40:55-1.27. Planning boards to continue, regulations to remain effective.

27. Any municipal planning board created under the authority of law prior to the adoption of this act shall be continued by this act, and the members appointed to said board shall continue in office until the completion of their terms, unless sooner terminated, and any action previously taken by said planning board shall be deemed to continue in full force and effect except as hereinafter in this section provided.

All rules and regulations adopted by planning boards under the authority of law regulating subdivision of lands shall continue in effect until July first, one thousand nine hundred and fifty-four, unless prior thereto the governing body of the municipality shall have adopted an ordinance pursuant to this act for the regulation of subdivisions, in which event such rules and regulations shall cease to be in effect upon the date such ordinance becomes effective.

C. 40:55-1.28. Sections repealed.

28. Sections 40:55–1 to 40:55–21, both inclusive, of the Revised Statutes are repealed.

C. 40:55-1.29. Act effective.

29. This act shall take effect January first, one thousand nine hundred and fifty-four.

Approved September 18, 1953.

CHAPTER 434

AN ACT concerning municipalities in relation to official maps and building permits, and supplementing chapter fifty-five of Title 40 of the Revised Statutes.

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

C. 40:55-1.30. Short title.

1. This act shall be known and may be cited as the "Official Map and Building Permit Act (1953)."

C. 40:55-1.31. Terms defined.

2. As used in this act:

"Municipality" means any city, borough, town, township or village.

"Governing body" means the chief legislative body of the municipality. In cities having a board of public works, "governing body" means such board.

"Plat" means the map of a subdivision.

"Street" means any street, avenue, boulevard, road, lane, parkway, viaduct, alley or other way which is an existing State, county, or municipal roadway, or a street or way shown upon a plat heretofore approved pursuant to law or approved by official action pursuant to the Municipal Planning Act (1953), or a street or way on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a planning board and the grant to such board of the power to review plats, and includes the land between the

street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the street lines.

"Official map" means a map adopted by ordinance of the governing body showing the location and width of streets and drainage rights of way, and the location and extent of public parks and playgrounds, whether existing or proposed.

"Drainage right of way" means the lands required for the installation of storm water sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage in accordance with chapter one of Title 58 of the Revised Statutes.

C. 40:55-1.32. Establish an official map.

3. The governing body may, by ordinance after public hearing, establish an official map of the municipality or of any part or parts thereof. The official map shall be deemed conclusive with respect to the locaton and width of streets and drainage rights of way, and the location and extent of public parks and playgrounds shown thereon, whether such streets, drainage rights of way, parks or playgrounds are improved or unimproved. Upon the application for approval of a plat, the municipality may reserve for future public use the location and extent of public parks and playgrounds shown on the official map, or any part thereof and within the area of said plat for a period of one year after the approval of the final plat or within such further time as agreed to by the applying party. Unless within such one year period or extension thereof the municipality shall have entered into a contract or purchase, or instituted condemnation proceedings, for said park or playground according to law, such applying party shall not be bound to observe the reservation of such public parks or playgrounds. During such period of one year or any extension thereof the applicant for the plat approval, and his assigns and successors in interest,

may use the area so reserved for any purpose other than the location of buildings or improvements thereon, except as provided in section nine of this act.

C. 40:55-1.33. Purpose of establishing an official map.

4. The establishment of an official map is declared to be for the purpose of conserving and promoting the public health, safety, morals and general welfare.

C. 40:55-1.34. Amending map.

5. The governing body may, from time to time, by ordinance, amend the official map by making changes therein, additions thereto, or deletions therefrom.

C. 40:55-1.35. Recommendations of planning board.

6. If a planning board has duly adopted portions of the master plan, as defined in section two of the Municipal Planning Act (1953), the governing body, before adopting an official map or amendment thereto, shall refer such proposed official map or amendment to the planning board for its recommendation, and the governing body shall not act thereon without such recommendation or until forty-five days after such reference without such recommendation.

C. 40:55-1.36. Hearing, notice.

7. Upon receipt of the recommendation of the planning board or after forty-five days without such recommendation, the governing body shall hold a public hearing on the proposed adoption of the official map or amendment thereto and shall cause notice of the hearing to be published in the official newspaper of the municipality or in a newspaper of general circulation in the municipality, at least ten days prior to the hearing. A map showing the proposal shall be made available for public inspection in the office of the municipal clerk during such period and the notice shall so state. At the public hearing all interested parties shall be afforded an opportunity to be heard, prior to the final vote upon the ordinance.

C. 40:55-1.37. Deemed a change or addition to map.

8. The approval by the municipality by ordinance under the provisions of any law other than as contained in this act, of the layout, widening or closing of any street, drainage right of way or area designated above as part of the official map shall be

deemed to be a change or addition to the official map and shall be subject to all the provisions of this act.

C. 40:55-1.38. Not to issue building permits before adoption of map, exception.

9. For the purpose of preserving the integrity of the official map of a municipality, no permit shall be issued for any building in the bed of any street or drainage right of way shown on the official map, or on a plat filed pursuant to the Municipal Planning Act (1953) before adoption of the official map, except as herein provided. Whenever one or more parcels of land upon which is located the bed of such a mapped street or drainage right of way, or any park or playground location reserved pursuant to section three hereof, cannot yield a reasonable return to the owner unless a building permit be granted, the board of adjustment, in any municipality which has established such a board, may, in a specific case by the vote of a majority of its members, grant a permit for a building in the bed of such mapped street or drainage right of way or within such reserved location of a public park or playground, which will as little as practicable increase the cost of opening such street, or tend to cause a minimum change of the official map, and the board shall impose reasonable requirements as a condition of granting the permit so as to promote the health, morals, safety and general welfare of the public and shall inure to the benefit of the municipality. In any municipality in which there is no board of adjustment, the governing body shall have the same powers and be subject to the same restrictions as provided in this section.

Before taking any action authorized in this section, the board of adjustment or governing body shall hold a public hearing at which parties in interest and others shall have an opportunity to be heard. At least ten days' notice of the time and place of the hearing shall be published in an official publication of the municipality or in a newspaper having general circulation therein.

C. 40:55-1.39. Building lot to abut street.

10. No permit for the erection of any building shall be issued unless the building lot abuts a street giving access to such proposed structure which has been duly placed on the official map; or, if there be no official map, unless such street is (a) an existing State, county or municipal street or highway, or (b) a street shown upon a plat approved by the governing body or planning board as provided in the Municipal Planning Act (1953), or in any act repealed thereby, or (c) a street on a plat duly filed in the office of the county recording officer prior to the passage of an ordinance under the Municipal Planning Act (1953) or any act repealed thereby which required prior approval of plats by the governing body or other authorized body. Before any such permit shall be issued, such street shall have been certified to be suitably improved to the satisfaction of the governing body, or such suitable improvement shall have been assured by means of a performance guarantee, in accordance with standards and specifications approved by the governing body, as adequate in respect to the public health, safety and general welfare for the special circumstances of the particular street.

C. 40:55-1.40. Appeals.

11. Where the enforcement of sections nine and ten of this act would entail practical difficulty or unnecessary hardship, or where the circumstances of the case do not require the structure to be related to a street, the applicant for the permit may appeal from the decision of the administrative officer having charge of the issuance of permits to the board of adjustment in any muncipality which has established such a board, or, in municipalities where there is no board of adjustment to the governing body, and the same provisions shall apply to such appeals and to such board or body as are provided in cases of appeals in respect to zoning regulations. The board may, in determining any such appeal, make reasonable exceptions and issue a permit subject to conditions that will assure adequate access for fire-fighting equipment, ambulances and other emergency vehicles necessary for

the protection of health and safety and that will protect any future street layout shown on the official map or on a master plan of streets duly adopted by a planning board. Where such master plan of streets exists, the board of adjustment or governing body, as the case may be, shall refer the application to the planning board for report and recommendation before taking action.

C. 40:55-1.41. Map to remain in force and effect.

12. Any official map adopted under the authority of article one of chapter fifty-five of Title 40 of the Revised Statutes shall continue in full force and effect in so far as it relates to the location and width of streets and drainage rights-of-way, and the location and extent of public parks and playgrounds shown thereon.

C. 40:55-1.42. Act effective.

13. This act shall take effect January first, one thousand nine hundred and fifty-four.

Approved September 18, 1953.

JOINT RESOLUTIONS

(2193)

Joint Resolutions

JOINT RESOLUTION No. 1

A JOINT RESOLUTION memorializing Congress to provide for the care and maintenance of the Twin Navesink Lighthouse at Highlands, New Jersey, adjacent to Sandy Hook, by the National Park Service of the Department of the Interior and for the preservation of said lighthouse as an historic site.

WHEREAS, The Twin Navesink Lighthouse was erected in the year one thousand eight hundred and sixty-two, during the Civil War, on the highest point of land above Sandy Hook, to guide ocean-going craft to the entrance of New York Harbor; and Preamble.

WHEREAS, "Twin Lights" was used as a guide to navigation until the year one thousand nine hundred and fifty, when it was supplanted by more modern devices; and Preamble.

WHEREAS, "Twin Lights" has become, over the years, an historic landmark to the citizens of our State and Nation; now, therefore Preamble.

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

1. The Congress of the United States is hereby memorialized to provide for the care and maintenance of the Twin Navesink Lighthouse at Highlands, New Jersey, adjacent to Sandy Hook, by the National Park Service of the Department of the Interior and for the preservation of said lighthouse as an historic site. Congress memorialized.

Secretary to transmit copies.

2. The Secretary of State is hereby directed forthwith to transmit a copy of this joint resolution, properly authenticated, to the President of the United States, to the respective presiding officers of the United States Senate and the House of Representatives, and to all of the Senators and Representatives from New Jersey in Congress.

3. This joint resolution shall take effect immediately.

Approved February 18, 1953.

JOINT RESOLUTION No. 2

A JOINT RESOLUTION honoring Dr. Selman A. Waksman, congratulating him as the recipient of the Nobel Prize in Physiology and Medicine in one thousand nine hundred and fifty-two and commending his outstanding leadership, perseverance and ability in the field of microbiology.

Preamble.

WHEREAS, Dr. Selman A. Waksman, a resident of the State of New Jersey and Director of the Rutgers Institute of Microbiology, has been selected as the recipient of the Nobel Prize in Physiology and Medicine for one thousand nine hundred and fifty-two; and

Preamble.

WHEREAS, Dr. Waksman is the man whose work led to the discovery of streptomycin, the wonder drug which provided medical science with one of its most effective weapons against tuberculosis; and

Preamble.

WHEREAS, He, together with his students and associates at Rutgers University, has isolated, in addition to streptomycin, numerous other new and important antibiotics, the royalties from

which have enabled Rutgers University to establish the Institute of Microbiology; and

Preamble. WHEREAS, Out of the small portion of the royalties assigned to Dr. Waksman personally, he has established "The Foundation for Microbiology," for the support of research in this field at various institutions; and

Preamble. WHEREAS, Dr. Waksman through his achievements in the field of microbiology has attained world renown and brought great credit to himself, to his university, State and country; now, therefore,

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

Congratulations of the State. 1. The State of New Jersey hereby congratulates Dr. Selman A. Waksman on his selection as recipient of the Nobel Prize in Physiology and Medicine for one thousand nine hundred and fifty-two and expresses its deepest appreciation of his outstanding leadership, perseverance and ability in the field of microbiology which has resulted in such a tremendous boon to humanity generally.

Governor to present a copy of resolution. 2. As a token of our recognition of Dr. Waksman's great contribution to science and medicine and for the credit he reflects on his country, State and university, the Governor is requested to present to him, on behalf of the people of the State of New Jersey, a certified copy of this joint resolution.

3. This joint resolution shall take effect immediately.

Approved February 18, 1953.

JOINT RESOLUTION No. 3

A JOINT RESOLUTION to declare the week of March first to seventh as "Save Your Vision Week" and for a proclamation thereof by the Governor.

Preamble. WHEREAS, National security continues to be a primary concern to all citizens; and

Preamble. WHEREAS, Increased enrollments in our schools tax existing physical facilities, impose greater burdens on teaching personnel, and require more reading and personal effort of pupils; and

Preamble. WHEREAS, The toll of highway traffic accidents and fatalities continues to rise; and

Preamble. WHEREAS, Efficient vision is an important factor in the emotional and educational development of children; in driver-efficiency and highway traffic safety; in safety and efficiency in defense and normal civilian industry and activities, in personal health, welfare and safety and in enjoyment of life for all citizens; and

Preamble. WHEREAS, Visual problems, generally unaccompanied by pain, often are disregarded until serious impairment of the eye occurs; and

Preamble. WHEREAS, The importance of good vision to personal health, welfare and safety and to the National Welfare should be recalled and emphasized to all citizens of this State; and

Preamble. WHEREAS, The New Jersey Optometric Association is carrying out a co-ordinated program of research, service and public education in the prevention and correction of visual disabilities in its unending effort to protect, conserve and improve the vision of citizens of New Jersey; and

WHEREAS, The New Jersey Optometric Association, in co-operation with the American Optometric Association, is conducting an intensive program of public education during the week of March first to seventh through newspapers, radio, television, magazines and talks to groups of citizens; therefore Preamble.

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

1. The week of March first to seventh is declared to be "Save Your Vision Week" in the State of New Jersey, and the citizens thereof are urged to give attention to visual care for their own welfare and that of their country. Save Your Vision Week.

2. That the Governor, by an appropriate proclamation, so proclaim the said week of March first to seventh as "Save Your Vision Week" in this State. Proclamations to issue.

3. This joint resolution shall take effect immediately.

Approved February 27, 1953.

JOINT RESOLUTION No. 4

A JOINT RESOLUTION to declare the month of April as "Cancer Control Month" in the State of New Jersey and for a proclamation by the Governor.

WHEREAS, The American Cancer Society, New Jersey Division, is the leader in a campaign against the ravaging disease of cancer, which is taking the lives annually of over two hundred thousand Americans; and Preamble.

WHEREAS, The New Jersey Division, through its twenty-one county chapters, is aiding this fight through its well-planned and co-ordinated programs of service and education; and Preamble.

Preamble. WHEREAS, More than eight thousand persons die each year in New Jersey from cancer, many of whom could have been saved, if the danger signals had been recognized in time; and

Preamble. WHEREAS, Sixty per centum (60%) of all the moneys contributed by residents of New Jersey are being expended in providing cancer clinic facilities and in providing direct service to the cancer patient and to the public; and forty per centum (40%) is being spent for national research and education; therefore,

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

Cancer Control Month. 1. That the month of April is directed to be known in New Jersey as "Cancer Control Month" and the residents thereof are urged to give their support to the American Cancer Society, New Jersey Division, Inc., and its cancer control program.

Proclamation to issue. 2. That the Governor, by appropriate proclamation, set aside the said month of April as "Cancer Control Month" in New Jersey.

3. This joint resolution is to take effect immediately.

Approved March 23, 1953.

JOINT RESOLUTION No. 5

A JOINT RESOLUTION to felicitate the New Jersey Optometric Association on its Golden Jubilee and to commend its service to the visual health, welfare and safety of the citizens of New Jersey during the past fifty years, and for a proclamation thereof by the Governor.

WHEREAS, The New Jersey Optometric Association was originally chartered on April twenty-seventh, one thousand nine hundred and three, and has been the representative body of the profession of optometry in the State of New Jersey for fifty years; and Preamble.

WHEREAS, The New Jersey Optometric Association has made great contributions for the conservation and improvement of vision of citizens of this State during these many years; and Preamble.

WHEREAS, The New Jersey Optometric Association has continuously conducted effective educational programs for the prevention and alleviation of visual disabilities in the interest of the visual health, welfare and safety of the people of New Jersey; and Preamble.

WHEREAS, The New Jersey Optometric Association has achieved a most enviable record for the enactment of stricter laws governing the practice of optometry, for effective legislative regulation of opticians, for improved vision programs for children in the schools, for protection of eyes against injury and conservation of vision in industry, and for visual efficiency and safety for motor vehicle operators; all in the public interest; and Preamble.

Preamble. WHEREAS, The New Jersey Optometric Association has continuously conducted educational programs that have enabled its members to keep abreast of new developments in the art and science of visual care; and

Preamble. WHEREAS, The individual members of the New Jersey Optometric Association have ministered to the visual needs of millions of citizens of New Jersey with the kindliness, competence and regard for fellowmen, befitting men and women dedicated to rendering professional care to mankind; and

Preamble. WHEREAS, These public-spirited acts of the New Jersey Optometric Association and its individual members, through these many years, are a high tribute to the profession of optometry and a source of great pride to the people of New Jersey; therefore

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

Felicitations extended. 1. That felicitations are herewith offered to the New Jersey Optometric Association and its members, on the completion of fifty years as the representative body of the profession of optometry in the State of New Jersey.

Commendation tendered. 2. The commendation for honored, conscientious, unselfish, professional services to the visual needs of the people of New Jersey is herewith tendered to the New Jersey Optometric Association and its members.

Confidence expressed. 3. That confidence in the continued devotion of the New Jersey Optometric Association to the high principles of its honored profession is hereby expressed.

Proclamation. 4. That the Governor, by appropriate proclamation, proclaim the sentiments herein expressed.

5. That this joint resolution shall take effect immediately.

Approved April 1, 1953.

JOINT RESOLUTION No. 6

A JOINT RESOLUTION creating a commission to make a study of the laws of this State authorizing or requiring the payment of noncontributory retirement benefits to employees of the State and local governments and to report thereon to the next session of the Legislature.

Preamble. WHEREAS, Studies by the Bureau of Governmental Research of the State University indicate that there are more than seventy laws authorizing or requiring the payment of noncontributory retirement benefits to employees of the State Government and of local governments; and

Preamble. WHEREAS, There are no accurate data available on the existing and potential liabilities which the taxpayers will be called upon to assume to redeem the promises given or implied by these laws; and

Preamble. WHEREAS, Many of these laws overlap and serve no useful public purpose; and

Preamble. WHEREAS, It is desirable that the retirement laws of this State be simplified and made reasonably consistent as between employees and governmental units; therefore

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

Commission created. 1. There is hereby created a commission of nine members, three to be appointed from the membership of the Senate by the President thereof, three to be appointed from the membership of the General Assembly by the Speaker thereof, and three to be appointed by the Governor. All such members shall serve without compensation.

Organization.

2. The commission shall organize as soon as possible after the appointment of its members and shall elect a chairman. The administrative secretary of the bureau of public pensions in the State Department of the Treasury shall serve as secretary to the commission but shall not be a member of said commission.

May designate consultant, proviso.

3. The commission may designate any governmental research agency operating in the State of New Jersey to serve as consultant to the commission; *provided, however,* that such research agency shall first agree, in writing, that it shall serve without cost to the State and that its findings shall be transmitted only to the commission.

Duty.

4. It shall be the duty of the commission to examine and study the laws of the State of New Jersey dealing with the retirement of persons employed by the State Government or by any political subdivision thereof; *provided, however,* that such study shall be limited to the examination of retirement laws to which employees do not contribute and shall not be extended to include any examination of contributory retirement laws or pension systems except as such systems may be studied for the purposes of comparison with noncontributory retirement laws and pension systems; *and provided further,* that nothing in this joint resolution shall be construed as authorizing an investigation of the provisions of article one, chapter four, of Title 43 of the Revised Statutes.

Proviso.

Proviso.

Hearings.

5. The commission may conduct public and private hearings as it may deem desirable. It shall have the power of subpœna as provided by law for legislative investigating committees, it shall be entitled to call to its assistance and avail itself of the services of such employees of any State department, board, bureau, commission or agency as it may require.

Appropriation.

6. The commission may expend for professional actuarial services and with the approval of the State Comptroller, a sum not to exceed twenty-five

hundred dollars ($2,500.00) from the emergency fund of the State of New Jersey.

7. The commission shall report its findings and recommendations to the next regular session of the Legislature. Report.

8. This joint resolution shall take effect immediately.

Approved April 15, 1953.

JOINT RESOLUTION No. 7

A JOINT RESOLUTION to congratulate the New Jersey Education Association upon its Centennial Year and for its service to public education in New Jersey since its founding in the year one thousand eight hundred and fifty-three.

WHEREAS, The New Jersey Education Association was founded in the year of our Lord one thousand eight hundred and fifty-three; and Preamble.

WHEREAS, The New Jersey Education Association has, since its founding, rendered a high standard of performance on behalf of the children in the public schools of this State; and Preamble.

WHEREAS, The New Jersey Education Association has provided leadership over the years to effect great educational progress in New Jersey and to help make possible in this State one of the very best systems of public schools in the Nation; therefore Preamble.

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

1. That congratulations and commendation are herewith offered to the New Jersey Education As- Congratulations extended to New Jersey Education Association.

sociation and to its twenty-nine thousand members on the completion of one hundred years of outstanding service to public education in New Jersey.

2. This joint resolution shall take effect immediately.

Approved April 24, 1953.

JOINT RESOLUTION No. 8

A JOINT RESOLUTION for the continuation and reconstitution of the commission appointed pursuant to Joint Resolution No. 15, entitled "A joint resolution creating a commission to study the problems and needs of mentally deficient persons, prescribing its powers and duties," approved June thirteenth, one thousand nine hundred and fifty.

Preamble.

WHEREAS, The commission appointed pursuant to Joint Resolution No. 15, approved June thirteenth, one thousand nine hundred and fifty, and reconstituted by Joint Resolution No. 3, approved March seventh, one thousand nine hundred and fifty-one, was unable to complete its investigation and make its report, as required in said reconstitution by June first, one thousand nine hundred and fifty-two, it is deemed desirable to continue and reconstitute the said commission and extend the time for the making of said report; now therefore,

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

Commission continued.

1. The commission created and appointed pursuant to the provisions of Joint Resolution No. 15, approved June thirteenth, one thousand nine hundred and fifty, and reconstituted by Joint Resolu-

tion No. 3, approved March seventh, one thousand nine hundred and fifty-one, hereby is continued and again reconstituted with the same members and officers as were appointed under said joint resolution.

2. Said commission shall continue to have all of the powers and perform all of the duties vested in, and required of, it under the terms of said joint resolution, except that it shall not be required to make its report to the Legislature earlier than February first, one thousand nine hundred and fifty-four. Powers and duties, report.

3. This joint resolution shall take effect immediately.

Approved May 1, 1953.

JOINT RESOLUTION No. 9

A JOINT RESOLUTION creating a Commission on Educational Television to study the possibilities of and to develop a program for educational television together with appropriate methods and means to implement the same.

WHEREAS, The Commissioner of Education at the request of the Governor appointed an Educational Television Commission when the Legislature was not in session in order that a study of educational television could be undertaken without delay; and Preamble.

WHEREAS, The commission has held six meetings since the thirtieth day of October, one thousand nine hundred and fifty-two, and committees of said commission have done much work between meetings; and Preamble.

Preamble. WHEREAS, It is appropriate to continue the members of the commission appointed by the commissioner as members of the Commission on Educational Television to be established by the Legislature; therefore,

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

Commission created. 1. There is hereby created a commission on Educational Television to continue the study of the possibilities of and to develop a program for educational television together with appropriate methods and means to implement the same.

Members. 2. The commission shall consist of Dr. Elmer W. Engstrom, chairman, Charles W. Hamilton, secretary, Mrs. A. Hobart Anderson, Honorable Samuel L. Bodine, Honorable J. Lindsay deValliere, Dr. Allen B. DuMont, Honorable Thomas J. Hillery, Mr. Robert B. Macdougall, Dr. Sampson G. Smith, Mr. Herbert W. Voorhees. Any vacancy on the commission and any vacancy in the chairmanship shall be filled by the Governor.

Hearings, recommendations in report. 3. The commission may hold hearings in any part of the State and upon the completion of its work shall embody its recommendations concerning a program of educational television and the means for implementing the same in a report with proposed legislation thereon to the present or a succeeding session of the Legislature.

4. This joint resolution shall take effect immediately.

Approved May 15, 1953.

JOINT RESOLUTION No. 10

A JOINT RESOLUTION creating a commission to be known as the Traffic Safety Legislation Study Commission, to study the traffic legislation, providing for reports and recommendations by the said commission to the Governor and the Legislature and providing for an appropriation therefor.

Preamble. WHEREAS, Eight hundred and thirty-four men, women and children lost their lives in traffic accidents in New Jersey in one thousand nine hundred and fifty-two; and

Preamble. WHEREAS, The Governor, in his Sixth Annual Message to the Legislature, stressed the need for an improved traffic safety record; and

Preamble. WHEREAS, The initial responsibility for complete and modern traffic safety legislation in New Jersey is the Legislature's; and

Preamble. WHEREAS, The Legislature deems the need and creation of a traffic safety legislation study commission to be manifest; now, therefore,

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

Traffic safety legislation study commission created, members. 1. There is hereby created the Traffic Safety Legislation Study Commission. The commission shall consist of nine members, three of whom shall be named by the Governor from the State at large, three of whom shall be Senators to be named by the President of the Senate, and three of whom shall be Assemblymen to be named by the Speaker of the General Assembly. Any vacancy in the membership of the commission shall be filled by appointment by the authority who named the person whose

membership in the commission ceased and thereby created the vacancy.

Organization, rules.

2. The commission shall select from among its members a chairman, a secretary and a treasurer. The commission may adopt rules and regulations for the purpose of facilitating the performance of its functions.

Function.

3. The commission is hereby authorized, empowered and directed to study traffic safety legislation, including the enforcement and adequacy of the same in New Jersey and elsewhere, particularly in reference to the future policy thereof in New Jersey.

Recommendations.

4. The commission shall make such recommendations as it shall deem proper for such legislation, as will further improve traffic safety.

Report.

5. Upon completion of its study, but not later than the third Monday in January, one thousand nine hundred and fifty-four, the commission shall make a report of its findings and recommendations to the Legislature and the Governor.

Hearings.

6. The commission may hold hearings in any part of the State and call for the attendance of witnesses and the production of books, papers and records. It may call upon any of the State departments for such assistance as may be required from such departments.

7. This joint resolution shall take effect immediately.

Approved May 29, 1953.

JOINT RESOLUTION No. 11

A JOINT RESOLUTION memorializing the Delaware River Port Authority to undertake action to carry out the purposes described in Article I of the laws of one thousand nine hundred and fifty-one (c. 288, p. 1047, sec. (1)) particularly the purpose described in paragraph (j) thereof.

WHEREAS, By the laws of one thousand nine hundred and fifty-one, chapter two hundred eighty-eight, page one thousand and forty-seven, section 1(1), and by the enactment of similar legislation by the Commonwealth of Pennsylvania, the Delaware River Port Authority was created for the purpose of developing the Delaware River Port and a large area adjacent to the port which includes most of South Jersey and was given extensive powers to carry out this purpose; and Preamble.

WHEREAS, The South Jersey area included within the Delaware River Port district has since one thousand nine hundred and fifty-one enjoyed extensive industrial and residential development; and Preamble.

WHEREAS, The development of this South Jersey area has not realized its fullest possibilities because of the inadequacies of the present and existing facilities for transporting passengers between this South Jersey area and metropolitan Philadelphia, which inadequacies have been intensified by highway congestion and insufficient highway capabilities; and Preamble.

WHEREAS, By paragraph (j) of Article I of the laws of one thousand nine hundred and fifty-one, chapter two hundred eighty-eight, the Delaware River Port Authority is expressly given as one Preamble.

of its purposes the establishment of a rapid transit system for transporting passengers between points in New Jersey within the port district and within a thirty-five (35) miles radius of the city of Camden, New Jersey, and points within the city of Philadelphia, Pennsylvania, and intermediate points; and

Preamble.

WHEREAS, The fulfillment of this purpose would greatly implement the industrial and residential development of South Jersey by facilitating transportation between that area and metropolitan Philadelphia and would by an extensive use of nonhighway facilities, eliminate considerable highway congestion and thereby lessen the burden on the already overtaxed highway system to the benefit of those living in, coming to and from, and passing through South Jersey; and

Preamble.

WHEREAS, The Delaware River Port Authority has to date undertaken no activity to accomplish this most important objective and purpose; therefore,

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

Memorialized to expedite project.

1. That the Delaware River Port Authority is hereby memorialized to develop plans at the earliest feasible date for the undertaking of a project that will speedily accomplish the purpose set forth in paragraph (j) of Article I of the laws of one thousand nine hundred and fifty-one, chapter two hundred eighty-eight, so that the development and expansion of South Jersey may be implemented by the early creation of an integrated, efficient, and economical rapid transit system for the transportation of passengers between points in New Jersey within the port district and within a thirty-five (35) miles radius of the city of Camden, New Jersey, and points within the city of Philadelphia, Pennsylvania, and intermediate points.

Approved May 29, 1953.

JOINT RESOLUTION No. 12

A JOINT RESOLUTION memorializing Congress to amend the Atomic Energy Act so as to eliminate therefrom any language which may be interpreted as extending exemption from State and local taxes to private contractors dealing with the Atomic Energy Commission.

Preamble.

WHEREAS, The Supreme Court of the United States has recently held that the activities of a private contractor performing services for the Atomic Energy Commission are to be treated as activities of the Atomic Energy Commission itself for the purpose of securing immunity from State and local taxes; now, therefore

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

Congress memorialized.

1. The Congress of the United States is hereby memorialized to amend the Atomic Energy Act so as to eliminate therefrom any language which may be interpreted as providing for the extension of tax exemption to private contractors with the Atomic Energy Commission or to the vendors of such contractors, contrary to the well-established principles of intergovernmental relations which have assured to the States and their political subdivisions full power to impose nondiscriminatory taxation upon private persons who deal with the government.

Secretary of State to transmit copies.

2. The Secretary of State is hereby directed forthwith to transmit a copy of this joint resolution, properly authenticated, to the President of the United States, to the respective presiding officers of the United States Senate and the House

of Representatives, and to all of the Senators and Representatives from New Jersey in Congress.

3. This joint resolution shall take effect immediately.

Approved July 30, 1953.

JOINT RESOLUTION No. 13

A JOINT RESOLUTION memorializing the Congress of the United States to amend the Internal Revenue Code to provide for the elimination of the Federal tax on cigarettes and gasoline in all cases where a tax on cigarettes and gasoline is imposed by any State so as to afford to the States the right to impose and collect taxes on cigarettes and gasoline for State purposes without any Federal tax on such commodities.

Preamble. WHEREAS, The State is in need of additional revenues for State aid to schools and other State purposes; and

Preamble. WHEREAS, Such additional revenue could readily be obtained by increasing the taxes on cigarettes and gasoline but that any such increase would be unduly burdensome if the present Federal taxes on cigarettes and gasoline are continued; and

Preamble. WHEREAS, The taxation of these commodities should properly be left to the States, and Federal taxes thereon should only be imposed in States which do not tax such commodities; now, therefore

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

1. The Congress of the United States is hereby memorialized to amend the Internal Revenue Code by providing for the elimination of the Federal tax on cigarettes and gasoline in all cases where a tax on cigarettes and gasoline is imposed by any State so as to afford to the States the right to impose and collect taxes on cigarettes and gasoline for State purposes without any Federal tax on such commodities. Congress memorialized to eliminate tax on cigarettes and gasoline.

2. The Secretary of State is hereby directed forthwith to transmit a copy of this joint resolution, properly authenticated, to the President of the United States, to the respective presiding officers of the United States Senate and the House of Representatives and to all of the Senators and Representatives from New Jersey in the Congress. Secretary of State to transmit copies.

3. This joint resolution shall take effect immediately.

Approved August 8, 1953.

JOINT RESOLUTION No. 14

A JOINT RESOLUTION creating a commission to be known as the Election Laws Study Commission to study the statutes of the State relating to elections and providing for reports and recommendations by the said commission to the Governor and the Legislature, and providing for an appropriation therefor.

WHEREAS, Since the last general revision of the election laws of this State, substantial changes have been made from time to time in the election laws, particularly in connection with the use of voting machines and of permanent registration of the voters; and Preamble.

Preamble. WHEREAS, Many sections of the election laws, as contained in Title 19 of the Revised Statutes, have been amended and laws supplementary to the said Title have been enacted; and

Preamble. WHEREAS, In many instances certain sections of Title 19 of the Revised Statutes are contradictory, repetitious and some of them are outmoded and unnecessary; and

Preamble. WHEREAS, It is not feasible to co-ordinate the changes and modernize the provisions of the election laws by the process of further enacting amendatory and supplementary statutes; and

Preamble. WHEREAS, The problem can be most effectively dealt with by the creation of a study commission; now, therefore,

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

Election Law Study Commission created, members. 1. There is hereby created the Election Laws Study Commission. The commission shall consist of nine members, three of whom shall be named by the Governor from the State at large; one of whom shall be a senator to be named by the President of the Senate, two of whom shall be named by the President of the Senate from the State at large, one of whom shall be an Assemblyman to be named by the Speaker of the General Assembly, and two of whom shall be named by the Speaker of the General Assembly from the State at large. In the case of the three members to be named by the Governor, not more than two shall be of the same political party, and in the case of the two members to be named by the President of the Senate from the State at large, they shall not be members of the same political party, and in the case of the two members to be named by the Speaker of the General Assembly from the State at large, they shall not be members of the same political party. Any vacancy in the membership of the commission shall

be filled by appointment by the authority who named the person whose membership in the commission ceased and thereby created a vacancy.

Organization.

2. The commission shall select from among its members a chairman, a secretary and a treasurer. The commission may adopt by-laws for the purpose of facilitating the performance of its functions. The commission may employ such technical assistants as it deems necessary and fix their compensation, within the limits of its appropriations.

Powers

3. The commission is authorized, empowered and directed to study the statutes relating to elections, to call upon State, municipal and county officials for their co-operation in advancing the work of the commission, and to conduct hearings from time to time in an endeavor to ascertain in what respects the election laws shall be simplified, correlated and revised.

Recommendations and report.

4. The commission shall make such recommendations as it shall deem proper and prepare such legislation as it shall deem necessary to accomplish the purpose and shall make its report no later than January, one thousand nine hundred and fifty-four, to the Governor and the next session of the Legislature.

Appropriation.

5. There is hereby appropriated, when included in any general or supplemental appropriation act, to the commission the sum of fifteen thousand dollars ($15,000.00) to defray the expense and costs of the commission.

6. This joint resolution shall take effect immediately.

Approved August 8, 1953.

PROCLAMATIONS

Proclamations by the Governor

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Relief Fire Company No. 1 of Mount Holly, New Jersey will celebrate the Bicentennial Anniversary of its organization, on July 11, 1952; and

WHEREAS, this Relief Fire Company is recognized as the oldest volunteer fire company in the United States with a record of continuous existence and service; and

WHEREAS, as it is most fitting and appropriate that the entire State join in the observance of this historic anniversary;

NOW, THEREFORE, I, LAWRENCE A. CAVINATO, Speaker of the General Assembly, Acting Governor of the State of New Jersey, do hereby proclaim

THE WEEK COMMENCING JULY 6, 1952,

as

RELIEF FIRE COMPANY WEEK

in honor of the Two-Hundredth Anniversary of Relief Fire Company No. 1 of Mount Holly, New Jersey, and of other like organizations throughout the State. The volunteer fire company is a splendid example of the community good will and service which binds men together to help each other in a way that formal government cannot often achieve.

In the words of the original articles of association of Relief Fire Company No. 1, these community institutions were built upon the plain idea of "reposing special confidence in each other's friendship, and for the better protection of our own and our fellow townsmen's houses, goods and effects....". This spirit of self-help and mutual responsibility, upon which our Nation was founded, has remained an enduring tradition of volunteer fire companies. It is with a sense of special privilege that I call upon the people of our State to join in thought and spirit in the celebration of this Bicentennial Anniversary.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this third day of July, in the year of Our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-sixth.

LAWRENCE A. CAVINATO,
Speaker of the General Assembly.
Acting Governor.

By the Acting Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Frank W. Shershin, was at the General Election held in the month of November, one thousand nine hundred and fifty-one, elected by the voters of the county of Passaic to represent said county in the General Assembly of this State and subsequently did qualify as such member of the General Assembly and after such election and

qualification did resign the office of member of the General Assembly, thereby causing a vacancy to exist in the membership of the General Assembly of this State;

THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, pursuant to law do hereby issue this proclamation directing an election to be held according to the laws of the State of New Jersey, in said county on Tuesday, November fourth, one thousand nine hundred and fifty-two, for the purpose of electing a member of the General Assembly for said county to fill the vacancy caused by the resignation of the said Frank W. Shershin.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirty-first day of July, in the year of Our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, As guardians of the public welfare, the State authorities are called upon to consider and in all legitimate ways endeavor to improve the physical, social and economic condition of the citizens of the State, especially those whose daily toil contributes so largely to the prosperity of its manufacturing and other productive industries; and

New Jersey State Library

WHEREAS, The State of New Jersey, as one of the leading manufacturing states, has pioneered not only in the enactment of progressive labor legislation but also in the promotion of good labor-management relations; and

WHEREAS, The union label is the visible guarantee of excellence in both quality and workmanship; and

WHEREAS, The Union Label Trades Department of the American Federation of Labor has called for nation-wide observance of Union Label Week, during the seven-day period beginning September 1st;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

THE WEEK OF SEPTEMBER 1st THROUGH SEPTEMBER 7th, 1952,

as

UNION LABEL WEEK,

and I urge the people of New Jersey to take this occasion to renew their confidence in our private enterprise system of free unions and free employers—a system which is bringing us not only a better, but the best way of life.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fourth day of August, in the year of Our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Congress has by Joint Resolution, approved February 29, 1952, designated September 17th of each year as Citizenship Day in commemoration of the signing of the Constitution of the United States on September 17, 1787; and

WHEREAS, There are forces in the world today which would substitute the arbitrary rule of ruthless men for the rule of law; and

WHEREAS, All who have the privilege of self-government need to give thought to the responsibilities of citizenship; and

WHEREAS, We have again this year the opportunity as well as the responsibility of freely voting to select those who will govern us nationally for the next four years;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

WEDNESDAY, SEPTEMBER 17, 1952,

as

CITIZENSHIP DAY,

and I urge all our citizens to give thought to the obligations and opportunities of constitutional citizenship in the United States of America; and I urge all who are eligible to do so to register now and to vote in November, as evidence of their appreciation of the privileges of citizenship in this great country.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fifteenth day of September, in the year of Our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, One of the fine traditions of our Republic has been the willingness of its citizens to help one another in time of need; and

WHEREAS, We have among our citizens men and women who labor under physical handicaps and the economic hardships brought about by those handicaps; and

WHEREAS, It is economically sound to help our own handicapped become self-supporting; and

WHEREAS, Many of our physically handicapped are READY, WILLING and ABLE to work at productive machines, in business houses, on farms, and in government if given an opportunity;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim the period of

OCTOBER FIFTH TO OCTOBER ELEVENTH,

as

NEW JERSEY EMPLOY THE PHYSICALLY HANDICAPPED WEEK

a period in which will be initiated the eighth year-round campaign to bring about the gainful employment of our physically impaired, particularly our war veterans.

I call upon leaders of industry, organized labor, civic and veterans' organizations to inspire public support for the campaign of the New Jersey Employ the Physically Handicapped Committee which has as its objective the rehabilitation and placement in self-supporting employment our physically handicapped.

FURTHER, I strongly urge all employers to use fully the facilities of the New Jersey State Employment Service by making known to it their needs for workers, thus assuring the fullest use of our State's manpower resources;

AND FURTHER, I hereby urge the mayors of our municipalities to issue appropriate proclamations calling upon employers to put to work the capacities of our physically handicapped.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this sixteenth day of September, in the year of Our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Successful government in a republic is the product of good judgment based upon adequate information; and

WHEREAS, The presentation of adequate information involves the right to publish information freely and to criticize the government without fear of reprisal; and

WHEREAS, Freedom of the press is a freedom which we have cherished from the earliest days of our republic; and

WHEREAS, There are ideologies being advanced which advocate the destruction of freedom of the press; and

WHEREAS, Newspapers are among the zealous guardians of freedom of the press; and

WHEREAS, The week of October 1st to October 8th will be observed throughout the United States as National Newspaper Week;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

OCTOBER 1ST TO THE 8TH, 1952,

as

NATIONAL NEWSPAPER WEEK,

and I urge all our citizens, and all our civic groups, to give consideration to the importance of freedom

of the press in our way of life and to observe the Week appropriately.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-second day of September, in the year of Our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Saturday, October 4th has been designated as National Newspaperboy Day; and

WHEREAS, Thousands of our youth have, through their experience as newspaper carriers and salesboys, learned the importance of such qualities as courtesy, punctuality, and social poise, and have acquired some understanding of the value of money and the importance of record-keeping; and

WHEREAS, Such experience constitutes a grounding in the fundamentals of business procedure and orderly living; and

WHEREAS, Many a newsboy has risen to a position of importance and trust where he has made a significant contribution to the nation; and

WHEREAS, Many of our present newsboys may likewise rise to positions of trust and importance; and

WHEREAS, Our newsboys make a significant contribution to the over-all service provided by the press of the United States;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

OCTOBER 4th, 1952,

as

NATIONAL NEWSPAPERBOY DAY,

I urge all our citizens to give recognition to the newspaper boys who daily render an important service.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this first day of October, in the year of our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The growing complexity of modern civilization and the serious tensions and problems that are characteristic of our times require the highest standards of intelligent and responsible citizenship; and

WHEREAS, The maintenance of free schools for all the people is the only feasible way to give adequate preparation for living in today's world; and

WHEREAS, Plans are being made for the thirty-second annual observance of a special education week by the New Jersey State Department of Education, the New Jersey Education Association, the New Jersey Congress of Parents and Teachers, and the New Jersey Department of the American Legion;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim the week of

NOVEMBER 9th to the 15th, 1952,

as

AMERICAN EDUCATION WEEK

and do urge that all citizens visit their schools during this week, to learn more about school programs and school problems and to assist in developing and improving our common schools.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this first day of October, in the year of Our

Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, In our Republic, true security is based upon an economic and social climate in which private industry can prosper and expand; and

WHEREAS, New Jersey is one of the great industrial states of our nation with hundreds of thousands of persons employed in manufacturing industries; and

WHEREAS, In the United States we enjoy a greater abundance and variety of manufactured products than are to be found in any other country in the world; and

WHEREAS, When we encourage American industry we help to keep America strong;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim October 27th through November 1st, 1952, as

AMERICAN-MADE WEEK,

and I urge the people of New Jersey to encourage the growth and productivity of the manufacturing industries of their State and nation.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this seventh day of October, in the year of our Lord, one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, October 28th will mark the 65th anniversary of the dedication of the Statue of Liberty, a symbol, not only of the friendship which prevails between the United States and France, but of hope and of liberty; and

WHEREAS, Millions of Americans are grateful for the liberties which are presently theirs; and

WHEREAS, Millions of Americans are grieved for their kinsmen and for persons of the same nationality or of other nationalities who are held in bondage in Europe; and

WHEREAS, All good Americans long for the day when these enslaved peoples will once again enjoy liberties which are basic to the rights of self-government and to the dignity of human beings.

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim the week of October 26-November 1 as

LIBERTY WEEK,

and I call upon all civic, church, fraternal, veteran, and patriotic national organizations to hold meetings, rallies and services to rededicate themselves to the spirit of liberty and thus to give renewed hope to enslaved peoples abroad.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this ninth day of October, in the year of Our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The phrase "consent of the governed" is an empty one unless eligible persons exercise the privilege of suffrage; and

WHEREAS, In more than one instance a candidate is said to have lost in a close election because many of his supporters did not vote; and

WHEREAS, The closeness of many elections demonstrates that every vote contributes significantly to the outcome; and

WHEREAS, The disfranchised and oppressed in many lands watch with envy and longing the privilege we have to vote for the candidates of our choice;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby urge every qualified and registered voter in New Jersey to vote on Election Day, November 4th.

I further urge that as a means of reminding and stimulating our people to vote that churches and schools ring their bells and that factories blow their whistles, such ringing and blowing to be done at 7:00 A. M., at 12:00 Noon, and at 6:00 P. M. on Election Day as a reminder to all voters to perform their civic duty by voting.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-seventh day of October, in the year of our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, It has been reported to me by the Department of Conservation and Economic Development, and I do determine, that by reason of drought the forests and woodlands of this State are in danger of fires; and

WHEREAS, Precautionary measures for the proper protection of life and property are required to meet such danger; and

WHEREAS, I deem that the public interest requires the issuance of this Proclamation;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, pursuant to authority conferred upon me by the Constitution and laws of this State, do hereby proclaim that all persons, except those authorized herein, are forbidden from entering the forests and woodlands of this State and that all open seasons for the taking of game birds, game animals and fur bearing animals, except for the taking of migratory water fowl, are hereby suspended; and

I do further proclaim that owners of land or their agents and public officials required, by the nature of their work, to be in or upon such forests and woodlands shall not, by the provisions hereof, be restricted from entering upon the same in the pursuit of their functions or duties; and

I do further proclaim that nothing herein contained shall restrict persons, duly authorized by Federal and State authorities to hunt for migratory water fowl, from pursuing such activity during the open season therefor on the waters of this State or in areas immediately adjacent thereto; and

I do further proclaim that this Proclamation shall be in full force and effect commencing at midnight of Friday, November seventh, one thousand nine hundred and fifty-two, and that notice of this Proclamation shall be given by the immediate filing thereof in the office of the Secretary of State, and by the distribution of copies of the same to the press, and such other agencies of public information as the Department of Conservation and Economic Development shall determine so that the people of New Jersey may be informed hereof by midnight of Thursday, November sixth, one thousand nine hundred and fifty-two; and

I do further proclaim that this Proclamation shall remain in force and effect until rescinded by further Proclamation of the Governor.

I urge all citizens of New Jersey to cooperate to the fullest extent with the Department of Conservation and Economic Development and with local municipal officials in preventing forest fires.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fifth day of November, in the year of Our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, I am advised by the Department of Conservation and Economic Development that the danger of fires in forests and woodlands in this State has subsided; and that the restrictions against entering the forests and woodlands of the State, and the suspension of open seasons for the taking of game birds, game animals and fur bearing animals, all as set forth in a proclamation issued by me on November 5, 1952, are no longer required in the public interest;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, pursuant to authority conferred upon me by the Constitution and laws of this State, do hereby proclaim that the aforementioned proclamation issued by me on November 5, 1952, is hereby rescinded. This proclamation shall take effect at 9:00 A. M. on Tuesday, November 11, 1952.

I urge all citizens of New Jersey to cooperate to the fullest extent with the Department of Conservation and Economic Development and with local municipal officials in preventing forest fires.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this tenth day of November, in the year of Our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Diversified industrial activity is one of the prime characteristics of our economy in New Jersey; and

WHEREAS, Such industrial activity, with consistent production and widespread distribution of products, is the only sound basis for security; and

WHEREAS, There has been consistent improvement in working conditions and in ways to protect from accident and injury those who work; and

WHEREAS, Participation by management, workers, other private citizens, and governmental agencies in industrial safety programs has contributed to their successful development; and

WHEREAS, Additional progress can be achieved in industrial safety; and

WHEREAS, an INDUSTRIAL SAFETY WEEK is planned to give emphasis to the importance of safety in industry;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

THE
WEEK OF DECEMBER 15—DECEMBER 22,
as
INDUSTRIAL SAFETY WEEK,

and I urge all our citizens to give thought as to how they and others can work more safely.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this seventeenth day of November, in the year of our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Three hundred and thirty-one years ago, the settlers at Plymouth proclaimed a day of Thanksgiving in gratitude for the benefits that had come to them in their first year in America. In so doing, they established a tradition which merits continuation.

We today have possibilities for personal fulfillment undreamed of by the early settlers in Massachusetts. We have a country rich in resources, a country that spans a continent; we have material comforts undreamed of by our ancestors; we have great opportunity for personal advancement and service to others. More than any other people, we should be grateful for the blessings that have come to us.

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

THURSDAY, NOVEMBER 27, 1952,

as

THANKSGIVING DAY

in and for the State of New Jersey.

I urge that our citizens observe this day with appropriate thanksgiving, each according to his own faith, to a Divine Providence for the many blessings that we enjoy today; and that we give thought to those who are far from us and in danger while fighting to protect the principles in which we believe.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this seventeenth day of November, in the year of our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Communism is incompatible with self-government and rule of the majority, is destructive of cherished human rights, and violates human dignity; and

WHEREAS, The leaders of communism in Soviet Russia and elsewhere use every possible distortion and fabrication to mislead people and trick them into believing the illusory promises of communism; and

WHEREAS, The Crusade for Freedom is dedicated to the exposure of communism as a deadly menace; and

WHEREAS, The Crusade for Freedom is likewise dedicated to the use of every legitimate means to help peoples who are prisoners of a ruthless, imperialistic dictatorship; and

WHEREAS, More than thirty million Americans of all races, colors, creeds, and national origins have voluntarily enrolled in the Crusade of Freedom in the past two years; and

WHEREAS, The sponsors of the Crusade for Freedom would strengthen the hand of the anti-communist world by awakening more persons to the communist menace and having them unite against a common enemy:

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim the period from

NOVEMBER 11 TO DECEMBER 15, 1952,

as

CRUSADE FOR FREEDOM MONTH,

and I call upon all citizens of New Jersey to reaffirm their faith in the American way of life and to support by word and deed the Crusade for Freedom.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twentieth day of November, in the year of Our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, In my opinion the public interest requires the convening of the Legislature of the State of New Jersey in Special Session;

THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, by virtue of the power and authority vested in me by the Constitution of this State, do hereby convene the Legislature of the State of New Jersey to meet in Special Session at the State House, Trenton, New Jersey, on Monday, the first day of December, nineteen hundred and fifty-two, at eleven o'clock, Eastern Standard Time, in the forenoon of said day, principally for the purpose of making an apportionment of the members of the General Assembly in accordance with Section III of Article IV of the State Constitution.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-four day of November, in the year of Our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The delegates to the 1947 Constitutional Convention have created a permanent organization known as the Constitutional Convention Association to insure the full realization of the objects and purposes of the Constitution of 1947 and to promote good government in New Jersey.

The work of these delegates gave to our State a modern charter which has not only made possible government geared to our present-day needs, but has also served as a model for other states of the Union.

The adoption and approval of this new Constitution by the voters of New Jersey in 1947 was followed by legislation reorganizing the Executive Branch of our State Government to give New Jersey efficient and economical government with clearly defined executive responsibility. The reorganization of the Judiciary under this charter has given New Jersey a court system which is authoritatively considered the best in America.

The Constitutional Convention Association will hold its fifth annual meeting on December 3, 1952. It is fitting that this occasion be officially recognized.

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

DECEMBER 3, 1952,

as

CONSTITUTIONAL CONVENTION ASSOCIATION DAY.

I urge that all our citizens consider the magnificent contribution to good government made by the delegates to the 1947 Constitutional Convention. Their selfless devotion to the common welfare will long be remembered and what they wrought will always remain one of the truly significant chapters in the history of our State. In recalling their contribution we remember with a deep sense of appreciation those of the delegates who have passed on and are no longer with us.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this first day of December, in the year of Our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The essence of our American heritage of freedom is embodied in the Bill of Rights of our Federal Constitution and in guarantees of the Constitution of New Jersey and the states of the Republic, which preserve for all Americans the basic individual rights and freedoms and fair and orderly legal process; and

WHEREAS, The Bill of Rights is not alone an enumeration of the inalienable rights which are secured against excesses of government but also the symbol of the American ideal of equality and dignity of the individual; and

WHEREAS, Through enlightened constitutional interpretation and the unceasing efforts of our public and civic leaders, the guarantees of the first ten amendments to our Federal Constitution have been increasingly expanded and enlarged to assure all Americans one first-class citizenship; and

WHEREAS, December 15, 1952, will mark the one hundred and sixty-first anniversary of the adoption of the Federal Bill of Rights;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

DECEMBER 15, 1952,

as

BILL OF RIGHTS DAY,

and I urge all public officials, the press, radio, schools, colleges and citizens of this State to join with patriotic societies throughout the country in commemorating this day. Keeping in mind that the

price of liberty is eternal vigilance, I urge that we dedicate ourselves to the strengthening of civil rights and liberties to insure the continued benefits of our free institutions.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twelfth day of December, in the year of Our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Infantile paralysis, in 1952, hit our nation with tragic force, and more than 55,000 girls and boys and men and women were stricken by this cruel disease in one of the worst polio epidemics of all time; and

WHEREAS, The National Foundation for Infantile Paralysis speedily came to the aid of the afflicted, assumed costs of patient care, provided for the recruitment of professional personnel, and supplied thousands of vitally-needed respirators; and

WHEREAS, We in New Jersey have witnessed the impact of polio as attested by our present 760 cases and are mindful of the unpredictability of the disease; and

WHEREAS, By the year's end the National Foundation was in debt in the amount of $7,000,000 as a result of the staggering costs of polio in 1952; and

WHEREAS, During the 1953 March of Dimes, January 2–31, volunteers throughout the State of New Jersey and the nation will call upon the American people to join the fight against polio as never before;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim the month of January as

MARCH OF DIMES MONTH

and urge every resident of our great State to give to this truly humanitarian cause, in the knowledge that what we do for our fellowmen shall likewise be rendered unto us in full measure in our time of need.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirty-first day of December, in the year of Our Lord one thousand nine hundred and fifty-two, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The Deputy Director, Division of Taxation, Department of the Treasury, on the fifth day of January, one thousand nine hundred and fifty-three, under the provisions of R. S. 54:11–2, reported to the Governor a list of all corporations, created under the laws of this State, which for two years next preceding the report have failed to pay to the State the taxes assessed against them under the Corporation Business Tax Act (1945) (Chapter 162, Laws of 1945, as amended and supplemented; N. J. S. A. 54:10A–1, et seq.) and which taxes are by law made payable into the State treasury; and

WHEREAS, Under the provisions of R. S. 54:11–1, the charters of said corporations shall be declared void unless the Governor shall give further time for the payment of such taxes assessed against said corporations; 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, ALFRED E. DRISCOLL, Governor of the State of New Jersey, pursuant to the provisions of R. S. 54:11–2, do hereby issue this proclamation declaring that the charters of the following-named corporations, so reported and in default, to wit:

UNPAID TAXES FOR THE YEAR 1950

A & A Construction, Inc.,
A. & A. General Merchandise Corporation,
A-B Auto Sales, Inc.,
Abbott Service, Inc.,
"The Abbott Corporation",
ABC Auto Radiator Core, Inc.,
A B C Merchandising Corp.,
A. & B. Coat Company,
A & B Distributors Inc.,
Abe Grinker, Inc.,
A B Lumber Co.,
Academy Florists Inc.,
Academy Shoe Outlet, Inc.,
Ace Drugs & Liquors, Inc.,
Ace Enterprises, Inc.,
Ace Holding Company,
Ace Lumber & Coal Supply Co. Inc.,
Ace Sales and Service Company,
A. C. Fisher, Inc.,
Acme Products Corp.,
Acme Television and Appliance Service,
A & C Motor Freight, Inc.,
Acryliform Plastics Corp.,
A. & C. Tavern, Inc.,
Action Toy Co., Inc.,
Adams Economy Linen Supply Co. Inc.,
Adams 5 & 10¢ Stores,
Adams Variety Stores, Inc.,
A. De Fronzo, Inc.,
Adorable Furs, Inc.,
A & D Ordower Beef Co., Inc.,
Adrian Investment Company,
A.D. Trucking Co.,
Advance Metal Products Corp.,
Aerotex Inc.,
Affiliated Brokers, Inc.,
Affiliated Services Incorporated,
Afsco Manufacturing Co.,
After Hours, Inc.,
Agnew, Incorporated,

A. H. Kurzrock, Inc.,
A. Hoff & Son, Inc.,
Aintree Food Service,
Air Carrier Maintenance, Inc.,
Air Coach, Inc.,
Aircon Mfg. Co.,
Aircraft Sales & Service Inc.,
Air Forwarding Co., Inc.,
Aish Investment Co.,
Ajax Home Improvement Co.,
A.J. Trucking Inc.,
A. Kocir & Son Construction Inc.,
Alaska Fur Salon, Inc.,
Albaum & Macchia, Inc.,
Albern Lodge,
Alberti's Inc.,
Alemo Investment Co., Inc.,
Alert Trading Co., Inc.,
Alfalfa Hill Farms, Inc.,
Alfred Bujese, Inc.,
Alfred N. Hackman Sons Co. Inc.,
Alice Coal Mining Company,
Alicia Manufacturing Corporation,
Alirv Hat Corporation,
Alleghany Tile Corporation,
Allegheny Eastern Corporation,
Allen Construction Co., Inc.,
Allenroy Incorporated,
Allied Enterprises, Inc.,
Allied Glass & Mirror Co., Inc.,
Allied Metals Corporation,
Allied Painting Service, Inc.,
Allied Products Corporation,
Allied Properties Ltd.,
Allied Steel and Office Equipment Corporation,
All-Season Home Improvement Co.,
All-Service Real-Estate and Investment Corp.,
All-Tex Printing Co.,
All-Top Rubber Products & Specialty Co.,
Almart Baking Co.,
Almen Corporation,
Al Moscowitz, Inc.,
Alnor Construction Co., Inc.,

Alpha Industrial Service,
Alpine Frocks, Incorporated,
Alpine Home Furnishing Co., Inc.,
Alpine Village Tavern,
Alrose Realty Corporation,
Alsaco Corporation,
Aluminum Foundry & Pattern Works Inc.,
Alumnae of St. Basil Academy,
A. Marshall Service Garage, Inc.,
Amboy Window Co.,
Amchar Co.,
Amelia Lewis Belt Co., Inc.,
American Acoustics, Inc.,
American Beauty Comfort Company,
American Benefits Corporation,
American Bleachery Inc.,
American Building Supply Corp,
American Caribbean Fruit Co.,
American Cohama Corporation,
American Consumers Cooperative,
American Detective Agency,
American Home Insulation Co., Inc.,
American Home Supply Co.,
American Institute of Science Incorporated,
American-Israeli Textile Processing Corporation,
American Organic Chemical Corporation,
American Palm Products Corporation,
American Pearl Button Corporation,
American Salvage Co.,
American School Supply Company,
"American Seitz Filter Corporation,"
American Well Built Homes, Inc.,
Americus Manufacturing Company Inc.,
A.M. & G. Realty Company,
A. & M. Manufacturing Company,
Ammer Building Corp.,
Amphibious Air Service Incorporated,
Anchor Roofing Co. Inc.,
Ancop Realty Corporation,
Anco Products Corporation,
Andrea Holding Company,
Annlu, Inc.,
Antil Realty Company,

Antonetta Realty Co., Inc.,
Anzivino D'Annunzio Company,
Apex Development Corporation,
Apex Manufacturing Corporation,
Apollo Bar, Inc.,
Apollo Builders, Inc.,
The Applegate Corporation,
A.P. Stevens Brokerage, Inc.,
Architectural Constructors, Inc.,
Arctic Fruit Ale Company, Inc.,
Ardsley Undergarment Co., Inc.,
Aretus Holding Co.,
Argent Mfg. Co. Inc.,
Argonaut Engineering Corp.,
Argus Woodworking Manufacturing Co.,
Arista Corporation,
Arland Realty & Construction Corporation,
Arlee Realty Corporation,
Arlene Finishing Company,
Arlington Plastics Co., Inc.,
Arlington Venetian Blinds Inc.,
Arnold Constable & Co., Inc.,
Arplan Homes, Inc.,
Arrow Auto Stores, Inc.,
Arrow Carpet Company,
Arrow Investment Company,
Arrow Metal Products, Inc.,
Arrow Stationery Company, Incorporated,
A & R Shop, Inc.,
Art Craft Fashion Tailors, Inc.,
Artcraft Metal Products-Sales Inc.,
Art Floor Covering Installation Service Inc.,
Arthur F. Horn Construction Co.,
Arthur J. Magee, Incorporated,
Arthur Operating Company,
Arthur R. Storm-Garret L. Nyland, Inc.,
Artistic Construction Co.,
Artists' Musical Direction Service,
Artmir Investment Company,
Art-ramic Studios, Inc.,
Arverne Manufacturing Co. Inc.,
A. S. A. Tool & Engineering Corporation,
Asbestos Products, Inc.,

Asbury-Ambassador Hotel Corp.,
Asbury Carburetor and Generator Co. Inc.,
Asbury Hollywood Hotel, Inc.,
Asbury Packing Company, Inc.,
Asbury Park Associates, Inc.,
Asbury Parking Company,
Ashley Shops, Inc.,
A & S Service Center, Inc.,
Associated Adjustment Bureau, Inc.,
Associated Airlines Agency, Inc.,
Associated Airlines Agency, Inc. of Washington, D. C.,
Associated Sales Co. Inc.,
Astor Corporation,
A. & T. Food Products, Inc.,
Athlone Finishing Corporation,
Atkinson Television, Inc.,
Atlantic Associates,
Atlantic Beach Park Corp.,
Atlantic Distributing Co.,
Atlantic Improvement Co., Inc.,
'Atlantic Laboratory Supply Co. Inc.',
Atlantic Lobster House of New Jersey,
Atlantic Plating & Engineering Co.,
Atlantic Steel Baling Corp.,
Atlantis Homes, Inc.,
Attila Realty Company, Inc.,
Auburn Cleaners & Dyers, Inc.,
Auction City, Inc.,
Audrey Hosiery Co., Inc.,
Auster's Main Corporation,
Automotive Service & Supply Co.,
Automotive Trades Institute,
Automotive Training Institute Inc.,
Auto-Skate of New Jersey, Inc.,
Autotool Company,
A. Weir Cleaners, Inc.,
Ayers Advertising Agency, Inc.,

Babyhood Corp.,
Baby and Youth Center,
Bachman's Bar & Grill,
Bahto Dry Cleaners, Inc.,

Bailbest Realty Company, Inc.,
B.A.K. Corp.,
Baker Brothers Paper Co.,
The Bake Shop,
Baldino Construction Co., Inc.,
Baldwin Coal Company,
Ball Lock Fastener Co. Inc.,
Balloon Sculpturing, Inc.,
Baltusrol Village, Inc.,
Bamboo Room, Inc.,
Banas Oil Company, Inc.,
Bankers Club, Inc.,
Bankers Mortgage Service Corporation,
Barbara Keller Corporation,
Barbera Holding Corporation,
Bargain Sales, Inc.,
Bari Realty Company,
Barjil Corporation,
Barnan Embroideries, Inc.,
Barnegat Packing Co., Inc.,
Barre Manufacturing Company,
Barrett Products Co.,
Barry Realty Co.,
Battery Corporation of America,
The Baumil Co. Inc.,
Bavarian Porcelain Inc.,
Bawg Brothers, Inc.,
Bayless Appliance Co.,
Bay Lumber & Millwork Company,
Bay Motors Inc.,
Bayonne Bulletin Publishing Co. Inc.,
Bayonne Municipal Redevelopment Corporation,
Bayonne Truck Sales & Service Company,
Bay Shore Builders, Inc.,
Bay Warehouse A Terminal Company,
Bazaar Merchandise, Inc.,
B. & B. Builders, Inc.,
Beachcombers, Inc.,
Beachwood Construction Company,
Beacon Builders, Inc.,
The Beacon Corporation,
Beakley Corporation,
Beauty Style, Inc.,

Bedford Realty Company,
Beebe Corporation,
Beecee Mason Contracting Company Inc.,
Beechcrest Inc.,
Beech Realty Co.,
Bee-Dee Hotel Company, Inc.,
Bee's Commodore Hotel, Inc.,
Bella Casa, Inc.,
Bella Packing Co. Inc.,
Bell Auto Stores, Inc.,
Bell Construction Co.,
Belle John Realty,
Belleville Floor Covering Co. Inc.,
Bell-Ho Dairies, Inc.,
Bell Motor Sales, Inc.,
Bell Tone Records, Inc.,
Bell Weaving Corp.,
Belmar Realty Co., Inc.,
Belray Enterprises, Inc.,
Bel-Tex Fabrics,
Bemar Realty Corporation,
Ben Blonder, Inc.,
Bendetson Construction Co.,
Benedick Electric Sales Co.,
Benjamin Sternrich, Inc.,
Benkay Company,
Bennal Realty Corp.,
Benns Furniture Inc.,
Benz and Kessler, Inc.,
Berco Provision Company,
Berey Corporation,
Bergen County Builders,
Bergen Development Co., Inc.,
The Bergen Digest,
Bergenfield Amusement Corporation,
Bergen Hudson, Inc.,
Bergen-Hunterdon Corp.,
Bergenline Avenue Corp.,
Bergen Metal Finishing Corporation,
Bergen Top Soil Co.,
Bergen-Vroom Company,
Berkeley Bar,
Berkley Liquors, Inc.,

Berkley Manor, Inc.,
Berlan Luncheonette Corp.,
Bernstein & Pasquale, Inc.,
Bertha Berger Realty Corporation,
Bert Lee, Inc.,
"Berzax Realty Corporation",
Best Builders, Inc.,
Best Furniture Company, Inc.,
Betex Sales Corporation,
Bethlehem Greeting Card Company Inc.,
Betty Blake of New Jersey, Inc.,
Betty Sawyer, Inc.,
B. & F. Associates Incorporated,
B. G. Food Products, Inc.,
B. & H. Food Corporation,
B & H Handbag Co., Inc.,
Big Bear Market, Inc.,
Big Bear Used Car Corp.,
Big 3—5¢—10¢ & $1.00 Stores,
Biljac's, Inc.,
Billie's Blue Room, Inc.,
Bill's Fish & Steak House,
Bischoff's Confectionery Co.,
B.J.M. Holding Corp.,
B. and J. Service, Inc.,
B & K Amusement Co., Inc.,
B & K Fine Foods, Inc.,
Blackstone Fur Corporation,
Black Top Paving Company, Inc.,
Blamey's Dress Shop,
Blayer & Schulman Construction Company Inc.,
Bleach Ox Chemical Company,
B & L Hardware, Inc.,
B. L. Kadison Corp.,
Bloomfield Building & Construction Co.,
"Bloomfield Hudson Realty Co.",
Blue Diamond Properties, Inc.,
Blue Ribbon Textile Corp.,
Blue Ridge Developers,
Blue Star Market,
Blue Vending Cigarette & Music Service Inc.,
Blumberg & Miller, Inc.,
Blumetti Sugar Bowl, Inc.,

B & M Machine Co., Inc.,
The Boardwalk Snack-Shop, Inc.,
Bolson Fabrics, Inc.,
Bonhomme Realty, Inc.,
Bonieri Company,
Bonit Securities Corp.,
Bonnie-Bilt, Inc.,
Bonnie Burn Corporation,
Boonton Sales and Engineering Corp.,
Boulevard Clothing Co., Inc.,
Boulevard Hill Realty Co. Inc.,
Boulevard Laundry & Auto Service Inc.,
Boulevard Tucker Agency, Inc.,
Bound Brook Television Engineering Inc.,
Bower & Abbey Company,
The Bow Knot, Inc.,
Bowl of New Jersey, Inc.,
Boyd Casino, Inc.,
'Boyle Contracting Co.,',
B. & P. Corporation,
B. & P. Plumbing & Heating Corp.,
Bramen Industries Inc.,
Branford Electric Products Co., Inc.,
The Brautigam Corporation,
Bray's, Inc.,
Brazilian Minerals Importing Co.,
Brennan Motors, Inc.,
Breton Woods Publishing Co.,
Brick Style, Inc.,
Brigantine Building Supply,
Brikcrete Products of Camden, Inc.,
Bri-Test Products Corporation,
British Export Trade Association Limited,
Broadhill Realty Corp.,
Broad Realty Co.,
Brogin Realty Company, Inc.,
Bromor, Inc.,
Brook Estates,
The Brookfield Corporation,
The Brook, Inc.,
Brook Investment Co.,
Brooklawn Development Co.,
Brooklawn Estates, Inc.,

Brooks Harrison Realty Co.,
Brookview Homes, Inc.,
Brown Body Works Inc.,
Brown Friar Corporation,
Brown-Mazurek Auto Body Co., Inc.,
Brown Motor Sales, Inc.,
B & R Products, Inc.,
B–R Service Station, Inc.,
Bruce Weston, Inc.,
Brumberg's Express Corporation,
Brunt Realty Company,
Bruxelles, Inc.,
B.S. & W. Builders, Inc.,
Buddies Service Station Inc.,
Budin Realty Co., Inc.,
Buggy 'N Lou,
Builders Specialties, Inc.,
Building Supply Wholesalers, Inc.,
Burck Bros., Inc.,
Burkhardt Holding Corporation,
Burnett's Foods, Incorporated,
Bussex, Inc.,
Busy Bee Lunch,
Butterfly Fabrics, Inc.,

Cage Projects Inc.,
Cahill Oaklyn Ice and Coal Co.,
Calderio Realty Holding Co., Inc.,
Caldwell-Broad, Inc.,
Cal Fashion Inc.,
California Auto Supply Co.,
California Drive In,
Caliri Manufacturing Co., Inc.,
Cal-Jersey Lumber Co.,
Calmas Dairies Inc.,
Calo Construction Co.,
Calvert Realty Co.,
Cambrooke Manufacturing Co., Inc.,
Camden General Hospital,
Camden Institute of Photography Inc.,
The Camera Exchange, Inc.,
Cameron-North Jersey Inc.,
Camille, Inc.,

Canadian Lumber Co.,
Candy Sales Corporation,
Cantors Army & Navy Stores, Inc.,
'Capandoc' Labs Inc.,
Capellhill Corporation,
Cape May County Motors,
Capitol Club, Inc.,
Capitol Linen Supply Inc.,
Capitol Theatre-Amusement Company,
Capri Beachwear, Inc.,
Car-A-Minit Auto Laundry,
Caran Realty Corp.,
Care Cleaners, Inc.,
Carin Trading Corporation,
Carl Forst, Inc.,
Carl Gehron & Son, Inc.,
Carlough Investment Co., Inc.,
Carmel Business & Loan Association, Inc.,
Carnegie Realty Co., Inc.,
Carol Sue Dress Mfg. Co. Inc.,
Carousel Records, Inc.,
Carrar Trucking Company,
Carr Brothers, Inc.,
Carr Plush Co. Inc.,
Casale Builders, Inc.,
Casco Holding Company,
Case Grocery Co., Inc.,
Case Realty Co.,
C. A. Styles, Inc.,
C.B.A. Investment Co. Inc.,
C. & C. Diner Co., Inc.,
C.C.S. Inc.,
C. & D. Fabrics, Inc.,
Cedar Ridge Day Camp, Inc.,
Cemetery Development Co.,
Cenison Realty Co., Inc.,
Centerless Products Co.,
Central Market Company, Inc. of Passaic, N. J.,
Central Motors, Inc.,
Central Provision Market, Inc.,
Central Screen Printing Co. Inc.,
Central Slipper Co. Inc.,
Central Tire Exchange,

C F K Corporation,
C & G Builders, Inc.,
Chady Corporation,
Chalfonte Manor, Inc.,
Chamar Realty Corporation,
Charene Sportswear, Inc.,
Charlen Products Inc.,
Charles Enterprises, Inc.,
Charles F. Rupprecht & Company,
Charles James Heintz, Inc.,
Charles K. Paige Co.,
Charles Stevens & Co., Inc.,
Charles Town Gardens, Inc.,
Chelsea-Biltmore Apartments, Inc.,
Chemical Research Products, Inc.,
Cheney Sales & Service Co.,
Cherie Girl Coat Corporation,
Cheri-Top Bottling Co., Inc.,
Cheryl Frozen Custards, Inc.,
Chester Jay Hunt Associates, Inc.,
Chiara Transportation Company,
Chic Fashions,
Chic-Haberdashers to Women, Inc.,
Children's Company,
"Chimney House Coffee Shops",
Choice Construction Company, Inc.,
Choir Records, Inc.,
Christiansen Construction Company Inc.,
The Christina Judge Company,
Chudyk Realty Co., Inc.,
Cicurel Associates,
Circle Plating Company,
Circle T. Stock Farm,
Cirrito Bus Company,
Citrano & Sons,
City Cleaners & Dyers of Orange, Inc.,
City School of Upholstery,
C. J. Sulz, Inc.,
Claire Casuals, Inc.,
Claremart Realty and Finance Corp,
Clarico Investment Company,
The Clarion Record Shop Inc.,
Clark Clothes Inc.,

Clarke Distributors, Inc.,
Clarke Specialties, Inc.,
Classic Cleaners Inc.,
Claude E. Frazier, Inc.,
Clearview Hotel Co.,
Cleaveland Fuel Supply Service, Inc.,
Clementon Electric Appliance Co. Inc.,
Clevertime Frocks, Inc.,
Clifford's Rod and Gun Club, Inc.,
Clifton Centre Pastry Shop Inc.,
Clinton Amusement Co.,
Clinton Building Co., Inc.,
Clinton Charter Service, Inc.,
Clinton Housewares,
Clinton Mills, Inc.,
Clinton Sheet Metal Co., Inc.,
Clinton Towers Bldg. Corp.,
Clothing Outlet, Inc.,
Club Casbah,
Club 76,
C.M. Motors Inc.,
Coast Air Transport, Inc.,
Coast and Inland Development Company,
Cohansey River Packing Corporation,
Cole Realty Corporation,
Coll's Tavern,
Colonial Cleaners and Dyers, Inc.,
Colonial Cottage Co.,
Colonial Knitting Mills, Inc.,
Colonial Landscaping Corporation,
Color & Chemical Processors, Inc.,
Colorcraft, Inc.,
Color Television, Inc.,
Colt's Shoe Department, Inc.,
Colt Stores, Inc.,
Columbia Cars, Inc.,
Columbia Steel Boiler Co.,
Columbia Trading Co.,
Columbia Wine & Liquor Corp.,
Comet Enterprises, Inc.,
Comet Upholstering Co. Inc.,
Commercial Construction Company,
Commodore Hosiery Corporation,

Commodore Motors, Inc.,
Commons Company,
Communications Electric, Inc.,
Communipaw Brake & Clutch Co. Inc.,
Communipaw Wood Co. Inc.,
Community Amusement Corporation,
Community Housing Corporation,
Community Newspapers, Inc.,
Complete Construction Company, Inc.,
Concord Associates, Inc.,
Conegra Construction Company, Inc.,
Conjurors' Press, Inc.,
Consolidated Block Corp.,
Consolidated Cleaners & Dyers, Inc.,
Consolidated Steel Corp.,
Consumers Auto Sales Company,
Conte Brothers Holding Co., Inc.,
Contractor's Roofing & Siding Corp.,
Convalescents, Inc.,
Convoy, Inc.,
Cook Building Co., Inc.,
Coons & Brown Barging Co.,
Cooperative Engineering Company Inc.,
Cordial Frocks, Inc.,
Coronet Parquet Flooring Co. Inc.,
"The Corsair",
Cosden Construction Co., Inc.,
The Cosrec Shop,
Costa Holding Corporation,
Cottage Cleaners Inc.,
Cottage Enterprises, Inc.,
Cotton Products, Inc.,
Country Club Pie Company, Inc.,
The Country Homes Company,
County Equipment Corp.,
Court, Inc.,
Coury's, Inc.,
Coyle Homes, Inc.,
Craftsman Institute,
Craftsman Trade School,
Cranford Defense Housing Corp.,
Cranmer Chevrolet Co. Inc.,
Cranwall Realty Company,

Creative Moulds,
The Credit Corporation,
The Crespo Corp.,
Crickenberger Estates, Inc.,
Crosby Construction Company,
Cross Ambulance Manufacturing Co. Inc.,
Cross & Cross Shoe Corp.,
Crown Chemical Co. Inc.,
Crown Metal Company,
"Crown Specialties, Inc.,"
Crystal Acres Corporation,
"C. & S. Fabrics, Inc.",
C. Sutera Inc.,
C. T. Black, Inc.,
C-Thru Products Company, Inc.,
Cuberator Distributors, Inc.,
Culton Manufacturing Company,
Curry and Lillo, Inc.,
Cusano Builders, Inc.,
CVM Corporation,

Dabar Holding Corporation,
Daddio Brothers, Inc.,
Daetwyler Construction Company,
Daleruth Realty Company,
Dale Studio Photographers Inc.,
Dale Textiles, Inc.,
D'Amato Realty Co., Inc.,
Danick Corporation,
Danieli and Coyle Dance Studios Inc.,
Daniel S. Bader, Contractor, Inc.,
Daniels and Bonnanno Inc.,
Danna Brothers, Inc.,
Darian Realty Company,
Dari-Del Farms,
Darryl Lee Realty Corporation,
Dartley & Donnelly, Cleaning & Dyeing Company,
Davel Contracting Corporation,
Dav Service Station, Inc.,
Davy Lea Inc.,
D & C Builders, Inc.,
Deal Lake Construction Corp.,
Debonair Clothes,

'Debs Knit Fabrics, Inc.',
De Carlo Bros., Inc.,
Decatur Corporation,
Decor-El, Inc.,
Dee Bus Company, Inc.,
Dee Cee Mfg. Co., Inc.,
Deeks Engineering Corporation,
Deepwater Sand, Stone & Supply Co., Inc.,
Dee's Dress Shoppe, Inc.,
Delaney & Leahy Incorporated,
Delas Realty Corp.,
Delfon Machine & Tool Co.,
Delhagen's, Inc.,
Delia Shop, Inc.,
Delsey Glass Corp.,
Del's Service Center, Inc.,
De Lummen Andrews Inc.,
Demarac Real Estate Corporation,
Demos Vasiliow Dairy Products Co. Inc.,
Dempster Manufacturing Co., Inc.,
Denning Ring Co.,
Dentinol & Pyrozide Co.,
Deola Motors, Inc.,
De Rollo Inc.,
Developers Supply Corporation,
Development Inc.,
Diamond Co., Inc.,
Diamond Jersey Corp.,
Diamond P Sheep Farm, Inc.,
Dick's Bar & Grill, Inc.,
Dilley Products Co.,
Di Martino Building Co.,
DiMase Realty Co., Inc.,
Dippel Television, Inc.,
Direct Radio Sales, Inc.,
Diversified Drug Associates,
Dixie Cream Donut Shops, Inc.,
D. Lombardi, Inc.,
D.M. Obler Engineering Co.,
Dollar Custom Skirt Company,
Donald Daniels Corporation,
Don & Barney's, Inc.,
Don Leo Studios, Inc.,

Donnelly's Tavern,
Doro-Lith Corporation,
Dorrismil Poultry Feed Corporation,
Dot Dash, Atlantic City,
Dot Dry Cleaners & Furriers, Inc.,
Doughnuts & Pastries, Inc. of New Jersey,
Douglas Corporation,
Douglas Manor, Inc.,
Douglas Meat Company, Inc.,
Douglas-Pocahontas Coal Co.,
Dover Drive-In Cleaners,
Dover Gardens Development Co.,
Dover Manufacturing Company, Inc.,
Dover Metal Processing Co.,
Dover Racetrack,
Doyle & Roth Corporation,
Doyle & Roth Manufacturing Company,
Dream Wear Inc.,
Dried Products Co., Inc.,
Drink Dispensers Inc.,
Drury Brothers,
Dryzaire Chemical Co. Inc.,
D & S Trucking, Inc.,
Duchess Lingerie,
Dudley Construction Co.,
Dudley Manor, Inc.,
Dudley-Todd, Co., Inc.,
Duffy Trucking Co.,
Duke Manufacturing Co., Inc.,
Dumont Swimming Pool Inc.,
Dunham Rock Wool Insulation Co.,
Dupper Ice and Coal Company,
Durrenbergers Dinette Incorporated,
Dwyer-Crotty, Inc.,
Dyer Construction Company, Inc.,

Eagle Dress, Inc.,
Earle Land Co.,
East Coast Enterprises, Inc.,
East Coast Painting Co., Inc.,
East Coast Plastic Company,
East Coast Tanning Co., Inc.,
Eastern Produce, Inc.,

Eastern Self-O-Line Block Co Inc.,
Eastern States Supply Inc.,
Eastern Textiles, Inc.,
Eastern Trailer Corporation,
Eastern Transformer Co. Inc.,
Eastern Wire Die Co., Inc.,
Easterwood Press,
East Grand Realty Corporation,
Easthaven, Ltd.,
East Orange and Main Motors, Inc.,
East-West Trading, Inc.,
Eatontown Auction Sales & Exchange Corporation,
Eatontown Merchandise Mart, Inc.,
Eatontown Realty Corporation,
E. B. Leone, Inc.,
E. & B. Poultry Farms, Inc.,
Echo-Sonic, Inc.,
Economy Insulators,
E C R Equipment Co.,
E. D. Arnold, Inc.,
The Edcil Corporation,
Ed & Doug's Linoleum Service, Inc.,
Edgar & Company, Inc.,
Edley Corp.,
Edna Hersh, Inc.,
Edsam Clothiers, Inc.,
Ed Schulte Garage, Inc.,
Educational Toys, Inc.,
Edward & James Moore, Inc.,
Edward J. Chevalier, Inc.,
Edward M. Hyland Company,
Edwards-Dubois, Inc.,
Edwards, Inc.,
Edward Sukoneck Co.,
Edward Transportation Co.,
Egan G. M. C. Truck Sales Co.,
E. & G. Appliances, Inc.,
E & G Rural, Inc.,
Eighth & Lake Holding Co., Inc.,
842-6 Broad St., Inc.,
893-895 Boulevard East Corporation,
835-839 Communipaw Avenue Corp.,
Eighty Four Realty Co. Inc.,

83 Valley Street Holding Corporation,
Einhorn, Inc.,
E. J. Filmer Co., Inc.,
E. J. Grimm, Inc.,
Elaine Footwear, Inc.,
Elan Mills, Inc.,
Elberson and Keebler, Inc.,
Electrical Wholesalers Inc.,
Electric Appliances Corporation,
Electro-Mech Associates, Inc.,
Electronic Industries Inc.,
Electro Tool and Engineering Co. Inc.,
Electro-Vat Dyeing & Printing Corporation,
Electro-Vat Processing Co., Inc.,
1170-1174 Stuyvesant Avenue Corp.,
Elizabeth & Edward, Inc.,
Elizabeth Newsdealers Association,
Elizabethport Amusement Corp.,
Ellen Holding Corp.,
Ellgood Realty, Inc.,
Ell-Van Properties, Inc.,
El-Mar Luncheonette,
Elm Oil & Gas Co. of N. J.,
Elmor,
Elmora Amusement Corp.,
Elms, Inc.,
El Progreso Medico,
Elrey Corporation,
Elrod Construction Co. Inc.,
Elsinboro Land Co.,
Emanon Realty Co., Inc.,
Emelco, Inc.,
Emerald Manufacturing Company Inc.,
Emerson Realty Corporation,
Emilia Realty Corp.,
Empire Dress Corporation,
Empire Engraving Co.,
Empire Furriers Inc.,
Empire Manufacturing Co., Inc.,
Empire State Corp.,
Engle Realty Co.,
Erie Chain Shoe Rebuilders,
Ersco, Inc.,

E. S. Perkins Company,
Esquire Trouser Company,
Essar Motors, Inc.,
Essex Coat Manufacturing Co.,
Essex-Union Independent Coal & Oil Dealers Asso.,
Essieg Realty Co.,
Estate of Barnard Perl, Inc.,
Estate Contractors, Inc.,
E. Stout Coal Yard, Inc.,
Etcher Realty Company,
Etra Mfg. Co., Inc.,
Etta-Ketts Corporation,
Ever Best Products Corp.,
Evergreen Gardens, Inc.,
Ever Holding Corp.,
"The Evesham Corporation,"
Excel Prints, Inc.,
Exclusive Equipment Co.,
Extension Educational Service,
E-Z Car Wash Co.,
E-Z Furniture Sales, Inc.,

Facts International, Inc.,
Fader Cornice & Roofing Works, Inc.,
Fagan Holding Company,
Fairmount Holding Co.,
Fairmount Truck Sales, Inc.,
Fairtex Glass Mfg. Co., Inc.,
Fairview Finishing Company, Inc.,
Fairview Garage, Inc.,
Fairview Homes, Inc.,
Fairway Supermarket Inc.,
Falcone Plumbing & Heating Co.,
Famous Cleaners, Inc.,
Famous Realty Corporation,
Famous Records, Inc.,
Fannett Realty Corporation,
Fanwood Construction Corporation,
Far East Import & Export Co.,
Farmaster Corporation,
Farpol, Inc.,
The Farr Corporation,
Faure Corporation,

Fausak Baking Co.,
Favon Enterprises, Inc.,
Faye's Millinery, Inc.,
Fay Oil & Lubricant Corporation,
F & B Holding Corp.,
Federal Truck Sales & Service Inc.,
Feige Realty Corp.,
Felice Palangio and Co.,
Fenmanson Realty Corp.,
Fenner & Sprague Inc.,
Fenny Corp.,
Ferguson Truck Sales, Inc.,
Ferlauto Dress Manufacturing Co.,
Ferrando Lighting, Inc.,
F.F.F. Haulage Corp.,
Fidelity Improvement Co.,
Fidelity Media Broadcasting Corporation,
Fields of West New York, Inc.,
15 Sayre Street Corporation,
Fifth Ave. Sportswear, Inc.,
58 Phillips Corp.,
Fil-Mur Frocks Co.,
Filter Queen Company,
The Finance & Discount Corporation,
Fins, Inc.,
Fio Rito Farms, Inc.,
Firehouse, Inc.,
First Realty and Improvement Corporation, Inc.,
Fiscal Corporation,
Fisher Ignition, Inc.,
511 Realty Holding Corp.,
577 Broadway Realty Company,
510 Elizabeth Avenue Corporation,
5131 Hudson Boulevard Corporation,
F. J. Brower, Inc.,
The Flac Co.,
Flamingo Tobacco Co.,
Flomur Corporation,
Florelm Realty Corp.,
Florence Bake Shop, Inc.,
Florence Importing Company,
Fogel & Cefal, Inc.,
Forest Construction Co., Inc.,

Forest Hill Millwork,
Forest Hills Terrace, Sec. 1, Inc.,
Forest Hills Terrace, Sec. No. 111, Inc.,
Forest Hills Terrace, Sec. #11, Inc.,
Forest Mfg. Corporation,
Forlenza Realty Co.,
Fourbros, Inc.,
442 Corporation,
419-423 Pacific Holding Company,
"471 Tremont Avenue Corporation",
Four Square Builders, Inc.,
Fox Cleaners & Dyers, Inc.,
Francon Sales Co., Inc.,
Frandix Corporation,
Frank Cuttitta, Inc.,
Frank Holding Co.,
Frank J. Hall, Inc.,
Frank-Jo, Inc.,
Franklin Radio and Television Co. Inc.,
Frank T. Walsh Company, Inc.,
Franwit Realty Co.,
Frasco & Cavallo, Inc.,
Frederick K. Smith & Co., Inc.,
Fred J. Crone Construction Corp.,
Fred Rose, Inc.,
French Street Fruit and Vegetable Market, Inc.,
Freshmaster Corporation,
Fried Bly Realty, Inc.,
Frieder Transportation Inc.,
Friedman Brothers Electricians,
Friedman, Inc.,
Friedman-Moser Machinery Co.,
Frieds Fine Foods, Inc.,
Friendly Restaurant Inc.,
Friscia Motors, Inc.,
Fruit Drinks, Inc.,
F & S Chemical Corporation,
Fundamentals Incorporated,
Future Fashions Sportswear Co.,
F. W. Freight Lines, Inc.,

Gabriele Brothers, Inc.,
Gail Construction Company,
Gaiety Bowling, Inc.,
Garden Heights Building Co.,
Garden Manufacturing Co., Inc.,
Garden State Auction Sales Corporation,
Garden State Corn and Malt Products Inc.,
Garden State Drive-In Theatre Inc.,
Garden State Lathing Company, Inc.,
Garden State Truck & Coach Corp.,
Garden Suburbs Golf and Country Club Inc.,
Garfield Juniors, Inc.,
Garman-Woods Corporation,
Garrelton Mfg. Co., Inc.,
Garretson Manor, Inc.,
Garwood Shirt Co. Inc.,
Garwood Terrace Apartments,
Gateways, Inc.,
Gaymin Realty Corporation,
Gay-Miss, Inc.,
GBG Home Improvement Inc.,
G B Land Company,
G. De Ronde Construction Co., Inc.,
Gelastic Sales Corporation,
Gelb Equipment Co.,
G.E.L. Transport, Inc.,
Gemetrix Manufacturing Co.,
Gem Jewel Shop,
Gem Variety Stores,
Gendel Realty Co.,
General Clothing Company,
General Equipment & Supply Co.,
General Household Supply Co.,
General Millwork & Cabinet Co.,
General Piping Company Inc.,
General Realty Company, Inc.,
General Resources Corp.,
George A. McLeod Inc.,
'George McGill, Inc.',
George-Montague Corporation,
George Ogden and Son Company,
Geo. P. Ullman Manufacturing Corporation,
Gerbehy Bros. & Sons Inc.,

Gest Investment Co.,
Geswyn Procurement Corporation,
Geza M. Frank, Inc.,
G. F. Auto Wholesalers Inc.,
G & G Garage, Inc.,
G.H.K. Holding Company,
Giannaula Construction and Engineering Co. Inc.,
Giannetti's,
Gibian Radio & Television, Inc.,
Giblan's Delicatessen, Inc.,
Gibson, Inc.,
G.I. Flying School, Inc.,
"G. I. Joe, Inc.",
Gilbert & Son, Inc.,
Gilmer Land Co.,
Gil & Sons Food Market, Corp.,
Gino Provision Co., Inc.,
Glassboro Tire Co.,
Glassman Bros. Inc.,
Glen-Clair Service, Inc.,
Glendora Sales and Service, Inc.,
Glenn, Inc.,
Glen Oil Company, Inc.,
Glide,
"Glinco Sales, Inc.",
Glin Textile Co., Inc.,
Glint Products, Inc.,
Globe Engineering Service, Inc.,
Globe Records, Inc.,
Glomar, Inc.,
Gloria Wearing Apparel, Inc.,
Gloro Realty Co.,
Gloucester Plush Company, Inc.,
G. & L. Trucking Co., Inc.,
G-M Development Corp.,
G.M.G. Auto Sales,
G.M.G. Realty Co.,
Gobit, Inc.,
Goldcrest Ceramics Corporation,
Golden Moon Cafe, Inc.,
Gold Mark Manufacturing Co.,
Gold Seal Fruit Co., Inc.,
Gold Seal Products Company,

Golf Enterprises Corporation,
Gomez & Co.,
Goodfriend, Inc.,
Goodfriend's Hardware, Inc.,
Goose Creek Cranberry Company,
Gordonhurst, Inc.,
Gorga Manor Corporation,
Gorin Specialty Shops, Inc.,
"Gorman's Grille",
G P L Casket Co., Inc.,
Grace Associates, Inc.,
Grad Coat Co.,
Gramercy Manor Homes, Inc.,
Gramil Weaving Corporation,
Grand Columbia Fruit Co.,
Grand Hillside Corporation,
Grand Junction Corporation,
Grand Lake Apartments,
Grand Lee Apartments, Inc.,
Grant Furniture Stores, Inc.,
Grant Lee Delicatessen, Inc.,
Grantwood Construction Corporation,
Graymor Builders, Inc.,
Gray Products Corporation,
Great Dane Motors,
Greater Pittsburgh Cafe, Inc.,
Green Brook Farms,
Greenbrook Homes, Inc.,
The Green Crystal,
Greene & Company, Inc.,
Greenjay Realty Associates, Inc.,
Greenler Farming Co.,
Green Pasture Farms, Inc.,
Grenci Page, Inc.,
Greylock Hardware Co.,
Greylock Hats Inc.,
Grire Co., Inc.,
The Grosser Knitting Machine Company of America Inc.,
Group Employees Discount Service,
Grove Construction Co.,
G & S Banana Company,
G & S, Inc., No. 2,

Guarantee Electric Company,
Gubar Corporation,
Guide-Mar Builders, Inc.,
Gula Inc.,
Gunning's Inc.,
Gus Turk,
Guttenberg Wine Co.,

Hackensack Glass Co., Inc.,
Hackensack Industrial Exchange,
Haddon-Towne Packard, Inc.,
Haig Realty Co.,
H. A. Kluxen, Jr., Inc.,
Hall's Shoes, Inc.,
Halo Realty Co.,
Halstead-Haven, Incorporated,
Hamilton Blvd. Auto Service, Inc.,
Hamilton House Inc.,
Hamilton Television Corporation,
Hampton Sportswear Corp.,
Hamrah and Coury, Inc.,
Handkerchief Corp. of America,
Handley, Chuven & Co., Inc.,
Handy-Host, Inc.,
Hank Realty Corporation,
Hanlee Realty Co.,
Hanover Building Co.,
Hansbury Realty Co.,
The Hardright Corporation,
Hard-To-Beat Brands, Inc.,
Hargor Paper Box Inc.,
Harlen Homes, Inc.,
Harman Furnishers, Inc.,
Harman Textile Co., Inc.,
Harmonica Export Inc.,
Harper Gardens, Inc.,
Harrison Box & Lumber Company, Inc.,
Harrison Center Market, Inc.,
Harry Cohen, Inc.,
Harry E. Stocker Associates, Inc.,
Harry H. Greene, Inc.,
Harry J. Farrell, Inc.,
Harry Kaye Furs of Newark, Inc.,

Harry Rothbard, Inc.,
Harry Rothberg Co.,
Hartwell Corporation,
Harvey-Madison, Inc.,
Haskell Slaughterhouse, Inc.,
Haskell Sportswear Inc.,
Hastings Gardens Section V,
Hastings Gardens Section IV,
Hastings Gardens Section VII,
Hastings Gardens Section VI,
Hastings Gardens Section 111,
Hathaway Motors, Inc.,
Hav-A-Rest Inc.,
Hawaiian Palms, Inc.,
Hawthorne Building Co., Inc.,
Hawthorne Lumber Co.,
Hayes & Britton Sporting Goods Co. Inc.,
Hazelwood Homes, Inc.,
H. & C. Holding Co., Inc.,
H. C. Volckmann, Inc.,
Health-Fog Corporation,
H.E.A. Restaurant, Inc.,
Hedy, Inc.,
Heights Coffee Shop,
Heintz & Kology, Inc.,
Heiss & Sons, Inc.,
Helen B. Realty Company, Inc.,
Hellers Pharmacy, Inc.,
Helming-Bonar Coal Company,
Helmstetter & Company,
Henderson Beef Co.,
Hendler Household Supply Co. Inc.,
Henoch Productions, Inc.,
"Henry A. Dreer, Incorporated",
Henry Company, Inc.,
"The Henry Johnson Company",
Henry R. Nier, Inc.,
Herald Industries, Inc.,
The Herlen Corporation,
Herma Manufacturing Corp.,
Herman Pseny Trucking, Inc.,
H & F Corporation,
H. Fox, Inc.,

H. Goldfaden Sons, Inc.,
H. Heftler Realty Co., Inc.,
H. and H. Trading Corp.,
Hicks Incorporated,
High, Inc.,
Highland Holding Corporation of Newark, New Jersey,
Highland Homes, Inc. No. 1,
Highland Motors, Inc.,
Highway Body Shop of Linden, N. J. Inc.,
Highway Equipment Co., Inc.,
Highway Realty Co.,
Highway Texaco Servicenter, Inc.,
Higscan & Co.,
H. I. Investment Corp.,
Hillbut Coal Mining Co.,
Hillside Central Casting & Mfg. Company,
Hillside Dairy Company, Inc.,
Hillside Industrial Center, Inc.,
Hill Top Estates, Inc.,
Hilltop Truckers, Inc.,
Hinmar Realty Corp.,
Hits-of-the-Month Club, Inc.,
H. J. & M. Inc.,
The H & L Holding Company,
Hobby Leather Products Co. Inc.,
Hoboken Amusement Company,
Hoboken Contracting Company, Inc.,
Hoff Sportswear,
Hollywood Cafe & Restaurant Co. Inc.,
Holman Corp.,
Home Acres Inc.,
Home Beautiful, Inc.,
Home Builders Corporation,
Home and Business, Inc.,
Home Fire Alarm Co.,
Hope Heating Corp.,
Hopewell Sun Packing Co.,
Hospital Housekeeping Services, Inc.,
Hostess Shop of Netcong, N. J. Inc.,
Hotel Clarendon of Lakewood, Inc.,
Hotel Willows, Inc.,
House of Gus Holder, Inc.,

House Keep Products Company, Inc.,
Housing Corporation of America,
Howard Allen Ltd.,
Howard R. Bothers, Inc.,
The Howarth Company,
Hoyt and Searing Holding Corporation,
H. S. Dorf Japan Ltd.,
H. & S. Trucking Co., Inc.,
Hubby's Inn, Inc.,
Huco Stores Company,
Hudson American Corporation,
Hudson Machinery And Tool Sales Co.,
Hudson Refuse Company, Inc.,
Hudson School of Carpentry & Cabinet Making, Inc.,
Hudson Tow Boat Company,
Hughes Industries, Ltd.,
Hughes-Investment Company,
Hugo Bermann Co.,
Hummel Machine & Tool Co.,
Hungaria, Inc.,
Hunterdon Realty Co., Inc.,
Hunter Industries, Inc.,
H. W. Buhot, Inc.,
H. W. Holding Company,
H.W. Meat Co. Inc.,
Hydro-Power Development Corporation,
Hygeia Ice Company, Inc.,

Ickes General Tire Co., Inc.,
Ideal Contractors Inc.,
Ideal Garment Co., Inc.,
Ideal Ship Repair and Barge Line, Inc.,
Idea Products Corp.,
I. G. Holding Co.,
I.H.W. Corp.,
I. Manzo, Inc.,
Independent Jewelers Service & Supply Company,
Indiana Investment Company,
Industrial Fabricators, Inc.,
Industrial Hydraulics, Inc.,
Industrial Oil Burner Corporation,
Industrial Photo Products, Inc.,

Industrial Supply Company,
Industrial Vending, Inc.,
Industries Service, Inc.,
Insectide Chemical Co.,
Inspection Systems, Inc.,
Interface Chemical Co.,
International Dairy Products Corporation,
International Motivepower Corporation of New Jersey,
International Research Laboratories Inc.,
International Ship Contracting Inc.,
International Silk Mills, Inc.,
International Survey Corporation,
Interstate General Sales Corporation,
Interstate Holding Co.,
Interstate Industrial Service Incorporated,
Inwrap Processing Corporation,
Irene's Anchor Inn,
Ire Realty Corporation,
Irving Corporation,
Irwin Holding Corp.,
Island Heights Association,
The Iso-Cut Corp.,
Israel Construction & Brick Manufacturing Corporation,
Ivy Broadcasting Company,

Jabee, Inc.,
Jack's Bargain Outlet,
Jackson Brokerage Company,
Jackson Shoe Repair Inc.,
Jack's Star Bar, Inc.,
Jack Westrich, Inc.,
Jacob Schultz, Jr., Inc.,
Jacob Siegel, Inc.,
Jamar, Inc.,
James Denko, Inc.,
James H. Miller & Company,
James J. Ball & Sons, Inc.,
James J. Melfi, Inc.,
James Kane & Sons, Inc.,
James V. B. Post & Co.,
"Jar Corporation",

Jarvis Realty Company,
The Jay Co.,
Jay & Emm Inc.,
Jay Homes, Inc.,
Jaypal Realty Corporation,
Jayvee Restaurant Supply Co.,
J. B. and B. Realty Co.,
J.C.N. Inc.,
J. E. Buschell, Inc.,
Jefferson Bar & Grill, Inc.,
Jeffery Realty Co.,
Jeffrey Construction Co., Inc.,
Jem Sportswear Co., Inc.,
Jerbar Textile Machine Corp.,
Jerilev, Inc.,
Jerry Realty Co., Inc.,
Jersey City Retail Co. Inc.,
Jersey City Watchmakers' & Jewelers' Supply Co. Inc.,
Jersey Constructors Inc.,
Jersey Hardwood Flooring Co. Inc.,
Jersey-Hudson Realty Co.,
Jersey Niks, Inc.,
Jersey Packing Co., Inc.,
Jersey Range Corp.,
Jesse Cook, Inc.,
Jet Petrol, Inc.,
"Jewish Review, Inc.",
J. G. Realty Company,
J. H. Schroeder & Co., Inc.,
J. H. S. Inc.,
Jiggs-Penny Corporation,
J. I. Harvey, Inc.,
J. J. Fisch,
J & J Market Inc.,
J.K. Corporation,
J. Lind, Inc.,
J. M. Christiansen, Inc.,
J. & M. Realty Corporation,
J.M.S. Corporation,
J.N. & J.W. Corporation,
Jo-Ad Dress Co., Inc.,
Joan's Restaurant, Inc.,

Joben Realty Co.,
Joe's Wayside Inn,
John A. Ackley Auction Company,
John Frances & Son, Inc.,
John J. Reiser & Co., Inc.,
John Macher Inc.,
John Pettoni, Inc.,
John P. Gaul Company,
John Postma, Inc.,
John Sciancalepore and Son,
John W. Heller Company,
John W. Holdsworth & Co., Inc.,
Jomax Corporation,
Joray Corp.,
Jorga Realty Company, Inc.,
Josephine Realty Company,
Joseph J. Brumberg Agency, Inc.,
Joseph Richter and Company,
Joseph Soranno Building Company,
Joyce Styles, Inc.,
J & R Body Works, Inc.,
J. Riskin Realty Co.,
J. R. Murdock & Company,
J. R. Walsh & Son Inc.,
Judith Estates, Inc.,
Judy's Department Store, Inc.,
Julespro Inc.,
Julius & Al Eisenberg Inc.,
Just Food Corporation,
Justin Realty Corporation,

Kabeyun Holding Company,
Karco, Inc.,
Karen Dress Co., Inc.,
Karens, Inc.,
Karlstadt Building Co., Inc.,
Kashan Realty Corporation,
Kaul Manufacturing Co., Inc.,
Kay Green, Inc.,
Kay Woodbury Fashions,
K. B. Co., Inc.,
"K.B.F. Company",

Keansburg Harbor Development and Improvement Corporation,
Kearny-Newark Holding Co.,
Kellner Brothers, Inc.,
Kemly Bros., Inc.,
Kenore Corporation,
Kent Tapered Tubing Co., Inc.,
Kenwood Realty Corporation,
Kerkoff, Inc.,
Kerman Carpet Sales & Service Inc.,
Key Auto Sales, Inc.,
Keyport Motors, Inc.,
Keyport Produce Co., Inc.,
Key Products Co., Inc.,
Keystone Insulators, Inc.,
Keystone Service, Inc.,
K & H Realty, Inc.,
Kiddie Glove Co.,
Kiddieland Furniture & Toys, Inc.,
Kinderkamack Products, Inc.,
King's Coronet,
Kings Realty Co.,
Kingtex, Inc.,
Kinney Supply Co.,
K & K Realty Co.,
Kleinberg Realty Co.,
The Klix Company, Inc.,
Knollcroft Development Co., Inc.,
Knollwood Manor, Inc.,
Kograf Corporation,
Kon-Metz Co.,
Koss Electronics Company,
Krassowski, Inc.,
Kraus & Solomon Inc.,
Kris Auto Craft, Inc.,
K & R Jewelers Inc.,
Krom Corp.,
Krosno Corporation,
Kroywen Holding Company,
K. & S. Associates Inc.,
K. & S. Corporation,
Kuhl's French Chocolates, Inc.,
Kurland Realty Co.,

K.W. Cleaners, Inc.,
Kwilinski Estates, Inc.,
K. Y. M. Company,

Lady Frances Footwear, Inc.,
Lady Warwick Enterprises, Inc.,
La France Co.,
Lahm, Incorporated of New Jersey,
Laiton Playboy Sales & Service Inc.,
Lakeland Beverage Corporation,
Lake Mohawk Riding Academy,
Lakeview Homes Inc.,
Lake View House of Mt. Arlington, N. J. Inc.,
Lakeview Plumbing & Heating Supply Co. Inc.,
Lakeview's of Paterson Inc.,
Lakewood Auction Barn, Inc.,
Lakewood Land and Farm Development Co. Inc.,
Lancaster Hardware Co.,
Lanco Realty Corporation,
Land and Farms, Inc.,
Landhorne & Co.,
Landing Farms Company,
Lang-Gardner, Inc.,
Lang's Beverages, Inc.,
LaPaglia Realty Company,
La Paree Undergarment Co., Inc.,
Larrisey Lines, Inc.,
Larry Wyman Cut Flower Co.,
Larsen Trainer Corporation,
La Salle Cleaning Service, Inc.,
La Stella Restaurant, Inc.,
Laundricoin Corporation,
Laundry Associates, Inc.,
Laurel Food Market,
"Laurel Ribbon Co.",
L. A. Van Doorne Textile Machine Co.,
La Vecchia & Kummer Sales & Service Inc.,
"L. B. Dan Realty Co.",
Le Bac Company,
Lebanon Holding Company,
Lebanon Merchants Mart,
Le Bon-Dey Products, Incorporated,
Leco Investment Co.,

Lecra Corporation,
Le Dor Holding Co.,
Leebern Stores, Inc.,
Lee C. Bland Associates, Inc.,
Lee Footwear Inc.,
Lee-Gordon Corp.,
Lee Lumber Co.,
Lee Sims Candy Shops, Inc.,
Lee Wilson Company, Inc.,
Legg Inc.,
Lehigh Dry Cleaners, Inc.,
Lehigh Valley Distributing Co. Inc.,
Leigh Foods Inc.,
Leja Realty Company,
Lembeck Corporation,
Len-Mar Agency, Inc.,
Lenoz Realty Company, Inc.,
Leonard, Inc.,
Leonard Leaver, Inc.,
Leonard's of Newark, Inc.,
Leone Construction Co., Inc.,
Leros Trading Corp.,
Lester Kahn, Inc.,
Lewgary Hotel Co., Inc.,
Lewis Archer Sportswear,
Lewis Furniture Inc.,
Lewis & McDowell, Inc.,
L. & F. Corporation,
Libby Women's Apparel,
Liberty Bldg. Block Co. Inc.,
Liberty Equipment, Inc.,
Liberty Light Company, Inc.,
Liebe Chana Corp.,
Lifetime Mills, Inc.,
Lighting Studios, Inc.,
Lila Corp.,
Lila Realty Co.,
Lillian O'Grady Shoppe, Inc.,
Lina Garment Corp.,
Linbalt Properties, Inc.,
Lincarl, Inc.,
Lincoln Crest, Inc.,
Lincoln Delicatessen, Inc.,

Lincoln Film and Camera Service Inc.,
Lincoln Produce Company,
Linde & Kaiser's Garage, Inc.,
Linden Building Corporation,
Linden Manufacturing Company,
Lindenoid Tanning Corporation,
Linden Processing Co., Inc.,
Lind-Gard Laboratories, Inc.,
Lindsay Company, Inc.,
Lingard Trans-Plastics,
Linwood Tool Industries, Inc.,
Lionel Holding Corp., Inc.,
Lion Lumber Corporation,
Lire Holding Company, Inc.,
Lite Harbor Corporation,
Little Ferry Holding Corporation,
Littlehale Corporation,
The Little Shop Inc.,
L. J. Cooper, Inc.,
L.J.S. Company,
L & L Agencies, Inc.,
'Llantaff, Inc.',
L & L Company, Inc.,
L. and L. Garage, Inc.,
Lloyds Shops, Inc.,
L & M Corporation,
Loaders, Inc.,
Locale Publishing Co., Inc.,
Local Realty Co., Inc.,
Lock, Inc.,
Lodi Plumbing Supply Co., Inc.,
Lodi Raceway Inc.,
Logger-Tidings, Inc.,
Lone Oak Farm, Inc.,
Long Branch Broadcasting Co. Inc.,
Long Hill Lumber,
Loren, Inc.,
Lorfred Corporation,
Lorien Holding Co., Inc.,
Lori-Lou Foundations, Inc.,
Louie M. Nilson, Inc.,
Louise Dress Co., Inc.,
Louis Enterprises,

Louis G. Gordon Lumber Co.,
Louis Rosato Realty Corporation,
Lou's Inc.,
Love Letters, Inc.,
Low-Cost Products, Inc.,
Lowsky Realty Co.,
L. & S. Sportswear Co., Inc.,
Luciano's Food Market, Inc.,
Lucky Club, Inc.,
Lucky Strike Club Tavern & Restaurant Inc.,
Luizza-Shamy Trucking Inc.,
Lusol Sportswear Corp.,
Lustrite Laundry Service, Inc.,
Lutz Super Market, Inc.,
Luvee Realty Corp.,
L. & W. Distributors,
L & W Produce Co., Inc.,
Lyman, Inc.,
Lynch & McDonough, Inc.,
The Lyndhurst Corporation,
Lyndhurst Sportswear, Inc.,
Lynn Construction Co., Inc.,
Lynn Dyeing & Finishing Co. Inc.,
Lynn-Wood Dress Co., Inc.,
Lyons Dyeing & Printing Co. Inc.,

Mabel R. Burt, Inc.,
The Mac Company,
Mackenzie Motor Car Company,
The Mack Method,
Mac-Lane Manufacturing Co.,
M. & A. Co.,
M and A Construction Co., Inc.,
Macorb Products, Inc.,
Macpac, Inc.,
Madajune Corporation,
Madame Francis Dervieux Co. Inc.,
Madison Transportation Co.,
Magic Du Products, Inc.,
Magi Merchandising Co.,
Maiden Lane Realty Co.,
Main Credit Clothiers,
Main Radio and Television Company, Inc.,

Main Realty Co.,
Main Sport Center,
Main Summit Service Station, Inc.,
Major Corporation,
Mallib Realty Co., Inc.,
Mallory, Inc.,
Management Control Corporation,
Management Corporation,
Manahawkin Sand and Gravel Co. Inc.,
Mancel Holding Co.,
Mancini Bus Co., Inc.,
The Mancraft Shirt Co.,
Manfra Construction Company, Inc.,
Manning Publishing Corp.,
Manning-Trotter Motors Corp.,
Mann's Service Station,
Manor, Inc.,
Manor Super Market, Inc.,
Mans, Inc.,
Mantoloking Marine Basin, Inc.,
Manufacturer's Purchasing Corporation,
Man-Zel Food Products, Inc.,
Mapes Realty Co.,
Maple Caterers, Inc.,
Maple Management Co.,
Marangi Contracting Company, Inc.,
Marcel Franck Perfume Atomizer Corporation,
Marcia Duke Inc.,
M. & A. Realty Corporation,
'Marian Holding Company',
Mariemandell, Inc.,
Marine Construction Company,
Marine Delicacies, Inc.,
Marine Fuels, Inc.,
Marine Inc.,
Marine and Industrial Associates Inc.,
Marine Operating Corporation,
Marine Shop, Inc.,
Marion-Lee Holding Co.,
Marjan's, Inc.,
Mark-Art Corporation,
Market & Broad Stores, Inc.,
Markham Co., Inc.,

Markley Realty Company, Inc.,
Marks Associates,
Marlboro Machine Co., Inc.,
Marlen-King, Inc.,
Marlon Shops, Inc.,
Marne Mortgage Company,
Marod Corporation,
Marpaul Realty, Inc.,
Marquig Realty Company, Incorporated,
Mar Quis Recordings, Inc.,
Marshall-Frutchey Company Incorporated,
Marts Trading & Mfg. Co., Inc.,
Marty's Market, Inc.,
Marvette Shops, Inc.,
Marvin Company,
Mary Flack, Inc.,
Master-Craft Shuffleboard Company Inc.,
Materials Inc.,
Mathis Yacht Building Company,
Matthews Electric and Construction Co.,
Max Paiken & Son, Inc.,
Max's Inc.,
Mayfair Aluminumware, Inc.,
Mayfair Silver Company,
Mayflower Gardens, Inc.,
Mayor Laboratories, Inc.,
McAllister Oil Burner & Equipment Co.,
McCarter Liquor Store,
McCarthy Excavating Co. Inc.,
McCoy Color and Chemical Corp.,
McCoy Self-Service Shoe Cancellations,
McLaughlin & Murphy,
M. D. Friedman Fabrics Co., Inc.,
Meatmasters, Inc.,
Mechanik's Toy & Juvenile Center, Inc.,
Medford General Supply Company, Incorporated,
Medlinski Realty, Inc.,
The Meehan Co.,
Meeker's Textile Machine,
Meerwarth Holding Company, Inc.,
Meier Hardware Co., Inc.,
Mei-Lung's Corporation,
Melba Dyeing & Finishing Co. Inc.,

Meliser Realty Company,
The Melrose Company,
Melrose Food Shop, Inc.,
Memorial Estates, Inc.,
Memorial Park Sales Corporation,
Menu Arts, Inc.,
Mercantile Discount Corporation,
Mercer Auto Delivery, Inc.,
Mercer County Trotting Association,
Mercer Office Supplies, Inc.,
Merit Processing Company,
The Merrimac Supply Co., Inc.,
Merry-Tone Frocks, Inc.,
M. E. Saslow Corporation,
Metallic Chemicals, Inc.,
Metalon Manufacturing Corporation,
Metals Products Engineering & Sales Company,
Metal Trades Publishers, Inc.,
Metro Fashions, Inc.,
Metro Machine Works, Inc.,
Metropolitan Air Terminal Co.,
Metropolitan Electric Company, Inc.,
Metuchen Paper Board, Inc.,
Mexican-American Paper Corporation of New Jersey,
Meyers Hotel & Tavern, Inc.,
Michael Electronic Co.,
Michael Sullivan Sales, Inc.,
Michaels' Sweet Shop, Inc.,
Microcel Corporation,
Middletown Millwork, Incorporated,
Middle Township Development Company Cape May Courthouse, N. J.,
Mid-Jersey Distributors, Inc.,
"Midland Beach Company",
Midland Sportswear, Inc.,
Mid-State Food Corp.,
Mid-State Lumber & Supply Company,
Midtown Express, Inc.,
Midtown, Inc.,
Midway Drive Estates,
Midway-Garden Rink, Inc.,
Mighty Mite Pump Co., Inc.,

Miles Housekeeping Products Corp.,
Military Post Tailors and Cleaners, Inc.,
Mill Brook Terrace, Inc.,
Mill Ends Bargain Center, Inc.,
Miller-Brophy & Co., Inc.,
Miller & Company,
Mill Hosiery, Inc.,
Million Dollar Pier Operating Company,
Milton A. Sanders, Inc.,
Milton Lake Manor Co.,
Milton's Inc.,
Minak's Realty Corporation,
Minimaster Engineering Corp.,
Minute Steak, Inc.,
Miracle Chemical Co.,
Mr. Chas., Inc.,
M. James Brody & Co., Inc.,
M. Korman Co.,
ML. & LC. Company, Inc.,
M. & M. Delicatessen Company,
Model Cement Block Co., Inc.,
Model Construction Co.,
Modern Fashion Clothes, Inc.,
Modern Home Builders, Co.,
Modern Instruments, Inc.,
Modern Manufacturing Corporation,
Modern Studio of Photography,
Modica Plastering Company, Inc.,
The Mo-L Hair Products Incorporated,
Molsam Quality Homes Inc.,
Momar Construction Co. Inc.,
Monetti's Specialties Inc.,
Monmouth Bedding Co., Inc.,
Monmouth Cleaners & Dyers, Inc.,
Monmouth Gardens Inc.,
Monmouth Stauffer System Corp.,
Monroe Builders, Inc.,
Montarey Builders,
Montclair Gardens, Inc., No. 1,
Montclair Playhouse, Inc.,
Montclair School of Fine and Commercial Art,
Montclair Screw Machine Co.,
Montclair Television & Radio Sales Corp.,

Montgomery Associates, Inc.,
Montgomery Motors Of Elizabeth Inc.,
Mor-Al Realty Co.,
Moran & Company,
Morfelt Realty Co.,
Morningview Corporation,
Morris Casket Co.,
Morris County Exhibition Company,
Morristown Building Corporation,
The Morristown Colony Restaurant Inc.,
Mosswood Realty Co.,
Motor Merchants of Englewood Inc.,
Mountain Rest Corporation,
Mountain View Taxi Company,
Mt. Arlington Realty Co., Inc.,
Mount & Stevens Construction Company,
Mt. Vernon Delicatessen, Inc.,
Mt. View Apartments, Inc.,
M & S Smokes and Eats, Inc.,
Mud-Din Holding Corporation,
Municipal Securities Corp.,
Murar Corporation,
Murving, Inc.,
Myers and Evans, Inc.,
Myken Construction Co.,
Myson Corporation,

Naborhood Hardware and Housewares Inc.,
Nadler Furs,
Nagle Bros.,
Nancy Gail, Inc.,
Napa Valley Wines, Inc.,
Nasco Corporation,
Nassau Clothing Co. Inc.,
Nast Realty Corporation,
Natco Food Co.,
National Business Institute,
National Corporation of New Jersey,
National Dyers & Printers, Inc.,
National Gift Shops, Inc.,
National Hotel Supply Company,
National Manufacturing Co.,
National Pearling Company, Inc.,

National Plastile Company,
National Rock Wool Company,
National Rubber Distributors, Inc.,
National Textile Machinery Company,
The National Weather Window Company Inc.,
Natruth Corporation,
Nat's of Trenton, Inc.,
Neil Hats, Inc.,
Neilley's Inc.,
Neil Realty Co.,
Nela Construction Company,
Nelge Distributing Corporation,
Nelhar Land Improvement Company,
Nella Realty Co., Inc.,
Nelson Chemical Corporation,
Neo-Buckle Corp.,
Neon Metal Products Corp.,
Neptune City Auction Company Inc.,
Nesbit Holding Co., Inc.,
"Neuday Manufacturing Co.",
Newark Auto Parts, Inc.,
Newark Chair & Furniture Co.,
Newark Cut-Rate Drug Stores, Inc.,
Newark Hill Home Co.,
Newark Photo Studio Inc.,
Newark Plumbing Supply Co. Inc.,
Newark Room Service, Inc.,
Newark Sign School,
Newark Summer Theatre, Inc.,
Newark Warping & Winding Co. Inc.,
Newark Wholesale Lumber Co.,
New Bridge Gardens, Inc.,
New Brunswick Foods, Inc.,
Newell Signal Letter, Inc.,
New Era Tanning Company,
New Foster Tavern, Inc.,
New Gretna House, Inc.,
New Idea Realty Corporation,
N. J. Cargo & Cooperage Co., Inc.,
New Jersey Engineering Co., Inc.,
New Jersey Fur Dressing Co., Inc.,
New Jersey Home Sewing Machine Company, Inc.,
New Jersey Outlet & Sales Corp.,

New Jersey Packing Co.,
New Jersey Parcel-Express, Inc.,
N.J. Potato Processing Corp.,
New Jersey Sprayed Products Co., Inc.,
New Jersey Textile Printing Corporation,
New Jersey Toy Distributors, Inc.,
New Jersey Transportation Co. Inc.,
New Jersey Valve and Equipment Co.,
Newmac Equipment Inc.,
New Nonpareil Laundry Service Inc.,
New Oxford Market, Inc.,
New Palace Holding Co., Inc.,
New Process Cleaning Engineers, Inc.,
New Swift Cleaners, Inc.,
Newton Radio-Electronics, Inc.,
New Torch Club,
New Transportation Co., Inc.,
New York Armature Works, Inc.,
Nexsen Dictograph Corp.,
Nicholas Realty Co., Inc.,
The Nine Corporation,
927 Broad St. Corporation,
19th Avenue Corporation,
96 Napoleon Street Corporation,
Nine Van Reipen Corporation,
Noel Dress Company, Inc.,
Noonan French Dry Cleaners, Inc.,
Norma Baking Co., Inc.,
Normandy Meats, Inc.,
Normanwear, Inc.,
Norm, Inc.,
Norphil Chemical Company, Inc.,
North Arlington Laundry, Inc.,
North Bergen Meats, Inc.,
North End Company,
Northern New Jersey Better Living Homes Company,
Northern Valley Associates Inc.,
North Jersey Builders, Inc., #2,
North Jersey Tar and Asphalt Co.,
North Olden, Inc.,
Northunion Corporation,
Northvale Terrace Hills, Inc.,

Norwood Equipment Co., Inc.,
Nosni-Borag, Inc.,
Notlad Company, Inc.,
Novelty Antique Lamp & Shade Co., Inc.,
Novo-Mesz Tavern, Inc.,
N. & S. Holding Corporation,
Nualum Casement Co., Inc.,
Nu-Art Marble Corporation,
Nuclear Electronics Industries, Inc.,
Nu-Homes Incorporated,
Nut Shoppe Inc.,
Nyack Hudson, Inc.,

Oak Agency, Inc.,
Oak Hill Estates,
Oak Manor Gardens, Inc.,
Oak Manufacturing Corp.,
Oak Ridge Developers,
Oak Ridge Lake Homes, Inc.,
Oakwood, Inc.,
Ocean Breeze,
Ocean City Apartment Co., Inc.,
Ocean City Boat Works Inc.,
Ocean Front Snack Bar, Inc.,
Ocean and Monmouth News Service, Inc.,
Ocean Play House, Inc.,
Oceanside Development Corp.,
Ocean Snack Shop,
O'Connor Flowers, Incorporated,
Odom Aviation Corporation,
Official Turf Mart, Inc.,
O'Hara & Willis, Inc.,
Oke Realty Co.,
Old Eagle Cleaners And Dyers, Inc.,
Ollag, Inc.,
O'Loughlin Co., Inc.,
Olson Metal Products, Inc.,
Olympic Sportswear, Inc.,
185 Passaic Street Corp.,
159 Co., Inc.,
156 North Grove Street, Inc.,
152 Roseville Corporation,
107-109 Holding Co.,

117 Park Avenue, Inc.,
"171 West 20th St. Corp.",
116 & 124 East Fort Lee Road Corp.,
116-39th Street Corporation,
125 Harrison Corp.,
Ono Corp.,
O. P. B. Corporation,
The Open House, Inc.,
Orange Mountain Development Co.,
Organic Specialties, Inc.,
"The Orient Corporation",
The Original Astor Beauty Salon, Inc.,
The Original Schwoeri,
Orleo Realty Company,
Orofine Food Market, Inc.,
Orsatti's, Inc.,
Oscar's, Inc.,
Osip Cloak Corp.,
Oswald Taxi Co., Inc.,
Otto Koenig & Son, Inc.,
Overlook Corporation,
Overseas Trading Corp. of N. J.,
Owen M. Bruner Company,
The Owl Co.,
Owl Realty Exchange of Livingston,
Own Home Corporation,
Oxford Trading Corporation,

Paben Realty Company,
Pace Realty Co.,
Pacific Co.,
Pacific Packers, Inc.,
Pacific Packing Corp.,
Packard Pen Co.,
Paine Polishing Company, Inc.,
Painting & Decorating School Inc.,
Paint Supply Co., Inc.,
Pakaway Distributors, Inc.,
Paladino's Market, Inc.,
Palgrove Company,
Palisade Realty and Construction Co.,
Palmer Supply Co. Inc.,
Palmyra Hosiery Company,

Pamella Drake, Personalizers Inc.,
Pancho Realty Co. Inc.,
Pancroft Corporation,
Panelyte Corporation,
Paper Associated Products Corp.,
Paramount Service Company,
Parisian Soap Co.,
Park Acres, Inc.,
Park Avenue Estates,
Park Avenue Gardens, Inc.,
Park-Bergen Amusement Corp.,
Park Diner, Inc.,
Parker Carpet Co., Inc.,
Parker Rings, Inc.,
Park-Grove Super Market,
Parkhurst Well & Pump Company, Inc.,
Park Liquors,
Park Manor Homes, Inc.,
Parkmont Construction Co.,
Park Ridge Pharmacy,
Park-Rite Corp.,
Parkside Apartments, Inc.,
Parkview Homes, Inc.,
Parsonage Hills, Inc.,
Pascale Trucking Company, Inc.,
Passaic Construction Associates,
Passaic Photo Screen Co.,
Passaic Valley Examiner, Inc.,
Paterson Bakery Mart, Inc.,
Paterson Porcelain Products, Inc.,
Paterson Realty Corporation,
Path, Inc.,
Pat Records, Inc.,
Patricia Page, Inc.,
Pat's Boardwalk Restaurant Inc.,
Paula, Inc.,
Paul and Angie's Drive In, Inc.,
Paul Cartage Loading Co.,
Pauline Realty Co.,
Paulison Construction Co. Inc.,
Paul P. Merbach Publications, Inc.,
Paulsboro Motors, Inc.,
Paulsboro Recreation Center,

Paving and Construction Company of Union, Inc.,
PCP Incorporated,
Peakford Inc.,
The Peasant,
Pebs Realty, Inc.,
Peerless Metal Products Corporation,
Peerless Service Laundry,
Pee-Wee Photographers,
Peggy Miller, Inc.,
Pelber Food Products, Inc.,
Pelle Rose Confectionery Co., Inc.,
Pelton-Demarest, Inc.,
Pembroke Mfg. Co.,
Pennant Investment Co. Inc.,
Penn Beef Company,
The Penncrest Homes Corporation,
Pennsauken Cement Products Co.,
Pennsylvania Specialties Co., Inc.,
Penn Syndicate, Inc.,
Penny Bridge Gun Club, Inc.,
Penrose Products Co.,
Pentavir Corporation,
The Pepticin Company,
Perfect Delivery Freight Lines, Inc.,
Permabilt Construction Company,
Permanent Markers, Inc.,
Perma-Net Co.,
Perpetual Homes, Inc.,
Perry Homes, Inc.,
Personalized Sports Equipment, Inc.,
Perth Amboy Bindery,
The Perth Company Inc.,
Pet Clothing Co., Inc.,
Peter Brothers,
Peter Pasquale & Son, Inc.,
The Peters Export-Import Company,
Petite Theatre Group, Inc.,
Petlack Construction Company,
Petruska Building Supply Co. Inc.,
P & H Holding Company,
Phil Cooper Cleaners and Dyers,
Philia Corporation,
Philip & Hopmayer, Inc.,

Philips Manufacturing Co.,
Phillips Bowling Academy,
Phillipsburg Realty Corporation,
Phoenix Screw Machine Co. Inc.,
Phyllis Footnotes,
Pierce Manufacturing Corp.,
Pike Body & Fender Co., Inc.,
Pine Lake Park Corporation,
Pineland Pavilion, Inc.,
Pinetree Holding Corp.,
Pine Wood Hotel,
Pink Elephant,
Pioneer Cleaners, Inc.,
Pitrelli Construction Corp.,
Plainfield Home Beverage Service, Inc.,
Plainfield Tire and Appliance Company,
Plains Hunting Club, Inc.,
Plastic Envelope Factors, Inc.,
Plastics Development Corporation,
Plastic Seal Inc.,
Plaza Manor Homes, Inc.,
Plaza Opticians,
Pleasant Tavern & Grill Inc.,
Pleasant Valley Hotel, Inc.,
Pleasure Bay Yacht Basin, Inc.,
P. & M. Food Market, Inc.,
P M T Music, Inc.,
Polam Import-Export Co., Inc.,
Polar Bear Products, Inc.,
Polish American Trading Co. of New York,
Popps Enterprises, Inc.,
Popular Luncheonette Inc.,
Porter and Higgins Co.,
Port O'Palms, Inc.,
Port Operating Corporation,
Post Exchange, Inc.,
Powerite Mfg., Co., Inc.,
Powers & Ganz Inc.,
P. R. Coat Co.,
Precision Builders, Inc.,
Precision Design, Inc.,
Premier Beer Co. Inc. No. 1,
Presto-Brick Inc.,

Prichard Associates, Inc.,
Prime Fur Dressing Corporation,
Prime Rabbit Dressing Corp.,
Prince Restaurant and Tavern, Inc.,
Princess Furs,
Princeton Associates, Inc.,
Priscilla Parker, Inc.,
Privatera Realty Corp.,
Process Equipment Associates, Incorporated,
Producer's Clearing House, Inc.,
Professional Aides Institute,
Professional Equipment Company, Inc.,
Professional Instrument Company, Inc.,
Professional Pharmacy, Inc.,
Progress Homes, Inc.,
Progressive Sales Co.,
Promil Company,
Properties, Inc. of Jersey City,
Property Maintenance Corporation,
Prospect Heights Land Company,
Protectors, Inc.,
Provico Sales Co., Inc.,
Prudential Furniture Co., Inc.,
Public Mortgage Service Corporation,
The Publishers Holding Company,
Publix Agency, Incorporated,
Pugh Ribbon Corporation,
Purcell Construction Company,
Pure-Sol Chemical Co. Inc.,
Puretz Holding Co., Inc.,
P. & V. Bear Safety Service,
P. W. G. Inc.,
Pyramid Nail & Wire Corporation,
Pyrolith Corporation,

Quaker Weaving Company, Inc.,
Quality Bands, Inc.,
Quality Block Company,
Quality Box Co. Inc.,
Quality Finishing Co.,
Quality Lace and Embroidery Co., Inc.,
Quality Plating Co., Inc.,
Quality Poultry and Pigeon Farm,

Quality Uniforms, Inc.,
Queen Anne Realty Company,
Quik-Kup Coffee, Inc.,
Quinco Manufacturing Corporation,
Quincy Chemical Works,

Raam Inc.,
Radar Express Inc.,
Radiant Glass Distributors, Inc.,
Radio Properties Holding Corp.,
Rahway Cabinet & Millwork Co. Inc.,
Rahway Motors, Inc.,
Rainbow Drug Co.,
Rainbow Skating Rink,
Ralph's Tavern, Inc.,
Ramapo Carpet Mfg. Co.,
Ramapo Pleasureland,
Ranch Type Homes, Inc.,
Randolph Tavern Incorporated,
Rawls & Olson, Inc.,
Rayco-Akron, Inc.,
Rayco-Allentown, Inc.,
Rayco-Hartford, Inc.,
Rayco - Wilkes - Barre, Inc.,
Rayco-Youngstown, Inc.,
Raydol Lumber Company, Inc.,
Ray-Mar Corporation,
Raytex Dyeing, Inc.,
Raytex Dyers & Printers, Inc.,
RBK Company,
R-C Heating Systems, Inc.,
"R. C. Leonard Realty Co. Inc.",
R.D. Construction Company,
R-D Heating and Appliance Company, Inc.,
R.D. Realty Co. Inc.,
Realowners, Inc.,
Realty Company of Rahway, Inc.,
Realty Marketers Inc.,
Record Poultry Farm,
Red Oaks Company,
Reeder & Lefto, Inc.,
Regal Cleaners,
Regal Supply Co.,

Regan Oil Company, Inc.,
Registered Emergency Service Inc. of N. J.,
Reid & Co., Inc.,
Reinco, Inc.,
Reliable Management Plan,
Reliable Products Corporation,
Reliable Shoe Machinery Dust Collector Co. Inc.,
Relluem Realty Company Inc.,
Remmos Realty Corporation,
Renee Motor Sales, Inc.,
Rennie's, Inc.,
Renwal Inc.,
Reoh Corp.,
R. Eschert, Inc.,
Retrache Realty Co., Inc.,
Rexall Paper Co. Inc.,
Rex Drug Stores,
Rhinehart Manufacturing Co., Inc.,
Rhythm Music Co.,
Ribble Electric Corporation,
Ribsco Builders, Inc.,
Ricciardi Construction Co. Inc.,
Richard J. O'Brien, Inc.,
Richard Silk Co., Inc.,
Richards Terminal, Inc.,
Richin Dress Mfg. Co., Inc.,
Richmond Flying Service, Incorporated,
Richter's Motor Scooter Co., Inc.,
Rickey Realty Co.,
Ridgedale Construction Co.,
Riggs & Jeffreys, Inc.,
Rim Realty Company,
Rio Dyeing & Finishing Co., Inc.,
Rising Sun Garment Co., Inc.,
Ritchie's,
The Rite Home Improvement Co., Inc.,
Rite Spot Diner, Inc.,
Rittenhouse Hotel & Realty Company,
River Fair Corp.,
River Road Construction Co., Inc.,
River Smelting & Refining Corp.,
Riverview Gardens, Inc.,
Riverview Grill, Inc.,

R & M Holding Company,
R.M. Jayne, Inc.,
R & M Steel Treating Co.,
RMT Cutlery, Inc.,
R. & N. Plumbing & Heating Co.,
Roberta Blouse Co.,
Robert Drake Clothes, Inc.,
Robert E. Coleman, Inc.,
Roberts Floor Covering Co., Inc.,
Robert's, Inc.,
Robert's Motor Transportation Inc.,
Roberts Supply Corp.,
Robert Treat Shirt Manufacturing Company,
Rocket Construction Corp.,
Rock-It Valve Corp.,
Rodeo Round-Up, Inc.,
Rodler Developments Corp.,
Roebling Coal Co., Inc.,
Roger Construction Company,
Roger G. Como Inc.,
Roger's Credit Stores, Inc.,
Roger Village, Inc.,
Roman Construction Co., Inc.,
The Rona Shop,
Ronnee Parker, Inc.,
The Roost, Inc.,
Rosart Realty Co.,
Rose Dress Co.,
Roselle Park Concrete Products Corp.,
Rosemary Youth Center Inc.,
Rose Modiste Dress Co., Inc.,
Rosemont Building Co.,
Rosenthal Furniture Co.,
Rosenthal Jewelers, Inc.,
Rothco Fruit & Produce Co., Inc.,
Roth Plumbing Co., Inc.,
Roth Plumbing Company,
Roundhouse Bar, Inc.,
Rowall Shops of Passaic, Inc.,
Royal-Haven, Inc.,
Royal Trucking Co.,
Roybar Corporation,
Roy's Service Station, Inc.,

Rozell, Inc.,
R. Sidney,
Rudy Fashions, Inc.,
Ruscoe Flying Service, Inc.,
Rusmont Truck Bodies & Equipment Company,
Ruth Darling, Inc.,
Rutherdale Land Development Corporation,
Rutherford Sales & Engineering Company,
Ruth Zeller, Inc.,
Rutland Company,
R. W. McChesney & Son, Inc.,

Sabro Textile Mills, Inc.,
Sacco Company, Inc.,
Saddle River Park,
Safety Realty Corporation,
Saffer Simon Candy Co.,
Sahar Realty Corp.,
St. Cloud Construction Co.,
Salem County Canners, Inc.,
Sales & Service Stations, Inc.,
Salou Realty Co.,
Salvage Company of America,
Salvatore Zingale, Inc.,
Sa-Man,
Sambros Inc.,
Samco Products Corporation,
Sam Day Mill,
Same Day Cleaners, Inc.,
Samovar Silk Co.,
Samuel Braen's Sons Construction Co.,
Samuel L. Levin & Sons, Inc.,
Sandone Service, Inc.,
Sandra, Inc.,
Sandy's Auto Sales, Inc.,
Sangar Investment Company,
Sanrob Realty Co., Inc.,
Sapas, Inc.,
Sapphire Styles,
Sarullo Construction Co., Inc.,
Savino Frozen Delight,
Savory Food Shop, Inc.,
Sawmill Lumber Company,

Saxon Manufacturing Co., Inc.,
Saybrook Estates, Inc.,
The Schiller Company, Inc.,
Schirger's, Inc.,
Schmalz Air Service Inc.,
Schmitz Realty Co., Inc.,
Schoholl Building Co.,
Scholl Investment Co.,
School of Graphic Arts, Inc.,
Schopel Mfg. Corp.,
Schroeder & Beattie, Inc.,
Scientific Fur Products Corporation,
S. Citron & Sons, Inc.,
Seaboard Development Co.,
Seaboard Distributors Inc.,
Seacoast Painting Corp.,
Sea Girt Plaza Market, Inc.,
Sea Isle City Real Estate Company,
Seashore Fishing Co.,
Sea Spray Terrace, Inc.,
Sea Tramp Inc.,
Second Construction Corp., Inc.,
"Second Realty Company, Inc.",
Security Bondholders Company,
Segal Construction Corp.,
Sel-Mor Juvenile Furniture Co. Inc.,
Semel's Felt Emblem Co., Inc.,
Sengaw, Inc.,
Sentinel-Ledger, Inc.,
Serro Realty, Company,
Service Cleaners of Newark,
Service Sewing Machine Co., Inc.,
Seton Investment Co.,
Seven-Eighteen Corporation,
756 Clinton Avenue Corporation,
722-724 Main Street Corporation,
722-724 Washington Street Corp.,
17 Custer Place, Inc.,
77 South Munn Corp.,
77 Walnut St., Inc.,
76 Prince St., Corp.,
S.E.W. Inc.,
S. Fryczynski & Sons, Inc.,

S. & G. Embroidery Works Inc.,
S. G. S. Waste Corp.,
Shamrock Textile Processing Co. Inc.,
Shanley Lumber Company,
Sharkey's Express,
Sharpe Tire Co.,
Sheridan Gardens Const. Corp.,
Shermark Investment Corp.,
Sherwood & Lockwood, Inc.,
Shippers Service Corp.,
S & H Mfg. Corporation,
S. and H. Motors, Inc.,
Shrewsbury Lumber Company,
Shuffleboard Co. of America, Inc.,
"Shulman Publications Inc.",
Sibor Operating Corp.,
Siccardi Publications, Inc.,
Sidley Chemical Works, Inc.,
Sil-Sel Greetings, Inc.,
Silva Bros. Trucking Co. Inc.,
Silver City Dude Ranch, Inc.,
Silver Moon Tavern, Inc.,
Simul-Brick, Inc.,
The Sisco Trucking Company,
Siwel Costume Co.,
662 Bloomfield Ave. Verona, Inc.,
6 Ricord St. Realty Co., Inc.,
Sixteenth Street Realty Co.,
61 St. Paul's Ave. Corp.,
S. J. Wildrick & Son, Inc.,
Skip's Bar, Inc.,
Sky Fresh Lobster Co., Inc.,
Sky Harbor Aeronautical Corp.,
Slavin Company, Inc.,
Slavitt Realty Corporation,
Slicon Textile, Inc.,
S L, Inc.,
Sliski-Kondos Realty Co., Inc.,
Slizen Realty, Inc.,
S. Marsh & Son, Inc.,
Smiles' Inc.,
The Smith Printing House,
S & M Poultry Dealers, Inc.,

Snyder Sales & Service,
Solicitations Information Service,
Solomon's Employment Agency, Inc.,
Somers Advertising Company, Inc.,
The Somme Realty Co.,
Sorrento Macaroni Co.,
South Amboy Publishing Company, Inc.,
South Center Corporation,
Southern Novelty Weaves, Inc.,
South Jersey Enterprises, Inc.,
South Mountain Garage, Inc.,
South Shore Products, Inc.,
South Side Garage,
South Star Mining Co.,
Southwell Fabricating Corporation,
Spade Record Co.,
Specialty Sales, Inc.,
Spectrun Color Prints, Inc.,
Spencer Homes, Inc.,
Spiegel's Market, Inc.,
Sports World,
Spotswood Construction Co. Inc.,
Spray Beach, Inc.,
S. & P. Realty Company,
Springfield Auto Painting & Body Repairs Co., Inc.,
Spring Meadow Diner, Inc.,
SS. Sandy Hook Inc.,
Stanbar Holding Company,
Standard Auto Electric Co.,
Standard Glass Apparatus Co.,
Standard Holding Company,
Standard Housing Corporation,
Standard Improvement Co.,
Standard Sales Company,
Standard Sanitary Company,
Stands, Inc.,
The Stangard Dickerson Corporation,
Stanley A. Kober, Inc.,
Star Cab Co.,
Star Confectionery Co.,
Stark Motors, Inc.,
Star Machine and Engineering Corporation,

Starmex Engineers, Inc.,
Staron Products, Inc.,
Starr Stores, Inc.,
State Delicatessen,
State Ignition and Carburetor School,
Steam Generator Repair Service, Inc.,
Steel Service & Supply Co.,
Steinleaf, Inc.,
Stein Realty Co.,
Stellar Productions,
Stelton Food Market,
Stengel Realty Co.,
Stephen Mark Corp.,
Sterling Associates,
Sterling Insulation Co.,
Stevens Electric Corporation,
Steve Padusnak Contracting Co., Inc.,
Stewart A. Stone, Inc.,
Stewart-Martin Auto Sales,
Stimus Corporation,
Stitsky's Shoes, Inc.,
Stock Car Enterprises, Inc.,
Stockton Realty & Holding Corp.,
Stokes Motors,
Stone Sales Corporation,
Stony Brook Farm, Incorporated,
Stor-Aid of New Jersey, Inc.,
Storm Construction Co.,
Stratiform, Inc.,
Strumolo Holding Corporation,
Stuart Laboratories Inc.,
Sturr Industries, Inc.,
Stuyvesant Realty Corp.,
Style-Rite Sportswear, Inc.,
Style Smart Co., Inc.,
Sub-Contractors Protective Association,
Suburban Airport, Inc.,
Suburban Dwellings Inc.,
Suburban Homes Construction Co. Inc.,
The Suburban Markets,
Suburban Radio and Appliance Co.,
Suburban Sewing Machine and Supply Company,
Sudec Company,

Suffern Company,
The Sultan Realty Co.,
Summit Cleaners & Dyers, Inc.,
Summit Delivery Co.,
Summit Furniture Co.,
Summit Sweets Corp.,
Sun Auto Stores Inc.,
Sun Dial T.V. Inc.,
Sun-Dry Corp.,
Sun Guard Shades, Inc.,
Sunny Hill, Inc.,
Sun Sales Corporation,
Sunset Diner, Inc.,
Sunset Isle Development Corporation,
Sunvita Fruit Juice Corporation,
Super Door Co., Inc.,
Super Electronics Corp.,
Superfreeze, Incorporated,
Superior Bakers, Inc.,
Superior Electric Corp.,
Superior Homes Company,
Superior Marine Manufacturing Company,
Superior Metal Treaters, Inc.,
Superior Steel Company,
Superior Woodwork Company,
Superkapon, Inc.,
Supermatic Spring Co.,
Supreme Textile Mills, Inc.,
The Surfside Hotel, Co.,
Surprise Butter & Egg Co., Inc.,
Susan Associates Inc.,
Sussex County Distillery Company, Inc.,
Sussex, Inc.,
Sussmack Realty Company,
Su-Tex Dyeing and Finishing, Inc.,
Su-Tex Processing, Inc.,
Sutherland Homes Inc.,
"Sycamore Ave. Corp.",
Syljay, Inc.,
Sysak Company, Inc.,
Systematic Service, Inc.,

Tamar Food Products Inc.,
Tasty Snack,
Taylorville Improvement Co.,
T.C.S. Realty Co., Inc.,
Technical Coated Fabrics, Inc.,
Teco Incorporated,
Ted's Music & Appliance Center Inc.,
Teeny Toy Co.,
Tel-A-Finish Corporation,
Tel-Art Sanitizing Service,
Telecam Corp.,
Telegas Corporation,
Tele-Video Arts, Inc.,
Television Associates, Inc.,
Televiews Publishing Company,
Television Corporation of America,
Television Monitors, Inc.,
Temack, Inc.,
Tenafly Properties Inc.,
"Tenwood, Inc.",
Tepco Embroidery, Inc.,
Terminal Cab Co. of New Jersey,
Terminal Cab Operators Inc.,
Terry Rosilyn Originals,
Terry's Home & Auto Supplies, Inc.,
Terry Shops,
Terry's Inc.,
Terry's Restaurant, Inc.,
Te Vel Laboratories, Inc.,
Texal Corporation,
The Textolite Corporation,
T-H Carr Realty Company,
Theodore Kessler, Inc.,
Therapeutic Specialties, Inc.,
Therapy Devices, Inc.,
Thio Chemical Corporation,
Third Construction Corp., Inc.,
39 Willow Corporation,
Thomas A. Boyle's Tavern, Inc.,
Thomsen Tractor Transportation, Inc.,
Thor, Inc.,
Thorn's Hardware Company,
Thorway, Inc.,

Three Comrades,
308-310 56th Street Corporation,
388-390 Jackson Avenue Corp.,
350 Griggs Ave. Corp.,
317-319 W. Runyon St. Corp.,
332 No. 11th St. Corp.,
The 321 Corporation,
Three Jays Leather Finishers, Inc.,
3931 Realty Co. Inc.,
Thrifty Food Mart, Inc.,
T-I-E Holding Company, Inc.,
Tillinghast Holding Co.,
Tino Auto Supply Co.,
Tip Top Taxicab Service, Inc.,
Tire Maintenance Corp.,
T.L. Hitching Post, Inc.,
Toby Sales Co.,
Tod Evans,
Tomak Corporation,
Tomar, Inc.,
Tommy Togs, Inc.,
Topp's Sea Food Restaurant Co. Inc.,
The Torch Club,
Toro Sales & Service, Inc.,
Tot-Tested Toys, Ltd.,
Tower Realty Corporation,
Towey Bros. Inc.,
Town Cab Company, Inc.,
Town & Country Motors of Passaic-Clifton,
Townfield Shops Ltd.,
Town Home & Auto Supply,
Town Line Oil Company,
Town Television & Appliance Corporation,
Toys 'N Stuff, Inc.,
Trading Enterprises, Inc.,
Trans-America Associates,
The Transatlantic Gem Co.,
Transco Inc.,
Transportation Supply, Inc.,
Trans-Press, Inc.,
Trans Union Corporation,
Treacy Holding Company,
The Treasure Chest, Inc.,

Tremont Novelty Co., Inc.,
Trent Motors,
Trenton Cooperative Society, Inc.,
Trenton Fur Company Inc.,
Trenton Record Publishing Co.,
Triangle Furniture Co. Inc.,
Triangle Investment Company, # 1,
Triangle Oil Products Corporation,
Tri-Co Construction Company, Inc.,
Tri-County Abstracting Company,
Tri-County Pants Co.,
Tri Manufacturing Corp.,
Trinity Gardens' Inc.,
The Trio Blouse,
Tri-State Metalcraft Corp.,
Tri-State Paper Products, Inc.,
Trit's Tavern, Inc.,
Troy Bros., Inc.,
Troy Realty Co. Inc.,
Troy's, Inc.,
Truck Distributors, Inc.,
Trudy Realty Co.,
Tru Joy Ice Cream Co.,
Trumen Incorporated,
Tru Test Manufacturing Corp.,
Trymore Construction Co. Inc.,
T. & S. Motors Sales, Inc.,
Tuckahoe Mineral Industries, Inc.,
Tucker Realty Company, Inc.,
Tudor Auto Sales, Inc.,
Turnpike Diner, Inc.,
Turtur & Della Serra Construction Co.,
Tuxedo Liquors, Inc.,
Twenty-First Street Corporation,
Twenty Nine Seventy Nine Corp.,
Twin-Boro Amusement Corp.,
Twin Boro Publishing Co.,
Twin County Construction Co.,
Twin Holding Corporation,
241 Washington Street, Inc.,
279 Monroe Realty Co.,
224 Broad Corp.,
2741 Boulevard Corp.,
Tygodnik Bayonski (Bayonne Weekly) Inc.,

Uncle Sam's of Harrison, Inc.,
Uncle Tuckie's Inc.,
Undercliff Trucking Co., Inc.,
Underwriters Mercantile Bureau, Inc.,
Uneeda Home Builders, Inc.,
Union Air Freight Terminal, Inc.,
Union Camera Exchange, Inc.,
Union-Essex Amusement Corp.,
Union Import Corporation,
Union Plate Glass Co., Inc.,
United Air Terminal, Inc.,
United Associates Inc.,
United Attractions,
United Aviation Corporation,
United of Linden,
United Main Market, Inc.,
United Railway Signal Corporation,
United Shoe Lace Company,
United Shoe Service, Inc.,
U. S. Cotton Oil Co. Inc.,
U. S. Dura-Brick Corp.,
U. S. Electric Corp.,
U. S. Jeep & Truck Corporation,
United States Lumber Company,
U. S. Petroleum Products, Inc.,
U. S. Shoe Stores,
United Vegetable & Fruit Distributors, Inc.,
Universal Decorator, Inc.,
Universal Narrow Fabrics Co., Inc.,
Universal Packaging Machine Corporation,
Universal Vitamin Corporation,
Uptown Steel & Iron Works, Inc.,
Utility Advertising Co.,

Vacumatic Manufacturing Corporation,
Valleybrook Cafe, Inc.,
Valpen Corporation,
Valura Products, Inc.,
Valvano Realty Company,
Valvco, Incorporated,
Van Buren Baking Corporation,
Van Damme Custom Fabrics,
Vandervilt Stores Inc.,

Van-Fay Holding Co., Inc.,
Van Ornum Co.,
Van Zim Co. Inc.,
Variety Beverage Company, Inc.,
Variety Distributors, Inc.,
Vassar Realty & Investment Co. Inc.,
V B S Corporation,
The Vee-Dee Corporation,
Velma's Restaurant,
Ventnor Industries Inc.,
Vernon Valley Corporation,
Victory Garment Co., Inc.,
Vidal Company,
Vidison Television Corporation,
Village Camera Shop Inc.,
Village Campus,
Village Craftsmen,
Vincent Bonsignore, Inc.,
Vineland Art Glass Works, Inc.,
Vines of Hollywood,
Vinga Realty Company,
Vibro Corporation,
Vita Brands Inc.,
Vive Fabrics Corporation,
Vogue Sportswear Inc.,

Wade Rutgers Corporation,
Wafa, Inc.,
Wagner Engineering, Inc.,
Walk-Inn, Inc.,
Walnut Gardens, Inc.,
Walnut Holding Company,
Walsh Paper Tube & Can Corporation,
Walter L. Rathbun, Inc.,
Walters Machine Corporation,
Walther Company,
Wamb, Inc.,
Wanamassa Gardens Corporation,
Wand Exer-Diet Plan, Inc.,
Ward and Bill's Sporting Goods, Inc.,
Ward Brothers Contracting Co., Inc.,
Warland Electric Co.,
Warren Portahome Co., Inc.,

Warren Provision Company,
Warren's,
Warren Television Inc.,
Washington Letter Service,
Washington Linden Company,
Washington Valley Corporation,
Washington-Willow Co.,
Washington Wine & Liquor Co.,
Washmobile Systems, Inc.,
Wash-O-Mat, Inc.,
Waterfront Cafe, Inc.,
Waverly Lingerie Co.,
Wayne Building Corp.,
Wayter Sales Service, Inc.,
W-B Auto Sales, Inc.,
W. Bennett Coal Company,
W. D. Dodenhoff & Company,
We Are Developers Inc.,
Webb Oil Company,
Web Distributing Company,
Wechsler Machine Corporation,
Weed & Wildrick, Inc.,
Weequahic Delicatessen, Inc.,
Wefosco Enterprises,
Weikko Anderson, Inc.,
Weist Realty Co., Inc.,
Welding Supply Co., Inc.,
Wellborn Construction Co., Inc.,
Wellwood Company,
Welsh Construction Co., Inc.,
Wenco Construction Co.,
Westero Refrigeration, Inc.,
West End Building Supply Co.,
West End Court, Inc.,
West Englewood Hardware & Paint Co. Inc.,
Western Hemisphere Corporation,
Westfield-Prospect Company,
Westfield Tire & Auto Radiator Service Inc.,
Weston Construction, Inc.,
West Portal Mines, Inc.,
Westro Tire Co.,
Westside Merchants Parking Lot Inc.,
W & E Supply Co.,

'W. G. S. Corporation',
Whare Transportation Co., Inc.,
W.H.Bush Motor Freight, Inc.,
Whippany Asphalt Co., Inc.,
Whippany Lumber Company,
White Gem Restaurants, Inc.,
White Oaks Farm, Inc.,
Wholesale Electronics Distributors, Inc.,
Wideway Corporation,
Wilkinson, Afield & Zaban, Inc.,
William Abendschoen and Sons, Inc.,
William A. Kempton, Inc.,
William E. Burke Sales Company, Inc.,
William Fairchild, Inc.,
William Giovinazzi, Inc.,
William H. Beard, Inc.,
Willow, Inc.,
Willow Investment Company,
"The Willows",
Wilmar Fashions, Inc.,
Wilson Avenue Parking, Inc.,
Wilson C. Rich and Company,
Wilson Sales and Service Co., Inc.,
Wilton Hats Inc.,
Windeler Homes, Inc.,
Wingate Paint Company, Inc.,
Winkler Automatic Heating Corp.,
Wisco Distributing Co., Inc.,
Wittcraft Signs, Incorporated,
Wittenberg Nurseries, Inc.,
W. M. Realty Co.,
W.N. Given Co.,
Wolgross Corporation,
Wollun Mills, Inc.,
Wonder Seal Manufacturing, Inc.,
Won-Dom,
Woodbury Meat Cutters Training School, Inc.,
Woods Cut Rate Stores,
Woods, Inc.,
World Export Corporation,
Worlds Fair, Inc.,
World Specialties Co., Inc.,
World-Wide Trade, Inc.,

Wright Provision, Inc.,
Wynotta Better Home Company, Inc.,

Yale Appliance Co., Inc.,
Yale Mfg. Corp.,
Yardville Yarns Corporation,
York Motors Inc.,
Yorkoff Trucking Co., Inc.,
Young's Home Decorators Inc.,
Your Dinner Pail, Inc.,
Y's Mens Shop Inc.,

Zanzibar, Inc.,
Zip-A-Bed, Inc.,

are repealed, and that all powers conferred by law upon such corporations and each of them, shall hereafter be inoperative and void.

Given under my hand and the Great Seal of the State of New Jersey, this
[SEAL] sixteenth day of February, A. D. one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor,
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The victims of disaster need food, clothing, shelter, and medical and nursing care during the early hours after disaster strikes and, in the following days, rehabilitation to help them help themselves back to normal living; and

WHEREAS, The nearly three and one half million men now in the Armed Forces and veterans and their families, urgently require the stepped-up services of the American Red Cross; and

WHEREAS, Life-giving blood is needed for a wounded soldier in Korea, a mother in childbirth, and an injured workman and is made available through the Red Cross Blood Program; and

WHEREAS, Even more blood will be needed this year and in the future to be fractionated into gamma globulin to help in the fight against polio; and

WHEREAS, Countless thousands of Americans must be trained in first aid, home nursing, and as nurse's aides through the knowledge and facilities of the American Red Cross to meet the nation's needs for Civil Defense; and

WHEREAS, People everywhere need the assistance of other people in times of stress and this assistance is made possible through the Red Cross;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, by virtue of the authority vested in me, do hereby proclaim the

MONTH OF MARCH

as

RED CROSS MONTH,

and I hereby urge all citizens to answer the call and support without reservation the 1953 Red Cross Fund with generous contributions made through their local Red Cross chapters; and I further urge that all men and women of goodwill remember that the work of this great humanitarian organization is performed by a million and a half volunteers whose time and skills make it possible for this symbol of man's humanity to man to remain as a guide to all.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-fourth day of February, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The New Jersey Legislature, by Joint Resolution approved February 27, 1953, has designated the week of March 1 to March 7, 1953, as "Save Your Vision Week" in New Jersey; and

WHEREAS, Good vision is important to the emotional and educational development of children; to safety and efficiency in industry; to highway safety; and to personal health and enjoyment of life for all citizens; and

WHEREAS, Visual problems, generally unaccompanied by pain, often go unnoticed until serious impairment of vision occurs; and

WHEREAS, The New Jersey Optometric Association, the State Commission for the Blind, practicing physicians, and others are engaged in efforts to prevent and correct visual difficulties;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

THE WEEK OF MARCH 1 TO MARCH 7, 1953,

as

SAVE YOUR VISION WEEK

in New Jersey, and I urge all citizens of our State to cooperate in all efforts to conserve good vision as an aid to general health and well-being.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-seventh day of February, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The Organization of Catholic War Veterans of the United States of America is launching its Second Annual CROSS OF PEACE CRUSADE; and

WHEREAS, The design of the Celtic Cross superimposed on a Shamrock has been selected by the Catholic War Veterans of the United States of America as the emblem of the CROSS OF PEACE; and

WHEREAS, The Celtic Cross is the recognized official insignia of the Catholic War Veterans of the United States of America; and

WHEREAS, The Shamrock is a symbol of the Holy Trinity as illustrated by St. Patrick—which symbol in turn denotes Unity; and

WHEREAS, In these turbulent times, Peace, which everyone seeks, can only be obtained through unity of understanding and of the will for lasting peace;

Now, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim the period from

MARCH 7th to MARCH 17th, 1953,

as

CROSS OF PEACE CRUSADE

observance period in New Jersey and respectfully urge the people of New Jersey to unite in thought, understanding and action for cooperation, each in in his own way, through prayer so that Peace may again be restored to a troubled and stricken world.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this third day of March, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Thousands of New Jersey residents die each year from cancer; and

WHEREAS, This loss of human life could be greatly lessened if those afflicted sought medical care early enough; and

WHEREAS, The medical profession, public health agencies, the New Jersey Division of the American Cancer Society, and other interested agencies are working to control cancer; and

WHEREAS, Our people have demonstrated willingness to support both public and private programs of control, and have recognized that the support of private agencies can do much to supplement public programs of control; and

WHEREAS, The Senate and the General Assembly by Joint Resolution have directed that April be known in New Jersey as "Cancer Control Month";

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

THE MONTH OF APRIL, 1953,

as

CANCER CONTROL MONTH,

and I urge all New Jersey residents to inform themselves about this serious health problem and

to support generously efforts undertaken to bring it under control.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-third day of March, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The stability of the family and peace among the nations constitute the dream and goal of the people of the United States; and

WHEREAS, The foundation for this peace and stability rests solidly upon the economic welfare of the individuals and the families of each community; and

WHEREAS, The Savings Bonds Program is an effective means of building financial stability for individual and family; and

WHEREAS, The clubwomen of the United States have undertaken to bring to our citizens the opportunity of the Bond-a-Month Plan for system-

atic saving, subscriptions to this Plan to be obtained by individual calls and by the cooperation of our New Jersey Banks;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, call upon my fellow citizens to cooperate in every possible way, opening their doors to the clubwomen who will conduct the Bond-a-Month campaign, as a Women's Crusade for Security. And I proclaim

APRIL, 1953,

to be

ACHIEVEMENT MONTH

not only for the clubwomen of the United States and for the Savings Bonds Program, but for the citizens of New Jersey who will help achieve their own future financial security and that of their country by wholehearted participation in the BOND-A-MONTH PLAN.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-seventh day of March, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

New Jersey State Library

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The New Jersey National Guard constitutes an important part of the Nation's first line of defense; and

WHEREAS, The New Jersey National Guard is a trained and organized force available to the State of New Jersey for the protection of life and property in any civil disaster; and

WHEREAS, The efficiency and worth of the New Jersey National Guard is dependent upon the enlisted and commissioned strength of units and organizations, no less than upon its training;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby declare and proclaim the period 15 April 1953 to 15 May 1953 as

NATIONAL GUARD VOLUNTEER MONTH

during which period the New Jersey National Guard will conduct a recruiting campaign to increase its strength the better to fulfill its Federal and State mission as an effective Military Force in any emergency, and I do hereby further urge and encourage all State and municipal agencies and all good citizens of the State to support wholeheartedly the New Jersey National Guard in this Volunteer Recruiting Campaign.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fifteenth day of April, in the year of Our Lord one thousand nine hundred and

fifty-three, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The New Jersey Optometric Association is this year observing its Golden Jubilee, having been chartered on April 27, 1903; and

WHEREAS, Good vision is essential to the welfare and safety; and

WHEREAS, Effective educational programs prevent and lessen many visual disabilities; and

WHEREAS, In the fifty years of its existence the New Jersey Optometric Association has promoted high standards for practitioners of optometry to the end that they might offer the public professional services of a high level; and

WHEREAS, The New Jersey Optometric Association and its individual members through their professional services have contributed to the needs of the people of New Jersey; and

WHEREAS, The Senate and the General Assembly of the New Jersey Legislature have by Joint Resolution recognized the Golden Jubilee of the New

Jersey Optometric Association and have resolved that the Governor should recognize it by appropriate proclamation;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Govevrnor of the State of New Jersey, do hereby extend felicitations to the New Jersey Optometric Association on its half century of service to its members and to the public. I commend the Association and its members upon their devotion to the high principles of their profession. I am sure the Association will continue to take an active and influential role in helping all our citizens to achieve and keep sound vision.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this seventeenth day of April, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Dorothea Dix a century ago in New Jersey stimulated the beginning of more humane care and more adequate treatment of the mentally ill, and brought the problem of mental illness to the attention of the people in our own State of New Jersey, in the Nation, and throughout the civilized world; and

WHEREAS, Research, care and treatment in the mental illness field have not kept pace with that in general medical practice today; and

WHEREAS, Mental illness is the Nation's No. 1 health problem; and

WHEREAS, Mental health associations are organized throughout the counties of the State;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim the week of

MAY 3-9, 1953,

as

MENTAL HEALTH WEEK,

and by the ringing of this bell I summon citizens in all communities to ring their own mental health bells to summon their neighbors to participate in this fight against the Nation's No. 1 health problem. (Hit clapper of bell here.)

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fifteenth day of April, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, A significant contribution has been made to the standard of living and prosperity of the State of New Jersey through the enterprise of farmers, can-makers, food processors, and other can-using industries in the Garden State's industrial development; and

WHEREAS, The State's food canning industry now brings to the people of New Jersey many millions of dollars per year, in addition to the millions of dollars brought in by other industries shipping their products in metal containers, resulting in economic benefits to many thousands of our citizens; and

WHEREAS, The State of New Jersey is one of the nation's foremost packers of food and industrial products; and

WHEREAS, Thousands of our people in agriculture, can-making, food processing, and industry in general, together with their families, have benefitted and at the same time have made the State of New Jersey one of the nation's leading distribution centers of food and industrial products in our country;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, by virtue of authority vested in me, do hereby proclaim the

WEEK OF MAY 10 TO 16, 1953,

as

CANNING INDUSTRIES WEEK

in the State of New Jersey, and I urge the citizens of this State to give recognition to those who are

affiliated with the canning industry in one way or another.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-fourth day of April, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Any condition which causes widespread suffering imposes a heavy burden upon individuals, families, and governments alike; and

WHEREAS, Cerebral palsy affects hundreds of thousands of our men, women, and children in the United States; and

WHEREAS, Good progress has been made by United Cerebral Palsy, which is now engaged in its Fourth Annual campaign against this crippling foe of good health;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim the

MONTH OF MAY, 1953,

as

CEREBRAL PALSY MONTH

and call upon the citizens of this State to extend the fullest cooperation and participation in this endeavor to lessen the impact of cerebral palsy.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this first day of May, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The Armed Forces of the United States of America serve our Nation with unselfish devotion not only in time of war, but also in time of peace; and

WHEREAS, The New Jersey National Guard, the New Jersey Naval Militia, the Naval Reserve, the Army Reserve, the Marine Corps Reserve, and the Air Force Reserve, citizen-soldiers of our State, as has been true throughout the history of our Nation, are once again in the forward ranks of our Country's armed forces; and

WHEREAS, The President of the United States of America has proclaimed the sixteenth day of May, 1953, as ARMED FORCES DAY and has urged that appropriate honor be rendered to the Armed Forces, as well as to all veterans of the services; and

WHEREAS, It is appropriate that we give deserved recognition and honor to the patriotic men and women who serve and have served in the Armed Forces of the United States and in the Reserve Components thereof;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

MAY 16, 1953,

as

ARMED FORCES DAY

and call upon the State Military and Naval forces, members of all reserve components, veterans' organizations and all other citizens of New Jersey to participate in appropriate observance of ARMED FORCES DAY. I request my fellow citizens to display the flag of the United States of America at their homes and at their places of business.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
seventh day of May, in the year of Our

Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The New Jersey State Federation of Labor is celebrating its 75th Anniversary, which has been commemorated by the adoption of Assembly Concurrent Resolution No. 24 by the Legislature of the State of New Jersey; and

WHEREAS, This great organization of working men and women in New Jersey has contributed immeasurably to the economic growth and prosperity of our entire State as well as to its organized members; and

WHEREAS, The labor unions of the Federation, under constructive and wise leadership, have served as a bulwark of freedom and justice during trying times of war and emergency; and

WHEREAS, Labor unions affiliated with the American Federation of Labor in this State have been carrying forward in the most progressive traditions of the trade union movement for three quarters of a century;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

MONDAY, MAY 25, 1953,

as

DIAMOND JUBILEE DAY OF THE NEW JERSEY FEDERATION OF LABOR,

and in recognition thereof, I request the people of New Jersey to join with labor unions everywhere in celebrating this milestone in the history of organized labor, and in congratulating the members and leaders of the New Jersey State Federation of Labor upon their notable part in making and keeping our State a better place in which to live and work.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this nineteenth day of May, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, NATIONAL FLAG WEEK is being observed this year from June 8th to 14th; and

WHEREAS, June 14th has been observed as Flag Day for many years as the anniversary of the day in 1777 on which the Stars and Stripes was adopted as the flag by the Continental Congress; and

WHEREAS, The Stars and Stripes of the United States has since become not only the symbol of our people but the symbol of liberty and liberation which has stirred the hopes of the oppressed of all lands;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim the week of June 8-14 as

NATIONAL FLAG WEEK,

and I urge our citizens to participate in appropriate patriotic observance to reaffirm our respect for our flag as the symbol of a free and united people and I urge further that the flag be appropriately displayed throughout the week and especially on June 14.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this second day of June, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of

the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, New Jersey has long been acclaimed as "The Garden State" and commands wide recognition for the excellence and variety of its produce; and

WHEREAS, The production and processing of vegetables constitute an important segment of the agricultural economy of our State; and

WHEREAS, Research and plant breeding in New Jersey have contributed many improved varieties and demonstrated the advantages of efficient practices; and

WHEREAS, Through the joint efforts and co-operation of growers and processors an ever-increasing volume of high-quality New Jersey vegetables is available throughout the entire year, thus contributing greatly to the nutrition and health of our people; and

WHEREAS, The New Jersey growers through their co-operative associations and the New Jersey State Horticultural Society have joined with the Vege-

table Growers Association of America in the observance of National Vegetable Week;

Now, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, am pleased to give credit to the New Jersey vegetable industry and to its leaders for their outstanding achievements, and further I do hereby proclaim the period of

JULY 30 to AUGUST 8, 1953,

as

NATIONAL VEGETABLE WEEK

in New Jersey and commend that occasion to the attention of the public.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this eighth day of June, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Alfred C. Clapp, was at the General Election held in the month of November, one thousand nine hundred and fifty-one, elected by the voters of the county of Essex to represent said county in the Senate of this State and subsequently did qualify as such Senator and after such election and qualification did resign the office of Senator, thereby causing a vacancy to exist in the Senate of this State;

THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, and I, David Young, III, President of the Senate of the State of New Jersey, pursuant to law and to a resolution duly adopted by said Senate, do hereby issue this proclamation directing an election to be held according to the laws of the State of New Jersey in said county on Tuesday, November third, one thousand nine hundred and fifty-three, for the purpose of electing a Senator for said county to fill the vacancy caused by the resignation of the said Alfred C. Clapp.

[SEAL] Given under our hands and the Great Seal of the State of New Jersey, this third day of July, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-seventh.

ALFRED E. DRISCOLL,
Governor.

DAVID YOUNG, III,
President of the Senate.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The 177th New Jersey Legislature has adopted Senate Bill No. 373; and

WHEREAS, Said Senate Bill No. 373 was approved by me, as Governor of New Jersey, on the 7th day of July, 1953, was filed in the Office of the Secretary of State of New Jersey, is now Chapter 216 of the Laws of 1953, and is known as the "State Rent Control Act of 1953";

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim the provisions of the "State Rent Control Act of 1953" (P. L. 1953, c. 216), including the provisions of said act relating to unlawful conduct and practices and for the imposition and recovery of forfeitures for such unlawful actions or practices, to be operative and in full force and effect; and I do direct that this Proclamation be forthwith filed in the Office of the Secretary of State.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-eighth day of July, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-eighth.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, UNION LABEL WEEK will be nationally observed from September 7th through September 13th, 1953; and

WHEREAS, The New Jersey State Federation of Labor and the Union Label Council of New Jersey are sponsoring the New Jersey observance of UNION LABEL WEEK; and

WHEREAS, The union label is an assurance to the buyer that the product he buys has been produced in a plant in which the rights of labor are recognized; and

WHEREAS, Organized labor deserves appropriate recognition for its contribution to our productivity as a nation; and

WHEREAS, New Jersey is among the leaders in progressive legislation protecting the rights of both labor and industry and in the promotion of harmonious labor-management relations; and

WHEREAS, We have witnessed in totalitarian countries the ruthless suppression of the rights of labor which are respected in this country;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

THE WEEK OF SEPTEMBER 7th THROUGH SEPTEMBER 13th, 1953,

as

UNION LABEL WEEK,

and I urge the people of New Jersey to give thought to the contributions to our society made

by the thousands of laborers who man our mills and industries.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirty-first day of July, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-eighth.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, In my opinion, the public interest requires the convening of the Senate of the State of New Jersey in Special Session;

THEREFORE, I, DAVID YOUNG, 3RD, President of the Senate, Acting Governor of the State of New Jersey, by virtue of the power and authority vested in me by the Constitution of this State, do hereby convene the Senate of the State of New Jersey to meet in Special Session at the State House, Trenton, New Jersey, on Thursday, the tenth day of September, nineteen hundred and fifty-three, at three o'clock, Eastern Daylight-Saving Time, in the afternoon of the said day, for the purpose of receiving nominations.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this third day of September, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-eighth.

DAVID YOUNG, 3RD,
President of the Senate,
Acting Governor.

By the President of the Senate, Acting Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Clifford P. Case was, at the general election held in the month of November, one thousand nine hundred and fifty-two, elected by the voters of the Sixth Congressional District to represent this State in the House of Representatives of the United States and subsequently duly qualified himself as such Representative; and after such election and qualification, to wit, on the sixteenth day of August, one thousand nine hundred and fifty-three, did resign as such member of said House of Representatives, thereby causing a vacancy to exist in the representation of this State in the House of Representatives of the United States;

THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby issue this Proclamation, pursuant to the provisions of Chap-

ter 206, P. L. 1945, directing that an election be held according to the laws of the State of New Jersey, in the Sixth Congressional District for the purpose of electing a member of the House of Representatives for said district, and designating Tuesday, November third, one thousand nine hundred and fifty-three, said day being the next general election day, as the day on which the election shall be held to fill the vacancy caused by the resignation of the said Clifford P. Case; and no primary election shall be held for nomination of candidates to fill such vacancy, but selection and nomination of candidates for the said office so vacated shall be made according to said Chapter 206, P. L. 1945.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this tenth day of September, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-eighth.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, It is wasteful not to utilize all of our resources; and

WHEREAS, Among our physically handicapped neighbors there are those whose skills and energies are unused; and

WHEREAS, If put to work those unused resources would contribute to the common welfare; and

WHEREAS, Handicapped workers have been found to be productive, profitable, loyal, and regular in attendance;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim the period of

OCTOBER 4th to OCTOBER 10th

to be

NEW JERSEY EMPLOY THE PHYSICALLY HANDICAPPED WEEK,

during which the ninth year-round campaign will be initiated to bring about the rehabilitation and employment of our physically handicapped.

In calling upon the leaders of organized labor, civic and veterans' organizations, and industry to participate in the campaign of the New Jersey State Committee to Employ the Physically Handicapped, I urge them to stress that it is a patriotic duty to give employment to our disabled veterans and a social responsibility to give the physically handicapped jobs for which they are qualified;

FURTHER, I hereby request the mayors of our municipalities to issue appropriate proclamations urging employers to put to work the precious resources of our physically handicapped.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-first day of September, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-eighth.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Saturday, October 3rd, has been designated as "National Newspaperboy Day" to honor the millions of American boys who gained their first business experience as newspaper carriers and salesmen; and

WHEREAS, The training and development of the American Newspaperboy in courtesy, punctuality and ability to meet the public, is typical of the high ideals of the development of American youth; and

WHEREAS, Many growing boys may reap rich benefits in the fundamentals of business procedure by becoming a part of the distributing organization of a daily or weekly newspaper; and

WHEREAS, The American Newspaperboy as a citizen of tomorrow is deserving of public recognition for his character, industry and service;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

OCTOBER 3, 1953,

as

NATIONAL NEWSPAPERBOY DAY.

I urge all our citizens to give recognition to the newspaperboys who daily render an important service, vital to American principles of free speech and free press.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-fourth day of September, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-eighth.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The United Nations gives the peace-loving and peace-seeking peoples of the world an organization for the orderly settlement of problems in the economic and political fields; and

WHEREAS, The need for the United Nations is greater today than ever before, and its success depends upon the support of its members; and

WHEREAS, Our faith in the United Nations and our support of its work will lend strong encouragement to the peoples of other nations who are striving for lasting peace and justice and freedom for all; and

WHEREAS, The General Assembly of the United Nations has declared that October 24th, the anniversary of the entry into force of the United Nations Charter, should be dedicated each year to the dissemination of true and factual information concerning the aims and accomplishments of the United Nations;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim

SATURDAY, OCTOBER 24th, 1953,

as

UNITED NATIONS DAY,

and I urge our citizens to send messages of hope and encouragement to friends, relatives and associates in other member countries of the United Nations, causing them to learn more about the aims and ideals of the United Nations. I also call upon

all officials of county and municipal governments, representatives of civic, educational and religious organizations; the press, radio, television and motion picture agencies, and all citizens to co-operate in appropriate United Nations Day ceremonies.

[SEAL] Given, under my hand and the Great Seal of the State of New Jersey, this first day of October, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-eighth.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The founders of our country recognized that to be free and self-governing, a people must be well-informed and capable of governing themselves wisely; and

WHEREAS, This truth has increased in importance through the years of our Nation's growth; and

WHEREAS, A sound program of public education is essential to successful self-government; and

WHEREAS, The establishment and maintenance of good schools in our State is a personal responsibility, shared by every citizen; and

WHEREAS, Intelligent support of a sound school program can be given only by a people well-informed about school programs and school needs; and

WHEREAS, Plans are being made for the thirty-third annual observance of a special education week by the New Jersey State Department of Education, the New Jersey Education Association, the New Jersey Congress of Parents and Teachers, and the Department of the American Legion of New Jersey;

NOW, THEREFORE, I, ALFRED E. DRISCOLL, Governor of the State of New Jersey, do hereby proclaim the week of

NOVEMBER 8-14, 1953,

as

AMERICAN EDUCATION WEEK

and do urge that all citizens visit their schools during this week to learn more about school programs and school problems and to assist in developing and improving our common schools.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this first day of October, in the year of Our Lord one thousand nine hundred and fifty-three, and in the Independence of the United States, the one hundred and seventy-eighth.

ALFRED E. DRISCOLL,
Governor.

By the Governor:
LLOYD B. MARSH,
Secretary of State.

Change of Corporate Title of Municipalities

Change of Corporate Title of Municipalities

The corporate name of the Mayor and Council of the Borough of Rockaway was changed by resolution of the governing body, adopted September 11, 1952, to Borough of Rockaway. Filed in the office of the Secretary of State on September 17, 1952.

Statements of Results of Municipal Elections

Statements of Results of Municipal Elections

At a special election held in the Borough of East Paterson on March 10, 1953, the question "Shall subtitle 5 of the Title Municipalities and Counties of the Revised Statutes (Section 40:79–1, et seq.), providing for Municipal Manager form of government be adopted in the Borough of East Paterson?" was rejected. The results were filed in the office of the Secretary of State on March 13, 1953.

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STATE OF NEW JERSEY

CUMULATIVE TABLE OF CONTENTS

of

General and Permanent Legislation

contained in

New Jersey Laws of 1938 to 1953, both inclusive

Arranged in accordance with the classification and arrangement of the Revised Statutes of New Jersey (1937)

with

Cross-references and Schedules

Prepared by

LAW REVISION AND BILL DRAFTING COMMISSION

Formerly

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TABLE OF ABBREVIATIONS

c.	means	Chapter
s.	"	Section
ss.	"	Sections
T.	"	Title
C.	"	Compilation number
P. L.	"	Pamphlet Laws
1948, c. 4	"	Chapter 4 of the Pamphlet Laws of 1948
R. S.	"	Revised Statutes
N. J. S.	"	New Jersey Statutes
NJSA	"	*New Jersey Statutes Annotated*
RSCS	"	*Revised Statutes Cumulative Supplement*

FOREWORD

The following Table of Contents with its acompanying Schedules is prepared pursuant to P. L. 1939, Chapter 379 to indicate the changes made in the statute law since the enactment of the Revised Statutes, except those made in the revision of Titles 2 and 3 by Chapters 344 and 345 of the Laws of 1951, known as the New Jersey Statutes.

The Table itself indicates the changes made in the general and permanent statute law by amendment or repeal of pre-existing legislation or by enactment of additional legislation.

The classification and arrangement used is that of the Revised Statutes and the New Jersey Statutes, amplified so as to include material for which no adequate classification units appear in those works. New chapters or other new subdivision headings are set up under the designation "added" when they are set up by statute and under the designation "new" when they are set up for convenience in classification merely.

An amendment of a section of a pre-existing statute is indicated by reference to the number of the statute amended, as found in the Revised Statutes, the New Jersey Statutes or the Pamphlet Laws.

Additional legislation, supplementary or otherwise, is classified under the same classification system, with the compilation numbers used in the New Jersey Statutes Annotated and the Revised Statutes Cumulative Supplements preceded by the letter "C." added in parenthesis after the Pamphlet Law references, thus "(C. 1:1–2.5)" except where, as ocurs in some instances, material is differently classified in the compilations of statutes, in which case both classification numbers so used are indicated, thus "(NJSA 40:2–17.1; RSCS 40:3–3.1)." A Schedule of these divergent numbers is appended to the Table.

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Amendments to additional legislation enacted during the period covered are carried under the numbers assigned to the sections amended.

Under this system the Table serves as a Table of Contents of the material covered, as it appears in the New Jersey Statutes Annotated and the Revised Statutes Cumulative Supplements, as well as of the Pamphlet Laws, but citation cannot be made to the Pamphlet Laws by these compilation numbers unless the year and chapter number of the Pamphlet Law volume is added.

Cross-reference notes are to the section or Title and Chapter numbers under which the legislation referred to will be found, thus, "(N. J. S. 2A:83–2)" or "(N. J. S. 2A: Chapter 6)" or to the Title and Chapter numbers in which reference thereto will be found in the Table, thus, "(T. 40, c. 2)".

Statutes of general and permanent character enacted and repealed, and statutes not of this character enacted, within the period covered, are not referred to in the Table but reference to them will be found in Schedules 3, 5, 6 and 7 annexed to the Table.

The repealers contained in P. L. 1951, chapter 344 and 345 include only Titles 2 and 3 and the subsequent legislation amendatory and supplemental thereto. References to the statutes enacted during the period covered, which are not amendments of or supplements to Titles 2 or 3 but which were classified under those Title numbers, are still retained in the Table under their original classification.

Acknowledgment is made to John W. Ockford, Counsel, and to H. Arthur Smith, Jr., William M. Lanning, George H. Barlow and Harold K. Smith, Assistants to Counsel, to the Commission, and to the Commission's clerical staff, for their valuable assistance in the preparation of this work.

CHARLES DEF. BESORÉ

October 1, 1953.

Title 1. ACTS, LAWS AND STATUTES.

Chapter 1. DEFINITIONS AND GENERAL RULES OF CONSTRUCTION.

Note: For definitions—"Commissioner of Labor" means "Commissioner of Labor and Industry," "Unemployment Compensation Commission" means "Commissioner of Labor and Industry," "Division of Labor in Department of Labor and Industry" means "Department of Labor and Industry," "Deputy Commissioner of Labor" means "Deputy Director of the Division of Labor in the Department of Labor and Industry," "Deputy Commissioner of Workmen's Compensation" means "Deputy Director of Workmen's Compensation in the Division of Workmen's Compensation in the Department of Labor and Industry," see 1948, c. 446, s. 32 (T. 34, c. 1A);

For "Director of Milk Control" means "Director of the Office of Milk Industry in the Department of Agriculture," see 1948, c. 447 (T. 4, c. 1);

For "State Treasurer" means "State Treasurer designated as head of the Department of the Treasury," see 1948, c. 92, s. 46 (T. 52, c. 18A).

R. S. 1:1-2 amended 1948, c. 4; 1953, c. 4, s. 1.

R. S. 1:1-2.3 " 1942, c. 7 (1942, c. 7, repealed 1946, c. 96); 1946, c. 97; 1947, c. 77.

Additional Legislation.

"Present war", "present war emergency", "existing state of war", "present defense emergency", defined, 1942, c. 72 (C. 1:1-2a).

Notices or communications out of United States, where taking, sending or transmission restricted by Federal Law, etc.; when dispensed with, 1942, c. 131 (C. 1:1-2.5).

Effect to be given, on and after September 15, 1948, to certain statutes affecting the Courts and Judicial System, 1948, c. 375 (C. 1:1-22 to 1:1-27).

Effect to be given to internal references in statutes to Titles 2 and 3 of the Revised Statutes, 1951, c. 346 (C. 1:1-28).

Chapter 2. ENACTMENT OF LAWS IN GENERAL.

R. S. 1:2-5 amended 1948, c. 13, s. 1.

R. S. 1:2-6 " 1948, c. 13, s. 2.

Chapter 3. PRINTING, BINDING AND DISTRIBUTION OF LAWS, JOINT RESOLUTIONS AND PROCLAMATIONS.

R. S. 1:3-1 amended 1941, c. 19.

R. S. 1:3-2 " 1939, c. 379.

R. S. 1:3-8 " 1953, c. 4, s. 2.

R. S. 1:3-9 " 1953, c. 4, s. 3.

Chapter 4. SENATE JOURNAL AND ASSEMBLY MINUTES; PRINTING, BINDING AND DISTRIBUTION; CURRENT LEGISLATIVE PRINTING.

R. S. 1:4-6 amended 1953, c. 116.

Chapter 6. ENACTMENT OF PRIVATE, SPECIAL AND LOCAL ACTS.

Additional Legislation.

Acts regulating internal affairs of municipality or county, petition to Legislature, authorized and provided for, 1948, c. 199 (C. 1:6-10 to 1:6-20).

Chapter 7. JUDICIAL ANNULMENT OF LAWS OR JOINT RESOLUTIONS.

R. S. 1:7-1	amended	1948, c. 329, ss. 1, 8; 1953, c. 4, s. 4.
R. S. 1:7-2	"	1948, c. 329, ss. 2, 8; 1953, c. 4, s. 5.
R. S. 1:7-3	"	1948, c. 329, ss. 3, 8; 1953, c. 4, s. 6.
R. S. 1:7-4	"	1948, c. 329, ss. 4, 8; 1953, c. 4, s. 7.
R. S. 1:7-5	"	1948, c. 329, ss. 5, 8; 1953, c. 4, s. 8.
R. S. 1:7-6	"	1948, c. 329, ss. 6, 8; 1953, c. 4, s. 9.
R. S. 1:7-7	"	1948, c. 329, ss. 7, 8; 1953, c. 4, s. 10.

Chapter 9. PERMANENT LAW REVISION COMMISSION.

R. S. 1:9-1 1925, c. 110, repealed 1939, c. 91, s. 7.

Additional Legislation.

Commission on Statutes created; powers and duties defined, 1939, c. 91 (NJSA 1:9-2 to 1:9-8; RSCS 1:9-1 to 1:9-6).

Law Revision and Bill Drafting Commission, Commission on Statutes continued as; powers and duties defined, 1944, c. 105 (C. 1:9-9 to 1:9-15).

Publications, certain, by Law Revision and Bill Drafting Commission, preparation, distribution, etc., authorized, 1948, c. 315 (C. 1:9-16 to 1:9-19).

Chapter 11. (new) ADVISORY COMMITTEE ON REVISION OF STATUTES.

Advisory Committee on Revision of Statutes created, powers, duties, etc., 1950, c. 171 (C. 1:11-1 to 1:11-5).

Chapter 12. (new) LEGISLATIVE COMMISSION ON STATUTE REVISION.

Legislative Commission on Statute Revision created, powers, duties, etc., 1952, c. 11 (C. 1:12-1 to 1:12-5).

Sec. 4 of above amended 1953, c. 305, s. 1 (C. 1:12-4).

Members heretofore appointed to continue as such notwithstanding retirement from Legislature, for revision of Title 48, provided for, suppl., 1953, c. 305, s. 2 (C. 1:12-1.1).

Title 2. ADMINISTRATION OF CIVIL AND CRIMINAL JUSTICE.

Subtitle 1. THE COURTS.

Note: Title 2 of the Revised Statutes, with all amendments and supplements, repealed, suppl., 1951, c. 344 (T. 2A, N. J. S.).

Chapter 1A. (new) SUPREME AND SUPERIOR COURTS.

Judges and Justices—compensation, 1948, c. 270 (C. 2:1A–1, 2:1A–2).

See N. J. S. 2A:1–1, 2A:2–1, 2A:3–12.

Judges; Superior Court—number, Advisory Masters; Standing Masters, 1948, c. 382 (C. 2:1A–3 to 2:1A–6).

See N. J. S. 2A:1–7, 2A:2–1, 2A:2–2, 2A:3–12.

Clerks—appointment; salary; bond, oath, employees, 1948, c. 389 (C. 2:1A–7 to 2:1A–14).

See N. J. S. 2A:1–2 to 2A:1–6, 2A:2–3 to 2A:2–7.

Superior Court—refund of compensation for employees, from trust funds, to State treasury, 1949, c. 139 (C. 2:1A–14.1).

See N. J. S. 2A:2–8.

Superior Court—dockets; judgments, assignments, satisfactions, etc.; recording, etc., 1948, c. 327 (C. 2:1A–15 to 2:1A–23).

Sec. 2 of above amended 1949, c. 147 (C. 2:1A–16).

See N. J. S. 2A:2–12, 2A:16–11 to 2A:16–17.

Supreme and Superior Courts—judgments, pleadings, decrees and other papers, recording, enrolling and destruction, 1948, c. 360 (C. 2:1A–24 to 2:1A–31).

See N. J. S. 2A:11–48 to 2A:11–54.

Superior Court—judgments and chancery decrees and orders for payment of money in equity proceedings; effect, abstract, docketing, 1949, c. 137 (C. 2:1A–32 to 2:1A–34).

Sec. 1 of above amended 1950, c. 64 (C. 2:1A–32).

See N. J. S. 2A:16–18 to 2A:16–20.

County Court Judge—powers while sitting in Superior Court or County Court of another county, 1949, c. 265 (C. 2:1A–35).

Chapter 1B. (new) COUNTY COURTS.

Note: For County Court Judge's powers while sitting in Superior Court or County Court of another county, see 1949, c. 265 (T. 2, c. 1A); for additional compensation for certain County Court Judges for sitting in District Courts, see 1949, c. 302 (T. 2, c. 8), amended 1951, c. 317.

County Courts—constitution, jurisdiction, etc., 1948, c. 365 (C. 2:1B-1 to 2:1B-49).

See N. J. S. 2A:3-1 to 2A:3-11, 2A:3-22 to 2A:3-27, 2A:16-27 to 2A:16-32, 3A:2-3 and 3A:2-4.

County Court Judges in counties having more than one County Court Judge, to be full time Judges, 1949, c. 264 (C. 2:1B-50).

See N. J. S. 2A:3-15.

County Court Judges—salaries; 1949, c. 257 (C. 2:1B-51 to 2:1B-55).

See N. J. S. 2A:3-17 to 2A:3-19.

County Court Judges—additional compensation while sitting in Superior Court or in County Court of another county, 1949, c. 298 (C. 2:1B-56, 2:1B-57).

See N. J. S. 2A:3-20.

Chapter 1C. (new) SURROGATES.

Surrogates and Surrogates' Courts, 1948, c. 364 (C. 2:1C-1 to 2:1C-27).

See N. J. S. 2A:5-1, 2A:5-17 to 2A:5-25, 2A:11-55, 3A:2-6, 3A:2-7, 3A:3-26 to 3A:3-33.

Chapter 5. CIRCUIT COURTS.

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Causes pending, judgments, entry and proceedings upon, 1948, c. 368 (C. 2:5-22 to 2:5-28).

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Chapter 6. COURTS OF COMMON PLEAS.

Additional Legislation.

Salary of common pleas judges in certain counties bordering on Atlantic Ocean, may be increased by freeholders, in certain cases, 1947, c. 232 (C. 2:6-16.1).

Chapter 7. ORPHANS' COURTS AND SURROGATES.

R. S. 2:7–19 amended 1944, c. 67; 1947, c. 196; see N. J. S. 2A:5–3.

Additional Legislation.

Surrogate's compensation, certain counties, fixed, suppl., 1945, c. 61 (C. 2:7–20.1) and 1946, c. 195 (C. 2:7–20.2).
See N. J. S. 2A:5–3.

Salaries of surrogates in certain fourth-class counties, may be increased by freeholders, suppl., 1948, c. 301 (C. 2:7–20.3).
Sec. 1 of above amended 1949, c. 103 (C. 2:7–20.3).
See N. J. S. 2A:5–3.

Salary of surrogates in certain third-class counties, may be increased by freeholders, amount, 1951, c. 244, s. 2 (C. 2:7–20.4).
See N. J. S. 2A:5–3.

Salary of surrogates in sixth-class counties, may be increased by freeholders, amount, suppl., 1951, c. 241 (C. 2:7–20.5).
See N. J. S. 2A:5–3.

Probate clerks, appointment as deputy surrogates, authorized, 1945, c. 64 (C. 2:7–25.1).
See N. J. S. 2A:5–10.

Appointment of special deputy surrogate, 1938, c. 97 (NJSA 2:7–33 to 2:7–35; RSCS 2:7–28.1 to 2:7–28.3).
Sec. 1 of above amended 1945, c. 129.
See N. J. S. 2A:5–12, 2A:5–13, 2A:5–16.

Chapter 8. DISTRICT COURTS.

Article 1. Creation and Establishment; Judges and Other Officers.

Additional Legislation.

First judicial district of Middlesex county established, 1941, c. 337 (C. 2:8–4.1 to 2:8–4.5).

Second judicial district of Middlesex county established, 1941, c. 338 (C. 2:8–4.6 to 2:8–4.10).

Essex County Judicial District, established, First and Second District Courts of Newark, District Courts of Orange and East Orange, District Courts of First and Second Judicial Districts of Esex County, abolished, 1945, c. 279 (C. 2:8–4.11 to 2:8–4.15).

Sergeants-at-arms, powers of constable, vested in, 1950, c. 96 (C. 2:8–31.1).
See N. J. S. 2A:6–25.

City district courts and judicial district courts converted into county district courts and branches thereof, 1948, c. 384 (C. 2:8–37.1 to 2:8–37.17).
Sec. 7 of above amended 1949, c. 9 (C. 2:8–37.7).
Sec. 9 " " " 1949, c. 129 (C. 2:8–37.9).
See N. J. S. 2A:6–3 to 2A:6–5, 2A:6–13, 2A:6–17, 2A:6–30.

Article 2. Jurisdiction.

Additional Legislation.

Jurisdiction, service of summons on additional defendants without the county, 1949, c. 142 (C. 2:8–38.1).

See N. J. S. 2A:6–33.

Article 2A. (new) County District Courts.

Additional Legislation.

County Judicial District Courts, expenses of, provided for, 1945, c. 280 (C. 2:8–48.16, 2:8–48.17).

Clerks, deputy clerks, sergeants-at-arms and employees, compensation fixed by Board of Chosen Freeholders, first-class counties having over 800,000 inhabitants, 1949, c. 37 (C. 2:8–48.18, 2:8–48.19).

District Court established, fourth-class counties having less than 30,000 inhabitants, judges, clerks, other employees, terms, compensation, etc., fixed, 1949, c. 269 (C. 2:8–48.20 to 2:8–48.26).

See N. J. S. 2A:6–14.

District Court and County Court Judges, salaries and extra compensation for sitting in District Courts except in first-class counties exceeding 800,000 inhabitants, 1949, c. 302 (C. 2:8–48.27, 2:8–48.28).

Sec. 1 of above amended 1951, c. 317 (C. 2:8–48.27).

See N. J. S. 2A:6–14, 2A:3–21.

Chapter 8A. (new) DISTRICT AND MUNICIPAL COURTS.

Local county district and municipal courts; establishment, jurisdiction, functions, powers and duties; transfer to; justices of the peace and small cause courts abolished, 1948, c. 264 (C. 2:8A–1 to 2:8A–41).

Sec. 6 of above amended 1948, c. 394, ss. 1, 11, 12 (C. 2:8A–6).

Sec. 13 " " " 1948, c. 394, ss. 2, 11, 12; 1951, c. 94 (C. 2:8A–13).

Sec. 17 " " " 1948, c. 394, ss. 3, 11, 12 (C. 2:8A–17).

Sec. 18 " " " 1948, c. 394, ss. 4, 11, 12 (C. 2:8A–18).

Sec. 19 " " " 1948, c. 394, ss. 5, 11, 12 (C. 2:8A–19).

Sec. 20 " " " 1949, c. 82 (C. 2:8A–20).

Sec. 27 " " " 1948, c. 394, ss. 6, 11, 12 (C. 2:8A–27).

Sec. 28 " " " 1948, c. 394, ss. 7, 11, 12 (C. 2:8A–28).

Sec. 29 of above amended 1948, c. 394, ss. 8, 11, 12 (C. 2:8A–29).

Sec. 34 " " " 1950, c. 11, s. 1 (C. 2:8A–34).

Sec. 38 " " " 1948, c. 394, ss. 10, 11, 12 (C. 2:8A–38).

Sec. 39 " " " 1950, c. 67, s. 4 (C. 2:8A–39).

See N. J. S. 2A:6–1, 2A:6–2, 2A:6–5, 2A:6–32 to 2A:6–39, 2A:8–1 to 2A:8–41.

Civil jurisdiction, when exercisable; practice and procedure, suppl., 1948, c. 394, ss. 9, 11, 12 (C. 2:8A–27.1, 2:8A–38.1).

Sec. 11 of above amended 1949, c. 80 (C. 2:8A–38.1).

See N. J. S. 2A:8–25, 2A:8–26.

Complaints to be taken, warrants and summons to be issued and endorsed, and defendants held for bail, by judges, magistrates and other officers, so designated, suppl., 1949, c. 201 (C. 2:8A–34.1).

See N. J. S. 2A:8–27.

Judgments, Small Cause Courts, entered prior to December 31, 1948, validated, appeals, filing of dockets, further proceedings, provided for, suppl., 1949, c. 104 (C. 2:8A–42 to 2:8A–46); saved from repeal, see N. J. S. 2A:8–41.

Civil jurisdiction of municipal courts approved to exercise, regulated and defined, 1951, c. 45 (C. 2:8A–47).

See N. J. S. 2A:8–24.

Chapter 16. PROVISIONS COMMON TO MORE THAN ONE COURT.

Article 1. In General.

Additional Legislation.

Judgeship vacated by election, etc., of incumbent to public office, 1942, c. 240 (C. 2:16–4.1).

Sec. 1 of above amended 1943, c. 12 (C. 2:16–4.1).

See N. J. S. 2A:11–2.

Article 4. Stenographic Reporters.

Additional Legislation.

Official stenographic court reporters, 1948, c. 376 (C. 2:16–24.1 to 2:16–24.12).

Sec. 8 of above amended 1949, c. 131 (C. 2:16–24.8).

See N. J. S. 2A:11–11 to 2A:11–17.

Article 7. Court Attendants.

Additional Legislation.

Court attendants, first-class counties having over 800,000 inhabitants, salaries fixed, 1949, c. 33 (C. 2:16–38.1, 2:16–38.2).

See N. J. S. 2A:11–33.

Court attendants, first-class counties having not more than 800,000 inhabitants, salaries fixed, 1951, c. 258 (C. 2:16–38.3, 2:16–38.4).

Court attendants, counties having not less than 300,000 nor more than 600,000 inhabitants, salaries fixed, 1951, c. 257 (C. 2:16–38.5 to 2:16–38.7).

See N. J. S. 2A:11–36.

Article 8. (new) Provisions Applicable to the New Courts.

Additional Legislation.

Courts and Judges—employees, court rooms and chambers, expenses, stenographic reporters to Masters, adjournments, seals, fees for admission to Bar, Bar Examiners, subpœnas to testify, and false swearing, before Committees of Bar Associations or Lawyers' Clubs, 1948, c. 390 (C. 2:16–51 to 2:16–69).

Sec. 1 of above amended 1950, c. 263, s. 1 (C. 2:16–51).

Sec. 2 " " " 1950, c. 263, s. 2 (C. 2:16–52).

Sec. 3 " " " 1950, c. 199 (C. 2:16–53).

See N. J. S. 2A:11–1, 2A:11–7 to 2A:11–10, 2A:11–18, 2A:11–19, 2A:11–31, 2A:13–7, 2A:13–8.

Secretary to Superior Court Judge assigned to Law Division, compensation to be fixed by board of chosen freeholders, first-class counties having over 800,000 inhabitants, suppl., 1949, c. 36 (C. 2:16–53.1, 2:16–53.2).

See N. J. S. 2A:11–9.

Article 9. (new) Transition Acts.

Additional Legislation.

Causes pending in former courts—transfer, 1948, c. 367 (C. 2:16–70 to 2:16–86); saved from repeal, see N. J. S. 2A:15–94.

Exemplification of records, former courts, 1948, c. 372 (C. 2:16–87 to 2:16–93); saved from repeal, see N. J. S. 2A:11–56.

Files, books, records, etc., of former courts—disposition of, 1948, c. 331 (C. 2:16—94 to 2:16–100); saved from repeal, see N. J. S. 2A:11–58.

Powers of attorney and authority to act as agent to clerks or registers, and disposition of securities and property of former courts, 1948, c. 362 (C. 2:16–101 to 2:16–105); saved from repeal, see N. J. S. 2A:11–57.

Article 10. (new) Proceedings Against Superior Court.

Additional Legislation.

Designation of officer or employee to represent Superior Court when party to action, etc., suppl., 1949, c. 77 (C. 2:16–106).

See N. J. S. 2A:2–9.

Chapter 16A. (new) ADMINISTRATION OF THE COURTS.

Administrative Office and Administrative Director of the Courts, 1948, c. 354 (C. 2:16A–1 to 2:16A–6).

See N. J. S. 2A:12–1 to 2A:12–5.

Subtitle 3A. (new) COURT REPORTS.

Chapter 19A. (new) NEW JERSEY AND NEW JERSEY SUPERIOR COURT REPORTS.

Distribution, provided for, 1950, c. 330, ss. 1-3 (C. 2:19A–1 to 2:19A–3).

See N. J. S. 2A:12–6.

Subtitle 4. ATTORNEYS, COUNSELORS AND SOLICITORS.

Chapter 20. GENERAL REGULATIONS GOVERNING ATTORNEYS, COUNSELORS AND SOLICITORS.

Additional Legislation.

Allowance of fees to attorneys, proctors, solicitors and counsel in proceedings, etc., in the courts, 1939, c. 140 (C. 2:20–9).

Subtitle 5. LIMITATION OF ACTIONS; ADVERSE POSSESSION.

Chapter 24. LIMITATION OF ACTIONS.

Additional Legislation.

Limitation of actions for recovery of amount of reduction in compensation by public employees, suppl., 1938, c. 200 (C. 2:24–25); saved from repeal. See N. J. S. 2A:14–15.

Limitation of time for action, as to vacation, extinction, etc., of public rights in roads or public places, provded for, 1950, c. 286 (C. 2:24–27).

See N. J. S. 2A:14–11.

Limitation of time to assert private rights in certain park lands, vacated, provided for, 1950, c. 328 (C. 2:24-28, 2:24-29).

See N. J. S. 2A:14-12, 2A:14-13.

Chapter 25. ADVERSE POSSESSION.

Note: For proprietary surveys and boundary certificates, see 1951, c. 352 (T. 46, c. 3A).

Subtitle 5A. (new) PRACTICE AND PROCEDURE IN CIVIL AND CRIMINAL ACTIONS AND PROCEEDINGS.

Chapter 25B. (new) APPEALS IN CIVIL AND CRIMINAL CASES.

Appeals—criminal actions; transcripts; civil actions, additional evidence, cash deposits in lieu of supersedeas bond; filing fees, waiver, 1948, c. 328 (C. 2:25B-1 to 2:25B-6).

See N. J. S. 2A:16-3, 2A:16-4.

Subtitle 6. PRACTICE AND PROCEDURE IN CIVIL ACTIONS GENERALLY.

Chapter 26. PROCEDURE COMMON TO MORE THAN ONE COURT.

Article 4. Process in General.

A. SERVICE IN GENERAL.

Additional Legislation.

Absent defendants, certain, in time of war, proceedings involving, 1943, c. 32 (C. 2:26-42.1 to 2:26-42.4).

See N. J. S. 2A:15-92.

A1. (new) SERVICE IN ORPHANS' AND PREROGATIVE COURTS.

Additional Legislation.

Absent defendants, etc., certain, in time of war, proceedings involving, 1943, c. 178 (C. 2:26-42.5 to 2:26-42.11).

See N. J. S. 2A:15-92, 2A:15-93.

Article 4A. (new) Service of Summons, Absent and Unknown Defendants, Prosecuting and Defending by Infants and Incompetents.

Additional Legislation.

Service of summons, absent and unknown defendants, prosecuting and defending by infants and incompetents, 1948, c. 355 (C. 2:26-59.1 to 2:26-59.9).

Sec. 7 of above amended 1950, c. 115 (C. 2:26-59.7).

Article 6A. (new) Payment of Moneys into Court and Disposition Thereof.

Payment of moneys into court in satisfaction of judgment, order or decree finally or pending judicial review thereof, 1939, c. 313 (NJSA 2:27-314.1 to 2:27-314.3; RSCS 2:26-204 to 2:26-206).

Sec. 1 of above amended 1948, c. 325, ss. 1, 2 (NJSA 2:27-314.1; RSCS 2:26-79.1).

See N. J. S. 2A:16-45.

Escheat of unclaimed funds paid by liquidators of building and loan and saving and loan associations into Chancery or Superior Court, etc., 1951, c. 22 (C. 2:26-79.4 to 2:26-79.8b).

See N. J. S. 2A:15-86 to 2A:15-91.

Article 7. Writs of Execution.

Additional Legislation.

Priority of executions out of any court against wages, debts, earnings, salary, income or profits, and payments to be made in satisfying same, 1938, c. 333 (NJSA 2:26-187.1, 2:26-187.2; RSCS 2:26-183.1, 2:26-184.1).

See N. J. S. 2A:17-52, 2A:17-56.

Article 13. (new) Prosecution of Bonds.

Additional Legislation.

Prosecution of bonds of fiduciaries given to court or court official, 1948, c. 324 (C. 2:26-216 to 2:26-226).

See N. J. S. 3A:7-21 to 3A:7-30.

Chapter 27. PROCEDURE IN COURTS OF LAW GENERALLY.

Additional Legislation.

Verdicts, civil causes, by five-sixths of jury, provided for, 1948, c. 120 (C. 2:27-233.1 to 2:27-233.4).

See N. J. S. 2A:80-2.

Chapter 29. PROCEDURE IN COURT OF CHANCERY.

Article 3A. (new) Absent Defendants in Time of War.

Additional Legislation.

Defendants in enemy or enemy-occupied countries, service upon, appearance, etc., for; effect, etc., of decree; intervention, etc., of alien property custodian, 1942, c. 297 (C. 2:29-41.1 to 2:29-41.7).

Sec. 2 of above amended 1947, c. 313, s. 1 (C. 2:29-41.2).

Sec. 3 " " " 1947, c. 313, s. 2 (C. 2:29-41.3).

Sec. 5 of above amended 1947, c. 313, s. 3 (C. 2:29-41.5).

Sec. 6 " " " 1947, c. 313, s. 4 (C. 2:29-41.6).

See N. J. S. 2A:15-92, 2A:15-93.

Article 7. Decree; Enrollment and Signature; Effect.

Additional Legislation.

Microfilming of proceedings and decrees, destruction or disposal of certain original records, authorized, 1947, c. 229 (C. 2:29-56.1 to 2:29-56.5).

See N. J. S. 2A:11-49 to 2A:11-53.

Article 9. Injunction.

Additional Legislation.

Injunctions, etc., in labor disputes, etc., regulated, 1941, c. 15 (C. 2:29-77.1 to 2:29-77.9).

Title of above amended 1946, c. 160.

See N. J. S. 2A:15-51 to 2A:15-58.

Article 11. Moneys Brought Into Court.

Additional Legislation.

Unclaimed moneys in Court of Chancery, payment of to State Treasurer, application therefor by claimants, procedure, provided for, 1947, c. 72 (C. 2:29-82.1 to 2:29-82.12).

Title of above amended 1949, c. 32, s. 1.

Sec. 1 " " " 1949, c. 32, s. 2 (C. 2:29-82.1).

Sec. 2 " " " 1949, c. 32, s. 3 (C. 2:29-82.2).

Sec. 3 " " " 1949, c. 32, s. 4 (C. 2:29-82.3).

Sec. 4 " " " 1949, c. 32, s. 5 (C. 2:29-82.4).

Sec. 5 " " " 1949, c. 32, s. 6 (C. 2:29-82.5).

Sec. 6 " " " 1949, c. 32, s. 7 (C. 2:29-82.6).

Sec. 7 " " " 1949, c. 32, s. 8 (C. 2:29-82.7).

Sec. 8 " " " 1949, c. 32, s. 9 (C. 2:29-82.8).

Sec. 9 " " " 1949, c. 32, s. 10 (C. 2:29-82.9).

Sec. 10 " " " 1949, s. 32, s. 11 (C. 2:29-82.10).

Sec. 11 " " " 1949, c. 32, s. 12 (C. 2:29-82.11).

See N. J. S. 2A:15-76 to 2A:15-85.

Chapter 32. PROCEDURE IN DISTRICT COURTS.

Article 1A. (new) Process, Practice, Trial, Appeals, Criminal Jurisdiction.

Additional Legislation.

Practice and procedure in district courts in general, 1948, c. 385 (C. 2:32–10.1 to 2:32–10.17).

See N. J. S. 2A:3–6, 2A:6–40, 2A:18–4.

Chapter 33. PROCEDURES IN SMALL CAUSE COURTS.

R. S. 2:33–101 saved from repeal, see N. J. S. 2A:8–34.

R. S. 2:33–102 " " " see N. J. S. 2A:8–35.

R. S. 2:33–103 " " " see N. J. S. 2A:8–36.

R. S. 2:33–104 " " " see N. J. S. 2A:8–37.

R. S. 2:33–105 " " " see N. J. S. 2A:8–38.

R. S. 2:33–107 " " " see N. J. S. 2A:8–39.

R. S. 2:33–130 " " " see N. J. S. 2A:8–40.

Subtitle 8. Specific Civil Actions, Remedies and Proceedings.

Chapter 42. ATTACHMENT.

Additional Legislation.

Attachment and sequestration, 1948, c. 358 (C. 2:42–86 to 2:42–131).

Sec. 11 of above amended 1950, c. 222 (C. 2:42–96).

Sec. 17 " " " 1949, c. 136 (C. 2:42–102).

See N. J. S. 2A:26–1 to 2A:26–16.

Chapter 50. DIVORCE AND NULLITY OF MARRIAGE—ALIMONY AND MAINTENANCE.

Additional Legislation.

Fees and costs in matrimonial actions, 1948, c. 323, ss. 1, 2 and 4 (C. 2:50–27.1 to 2:50–27.3).

See N. J. S. 2A:34–16, 2A:34–17.

Chapter 53. ESCHEATS.

Additional Legislation.

Escheat of personal property in general, provided for, procedure, etc., 1946, c. 155 (C. 2:53–15 to 2:53–32).

Title of above amended 1951, c. 304, s. 1.

Sec. 1 " " " 1947, c. 357, s. 1 (C. 2:53–15).

Sec. 3 of above amended 1947, c. 357, s. 2 (C. 2:53-17).

Sec. 4 " " " 1947, c. 357, s. 3; 1951, c. 304, s. 2 (C. 2:53-18).

Sec. 6 " " " 1951, c. 304, s. 3 (C. 2:53-20).

Sec. 7 " " " 1947, c. 357, s. 4; 1951, c. 304, s. 4 (C. 2:53-21).

Sec. 8 " " " 1947, c. 357, s. 5 (C. 2:53-22).

See N. J. S. 2A:37-11 to 2A:37-28.

Chapter 58. LANDLORD AND TENANT; RIGHTS AND REMEDIES.

Article 5. Summary Proceedings for Recovery of Premises.

Additional Legislation.

Warrants for writs of removal or writs of possession regulated, 1949, c. 17 (C. 2:58-23.9 to 2:58-23.12); see NJSA 2A:42, note.

Sec. 1 of above amended 1949, c. 307 (C. 2:58-23.9).

Sec. 4 " " " 1950, c. 85; 1951, c. 11; 1952, c. 4; 1953, c. 146 (C. 2:58-23.12).

Article 5A. (new) Rent Control.

Additional Legislation.

Rent Control Act (1950), 1950, c. 234 (C. 2:58-32.19 to 2:58-32.40).

Sec. 18 of above amended 1952, c. 22 (C. 2:58-32.36).

1950, c. 234 repealed 1953, c. 216, s. 34.

Chapter 60. LIENS—BONDS OF AND MONEY PAID TO CONTRACTORS ON PUBLIC WORKS.

Article 19. (new) Watch and Jewelry Repairmen.

Additional Legislation.

Liens for repairs to jewelry, watches, etc., 1940, c. 61 (C. 2:60-248 to 2:60-251).

See N. J. S. 2A:44-174 to 2A:44-177.

Chapter 61. LIENS AND ENCUMBRANCES OF STATE.

Additional Legislation.

Liens and encumbrances of the State, certain, upon premises acquired by municipalities in foreclosure of tax sale certificates, proceedings to extinguish, provided for, 1947, c. 349 (C. 2:61-4.1 to 2:61-4.3).

Chapter 61A. (new) LIQUIDATION PROCEEDINGS.

Article 1. (new) Uniform Act Governing Secured Creditors' Dividends in Liquidation Proceedings.

Insolvent estates, distribution to secured creditors, regulated, 1941, c. 80 (C. 2:61A–1 to 2:61A–11).

See N. J. S. 2A:46–1 to 2A:46–10.

Chapter 65. MORTGAGES AND BONDS; FORECLOSURE AND ACTIONS ON.

R. S. 2:65–8 1911, c. 354, saved from repeal, see N. J. S. 2A:50–12.

R. S. 2:65–9 Rev. 1877, p. 701, s. 1, saved from repeal, see N. J. S. 2A:50–16.

R. S. 2:65–10 Rev. 1877, p. 702, s. 2, saved from repeal, see N. J. S. 2A:50–17.

R. S. 2:65–11 Rev. 1877, p. 703, s. 3, saved from repeal, see N. J. S. 2A:50–18.

R. S. 2:65–13 amended 1948, c. 378, s. 3, saved from repeal, see N. J. S. 2A:50–20.

Additional Legislation.

Penal sum in bonds secured by mortgages, not required to be expressed, 1947, c. 337 (C. 2:65–7.4).

See N. J. S. 2A:50–11.

Joinder of cesqui-que-trust where trustee or fiduciary made defendant unnecessary, 1938, c. 315 (C. 2:65–8.3).

See N. J. S. 2A:50–15.

Chapter 68A. (new) NEGLIGENCE AND CONTRIBUTORY NEGLIGENCE.

Contributory negligence of owner of special property in goods or of his agents, etc., valid defense in suits for damages instituted by owner of general property as against negligent third parties, 1939, c. 53 (NJSA 46:36–1; RSCS 2:46A–1).

Chapter 72A. (new) PENALTIES, ENFORCEMENT AND COLLECTION OF.

The Penalty Enforcement Law, 1948, c. 253 (C. 2:72A–1 to 2:72A–27).

Sec. 2 of above amended 1948, c. 361, ss. 1, 5 (C. 2:72A–2).

Sec. 10 of above amended 1950, c. 314, s. 1 (C. 2:72A–10).

Sec. 11 " " " 1950, c. 314, s. 2 (C. 2:72A–11).

Sec. 16 " " " 1950, c. 314, s. 3 (C. 2:72A–16).

Sec. 17 " " " 1948, c. 361, ss. 2, 5 (C. 2:72A–17).

Sec. 19 " " " 1948, c. 361, ss. 3, 5 (C. 2:72A–19).

Sec. 25 " " " 1948, c. 361, ss. 4, 5 (C. 2:72A–25).

See N. J. S. 2A:58–1 to 2A:58–9.

Chapter 74. REVERSIONERS AND REMAINDERMEN; THEIR RIGHTS AND REMEDIES.

R. S. 2:74–1 Rev. 1877, p. 1407, ss. 1, 2, saved from repeal, see N. J. S. 2A:60–1.

R. S. 2:74–2 Rev. 1877, p. 1409, s. 12, saved from repeal, see N. J. S. 2A:60–2.

Subtitle 9. PREROGATIVE AND OTHER EXTRADITIONARY WRITS.

Chapter 80. GENERAL PROVISIONS.

Additional Legislation.

Proceedings in lieu of prerogative writs, review, hearing and relief replacing certiorari, mandamus, prohibition or quo warranto or proceedings in the nature thereof, 1948, c. 332 (C. 2:80–5, 2:80–6).

Limitation of time for review, hearing or relief in proceedings in lieu of prerogative writs, in certain cases, 1948, c. 381 (C. 2:80–7, 2:80–8).

Chapter 82. HABEAS CORPUS; ILLEGAL CONFINEMENT.

Additional Legislation.

Appeals in proceedings involving writ of habeas corpus before Judge of Superior Court or County Court and stay of discharge on appeal, regulated, 1949, c. 238, s. 1 (C. 2:82–48.1).

See N. J. S. 2A:67–36.

Production of prisoner or inmate of institution as witness or defendant in criminal cases in courts of United States or of other States, regulated, 1941, c. 224 (C. 2:82–57.1).

See N. J. S. 2A:67–12.

Subtitle 10. JURIES.

Chapter 96A. (new) TRANSITION ACTS.

Jurors, grand and petit, stated sessions of courts, process, etc., as to juries validated, 1948, c. 337 (C. 2:96A–1 to 2:96A–3).

Subtitle 11. EVIDENCE AND WITNESSES.

Chapter 97. WITNESSES IN GENERAL.

Additional Legislation.

Confessions made in the course of religious discipline, disclosure of, prohibited, 1947, c. 324 (C. 2:97–5.1).

See N. J. S. 2A:81–9.

Uniform act to secure attendance of witnesses from within or without a State in criminal proceedings, 1941, c. 88 (C. 2:97–27 to 2:97–33).

See N. J. S. 2A:81–18 to 2A:81–23.

Chapter 98. DOCUMENTS, RECORDS AND OTHER WRITTEN INSTRUMENTS.

Additional Legislation.

Uniform Photographic Copies of Business and Public Records as Evidence Act, 1951, c. 266 (C. 2:98–40 to 2:98–42).

See N. J. S. 2A:82–38 to 2A:82–40.

Chapter 101. EVIDENCE OF PARTICULAR FACTS OR FOR PARTICULAR PURPOSES.

Additional Legislation.

Presumptive evidence that person is dead, alive, missing, interned, beleaguered, beseiged or a prisoner, method of establishment provided for, 1945, c. 46 (C. 2:101–1.1 to 2:101–1.4).

See N. J. S. 2A:83–4 to 2A:83–6.

Subtitle 11A. (new) EXAMINATION OF RECORDS, ETC.

Chapter 101A. (new) HOSPITAL RECORDS.

Right to examine hospital records in compensation cases and actions for damages, provided for, 1945, c. 286 (C. 2:101A–1 to 2:101A–5).

See N. J. S. 2A:82–41 to 2A:82–45.

Subtitle 15. CRIMES.

Chapter 103. GENERAL PROVISIONS RELATING TO CRIMES.

Additional Legislation.

Application of R. S. 2:103–9 (see N. J. S. 2A:85–9), provided for, 1950, c. 315, ss. 4, 5 (C. 2:103–9.3, 2:103–9.4) saved from repeal, see N. J. S. 2A:85–10, 2A:85–11.

Chapter 122A. (new) DISCRIMINATIONS.

Refusal of shelter during air-raids or air-raid alarms, prohibited, 1942, c. 298 (C. 2:122A–1 to 2:122A–3).

See N. J. S. 2A:170–11.

Chapter 129A. (new) FALSE STATEMENTS.

False statements transmitted for radio and press broadcast or publication, misdemeanors, 1947, c. 326 (C. 2:129A–1).

See N. J. S. 2A:120–1.

Chapter 130. FLAG—OFFENSES AGAINST.

Additional Legislation.

Influencing or attempting to influence school pupils against salute to flag, prohibited, 1939, c. 65 (C. 2:130–5).

See N. J. S. 2A:107–5.

Chapter 134. FRAUDS AND CHEATS.

Additional Legislation.

Misrepresentation in sales of goods as discarded, etc., government property or conforming to government specifications, etc., prohibited, 1946, c. 158 (C. 2:134–29, 2:134–30).

See N. J. S. 2A:111–24.

Chapter 142. INSURANCE.

Additional Legislation.

Requiring purchase of insurance incidental to certain financial transactions from a designated agent or broker, a misdemeanor, 1948, c. 298 (C. 2:142–3 to 2:142–5).

See N. J. S. 2A:117–3, 2A:117–4.

Chapter 149. MANUFACTURE, SALE, ETC., OF CERTAIN ARTICLES.

Additional Legislation.

Use or permitting use of mercury or certain of its compounds in treating substances used in manufacture of hats, prohibited, 1942, c. 103 (C. 2:149–8 to 2:149–13).

See N. J. S. 2A:170–16.

Chapter 160. PUBLIC OFFICERS AND OFFICES.

Additional Legislation.

Penalty for exceeding appropriations by county or municipal officials, 1939, c. 387, s. 2 (C. 2:160–5.1).

Chapter 171A. (new) TICKET SCALPING.

Ticket scalping regulated, 1944, c. 12 (C. 2:171A–1 to 2:171A–8).

See N. J. S. 2A:170–56, 2A:170–57.

Chapter 173. TREASON AND OFFENSES AGAINST THE GOVERNMENT.

Article 6. (new) Unauthorized Use of State Seal.

Additional Legislation.

Unauthorized use of State seal, prohibited, 1941, c. 218 (C. 2:173–23, 2:173–24).

See N. J. S. 2A:148–23.

Chapter 174A. (new) UNAUTHORIZED USE OF VOTING MACHINES OR ELECTRICAL VOTING SYSTEMS IN LEGISLATIVE OR PUBLIC BODIES.

Use of certain voting machines or systems by unauthorized persons, prohibited, 1948, c. 44 (C. 2:174A–1).

See N. J. S. 2A:149–1.

Subtitle 14. CRIMINAL PROCEDURE.

Chapter 178. DEFINITIONS, CONSTRUCTION AND GENERAL PROVISIONS.

R. S. 2:178–4 saved from repeal, see N. J. S. 2A:152–4.

Chapter 180. PEACE OFFICERS.

Additional Legislation.

Power to act in detection, apprehension, etc., of offenders conferred on certain court attendants, 1938, c. 124 (C. 2:180–6).

See N. J. S. 2A:154–3.

Chapter 180B. (new) UNIFORM ACT ON INTRASTATE FRESH PURSUIT.

Apprehension, etc., of certain criminals within the State, 1941, c. 89 (C. 2:180B–1 to 2:180B–5).

See N. J. S. 2A:156–1 to 2A:156–4.

Chapter 181. COUNTY DETECTIVES AND INVESTIGATORS.

Additional Legislation.

County Detectives and County Investigators Act (Revision of 1951), number, employment, salaries, etc., 1951, c. 274 (C. 2:181–32 to 2:181–56).

See N. J. S. 2A:157–1 to 2A:157–23.

Chapter 182. PROSECUTORS OF THE PLEAS.

Additional Legislation.

Salary of prosecutors in certain counties bordering on the Atlantic Ocean, may be increased by freeholders, 1947, c. 223 (C. 2:182–10.1).

See N. J. S. 2A:158–10.

Prosecutors, sixth-class counties, salary increase by freeholders, authorized, 1951, c. 243 (C. 2:182–10.4).

See N. J. S. 2A:158–12.

Tenure of office, etc., in secretarial and stenographic positions in prosecutors and county detectives office; certain counties, 1939, c. 271 (NJSA 2:182–16, 2:182–17; RSCS 2:181–1 note, 2:182–1 note); saved from repeal, see N. J. S. 2A:158–19, 2A:158–20.

Chapter 182. (new) COUNTY PROSECUTORS.

County prosecutors, appointment, qualification, term, etc., provided for; term "prosecutor of the pleas" construed, 1948, c. 54 (C. 2:182A–1, 2:182A–2).

See N. J. S. 2A:158–2.

Chapter 184. JURISDICTION AND VENUE.

Additional Legislation.

Accessory to crime in county other than that in which crime committed, indictment and trial of, 1944, c. 198 (C. 2:184–2.1).

Chapter 194. COSTS AND FINES.

Additional Legislation.

Fines and costs, serving out by imprisonment, provided for, 1950, c. 56 (C. 2:194–17.1).

See N. J. S. 2A:166–16.

Chapter 195A. (new) APPEAL.

Appeals in criminal cases, provided for, procedures, etc., 1946, c. 187 (C. 2:195A–1 to 2:195A–15).

Sec. 5 of above amended 1947, c. 220 (C. 2:195A–5).

Chapter 196A. (new) EXECUTIVE CLEMENCY.

Executive clemency, exercise of, 1948, c. 83 (C. 2:196A–1 to 2:196A–9).

See N. J. S. 2A:167–1 to 2A:167–7.

Licenses to be at large, etc., issued by Court of Pardons, orders for commutation of sentence issued by Governor, and revocation, regulated, 1949, c. 18 (C. 2:196A–10 to 2:196A–15).

See N. J. S. 2A:167–8 to 2A:167–12.

Chapter 199. PROBATION AND PAROLE.

Additional Legislation.

Probation officers, certain counties, certain appointments, authorized, civil service status, etc., 1940, c. 78 (C. 2:199–5.1); saved from repeal, see N. J. S. 2A:168–6.

Subtitle 15. DISORDERLY PERSONS.

Chapter 202. DISORDERLY PERSONS GENERALLY.

Article 7. (new) Ammunition and Explosive Weapons.

Additional Legislation.

Ammunition and explosive weapons, unauthorized use or possession made disorderly conduct; notification to and inspection by police, provided for, 1947, c. 354 (C. 2:202–31.3 to 2:202–31.6).

See N. J. S. 2A:170–17.

Subtitle 17. CRIMINAL JUDICIAL DISTRICT COURTS.

Chapter 212. CONSTITUTION AND PERSONNEL.

Additional Legislation.

Criminal Judicial District Courts of Hudson County constituted, suppl., 1940, c. 201.

Saved from repeal, see N. J. S. 2A:7–4.

Criminal Judicial District Court of County of Bergen, established, 1944, c. 39.

Saved from repeal, see N. J. S. 2A:7–4.

Subtitle 18. POLICE COURTS AND MAGISTRATES.

Chapter 220. CITIES OF THE SECOND CLASS.

Additional Legislation.

Police court or city judge, certain second-class cities, appointment instead of election, provided for, 1944, c. 31 (C. 2:220–2.1 to 2:220–2.4).

Tenure of office; clerk to recorder; certain second-class cities; 1938, c. 392 (C. 2:220–5.3).

Title 2A. ADMINISTRATION OF CIVIL AND CRIMINAL JUSTICE.

Subtitle 1. THE COURTS.

Chapter 2. SUPERIOR COURT.

Note: For cancellation of uncollectible items payable to clerk of Superior Court, see 1953, c. 293 (T. 52, c. 24).

Chapter 3. COUNTY COURTS.

N. J. S. 2A:3-6 amended 1953, c. 57.

N. J. S. 2A:3-8 " 1953, c. 55.

N. J. S. 2A:3-20 " 1953, c. 372.

Additional Legislation.

Judges salaries, counties over 75,000 inhabitants wth one judge, increase, provided for, 1953, c. 222 (C. 2A:3-18.1, 2A:3-18.2).

Chapter 4. JUVENILE AND DOMESTIC RELATIONS COURTS.

Note: For repealer of Chapters 18 and 19 of Title 9 of the Revised Statutes, see 1951, c. 347 (T. 9, c. 18; T. 9, c. 19).

For transfer of judge and other personnel of abolished criminal judicial district court to juvenile and domestic relations court of county, see 1952, c. 165 (T. 2A, c. 7).

N. J. S. 2A:4-22 to 2A:4-30 **repealed 1952, c. 197, ss. 21, 22.**

Additional Legislation.

Uniform Reciprocal Enforcement of Support Act, suppl., 1952, c. 197 (C. 2A:4-30.1 to 2A:4-30.22).

Sec. 4 of above amended 1953, c. 245, ss. 1, 9 (C. 2A:4-30.4).

Sec. 7 " " " 1953, c. 245, ss. 2, 9 (C. 2A:4-30.7).

Sec. 8 " " " 1953, c. 245, ss. 3, 9 (C. 2A:4-30.8).

Sec. 10 " " " 1953, c. 245, ss. 4, 9 (C. 2A:4-30.10).

Sec. 11 " " " 1953, c. 245, ss. 5, 9 (C. 2A:4-30.11).

Apprehension of fleeing defendants, suppl., 1953, c. 245, ss. 6, 9 (C. 2A:4-30.12a).

Complainant, etc., duty of responding court, suppl., 1953, c. 245, ss. 8, 9 (C. 2A:4-30.12b).

State Information Agency, suppl., 1953, c. 245, ss. 7, 9 (C. 2A:4-30.23).

Chapter 5. SURROGATES.

N. J. S. 2A:5-16 amended 1952, c. 154.

N. J. S. 2A:5-20 " 1952, c. 260, s. 1.

N. J. S. 2A:5-21 " 1952, c. 260, s. 2.

N. J. S. 2A:5-22 " 1952, c. 260, s. 3.

Additional Legislation.

Surrogates, first-class counties, salary increase authorized, suppl., 1952, c. 86 (C. 2A:5-3.1, 2A:5-3.2).

Surrogates, certain third-class counties, salary increase authorized, suppl., 1952, c. 100 (C. 2A:5-3.3, 2A:5-3.4).

Salaries, third-class counties between 95,000 and 125,000 inhabitants, increase authorized, suppl., 1953, c. 183 (C. 2A:5-3.5).

Chapter 6. COUNTY DISTRICT COURTS.

N. J. S. 2A:6-2 see 1952, c. 244 (T. 2A, c. 6).

N. J. S. 2A:6-14 amended 1953, c. 387.

N. J. S. 2A:6-25 " 1953, c. 296.

N. J. S. 2A:6-34 " 1953, c. 297, s. 1.

N. J. S. 2A:6-35 " 1953, c. 297, s. 2.

Additional Legislation.

County district court judge, third-class counties over 95,000 inhabitants, appointment, salary, etc., 1952, c. 244 (C. 2A:6-15.1 to 2A:6-15.4).

Chapter 7. CRIMINAL JUDICIAL DISTRICT COURTS.

Article 1. Constitution and Personnel.

N. J. S. 2A:7-4 1931, c. 39, repealed 1952, c. 165, ss. 9, 10.

Article 4. (new) Abolition of Courts.

Additional Legislation.

First criminal judicial district court of Passaic county abolished, disposition of personnel, causes, etc., 1952, c. 165 (C. 2A:7-27 to 2A:7-36).

Chapter 8. MUNICIPAL COURTS.

N. J. S. 2A:8-1 amended 1953, c. 396.

N. J. S. 2A:8-5 " 1952, c. 356.

N. J. S. 2A:8-21 " 1952, c. 57.

Additional Legislation.

Clerks, municipal courts in boroughs, certain, tenure provided for, 1953, c. 168 (C. 2A:8-13.1).

Magistrates' and clerks' bonds, amount and effect provided for, 1952, c. 312 (C. 2A:8-14.1 to 2A:8-14.6).

Chapter 11. PROVISIONS COMMON TO MORE THAN ONE COURT.

N. J. S. 2A:11-16 amended 1953, c. 345.

N. J. S. 2A:11-28 " 1952, c. 181, s. 1.

N. J. S. 2A:11-29 " 1952, c. 181, s. 2.

N. J. S. 2A:11-36 " 1952, c. 161; 1953, c. 406.

N. J. S. 2A:11-47 " 1953, c. 133.

Additional Legislation.

Secretaries to certain assignment judges, Superior Court, increase of salary authorized, suppl., 1952, c. 67 (C. 2A:11-10.1).

Supervisors of court attendants, counties between 300,000 and 600,000 inhabitants, appointment, compensation, duties, etc., provided for, 1953, c. 310 (C. 2A:11-36.1 to 2A:11-36.3).

Subtitle 3. LIMITATION OF CIVIL ACTIONS, ADVERSE POSSESSION.

Chapter 14. LIMITATION OF ACTIONS; ADVERSE POSSESSION.

Note: For proprietary surveys and boundary certificates, effect to be given to, see 1951, c. 352 (T. 46, c. 3A).

Subtitle 4. CIVIL ACTIONS.

Chapter 15. CIVIL ACTIONS GENERALLY.

Article 1. General Provisions.

Note: For defense of action against unauthorized insurers, see 1952, c. 330 (T. 17, c. 51), amended 1953, c. 17.

Article 4. Process.

Note: For service of process on unauthorized insurers, see 1952, c. 330 (T. 17, c. 51), amended 1953, c. 17.

N. J. S. 2A:15-35 amended 1953, c. 56.

Article 5A. (new) Transfer of Actions.

Additional Legislation.

Transfers of actions from Superior or County Court to County District Court, 1953, c. 394 (C. 2A:15-47.1).

Chapter 18. CIVIL ACTIONS IN COUNTY DISTRICT COURTS.

N. J. S. 2A:18-4 amended 1953, c. 405.

N. J. S. 2A:18-47 " 1953, c. 298.

N. J. S. 2A:18-62 " 1953, c. 297, s. 3.

Chapter 42. LANDLORD AND TENANT; RIGHTS AND REMEDIES.

Note: For warrants for writs of removal or writs of possession regulated, see 1949, c. 17 (T. 2, c. 58) and amendments thereto.

Article 5. (new) Rent Control.

Additional Legislation.

State Rent Control Act of 1953, 1953, c. 216 (C. 2A:42-14 to 2A:42-51).

Chapter 44. LIENS—BONDS OF AND MONEY PAID TO CONTRACTORS ON PUBLIC WORKS.

N. J. S. 2A:44-36 amended 1953, c. 163, s. 1.

N. J. S. 2A:44-39 " 1953, c. 163, s. 2.

N. J. S. 2A:44-40 " 1953, c. 163, s. 3.

N. J. S. 2A:44-41 " 1953, c. 163, s. 4.

N. J. S. 2A:44-42 " 1953, c. 163, s. 5.

N. J. S. 2A:44-43 " 1953, c. 163, s. 6.

N. J. S. 2A:44-44 " 1953, c. 163, s. 7.

N. J. S. 2A:44-46 " 1953, c. 163, s. 8.

N. J. S. 2A:44-116 " 1953, c. 291.

Subtitle 6. SPECIFIC CIVIL ACTIONS.

Chapter 53A. (new) NEGLIGENCE AND OTHER TORTS.

Note: For contributory negligence of owner of special property in goods or of his agents, etc., valid defense in suits for damages instituted by owner of general property as against negligent third parties, see 1939, c. 53 (T. 2, c. 68A).

Joint tortfeasors, contribution among, provided for, 1952, c. 335 (C. 2A:53A-1 to 2A:53A-5).

Chapter 61. SALES OF REAL ESTATE UNDER STATUTES OR JUDICIAL PROCEEDINGS; DISTRIBUTION OF CERTAIN PROCEEDS OF SALES OF OR COMPENSATION FOR REAL ESTATE.

N. J. S. 2A:61-1 amended 1953, c. 209.

Chapter 62. TITLE AND CLAIMS TO REAL ESTATE AND PERSONAL PROPERTY; ACTIONS TO QUIET AND DETERMINE.

N. J. S. 2A:62–14 amended 1952, c. 203.

Subtitle 7A. (new) PUBLIC HEARINGS AND INVESTIGATIONS.

Chapter 67A. (new) PROCEDURE.

County and Municipal Investigations Law, 1953, c. 38 (C. 2A:67A–1 to 2A:67A–4).

Subtitle 8. JURIES.

Chapter 68. JURY COMMISSIONERS.

N. J. S. 2A:68–1 amended 1953, c. 240, ss. 1, 5, 6.

N. J. S. 2A:68–4 " 1953, c. 240, ss. 2, 5, 6.

N. J. S. 2A:68–6 " 1953, c. 240, ss. 3, 5, 6.

Additional Legislation.

Termination of terms of office, 1953, c. 240, ss. 4, 5, 6 (C. 2A:68–1.1 and 2A:68–1.2).

Chapter 69. JURORS; QUALIFICATIONS; EXEMPTIONS; INELIGIBILITY.

N. J. S. 2A:69–1 amended 1953, c. 98.

N. J. S. 2A:69–2 " 1953, c. 140.

Additional Legislation.

Petit juryman's qualifying oath, provided for, 1953, c. 331, s. 2 (C. 2A:69–1.1).

Chapter 71. GRAND AND PETIT JURY PANELS.

Note: For petit juryman's qualifying oath, see 1953, c. 331 (T. 2A, c. 69).

N. J. S. 2A:71–2 amended 1953, c. 242.

Chapter 73. GRAND JURIES; SELECTION; OFFICERS; CONTINUANCE.

N. J. S. 2A:73–1 amended 1953, c. 241.

N. J. S. 2A:73–3 " 1953, c. 331, s. 1.

Subtitle 9. EVIDENCE, WITNESSES AND PUBLIC HEARINGS.

Chapter 81. WITNESSES IN GENERAL.

Article 1. Competency of Witnesses.

N. J. S. 2A:81–3 amended 1953, c. 231.

Article 6A. (new) Refusal, Etc., to Testify.

Additional Legislation.

Public officer or employee, forfeiture of office or employment, upon refusal to testify, certain cases, provided for, 1953, c. 259 (C. 2A:81-17.1, 2A:81-17.2).

Subtitle 10. CRIMES.

Chapter 85. GENERAL PROVISIONS RELATING TO CRIMES.

N. J. S. 2A:85-8 amended 1953, c. 166, s. 1.

N. J. S. 2A:85-9 " 1953, c. 166, s. 2.

N. J. S. 2A:85-12 " 1953, c. 166, s. 3.

N. J. S. 2A:85-13 " 1953, c. 166, s. 4.

Chapter 96. CHILDREN.

Additional Legislation.

Hiring, using, etc., person under eighteen, to transport, carry, sell, prepare for sale or offer for sale, certain narcotics for unlawful purposes, high misdemeanor, suppl., 1952, c. 121 (C. 2A:96-5).

Placement of children for purposes of adoption and taking reward, etc., therefor, when prohibited, 1953, c. 265 (C. 2A:96-6 to 2A:96-8).

Chapter 98. CONSPIRACY.

N. J. S. 2A:98-1 amended 1952, c. 91.

Chapter 108. FOOD AND DRUGS.

Additional Legislation.

Inducing, etc., unlawful use, of narcotic drug or aiding or contributing to such use or to addiction to such use, high misdemeanor, suppl., 1952, c. 95 (C. 2A:108-9).

Chapter 111. FRAUDS AND CHEATS.

Additional Legislation.

Machines or apparatus, certain, removal, defacing, covering, etc., trade-marks, distinguishing, identification or serial numbers or marks and acquiring for sale or knowingly possessing machines, apparatus, etc., so treated, misdemeanor, suppl., 1952, c. 332 (C. 2A:111-25 to 2A:111-27).

Sec. 1 of above amended 1953, c. 432, s. 1 (C. 2A:111-25).

Sec. 2 " " " 1953, c. 432, s. 2 (C. 2A:111-26).

Chapter 115. INDECENCY AND OBSCENITY.

Additional Legislation.

Tie-in sales of lewd, etc., publications, etc., prohibited, 1953, c. 392 (2A:115-3.1).

Chapter 123. MANUFACTURE, SALE, ETC., OF CERTAIN ARTICLES.

Additional Legislation.

Manufacture, sale, possession, etc., of dangerously flammable wearing apparel and fabrics, prohibited, 1953, c. 267 (C. 2A:123-3 to 2A:123-15).

Chapter 138. RAPE AND CARNAL ABUSE.

N. J. S. 2A:138-1 amended 1952, c. 94.

Chapter 151. WEAPONS AND EXPLOSIVES.

N. J. S. 2A:151-43 amended 1952, c. 308; 1953, c. 398.

Additional Legislation.

Spring blade knives, sale, loan, purchase, possession, etc., misdemeanor, suppl., 1952, c. 5 (C. 2A:151-62, 2A:151-63).

Subtitle 11. CRIMINAL PROCEDURE.

Chapter 152. DEFINITIONS, CONSTRUCTION AND GENERAL PROVISIONS.

Additional Legislation.

Transcripts and certain expenses of appeals for impecunious defendants in capital cases, provided, suppl., 1952, c. 212 (C. 2A:152-15, 2A:152-16).

Chapter 157. COUNTY DETECTIVES AND INVESTIGATORS.

Note: For appointment, certain veterans and county detectives, first-class counties, see 1952, c. 79(*).

N. J. S. 2A:157-22 amended 1953, c. 385.

Chapter 158. COUNTY PROSECUTORS.

N. J. S. 2A:158-10 amended 1952, c. 263, s. 1.

N. J. S. 2A:158-16 " 1952, c. 263, s. 2.

Additional Legislation.

Assistant prosecutors, certain third-class counties, salary increase authorized, suppl., 1952, c. 134 (C. 2A:158-17.1, 2A:158-17.2).

Salary, assistant prosecutors, third-class counties between 95,000 and 125,000 inhabitants, fixing and maximum provided for, suppl., 1953, c. 178 (C. 2A:158-17.3).

Legal assistant to county prosecutor certain first-class counties, appointment, salary, etc., provided for, suppl., 1953, c. 307 (C. 2A:158-18.1, 2A:158-18.2).

Chapter 159. LIMITATION OF CRIMINAL PROSECUTIONS.

N. J. S. 2A:159-2 amended 1953, c. 204.

Additional Legislation.

Limitation of criminal prosecutions in certain gambling cases increased to four years, suppl., 1952, c. 74 (C. 2A:159-4).

Sec. 1 of above amended 1953, c. 243 (C. 2A:159-4).

Chapter 160. EXTRADITION.

Note: For Uniform Reciprocal Enforcement of Support Act, see 1952, c. 197 (T. 2A, c. 4), amended 1953, c. 245.

Chapter 162. BAIL AND RECOGNIZANCES.

Additional Legislation.

Cash deposited in lieu of bail and recognizance in criminal cases, proof of ownership on repayment, provided for, suppl., 1952, c. 163 (C. 2A:162-9, 2A:162-10).

Chapter 164. SENTENCE AND IMPRISONMENT.

N. J. S. 2A:164-15 amended 1953, c. 421.

N. J. S. 2A:164-17 " 1953, c. 276.

Chapter 167. EXECUTIVE CLEMENCY.

N. J. S. 2A:167-12 amended 1953, c. 275.

Chapter 168. PROBATION AND PAROLE.

Article 1. General Provisions.

N. J. S. 2A:168-1 amended 1952, c. 267.

N. J. S. 2A:168-5 " 1953, c. 311, s. 1.

N. J. S. 2A:168-8 " 1953, c. 311, s. 2.

Article 3. (new) Reciprocal Legislation Under Compact.

Additional Legislation.

Out of state incarceration of persons on parole from state penal and correctional institutions or on parole provided for, 1953, c. 83 (C. 2A:168-18 to 2A:168-25).

Subtitle 12. DISORDERLY PERSONS.

Chapter 169A. (new) REGISTRATION OF PERSONS CONVICTED OF CERTAIN OFFENSES.

Registration of persons convicted of crimes or offenses relating to narcotic drugs and reporting by such persons to the police under certain circumstances, provided for, 1952, c. 230 (C. 2A:169A–1 to 2A:169A–10).

Chapter 170. DISORDERLY PERSONS GENERALLY.

Additional Legislation.

Growing marihuana or knowingly allowing it to grow without license, prohibited, suppl., 1952, c. 106 (C. 2A:170–25.1).

Refrigerators or ice boxes, certain, discarding, abandoning, etc., disorderly conduct, 1953, c. 67 (C. 2A:170–25.2).

Coin chutes or boxes, obstructing, tampering with, injuring, etc., disorderly conduct, 1953, c. 68 (C. 2A:170–64.1).

Selling, offering for sale, having or possessing, hypodermic syringe, needles or similar devices, by certain persons under certain circumstances, prohibited, suppl., 1952, c. 209 (C. 2A:170–77.1).

Title 3. ADMINISTRATION OF ESTATES—DECEDENTS AND OTHERS.

Note: Title 3 of the Revised Statutes, with all amendments and supplements, repealed, suppl., 1951, c. 345 (T. 3A, N. J. S.).

Subtitle 2. WILLS, DESCENT AND DISTRIBUTION.

Chapter 2. WILLS.

R. S. 3:2–12 saved from repeal, see N. J. S. 3A:3–32.

R. S. 3:2–45 " " " see N. J. S. 3A:3–30.

Additional Legislation.

Probate of wills of nonresidents owning personal property within the State, authorized, in certain cases, 1942, c. 335 (C. 3:2–45.1).

See N. J. S. 3A:3–29.

Chapter 5A. (new) UNIFORM SIMULTANEOUS DEATH ACT.

Manner of devolution of property upon simultaneous, or nearly so, deaths, provided for, 1947, c. 384 (C. 3:5A–1 to 3:5A–10).

See N. J. S. 3A:5–1 to 3A:5–8.

Subtitle 3. ADMINISTRATION BY EXECUTORS, ADMINISTRATORS, GUARDIANS AND TRUSTEES.

Chapter 7. APPOINTMENT AND GENERAL POWERS OF FIDUCIARIES.

Article 1. Executors and Administrators.

Additional Legislation.

Notice of probate of will, etc., to beneficiaries, required, 1944, c. 238 (C. 3:7–3.1).

Article 1A. (new) Testamentary Trustees.

Additional Legislation.

Trustees, qualification and letters of trusteeship, issuance, etc., 1940, c. 45 (NJSA 3:7–13.4, 3:7–13.5; RSCS 3:7–78; 3:7–79).

Sec. 1 of above amended 1941, c. 152, s. 1 (C. 3:7–13.4).

Sec. 2 " " " 1941, c. 152, s. 2 (C. 3:7–13.5).

See N. J. S. 3A:6–16.

Article 3. Guardians of Mental Incompetents.

Additional Legislation.

Determination of mental incompetency, 1948, c. 388 (C. 3:7-34.1, 3:7-34.2).

See N. J. S. 3A:6-35.

Chapter 8. BONDS AND SURETIES.

Additional Legislation.

Discharge of sureties and cancellation of bonds in certain cases, provided for, 1944, c. 181 (C. 3:8-19.1, 3:8-19.2).

See N. J. S. 3A:7-19, 3A:7-20.

Chapter 10. ACCOUNTING.

Article 5. (new) Non-Testamentary Trustees.

Additional Legislation.

Non-testamentary trustees authorized to state and settle accounts in Prerogative or Orphans' Court, 1938, c. 108 (C. 3:10-23 to 3:10-30).

See N. J. S. 3A:9-9 to 3A:9-12, 3A:10-4.

Chapter 11. COMMISSIONS.

Additional Legislation.

Commissions on value of unsold real estate as corpus of estate or trust, allowed, 1942, c. 258 (C. 3:11-2.1).

See N. J. S. 3A:10-3.

Chapter 16. INVESTMENTS.

Additional Legislation.

Investments in mortgages on real estate acquired through tax sale foreclosure; authorized, 1940, c. 58 (C. 3:16-1.2).

See N. J. S. 3A:15-1t.

Investments by fiduciaries, regulated, "prudent man rule," etc., prescribed, 1951, c. 47 (C. 3:16-4.1 to 3:16-4.12).

See N. J. S. 3A:15-18 to 3A:15-29.

Investments in United States Savings Bonds and Treasury Savings Certificates held by fiduciaries; status of increases in redemption values as to income and principal, 1942, c. 287 (C. 3:16-10.1 to 3:16-10.4).

See N. J. S. 3A:15-3.

Payment of premiums, brokers' commissions, etc., by fiduciaries investing in real estate mortgages, in certain cases, authorized, 1947, c. 306 (C. 3:16-10.5 to 3:16-10.7).

See N. J. S. 3A:15-8.

Securities, registration and holding in name of nominee, authorized, in certain cases, 1944, c. 114 (C. 3:16-19).

Sec. 1 of above amended 1950, c. 312 (C. 3:16-19).

See N. J. S. 3A:15-7.

Fiduciaries under deeds of trusts, continuance of non-legal investments, when not accountable for losses, provided for, 1950, c. 329 (C. 3:16-20).

See N. J. S. 3A:15-12.

Chapter 17. SALE OR OTHER DISPOSITION OF REAL ESTATE BY FIDUCIARIES.

Article 2A. (new) By Fiduciaries Representing Decedents' Estates.

Additional Legislation.

Sale, exchange, etc., of real or personal property, pendente lite, by fiduciaries, in certain cases, provided for, 1948, c. 238 (C. 3:17-15.1 to 3:17-15.4).

See N. J. S. 3A:16-13, 3A:16-14.

Article 8. Resale of Real Estate Acquired by Mistake.

Additional Legislation.

Sale of lands acquired without authority; authorized, 1940, c. 109 (RSCS 3:17-42.1; NJSA 3:20-4 note).

See N. J. S. 3A:16-18.

Chapter 25. CREDITORS OF DECEDENTS; THEIR RIGHTS AND REMEDIES.

Article 7A. (new) Sale of Real Estate, Subject to Escheat, to Pay Debts.

Additional Legislation.

Sales of real estate subject to escheat to pay debts of decedents, provided for, procedure, etc., 1946, c. 283 (C. 3:25-66.1 to 3:25-66.5).

See N. J. S. 3A:24-33 to 3A:24-36.

Chapter 26. DEVISES, LEGACIES AND DISTRIBUTIVE SHARES.

Article 3A. (new) Distribution of Legacies, Distributive Shares, Trust Funds, etc.

Additional Legislation.

Legacies, distributive shares and trust funds; payment withheld; certain cases, 1940, c. 148 (NJSA 3:26-18; RSCS 3:26-2.1).

See N. J. S. 3A:25-10.

Distribution to testamentary trustee until letters of trusteeship issued; prohibited, 1941, c. 171 (C. 3:26-18.2).

See N. J. S. 3A:25-11.

Subtitle 7. ABSENTEES.

Chapter 42A. (new) ABSENTEES IN ARMED FORCES OR MERCHANT MARINE.

Conservator for property of person serving in or with armed forces, appointment, powers, etc., 1944, c. 242 (C. 3:42A-1 to 3:42A-3).

Sec. 1 of above amended 1945, c. 293 (C. 3:42A-1).

See N. J. S. 3A:7-1, 3A:39-1 to 3A:39-4.

Subtitle 9. (new) TRUSTS.

Chapter 45. (new) IN GENERAL.

Alienability of rights of creator of trust, regulated, 1950, c. 297, (C. 3:45-1 to 3:45-3).

See N. J. S. 3A:42-1, 3A:42-2.

Title 3A. ADMINISTRATION OF ESTATES—DECEDENTS AND OTHERS.

Subtitle 2. WILLS, DESCENT AND SIMULTANEOUS DEATH.

Chapter 3. WILLS.

N. J. S. 3A:3-1 see 1952, c. 354; amended 1953, c. 80.

N. J. S. 3A:3-5 amended 1952, c. 354.

Chapter 3A. (new) WILLS AND TRUSTS.

Issue to take per stirpes under will or trust unless contrary intent expressed, 1952, c. 221 (C. 3A:3A-1, 3A:3A-2).

Subtitle 3. ADMINISTRATION BY EXECUTORS, ADMINISTRATORS, GUARDIANS AND TRUSTEES.

Chapter 6. APPOINTMENT AND GENERAL POWERS OF FIDUCIARIES.

N. J. S. 3A:6-31 amended 1952, c. 185.

Chapter 10. COMMISSIONS.

Additional Legislation.

Compensation for fiduciaries for services rendered in connection with certain property not in fiduciary's hands but subject to death taxes, suppl., 1952, c. 331 (C. 3A:10-3.1, 3A:10-3.2).

Chapter 14A. (new) PRINCIPAL AND INCOME.

Principal and income in estates and trusts, method of ascertainment, provided for, 1952, c. 156 (C. 3A:14A-1 to 3A:14A-9).

Chapter 15. INVESTMENTS.

N. J. S. 3A:15-1 amended 1952, c. 280.

Title 4. AGRICULTURE AND DOMESTIC ANIMALS.

Note: For regulation of production, etc., of goats milk, see 1938, c. 195 (T. 24, c. 10), amended 1953, c. 24.

Chapter 1. DEPARTMENT OF AGRICULTURE.

Article 1. In General.

R. S. 4:1-1 amended 1948, c. 447, ss. 1, 19, 20, 21.

R. S. 4:1-2 " 1948, c. 447, ss. 2, 19, 20, 21.

Article 2. State Board of Agriculture.

R. S. 4:1-4 amended 1944, c. 202, s. 1.

R. S. 4:1-5 " 1944, c. 202, s. 2.

R. S. 4:1-6 " 1939, c. 73; 1942, c. 71; 1945, c. 98; 1950, c. 98; 1952, c. 66.

R. S. 4:1-7 " 1944, c. 202, s. 3.

R. S. 4:1-8 " 1944, c. 202, s. 4.

R. S. 4:1-9 " 1944, c. 202, s. 5.

R. S. 4:1-10 " 1939, c. 40, s. 1.

R. S. 4:1-12 " 1950, c. 293, s. 1.

R. S. 4:1-13 " 1939, c. 40, s. 2; 1944, c. 202, s. 6; 1950, c. 293, s. 2.

R. S. 4:1-14 " 1950, c. 293, s. 3.

Additional Legislation.

Board members, secretary, removal, provided for, suppl., 1948, c. 447, ss. 3, 19, 20, 21 (C. 4:1-4.1).

Article 3. Secretary of Agriculture.

R. S. 4:1-15 amended 1944, c. 202, s. 7.

Article 4. Bureaus.

R. S. 4:1-17 amended 1945, c. 204, s. 1; 1950, c. 293, s. 4.

R. S. 4:1-18 " 1950, c. 293, s. 5.

R. S. 4:1-19 " 1950, c. 293, s. 6.

Article 5. Functions of the Department in General.

R. S. 4:1-21 amended 1950, c. 293, s. 9.

R. S. 4:1-23 " 1953, c. 5, s. 1.

Additional Legislation.

Interstate reciprocal agreements as to sale or delivery of plants or nursery stock, 1941, c. 112 (C. 4:1–20.1).

Awards to schools for participation in farm labor, 1943, c. 214 (C. 4:1–21.1 to 4:1–21.4).

Control of diseases of live stock, plants, etc., injurious insects and plant pests, programs for marketing, etc., of farm products and promotion, etc., of agriculture by board, provided for, suppl., 1950, c. 293, s. 7 (C. 4:1–21.5).

Co-operation with United States Department of Agriculture and State and local government agencies, provided for, suppl., 1950, c. 293, s. 8 (C. 4:1–21.6).

Agricultural seeds and tubers, certification provided for by State Board of Agriculture, and regulated, 1952, c. 298 (C. 4:1–21.7 to 4:1–21.14).

Article 6. (new) Office of Milk Industry.

Additional Legislation.

Department of Agriculture Act of 1948, suppl., 1948, c. 447 (R. S. 4:1–1, C. 4:1–4.1, C. 4:1–24 to 4:1–41).

Chapter 2. BREEDING OF LIVE STOCK.

R. S. 4:2–1 to 4:2–14 repealed 1946, c. 72.

Chapter 3. POULTRY AND EGGS.

Note: For distribution, etc., of eggs removed from incubators, regulated, see 1939, c. 116 (T. 24, c. 11).

Article 2. Sale of Fresh Eggs.

R. S. 4:3–10 amended 1953, c. 5, s. 2.

Additional Legislation.

Shell eggs, buying, receiving, selling, etc., trade names, labels, etc., regulated, 1953, c. 143 (C. 4:3–11.1 to 4:3–11.9).

Article 3. (new) Baby Chicks.

Additional Legislation.

Sale of "baby chicks" regulated, 1938, c. 82 (C. 4:3–12 to 4:3–19).

Sec. 2 of above amended 1950, c. 272 (C. 4:3–13).

Sec. 7 " " " 1953, c. 5, s. 3 (C. 4:3–18).

Chapter 4. FEEDING STUFFS FOR LIVE STOCK AND POULTRY.

R. S. 4:4-3	amended	1938, c. 74, s. 1.
R. S. 4:4-9	"	1938, c. 74, s. 2.
R. S. 4:4-11	"	1938, c. 74, s. 3.
R. S. 4:4-17	"	1938, c. 74, s. 4.
R. S. 4:4-23	"	1953, c. 5, s. 4.

Chapter 5. DISEASES OF ANIMALS AND POULTRY.

Note: For control of diseases of live stock, plants, etc., injurious insects and plant pests, programs for marketing, etc., of farm products and promotion, etc., of agriculture by board, provided for, see 1950, c. 293, s. 7 (T. 4, c. 1); for co-operation with United States Department of Agriculture and State and local government agencies, provided for, see 1950, c. 293, s. 8 (T. 4, c. 1).

Article 1. Contagious and Infectious Diseases in General.

R. S. 4:5-1	amended	1942, c. 82.
R. S. 4:5-4	"	1946, c. 247, s. 1.
R. S. 4:5-5	"	1946, c. 247, s. 2.
R. S. 4:5-6	"	1946, c. 247, s. 3.
R. S. 4:5-7	"	1946, c. 247, s. 4.
R. S. 4:5-8	"	1946, c. 247, s. 5.
R. S. 4:5-9	"	1946, c. 247, s. 6.
R. S. 4:5-10	"	1946, c. 247, s. 7.

Article 2. Bovine Tuberculosis.

A. DEFINITIONS.

R. S. 4:5-18	amended	1946, c. 247, s. 8.

B. GENERAL PROVISIONS

R. S. 4:5-19	amended	1946, c. 247, s. 9.
R. S. 4:5-20	"	1946, c. 247, s. 10.
R. S. 4:5-21	"	1946, c. 247, s. 11.
R. S. 4:5-22	"	1946, c. 247, s. 12.
R. S. 4:5-23	"	1946, c. 247, s. 13.
R. S. 4:5-28	"	1938, c. 265; 1946, c. 247, s. 14; 1947, c. 207, s. 1.
R. S. 4:5-29	"	1946, c. 247, s. 15.

C. TESTING UNDER AREA AND OTHER PLANS.

R. S. 4:5–34	amended	1946, c. 247, s. 16.
R. S. 4:5–44	"	1946, c. 247, s. 17.
R. S. 4:5–46	"	1946, c. 247, s. 18.

Additional Legislation.

Conduct of tuberculin tests; quarantines and disinfecting, etc., services, provided for, suppl., 1945, c. 204, ss. 2-4 (C. 4:5–53.1 to 4:5–53.3).

C. 1. (new) CATTLE CONSIGNED TO AUCTION MARKETS.

Additional Legislation.

Cattle delivered to auction markets, marking, testing, etc., suppl., 1946, c. 247, s. 24 (C. 4:5–53.4).

Sec. 24 of above amended 1951, c. 30 (C. 4:5–53.4).

D. IMPORTATION OF CATTLE.

R. S. 4:5–54	amended	1946, c. 247, s. 19; 1947, c. 207, s. 2.
R. S. 4:5–58	"	1946, c. 247, s. 20; 1947, c. 207, s. 3.
R. S. 4:5–59	"	1947, c. 207, s. 4.
R. S. 4:5–61	"	1946, c. 247, s. 21; 1947, c. 207, s. 5.
R. S. 4:5–64	"	1953, c. 315, s. 1.
R. S. 4:5–65	"	1946, c. 247, s. 22; 1953, c. 315, s. 2.
R. S. 4:5–66	repealed	1953, c. 315, s. 3.
R. S. 4:5–67	amended	1953, c. 315, s. 4.
R. S. 4:5–69	"	1946, c. 247, s. 23; 1950, c. 293, s. 10.
R. S. 4:5–71	"	1946, c. 247, s. 25.
R. S. 4:5–72	"	1946, c. 247, s. 26; 1947, c. 207, s. 6.

Article 2A. (new) Aphthous Fever.

Aphthous fever (foot and mouth disease) control of, etc., provided for, suppl., 1948, c. 436 (C. 4:5–75.1 to 4:5–75.15).

Article 3. Infections or Contagious Abortion in Live Stock.

R. S. 4:5–76	amended	1940, c. 231, s. 1; repealed 1946, c. 257, s. 25.
R. S. 4:5–77	"	1940, c. 231, s. 2; " 1946, c. 257, s. 25.

R. S. 4:5–78	amended	1940, c. 231, s. 3; repealed 1946, c. 257, s. 25.
R. S. 4:5–79	"	1940, c. 231, s. 4; " 1946, c. 257, s. 25.
R. S. 4:5–80	"	1940, c. 231, s. 5; " 1946, c. 257, s. 25.
R. S. 4:5–81	"	1940, c. 231, s. 6; " 1946, c. 257, s. 25.
R. S. 4:5–82	repealed	1946, c. 257, s. 25.
R. S. 4:5–83	amended	1940, c. 231, s. 7; repealed 1946, c. 257, s. 25.
R. S. 4:5–84	"	1940, c. 231, s. 8; " 1946, c. 257, s. 25.
R. S. 4:5–85	"	1940, c. 231, s. 9; " 1946, c. 257, s. 25.
R. S. 4:5–86	repealed	1946, c. 257, s. 25.
R. S. 4:5–87	amended	1940, c. 231, s. 10; repealed 1946, c. 257, s. 25.
R. S. 4:5–88	"	1940, c. 231, s. 11; " 1946, c. 257, s. 25.
R. S. 4:5–89	repealed	1946, c. 257, s. 25.
R. S. 4:5–90	"	1940, c. 231, s. 12.
R. S. 4:5–91	amended	1940, c. 231, s. 13; repealed 1946, c. 257, s. 25.
R. S. 4:5–92	"	1940, c. 231, s. 23; " 1946, c. 257, s. 25.
R. S. 4:5–93	repealed	1946, c. 257, s. 25.

Additional Legislation.

Bang's disease or Brucellosis, control of, etc., provided for suppl., 1946, c. 257 (C. 4:5–93.21 to 4:5–93.47).

Sec. 1	of above	amended	1950, c. 9, s. 1	(C. 4:5–93.21).
Sec. 5	"	"	" 1950, c. 9, s. 2	(C. 4:5–93.25).
Sec. 6	"	"	" 1950, c. 9, s. 3	(C. 4:5–93.26).
Sec. 7	"	"	" 1950, c. 9, s. 4	(C. 4:5–93.27).
Sec. 8	"	"	" 1950, c. 9, s. 5	(C. 4:5–93.28).
Sec. 16	"	"	" 1950, c. 9, s. 6	(C. 4:5–93.36).
Sec. 17	"	"	" 1950, c. 9, s. 7	(C. 4:5–93.37).

Article 5. Biological Products for Diagnostic or Therapeutic Purposes.

R. S. 4:5–107 amended 1950, c. 293, s. 11.

R. S. 4:5–108 " 1950, c. 293, s. 12.

R. S. 4:5–109 " 1950, c. 293, s. 13.

R. S. 4:5–110 " 1950, c. 293, s. 14.

R. S. 4:5–111 " 1950, c. 293, s. 15.

R. S. 4:5–112 " 1953, c. 5, s. 5.

Chapter 5A. (new) DISPOSAL OF DEAD ANIMALS.

Disposal of dead animals and licensing of disposal plants regulated and provided for, 1953, c. 415 (C. 4:5A–1 to 4:5A–19).

Chapter 6. DISEASES OF BEES.

Note: For control of diseases of live stock, plants, etc., injurious insects and plant pests, programs for marketing, etc., of farm products and promotion, etc., of agriculture by board, provided for, see 1950, c. 293, s. 7 (T. 4, c. 1); for co-operation with United States Department of Agriculture and State and local government agencies, provided for, see 1950, c. 293, s. 8 (T. 4, c. 1).

R. S. 4:6–10 amended 1939, c. 104 (title amended 1941, c. 269).

R. S. 4:6–17 " 1953, c. 5, s. 6.

Chapter 7. PLANT AND TREE DISEASES; INSECTS; WEEDS.

Note: For control of diseases of live stock, plants, etc., injurious insects and plant pests, programs for marketing, etc., of farm products and promotion, etc., of agriculture by board, provided for, see 1950, c. 293, s. 7 (T. 4, c. 1); for co-operation with United States Department of Agriculture and State and local government agencies, provided for, see 1950, c. 293, s. 8 (T. 4, c. 1).

R. S. 4:7–14 amended 1953, c. 5, s. 7.

R. S. 4:7–18 " 1953, c. 5, s. 8.

R. S. 4:7–20 repealed 1953, c. 5, s. 9.

R. S. 4:7–24 amended 1953, c. 5, s. 10.

R. S. 4:7–25 " 1941, c. 111, s. 1.

R. S. 4:7–26 " 1953, c. 5, s. 11.

R. S. 4:7–27 repealed 1941, c. 111, s. 2.

R. S. 4:7–28 " 1941, c. 111, s. 3.

R. S. 4:7–31 amended 1941, c. 111, s. 4.

R. S. 4:7–33 " 1941, c. 111, s. 5; 1953, c. 5, s. 12.

R. S. 4:7–41 " 1953, c. 5, s. 13.

R. S. 4:7–42 amended 1953, c. 5, s. 14.

R. S. 4:7–44 " 1953, c. 5, s. 15.

R. S. 4:7–45 to 4:7–51 repealed 1951, c. 316, ss. 24, 27.

R. S. 4:7–52 " 1951, c. 316, ss. 24, 27; amended 1953, c. 5, s. 16; repealed 1953, c. 428, s. 12.

R. S. 4:7–53 " 1951, c. 316, ss. 24, 27.

R. S. 4:7–54 amended 1953, c. 5, s. 17.

Chapter 8. AGRICULTURE AND FOREST SEEDS AND NURSERY STOCK.

R. S. 4:8–1 to 4:8–17 repealed 1948, c. 189, ss. 10, 11.

R. S. 4:8–19 amended 1953, c. 5, s. 18.

Additional Legislation.

New Jersey State Seed Law, 1948, c. 189 (C. 4:8–17.1 to 4:8–17.12).

Chapter 8A. (new) AGRICULTURAL POISONS.

"The Economic Poison Act of 1951," 1951, c. 316 (C. 4:8A–1 to 4:8A–27).

Chapter 9. FERTILIZERS AND OTHER PREPARATIONS FOR SOILS.
Article 1. Fertilizers in General.

R. S. 4:9–1 amended 1940, c. 256.

R. S. 4:9–2 " 1949, c. 203, s. 1.

R. S. 4:9–4 " 1949, c. 203, s. 2.

R. S. 4:9–5 " 1949, c. 203, s. 3.

R. S. 4:9–6 " 1938, c. 73, s. 1.

R. S. 4:9–8 " 1938, c. 73, s. 2; 1949, c. 203, s. 4

R. S. 4:9–9 " 1938, c. 73, s. 3.

R. S. 4:9–10 " 1949, c. 203, s. 5.

R. S. 4:9–11 " 1949, c. 203, s. 6.

R. S. 4:9–13 " 1938, c. 73, s. 4.

Article 3. Legume Inoculents.

R. S. 4:9–28 amended 1953, c. 5, s. 19.

Article 4. (new) Horse Manure.

Additional Legislation.

Sale, etc., of unmanufactured horse manure, regulated, 1944, c. 43 (NJSA 4:9-29 to 4:9-37, RSCS 4:9-28 to 4:9-37).

Chapter 10. MARKETING AND DISTRIBUTION OF AGRICULTURAL AND OTHER PRODUCTS.

Note: For State Milk Control Law, see 1939, c. 82 (T. App. A, c. 8); 1941, c. 274 (T. 4, c. 12A), amended 1952, c. 159, 1953, c. 5; for control of diseases of live stock, plants, etc., injurious insects and plant pests, programs for marketing, etc., of farm products and promotion, etc., of agriculture by board, provided for, see 1950, c. 293, s. 7 (T. 4, c. 1); for co-operation with United States Department of Agriculture and State and local government agencies, provided for, see 1950, c. 293, s. 8 (T. 4, c. 1).

R. S. 4:10-2	amended	1950, c. 293, s. 16.
R. S. 4:10-5	"	1953, c. 5, s. 20.
R. S. 4:10-14	"	1953, c. 5, s. 21.
R. S. 4:10-15	"	1953, c. 5, s. 22.

Additional Legislation.

Article 2. (new) Promotion of Sales of New Jersey Farm Products.

New Jersey farm products, official brands and labels and publicity fund, etc., 1939, c. 136 (C. 4:10-16 to 4:10-25).

Chapter 11. COMMISSION MERCHANTS, DEALERS AND BROKERS, AND THEIR AGENTS.

Note: For control of diseases of live stock, plants, etc., injurious insects and plant pests, programs for marketing, etc., of farm products and promotion, etc., of agriculture by board, provided for, see 1950, c. 293, s. 7 (T. 4, c. 1); for co-operation with United States Department of Agriculture and State and local government agencies, provided for, see 1950, c. 293, s. 8 (T. 4, c. 1).

Article 1. Cattle.

R. S. 4:11-1	amended	1949, c. 209, s. 1.
R. S. 4:11-2	"	1949, c. 209, s. 2.
R. S. 4:11-4	"	1949, c. 209, s. 3.
R. S. 4:11-5	"	1949, c. 209, s. 4.
R. S. 4:11-9	"	1949, c. 209, s. 5.
R. S. 4:11-10	"	1953, c. 5, s. 23.
R. S. 4:11-13	"	1949, c. 209, s. 6.
R. S. 4:11-14	"	1949, c. 209, s. 7; 1953, c. 5, s. 24.

Article 2. Perishable Agricultural Commodities.

R. S. 4:11–15	amended	1953, c. 419, ss. 1, 4.
R. S. 4:11–16	"	1953, c. 419, ss. 2, 4.
R. S. 4:11–19	"	1938, c. 231, s. 1.
R. S. 4:11–20	"	1949, c. 174, s. 1; 1953, c. 419, ss. 3, 4.
R. S. 4:11–21	"	1938, c. 231, s. 2.
R. S. 4:11–27	"	1953, c. 5, s. 25.
R. S. 4:11–34	"	1953, c. 5, s. 26.

Additional Legislation.

Requesting producers to sign statement, waiver, etc., for purpose of relieving a dealer, indemnitor or surety company from full responsibility under article, prohibited, suppl., 1949, c. 174, s. 2 (C. 4:11–29.1).

Article 3. (new) Poultry.

Additional Legislation.

Business of dealing in poultry regulated and licensing of dealers and brokers, provided for, 1942, c. 248 (C. 4:11–35 to 4:11–49).

Sec. 13 of above amended 1953, c. 5, s. 27 (C. 4:11–47).

Chapter 12. RECEIVING, BUYING, TESTING, SAMPLING AND WEIGHING OF MILK AND CREAM.

R. S. 4:12–1	amended	1945, c. 295, s. 1; 1949, c. 249, s. 1.
R. S. 4:12–3	"	1949, c. 249, s. 2.
R. S. 4:12–4	"	1949, c. 249, s. 3.
R. S. 4:12–5	"	1949, c. 249, s. 4.
R. S. 4:12–11	"	1949, c. 249, s. 5.
R. S. 4:12–13	"	1949, c. 249, s. 6.
R. S. 4:12–17	"	1949, c. 249, s. 7.
R. S. 4:12–18	"	1953, c. 5, s. 28.
R. S. 4:12–19	"	1945, c. 295, s. 2; 1953, c. 5, s. 29.
R. S. 4:12–20 to 4:12–41	repealed	1943, c. 100, s. 23.
R. S. 4:12–44	amended	1953, c. 5, s. 31.

Additional Legislation.

Requesting producers to sign statement, waiver, etc., for purpose of relieving a dealer, indemnitor or surety company from full responsibility under article, prohibited, suppl., 1949, c. 249, s. 8 (C. 4:12-19.1).

Dealing, etc., in milk or cream on basis of butter fat content, regulated, suppl., 1943, c. 100 (C. 4:12-41.1 to 4:12-41.24).

Sec. 20 of above amended 1953, c. 5, s. 30 (C. 4:12-41.20).

Department of Agriculture, certain functions, etc., of the New Jersey Agricultural Experiment Station transferred to, 1948, c. 458 (C. 4:12-41.25, 4:12-41.26).

Chapter 12A. (new) CONTROL OF PRODUCTION, DISTRIBUTION AND SALE OF MILK, ETC.

Milk Control Act (1941), 1941, c. 274 (C. 4:12A-1 to 4:12A-52).

Sec. 10 of above	amended	1953, c. 5, s. 32	(C. 4:12A-10).
Sec. 12 "	"	1953, c. 5, s. 33	(C. 4:12A-12).
Sec. 16 "	"	1953, c. 5, s. 34	(C. 4:12A-16).
Sec. 18 "	"	1953, c. 5, s. 35	(C. 4:12A-18).
Sec. 23 "	"	1952, c. 159	(C. 4:12A-23).
Sec. 41 "	"	1953, c. 5, s.36	(C. 4:12A-41).
Sec. 42 "	repealed	1953, c. 5, s. 37	(C. 4:12A-42).
Sec. 44 "	amended	1953, c. 5, s. 38	(C. 4:12A-44).
Sec. 49 "	"	1953, c. 5, s. 39	(C. 4:12A-49).

Studies by Department of Agriculture of costs, records, etc., of licensees of Director of Milk Control for use in determining retail milk prices; authorized; 1942, c. 263 (C. 4:12A-53 to 4:12A-58).

Chapter 13. AGRICULTURAL CO-OPERATIVE ASSOCIATIONS.

R. S. 4:13-1	amended	1953, c. 332, s. 1.
R. S. 4:13-3	"	1953, c. 332, s. 2.
R. S. 4:13-6	"	1951, c. 303, s. 1.

R. S. 4:13-11 amended 1951, c. 303, s. 2.

R. S. 4:13-15 " 1953, c. 332, s. 3.

R. S. 4:13-16 " 1951, c. 303, s. 3.

R. S. 4:13-18 " 1953, c. 332, s. 4.

R. S. 4:13-23 " 1953, c. 332, s. 5.

R. S. 4:13-30 " 1940, c. 146, s. 1; 1953, c. 332, s. 6.

R. S. 4:13-31 " 1951, c. 303 s. 4; 1953, c. 332, s. 7.

R. S. 4:13-32 " 1940, c. 146, s. 2; 1951, c. 303, s. 5.

R. S. 4:13-33 " 1940, c. 146, s. 3; 1951, c. 303, s. 6.

Additional Legislation.

Annual reports by foreign corporations and termination of authority to transact business upon failure to file, provided for, suppl., 1953, c. 332, s. 14 (C. 4:13-15.1).

Dissolution by proclamation, reinstatement, etc., provided, suppl., 1951, c. 303, ss. 7-14 (C. 4:13-35 to 4:13-42).

Sec. 9 of above amended 1953, c. 332, s. 8 (C. 4:13-37).

Sec. 10 " " " 1953, c. 332, s. 9 (C. 4:13-38).

Sec. 11 " " " 1953, c. 332, s. 10 (C. 4:13-39).

Sec. 12 " " " 1953, c. 332, s. 11 (C. 4:13-40).

Sec. 13 " " " 1953, c. 332, s. 12 (C. 4:13-41).

Sec. 14 " " " 1953, c. 332, s. 13 (C. 4:13-42).

Chapter 14. AGRICULTURAL ORGANIZATIONS IN GENERAL.

R. S. 4:14-2 amended 1946, c. 108.

Chapter 15. AGRICULTURAL FAIRS AND EXHIBITIONS.

Article 1. Corporations for Holding Fairs and Exhibitions.

R. S. 4:15-4 amended 1953, c. 5, s. 40.

Article 4. (new) Livestock Shows.

Additional Legislation.

One-day livestock shows, holding and conduct, provided for, suppl., 1953, c. 302 (C. 4:15-11 to 4:15-13).

Chapter 16. AGRICULTURAL EXPERIMENT STATION; FARM DEMONSTRATION.

Note: For consolidation with State University of New Jersey, see 1945, c. 49 (T. 18, c. 22).

Article 1. Organization and Operation of Station.

R. S. 4:16–2 to 4:16–5 repealed 1945, c. 235, ss. 2, 1.

Article 3. Department of Poultry Husbandry.

Additional Legislation.

Establishment, etc., of turkey breeding and feeding research farm, 1938, c. 179 (C. 4:16–21.1).

Contributions by Board of Freeholders permitted, suppl., 1939, c. 6 (C. 4:16–21.2).

Poultry diseases, certain, investigation and control of, authorized and directed, 1947, c. 287, s. 1 (C. 4:16–21.3).

Poultry pathology laboratory, establishment, etc., provided for, 1953, c. 347 (C. 4:16–21.4 to 4:16–21.6).

Article 5. (new) Victory Garden Educational Program.

Additional Legislation.

Educational program for promotion of production and conservation of food, provided for, 1943, c. 137 (C. 4:16–31.1 to 4:16–31.3).

Chapter 17. PROTECTION OF CROPS, PLANTS AND TIMBER.

R. S. 4:17–2 amended 1953, c. 5, s. 41.

R. S. 4:17–3 " 1953, c. 5, s. 42.

R. S. 4:17–5 " 1953, c. 5, s. 43.

R. S. 4:17–6 " 1953, c. 5, s. 44.

R. S. 4:17–10 " 1953, c. 5, s. 45.

Chapter 18. CROP MORTGAGES.

R. S. 4:18–2 amended 1942, c. 93.

Chapter 18A. (new) ADMINISTRATION OF FEDERAL FUNDS.

New Jersey Rural Rehabilitation Corp., return and administration of assets of, provided for, 1951, c. 321 (C. 4:18A–1 to 4:18A–10).

Chapter 19. DOGS, TAXATION AND LIABILITY FOR INJURIES CAUSED BY.

R. S. 4:19–3 amended 1953, c. 5, s. 46.

R. S. 4:19–7 " 1953, c. 5, s. 47.

R. S. 4:19–8 " 1953, c. 5, s. 48.

R. S. 4:19–10 to 4:19–15 repealed 1941, c. 151, s. 28.

Additional Legislation.

Dogs, kennels, etc., control and licensing of, etc., 1941, c. 151 (C. 4:19–15.1 to 4:19–15.29).

Sec. 5 of above amended 1952, c. 37, s. 1 (C. 4:19–15.5).

Sec. 15 " " " 1952, c. 37, s. 2 (C. 4:19–15.15).

Sec. 19 " " " 1942, c. 132 (C. 4:19–15.19).

Sec. 21 " " " 1953, c. 5, s. 49 (C. 4:19–15.21).

Sec. 22 " " repealed 1953, c. 5, s. 50 (C. 4:19–15.22).

Sec. 24 " " " 1953, c. 5, s. 51 (C. 4:19–15.24).

Sec. 25 " " " 1953, c. 5, s. 52 (C. 4:19–15.25).

Chapter 20. FENCING AND RELATION THEREOF TO DAMAGES BY OR TO ANIMALS.

R. S. 4:20–8 amended 1953, c. 5, s. 53.

R. S. 4:20–21 " 1953, c. 5, s. 54.

R. S. 4:20–25 " 1953, c. 5, s. 55.

R. S. 4:20–32 " 1953, c. 5, s. 56.

Chapter 21. STRAY AND TRESPASSING ANIMALS IN GENERAL.

R. S. 4:21–3 amended 1953, c. 5, s. 57.

R. S. 4:21–9 " 1953, c. 5, s. 58.

R. S. 4:21–11 " 1953, c. 5, s. 59.

R. S. 4:21–12 " 1953, c. 5, s. 60.

Chapter 22. PREVENTION OF CRUELTY TO ANIMALS.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

R. S. 4:22–25 amended 1953, c. 5, s. 61.

R. S. 4:22–26 " 1949, c. 294; 1951, c. 270; 1953, c. 5, s. 63.

R. S. 4:22–27 " 1953, c. 5, s. 64.

R. S. 4:22–28	amended	1953, c.	5, s. 65.
R. S. 4:22–29	"	1953, c.	5, s. 66.
R. S. 4:22–30	repealed	1953, c.	5, s. 67.
R. S. 4:22–31	"	1953, c.	5, s. 68.
R. S. 4:22–32	amended	1953, c.	5, s. 69.
R. S. 4:22–33	"	1953, c.	5, s. 70.
R. S. 4:22–34 to 4:22–42	repealed	1953, c.	5, ss. 71-79.
R. S. 4:22–44	amended	1953, c.	5, s. 80.
R. S. 4:22–46	"	1953, c.	5, s. 81.
R. S. 4:22–48	"	1953, c.	5, s. 82.
R. S. 4:22–49	repealed	1953, c.	5, s. 83.
R. S. 4:22–53	amended	1953, c.	5, s. 84.
R. S. 4:22–54	"	1953, c.	5, s. 85.
R. S. 4:22–55	"	1953, c.	5, s. 86.

Additional Legislation.

Report of injuries to certain animals by motorists required, suppl., 1939, c. 315 (NJSA 4:22–25.1, 4:22–25.2; RSCS 4:22–56, 4:22–57).

Sec. 2 of above amended 1953, c. 5, s. 62 (C. 4:22–25.2).

Chapter 23. PROCEDURE FOR THE RECOVERY OF PENALTIES.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

R. S. 4:23–2	amended	1953, c.	5, s. 87.
R. S. 4:23–3 to 4:23–5	repealed	1953, c.	5, ss. 88-90.
R. S. 4:23–6	amended	1953, c.	5, s. 91.
R. S. 4:23–7 to 4:23–9	repealed	1953, c.	5, ss. 92-94.
R. S. 4:23–11	amended	1946, c. 256.		
R. S. 4:23–12	"	1953, c.	5, s. 95.
R. S. 4:23–13	repealed	1953, c.	5, s. 96.

R. S. 4:23-15 amended 1953, c. 5, s. 97.

R. S. 4:23-16 repealed 1953, c. 5, s. 98.

R. S. 4:23-17 " 1953, c. 5, s. 99.

Chapter 24. SOIL CONSERVATION.

Note: For transfer of State Soil Conservation Committee to Division of Planning and Development in the Department of Conservation and Economic Development, see 1948, c. 448, s. 17 (T. 13, c. 1B).

R. S. 4:24-27 amended 1953, c. 5, s. 100.

R. S. 4:24-28 " 1953, c. 5, s. 101.

R. S. 4:24-29 repealed 1953, c. 5, s. 102.

R. S. 4:24-33 amended 1953, c. 5, s. 103.

Title 5. AMUSEMENTS, PUBLIC EXHIBITIONS AND MEETINGS.

Chapter 1. SEASHORE BATHING ESTABLISHMENTS.

R. S. 5:1-1 amended 1940, c. 94, s. 1.

R. S. 5:1-2 " 1940, c. 94, s. 2.

R. S. 5:1-3 " 1940, c. 94, s. 3.

Chapter 2. BOXING AND WRESTLING EXHIBITIONS.

Note: For State Athletic Commissioner's office continued and transferred to Department of State, see 1948, c. 445, ss. 4-9, 17-19 (T. 52, c. 16A).

R. S. 5:2-4 amended 1950, c. 151.

R. S. 5:2-12 " 1938, c. 57; 1950, c. 335.

R. S. 5:2-17 " 1953, c. 145.

R. S. 5:2-19 " 1953, c. 6, s. 1.

Additional Legislation.

Tickets, form of, provided for; licenses and bonds of printers required; suppl., 1948, c. 247 (C. 5:2-13.1, 5:2-13.2).

Performances, etc., by school pupils under supervision of board of education, etc., excepted from provisions of chapter, suppl., 1948, c. 255 (C. 5:2-20).

Chapter 3. BUILDINGS, STRUCTURES AND PLACES USED FOR PUBLIC AMUSEMENT.

Note: For life saving and resuscitation personnel and appliances required, see 1946, c. 172 (T. 26, c. 4A).

R. S. 5:3-5 amended 1953, c. 6, s. 2.

R. S. 5:3-6 " 1953, c. 6, s. 3.

R. S. 5:3-21 " 1953, c. 6, s. 4.

R. S. 5:3-29 " 1953, c. 6, s. 5.

Additional Legislation.

Fire protection, outdoor motion picture theatres, regulation by municipalities authorized, 1951, c. 220 (C. 5:3-21.1 to 5:3-21.3).

Chapter 4. DISPLAY OF UNITED STATES FLAG.

R. S. 5:4-5 amended 1953, c. 6, s. 6.

Chapter 5. BREEDING AND RACING OF HORSES.

Note: For New Jersey Racing Commission continued as the Division of the New Jersey Racing Commission in the Department of the Treasury, see 1948, c. 92 (T. 52, c. 18A), amended 1950, c. 61.

R. S. 5:5–1 to 5:5–21 repealed 1940, c. 206.

Additional Legislation.

New Jersey Horse Racing Act, 1940, c. 17 (NJSA 5:5–22 to 5:5–79; RSCS 5:6–1 to 5:6–57).

Title of above amended 1941, c. 137, s. 1.

Sec. 1 " " " 1941, c. 137, s. 2 (C. 5:5–22).

Sec. 4 " " " 1951, c. 311 (C. 5:5–25).

Sec. 5 " " " 1941, c. 137, s. 3 (C. 5:5–26).

Sec. 10 " " " 1941, c. 137, s. 4 (C. 5:5–30).

Sec. 11 " " " 1953, c. 6, s. 7 (C. 5:5–31).

Sec. 12 " " " 1941, c. 137, s. 5 (C. 5:5–32).

Sec. 13 " " " 1941, c. 137, s. 6 (C. 5:5–33).

Sec. 16 " " " 1941, c. 137, s. 7 (C. 5:5–36).

Sec. 18 " " " 1946, c. 170 (C. 5:5–38).

Sec. 23 " " " 1949, c. 26, s. 2 (C. 5:5–43).

Sec. 24 " " " 1941, c. 137, s. 8; 1952, c. 125, s. 1 (C. 5:5–44).

Sec. 25 " " " 1941, c. 137, s. 9; 1949, c. 26, s. 3 (C. 5:5–45).

Sec. 26 " " " 1941, c. 137, s. 10 (C. 5:5–46).

Sec. 27 " " " 1941, c. 137, s. 11; 1952, c. 125, s. 2 (C. 5:5–47).

Sec. 34 " " " 1953, c. 6, s. 8 (C. 5:5–54).

Sec. 40 " " " 1953, c. 6, s. 9 (C. 5:5–60).

Sec. 44 " " " 1944, c. 227; 1946, c. 169; 1947, c. 107, s. 1; 1948, c. 33, s. 1; 1952, c. 222, s. 1 (C. 5:5–64).

Sec. 46 " " " 1947, c. 107, s. 2; 1948, c. 33, s. 2; 1949, c. 26, s. 4 (C. 5:5–66).

Sec. 51 " " " 1941, c. 137, s. 12 (C. 5:5–71).

Sec. 54 of above amended 1941, c. 137, s. 13 (C. 5:5–74).

Sec. 56 " " " 1953, c. 6, s. 10 (C. 5:5–76).

Sec. 58 " " " 1941, c. 137, s. 14 (C. 5:5–78).

Stock-ownership in horse racing association or corporation, control of Commission over, revocations of permits, etc., provided for, suppl., 1946, c. 167 (C. 5:5–34.1).

Original applications for permit to hold or conduct horse race meeting, filing, public hearing, referendum, etc., suppl., 1949, c. 26, s. 1 (C. 5:5–39.1).

Emergency permits to hold or complete race meeting in case of catastrophe, provided for, suppl., 1952, c. 222, s. 2 (C. 5:5–47.1).

Permit holders' accounts and records, Commissioner to prescribe forms and methods, audits, provided for, suppl., 1947, c. 107, s. 3 (C. 5:5–67.1).

Chapter 7. (new) MOTOR VEHICLE RACING, ETC.

Motor vehicle racing and driving exhibitions, licenses, inspection of tracks, protection of spectators, provided for, 1952, c. 299 (C. 5:7–1 to 5:7–7).

1952, c. 299 repealed 1953, c. 174, s. 12.

Motor vehicle racing, exhibitions of driving skill, and tracks for same, licenses, regulation, etc., provided for, 1953, c. 174 (C. 5:7–8 to 5:7–19).

Title 6. AVIATION.

Note: For transfer of functions of Department of Aviation to Department of Conservation and Economic Development, see 1948, c. 448, s. 6 (T. 13, c. 1B).

Chapter 1. REGULATION OF AERIAL NAVIGATION.

Additional Legislation.

Aeronautics over and within this State, regulated, 1938, c. 48 (NJSA 6:1-20 to 6:1-60; RSCS 6:1-1 to 6:1-42).

Sec. 2 of above amended 1952, c. 201, s. 1 (C. 6:1-21).

Sec. 6 " " " 1946, c. 15, s. 1 (C. 6:1-25).

Sec. 7 " " " 1946, c. 15, s. 2 (C. 6:1-26).

Sec. 10 " " " 1952, c. 201, s. 2 (C. 6:1-29).

Sec. 24 " " " 1952, c. 201, s. 3 (C. 6:1-43).

Sec. 25 " " " 1952, c. 201, s. 4 (C. 6:1-44).

Sec. 27 " " " 1952, c. 201, s. 5 (C. 6:1-46).

Sec. 29 " " " 1952, c. 201, s. 6 (C. 6:1-48).

Sec. 32 " " " 1953, c. 7, s. 1 (C. 6:1-51).

Sec. 34 " " " 1953, c. 7, s. 2 (C. 61:1-53).

Sec. 35 " " repealed 1953, c. 7, s. 3 (C. 6:1-54).

Sec. 36 " " " 1953, c. 7, s. 4 (C. 6:1-55).

Sec. 37 " " " 1953, c. 7, s. 5 (C. 6:1-56).

Sec. 38 " " " 1953, c. 7, s. 6 (C. 6:1-57).

Sec. 39 " " " 1953, c. 7, s. 7 (C. 6:1-58).

Licenses, airports, landing fields, etc., when issued, term, fees, provided for, suppl., 1953, c. 234 (C. 6:1-44.1, 6:1-44.2).

Authority of State to compel pilots or aircraft owners operating in or over State to testify and produce documents, etc., in certain investigations as to safety of operation of aircraft or airport, suppl., 1952, c. 200 (C. 6:1-61, 6:1-62).

Chapter 1A. (new) STATE AIR SAFETY COMMISSION.

State Air Safety Commission, appointment, powers, duties, etc., 1952, c. 63 (C. 6:1A-1 to 6:1A-7).

Chapter 2. UNIFORM AERONAUTICS LAW.

R. S. 6:2–7 amended 1946, c. 237.

Chapter 3. (new) FEDERAL AID FOR AIRPORTS.

Public airports, use of funds under "Federal Airport Act," approval of State Department of Aviation, State Treasurer to be State Agency for such Federal funds, provided for, 1947, c. 315 (C. 6:3–1 to 6:3–4).

Chapter 5. (new) SERVICE OF PROCESS UPON NONRESIDENTS.

Process in civil actions, service upon nonresident pilots and owners of unlicensed aircraft operated over or within the State, provided for, 1952, c. 199 (C. 6:5–1 to 6:5–9).

Title 7. BILLS, NOTES AND CHECKS.

Subtitle 1. NEGOTIABLE INSTRUMENTS LAW.

Chapter 4. PROMISSORY NOTES AND CHECKS.

R. S. 7:4–7 repealed 1948, c. 67, ss. 336, 343.

Subtitle 2. NEGOTIABLE AND NONNEGOTIABLE INSTRUMENTS.

Chapter 5. GENERAL PROVISIONS.

R. S. 7:5–7 to 7:5–10 repealed 1948, c. 67, ss. 336, 343.

Additional Legislation.

Instruments issued by Port of New York Authority, certain of such made negotiable, 1947, c. 45 (C. 7:5–11, 7:5–12).

Sec. 1 of above amended 1953, c. 169 (C. 7:5–11).

Subtitle 3. COLLECTION OF INSTRUMENTS PAYABLE IN MONEY.

Chapter 6. BANK COLLECTION CODE.

R. S. 7:6–1 to 7:6–17 repealed 1948, c. 67, ss. 336, 343.

Title 9. CHILDREN—JUVENILE AND DOMESTIC RELATIONS COURTS.

Note: For commitment of minors to Diagnostic Centers, see 1946, c. 118 (T. 30, c. 4A), amended 1947, c. 238; 1953, c. 29; for contracts, obligations, pledges, mortgages and conveyances, made by minors over eighteen years of age in connection with certain veterans' loans made valid and enforceable, see 1946, c. 134 (T. 38, c. 23B), amended 1947, c. 189.

For mental health program for children, establishment and maintenance by counties and municipalities, appropriation, etc., provided for, see 1952, c. 120 (T. 40, c. 5).

Subtitle 1. PARENTAL RELATIONSHIP AND CARE, CUSTODY, GUARDIANSHIP AND SUPPORT OF CHILDREN IN GENERAL.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

Chapter 1. EARNINGS AND SERVICES OF CHILDREN.

R. S. 9:1–1	amended	1953, c. 9, s. 1.

Chapter 2. CARE, CUSTODY, GUARDIANSHIP AND SUPPORT OF CHILDREN IN GENERAL.

R. S. 9:2–1	amended	1948, c. 321, ss. 1, 11; 1953, c. 9, s. 2.
R. S. 9:2–2	"	1948, c. 321, ss. 2, 11.
R. S. 9:2–3	"	1948, c. 321, ss. 3, 11; 1953, c. 9, s. 3.
R. S. 9:2–4	"	1948, c. 321, ss. 4, 11.
R. S. 9:2–5	"	1948, c. 321, ss. 5, 11; 1953, c. 9, s. 4.
R. S. 9:2–7	"	1948, c. 321, ss. 6, 11; 1953, c. 9, s. 5.
R. S. 9:2–8	repealed	1948, c. 321, ss. 10, 11.
R. S. 9:2–9	amended	1948, c. 321, ss. 7, 11; 1949, c. 245, s. 1; 1953, c. 9, s. 6.
R. S. 9:2–10	"	1948, c. 321, ss. 8, 11; 1949, c. 245, s. 2; 1953, c. 9, s. 7.
R. S. 9:2–11	"	1948, c. 321, ss. 9, 11; 1949, c. 245, s. 3; 1953, c. 9, s. 8.

Subtitle 2. ADOPTION, APPRENTICESHIP AND INDENTURE.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

Chapter 3. ADOPTION.

Note: For prohibition against placement of children for adoption in certain cases, see 1953, c. 265 (T. 2A, c. 96).

R. S. 9:3-1 to 9:3-11 repealed 1953, c. 264, s. 18.

The following sections of the foregoing were amended prior to being repealed as aforesaid:

R. S. 9:3-1	amended	1944, c. 239, s. 1; 1945, c. 196.
R. S. 9:3-2	"	1938, c. 355, s. 1.
R. S. 9:3-3	"	1938, c. 355, s. 2.
R. S. 9:3-4	"	1938, c. 355; s. 3; 1944, c. 239, s. 2; 1951, c. 104.
R. S. 9:3-5	"	1938, c. 355, s. 4.
R. S. 9:3-6	"	1938, c. 355, s. 5; 1940, c. 210, s. 1.
R. S. 9:3-8	"	1938, c. 355, s. 6; 1940, c. 210, s. 2.
R. S. 9:3-9	"	1939, c. 355, s. 1; 1943, c. 104.
R. S. 9:3-11	"	1938, c. 355, s. 7; 1939, c. 355, s. 2; 1950, c. 41.

Additional Legislation.

Adoption of certain children by persons in armed forces, regulated, suppl., 1945, c. 248 (C. 9:3-12 to 9:3-14).

1945, c. 248 repealed 1953, c. 264, s. 18.

Foreign adoption, judgment or decree to have same force and effect as State judgment or decree, suppl., 1952, c. 234 (C. 9:3-15, 9:3-16).

1952, c. 234 repealed 1953, c. 264, s. 18.

Children, adoption, custody, control and rights of inheritance, regulated, 1953, c. 264 (C. 9:3-17 to 9:3-36).

Chapter 4. APPRENTICESHIP AND INDENTURE.

R. S. 9:4-1 to 9:4-6	repealed	1953, c. 264, s. 18.
R. S. 9:4-7 to 9:4-9	"	1953, c. 9, ss. 10-12.
R. S. 9:4-10	"	1953, c. 264, s. 18.
R. S. 9:4-11	"	1953, c. 9, s. 13.
R. S. 9:4-12 to 9:4-17	"	1953, c. 264, s. 18.
R. S. 9:4-18	amended 1938, c. 274; repealed 1953, c. 264, s. 18.	
R. S. 9:4-19	repealed 1953, c. 264, s. 18.	

Subtitle 3. PROTECTIVE WELFARE LAWS.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

Chapter 5. GENERAL PROVISIONS.

Note: For registration and regulation of private child care centers, provided for, see 1946, c. 303 (T. 18, c. 20A), amended 1949, c. 50; 1950, c. 24.

R. S. 9:5-5 amended 1953, c. 9, s. 14.

Chapter 6. ABANDONMENT, ABUSE, CRUELTY AND NEGLECT.

R. S. 9:6-3 amended 1944, c. 196, s. 1.

R. S. 9:6-4 " 1944, c. 196, s. 2; 1953, c. 9, s. 15.

R. S. 9:6-5 " 1939, c. 277, s. 1.

R. S. 9:6-7 " 1953, c. 9, s. 16.

R. S. 9:6-8 " 1953, c. 9, s. 17.

R. S. 9:6-9 " 1939, c. 277, s. 2; 1953, c. 9, s. 18.

R. S. 9:6-11 " 1953, c. 9, s. 19.

R. S. 9:6-12 " 1953, c. 9, s. 20.

Additional Legislation.

Treatment for ill child in accordance with church tenets, provided for, suppl., 1950, c. 126 (C. 9:6-1.1).

Chapter 7. DEPENDENT CHILDREN; BRINGING INTO STATE.

R. S. 9:7-1 amended 1949, c. 161, ss. 1, 7.

R. S. 9:7-2 " 1949, c. 161, ss. 2, 7.

R. S. 9:7-3 " 1949, c. 161, ss. 3, 7.

R. S. 9:7-4 " 1949, c. 161, ss. 4, 7.

R. S. 9:7-5 " 1949, c. 161, ss. 5, 7.

Additional Legislation.

Powers of Commissioner of Institutions and Agencies, State Board of Control of Institutions and Agencies and State Board of Child Welfare as to placement of children, suppl., 1949, c. 161, ss. 6, 7 (C. 9:7-6, 9:7-7).

Chapter 10. COUNTY DETENTION SCHOOLS.

R. S. 9:10–1 amended 1953, c. 9, s. 21.

R. S. 9:10–5 " 1953, c. 9, s. 22.

Chapter 11. COUNTY PARENTAL SCHOOLS.

R. S. 9:11–1 amended 1950, c. 121.

R. S. 9:11–6 " 1953, c. 9, s. 23.

R. S. 9:11–7 " 1953, c. 149, s. 2.

Additional Legislation.

Agreement for care, custody, maintenance or detention of certain juveniles for another county, the Federal Government or the State Board of Child Welfare in parental schools, provided for, suppl., 1952, c. 105 (C. 9:11–9).

Real estate, disposition of, regulated, suppl., 1953, c. 149, s. 1 (C. 9:11–10).

Chapter 12. COUNTY HOMES.

R. S. 9:12–1 amended 1953, c. 9, s. 24.

Chapter 12A. (new) COUNTY CHILDREN'S SHELTERS.

County children's shelter, establishment, maintenance, management, etc., of, provided for, suppl., 1953, c. 9, s. 25 (C. 9:12A–1).

Sec. 25 of above amended 1953, c. 428, s. 10 (C. 9:12A–1).

Chapter 13. CRIPPLED CHILDREN.

Note: For Commission continued as an agency within the State Department of Health, see 1948, c. 444, ss. 16-19 (T. 9, c. 13, T. 26, c. 1A).

R. S. 9:13–1 amended 1938, c. 150; 1948, c. 444, ss. 16, 27.

R. S. 9:13–2 " 1948, c. 444, ss. 17, 27.

R. S. 9:13–7 " 1938, c. 406; 1951, c. 228, s. 1; see 1938, c. 424 (NJSA 9:13–7 note; RSCS 9:13–7a).

R. S. 9:13–8 " 1951, c. 228, s. 2.

Subtitle 4. ILLEGITIMATE CHILDREN.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

Chapter 16. CUSTODY AND SUPPORT.

R. S. 9:16–1 amended 1953, c. 9, s. 26.

R. S. 9:16–3 " 1953, c. 9, s. 27.

Chapter 17. BASTARDY PROCEEDINGS.

Note: For use of blood tests in determining paternity, see N. J. S. 2A:83–2 and 2A:83–3.

R. S. 9:17–1 amended 1949, c. 141, s. 1; 1953, c. 9, s. 28.

R. S. 9:17–1.1 " 1943, c. 49; repealed 1953, c. 9, s. 29.

R. S. 9:17–2 " 1949, c. 141, s. 2; 1953, c. 9, s. 30.

R. S. 9:17–3 repealed 1949, c. 141, s. 3.

R. S. 9:17–4 amended 1949, c. 141, s. 4; 1953, c. 9, s. 31.

R. S. 9:17–5 " 1953, c. 9, s. 32.

R. S. 9:17–6 " 1945, c. 183, s. 1; 1953, c. 9, s. 33.

R. S. 9:17–7 " 1949, c. 141, s. 5; 1953, c. 9, s. 34.

R. S. 9:17–8 " 1949, c. 141, s. 6; repealed 1953, c. 9, s. 35.

R. S. 9:17–9 " 1949, c. 141, s. 7; repealed 1953, c. 9, s. 36.

R. S. 9:17–10 repealed 1953, c. 9, s. 37.

R. S. 9:17–11 amended 1949, c. 141, s. 8; 1953, c. 9, s. 38.

R. S. 9:17–12 " 1949, c. 141, s. 9; 1953, c. 9, s. 39.

R. S. 9:17–13 " 1945, c. 183, s. 2; 1949, c. 141, s. 10; 1953, c. 9, s. 40.

R. S. 9:17–14 " 1953, c. 9, s. 41.

R. S. 9:17–15 " 1949, c. 141, s. 11.

R. S. 9:17–16 " 1949, c. 141, s. 12.

R. S. 9:17–17 " 1953, c. 9, s. 42.

R. S. 9:17–18 " 1953, c. 9, s. 43.

R. S. 9:17–19 " 1949, c. 141,s. 13; 1953, c. 9, s. 44.

R. S. 9:17–20 " 1949, c. 141, s. 14; 1953, c. 9, s. 45.

R. S. 9:17–21 " 1949, c. 141, s. 15; repealed 1953, c. 9, s. 46.

R. S. 9:17–22 " 1949, c. 141, s. 16; repealed 1953, c. 9, s. 47.

R. S. 9:17–23 " 1953, c. 9, s. 48.

R. S. 9:17–24 " 1949, c. 141, s. 17; 1953, c. 9, s. 49.

R. S. 9:17–25 " 1953, c. 9, s. 50.

R. S. 9:17–27 amended 1953, c. 9, s. 51.
R. S. 9:17–28 " 1949, c. 141, s. 18; 1953, c. 9, s. 52.
R. S. 9:17–29 " 1949, c. 141, s. 19; 1953, c. 9, s. 53.
R. S. 9:17–30 " 1953, c. 9, s. 54.
R. S. 9:17–31 " 1949, c. 141, s. 20; 1953, c. 9, s. 55.
R. S. 9:17–32 " 1949, c. 141, s. 21; 1953, c. 9, s. 56.
R. S. 9:17–34 " 1949, c. 141, s. 22.
R. S. 9:17–35 " 1949, c. 141, s. 23; 1953, c. 9, s. 57.
R. S. 9:17–36 repealed 1949, c. 141, s. 24.
R. S. 9:17–37 amended 1949, c. 141, s. 25; repealed 1953, c. 9, s. 58.

Subtitle 5. JUVENILE AND DOMESTIC RELATIONS COURTS.

Chapter 18. ORGANIZATION OF COURT; JURISDICTION, POWERS AND PROCEDURE.

Note: For commitment, etc., of minors to Diagnostic Centers provided for, see 1946, c. 118 (T. 30, c. 4A), amended 1947, c. 238; for court attendants, Superior Court, County Courts, Juvenile and Domestic Relations Courts, grand jury, sheriff's office, compensation to be fixed by board of chosen freeholders, first-class counties exceeding 800,000 inhabitants, see N. J. S. 2A:11–33.

R. S. 9:18–1 to 9:18–37 repealed 1951, c. 347, see N. J. S. 2A:4–1 to 2A:4–4; 2A:4–7 to 2A:4–20; 2A:4–31 to 2A:4–41.

The following sections of the foregoing were amended prior to being repealed as aforesaid:

R. S. 9:18–5 amended 1945, c. 291.
R. S. 9:18–12 " 1943, c. 97; 1946, c. 77, s. 1; 1948, c. 284, s. 1.
R. S. 9:18–14 " 1946, c. 77, s. 2; 1950, c. 337.
R. S. 9:18–18 " 1946, c. 77, s. 3.
R. S. 9:18–25 " 1947, c. 213, ss. 1, 2.
R. S. 9:18–31 " 1946, c. 77, s. 4.

Additional Legislation.

Juvenile delinquents, finger printing and destruction of finger prints of, in certain cases, authorized, 1948, c. 284, s. 2 (C. 9:18–12.1), see N. J. S. 2A:4–21.

Additional jurisdiction in nonsupport cases involving persons residing outside the State, in certain cases, procedure to enforce same, provided for, suppl., 1949, c. 122 (C. 9:18–17.1 to 9:18–17.10), see N. J. S. 2A:4–22 to 2A:4–30.

Chapter 19. REFERENDUM FOR ELECTION OF SPECIAL JUVENILE COURT JUDGE.

R. S. 9:19–1 to 9:19–2 repealed 1951, c. 347, see N. J. S. 2A:4–5 and 2A:4–6.

Subtitle 6. JUVENILE DELINQUENCY COMMISSION.

Chapter 20. THE COMMISSION; ITS POWERS AND DUTIES.

Additional Legislation.

Commission continued, suppl., 1938, c. 326; 1939, c. 114; 1940, c. 81; 1941, c. 51; 1942, c. 108.

Subtitle 7. (new) JUVENILE DELINQUENCY, ETC., PREVENTION AND CONTROL OF.

Chapter 21. (new) IN GENERAL.

Juvenile delinquency, conditions contributory thereto, judges to report such to municipality and Youth Guidance Commission, 1947, c. 180 (C. 9:21–1, 9:21–2).

Sec. 1 of above amended 1953, c. 9, s. 59 (C. 9:21–1).

Sec. 2 " " " 1953, c. 9, s. 60 (C. 9:21–2).

Chapter 22. (new) YOUTH GUIDANCE COUNCILS OR COMMISSIONS.

Youth Guidance Municipal Councils, establishment, powers and duties of, authorized, 1947, c. 179 (C. 9:22–1 to 9:22–12).

Sec. 9 of above amended 1953, c. 9, s. 61 (C. 9:22–9).

Sec. 10 " " repealed 1953, c. 9, s. 62 (C. 9:22–10).

Title 10. CIVIL RIGHTS.

Note: For certain discriminatory practices in employment and otherwise, prohibited and Division Against Discrimination in the State Department of Education, established, see 1945, c. 169 (T. 18, c. 25), amended 1947, c. 155, 1949, c. 11, 1951, c. 64, 1953, c. 18; for discrimination for race, etc.; prohibited in public housing, see 1950, c. 105 (T. 55, c. 14A); 1950, c. 106 (T. 55, c. 14C); 1950, c. 107 (T. 55, c. 14D); 1950, c. 108 (T. 55, c. 14H); 1950, c. 109 (T. 55, c. 14A); 1950, c. 110 (T. 55, c. 14B); 1950, c. 111 (T. 55, c. 14E); 1950, c. 112 (T. 55, c. 16).

Chapter 1. IN GENERAL.

R. S. 10:1-1 amended 1941, c. 247.

R. S. 10:1-3 " 1945, c. 168, s. 1.

R. S. 10:1-6 " 1945, c. 168, s. 2; 1953, c. 10, s. 1.

R. S. 10:1-7 " 1953, c. 10, s. 2.

R. S. 10:1-8 " 1945, c. 168, s. 3.

Additional Legislation.

Discrimination, on account of race, creed or color, against persons to be employed on war or defense work, prohibited, 1942, c. 114 (C. 10:1-10 to 10:1-12).

Preamble of above amended 1945, c. 174, s. 1.

Sec. 1 " " " 1945, c. 174, s. 2 (C. 10:1-10).

Sec. 2 " " " 1945, c. 174, s. 3 (C. 10:1-11).

Chapter 2. EMPLOYMENT ON PUBLIC WORKS.

R. S. 10:2-1 amended 1945, c. 171.

Chapter 3. (new) EMPLOYMENT IN THE PUBLIC SERVICE.

Note: For additional legislation relating to discrimination for age in public employment, see R. S. 40:11-4 as amended by 1938, c. 336, 1951, c. 62.

Discrimination against applicants, for age, in employment in public service, prohibited, 1938, c. 295 (NJSA 40:11-4.1; RSCS 11:2B-1).

Title 11. CIVIL SERVICE.

Note: For prohibition of discrimination against applicants for employment, for age, see 1938, c. 295 (T. 10, c. 3), also R. S. 40:11-4 as amended by 1938, c. 336, 1951, c. 62; for certain discriminatory practices in employment and otherwise prohibited and Division Against Discrimination in the State Department of Education, established, see 1945, c. 169 (T. 18, c. 25), amended 1947, c. 155, 1949, c. 11, 1951, c. 64, 1953, c. 18; for delay in qualifying of members of police and fire departments by reason of military service not to affect rights, benefits, etc., see 1946, c. 87 (T. 40, c. 11); for supervision of Civil Service Commission over apprentice and on the job training programs for veterans, provided for, see 1946, c. 162 (T. 38, c. 23A), amended 1952, c. 232.

Subtitle 1. CIVIL SERVICE COMMISSION.

Chapter 1. THE COMMISSION.

R. S. 11:1-1	amended	1944, c. 65, s. 1; 1948, c. 89, ss. 1, 4.
R. S. 11:1-2	"	1944, c. 65, s. 2; 1948, c. 89, ss. 2, 4.
R. S. 11:1-6	"	1944, c. 65, s. 3; 1948, c. 89, ss. 3, 4.
R. S. 11:1-9	"	1944, c. 65, s. 4.
R. S. 11:1-11	"	1953, c. 11, s. 1.
R. S. 11:1-13	"	1953, c. 11, s. 2.
R. S. 11:1-14	"	1953, c. 11, s. 3.

Additional Legislation.

Fees for applying to take examinations, provided for, suppl., 1950, c. 74 (C. 11:1-18, 11:1-19).

Chapter 2. THE CHIEF EXAMINER AND SECRETARY.

R. S. 11:2-1	amended	1944, c. 65, s. 5.
R. S. 11:2-2	"	1938, c. 192.
R. S. 11:2-3	"	1944, c. 65, s. 6.
R. S. 11:2-4	repealed	1944, c. 65, s. 7.
R. S. 11:2-5	amended	1944, c. 65, s. 8.
R. S. 11:2-6	"	1944, c. 65, s. 9.

Chapter 2A. (new) CONTROL OF COMMISSION OVER CIVIL SERVICE EMPLOYEES, GENERALLY.

Right of appeal from suspension, fining or demotion for more than thirty days in one year or five days at one time, suppl., 1938, c. 76 (NJSA 11:15-1.1; RSCS 11:2A-1).

Sec. 1 of above amended 1946, c. 184 (C. 11:2A-1).

Chapter 2C. (new) AWARDS COMMITTEE AND PROGRAM.

Awards Program for State Employees and Awards Committee, establishment, provided for, 1953, c. 125 (C. 11:2C–1 to 11:2C–9).

Subtitle 2. STATE SERVICE.

Chapter 4. PURPOSE, CONSTRUCTION AND APPLICATION OF SUBTITLE.

R. S. 11:4–4 amended 1948, c. 121, s. 1; 1952, c. 293.

R. S. 11:4–5 **Note:** 1913, c. 139 and 1918, c. 234 repealed, 1944, c. 20, s. 20.

Additional Legislation.

Deputy Commissioner of Compensation, civil service status, 1939, c. 111 (NJSA 11:7–7; RSCS 34:1–57.1).

Chief Auditor, Comptroller's Department, under civil service, 1939, c. 219 (NJSA 11:7–8; RSCS 52:19–11.1).

State House supervisor of mails under Civil Service, 1940, c. 15 (NJSA 11:7–9; RSCS 52:20–20.1).

Certain persons having tenure to be in classified civil service, suppl., 1941, c. 91 (C. 11:4–3.5, 11:4–3.6).

Election clerk, Secretary of State's office, under civil service, 1941, c. 286 (C. 11:4–3.7).

State Treasurer, certain employees under Civil Service, suppl., 1946, c. 198 (C. 11:4–3.8, 11:4–3.9).

Economic development, certain employees under civil service, 1948, c. 435 (C. 11:4–3.10).

State Boards, Public Accountants, Architects, Dentistry, Engineers and Land Surveyors, Medical Examiners, Nursing and Pharmacy, certain positions or employments, included in classified service, incumbents so classified without examinations, 1953, c. 238 (C. 11:4–3.11).

Teachers' Pension and Annuity Fund, certain positions or employments, included in classified service, incumbents so classified without examination, 1953, c. 239 (C. 11:4–3.12).

Certification of names, and classification in competitive class, of certain employees of Division of Motor Vehicles in Department of Law and Public Safety, without examination, 1953, c. 430, ss. 2-3 (C. 11:4–3.13, 11:4–3.14).

Chapter 5. DUTIES OF COMMISSION.

Note: For specific statutory maxima and minima of salaries and salary increases for State employees, abolished, salary ranges to be established by Civil Service Commission, see 1945, c. 86 (T. 52, c. 14).

R. S. 11:5–1 amended 1944, c. 65, s. 10.

Chapter 6. CHIEF EXAMINER AND SECRETARY; POWERS AND DUTIES.

R. S. 11:6-2 amended 1947, c. 201, s. 1.

Chapter 7. CLASSIFICATION OF POSITIONS.

Additional Legislation.

Adjustments of compensation after allocation of positions under new compensation plan, suppl., 1944, c. 65, s. 11 (C. 11:7-10).

Position, classified or unclassified, determination of, provided for, suppl., 1948, c. 121, ss. 2-4, 9 (C. 11:7-11 to 11:7-14).

Chapter 9. TESTS; EMPLOYMENT AND RE-EMPLOYMENT LISTS.

Note: For provision for discontinuance, etc., of competitive examinations, see 1944, c. 64, (T. 11, c. 22), amended 1945, c. 15, 1946, c. 156; for provision for continuance until June 30, 1949, of provisional and temporary employees pending appointments from eligible lists, see 1948, c. 57, (T. 11, c. 22), amended 1949, c. 68, 1950, c. 13; for fees for applying to take examinations, provided for, see 1950, c. 74, (T. 11, c. 1).

Chapter 10. VACANCY IN POSITIONS.

Additional Legislation.

Discrimination against eligibles certified for appointment in competitive class in civil service, record, report, etc., suppl., 1939, c. 322 (NJSA 11:10-8; RSCS 11:10-6.1).

Sec. 1 of above amended 1947, c. 123 (NJSA 11:10-8; RSCS 11:10-6.1).

Chapter 11. TEMPORARY AND EMERGENCY APPOINTMENTS; TRANSFERS.

Note: For provision for discontinuance, etc., of competitive examinations, see 1944, c. 64 (T. 11, c. 22), amended 1945, c. 15, 1946, c. 156; for provision for continuance until June 30, 1949, of provisional and temporary employees pending appointments from eligible lists, see 1948, c. 57, (T. 11, c. 22), amended 1949, c. 68, 1950, c. 13; for civil service status, and seniority and pension rights, preserved, certain cases, see 1950, c. 235, (T. 11, c. 26B).

Additional Legislation.

Tenure, civil service, pension or retirement rights of State Classified Civil Service and service employees assigned or transferred to Department of Law and Public Safety, protected, suppl., 1952, c. 27 (C. 11:11-4).

Chapter 12. WORKING TESTS.

R. S. 11:12-1 amended 1946, c. 228, s. 1.

R. S. 11:12-2 " 1946, c. 228, s. 2.

Chapter 14. HOURS OF WORK AND LEAVES OF ABSENCE.

R. S. 11:14–1 amended 1939, c. 233, s. 1; 1951, c. 215.

R. S. 11:14–2 " 1939, c. 233, s. 2.

Additional Legislation.

Vacation leaves, certain service credits, provided for, suppl., 1953, c. 193 (C. 11:14–1.1).

Leave records, forms for, certificates of, transfers, provided for, suppl., 1947, c. 201, ss. 2-4 (C. 11:14–3 to 11:14–5).

Chapter 15. SUSPENSION; DEMOTION; REMOVAL.

Note: For appeal from suspension, fining or demotion for more than thirty days in one year or five days at one time, see 1938, c. 76, (T. 11, c. 2A), amended 1946, c. 184.

R. S. 11:15–7 repealed 1952, c. 322, s. 3.

R. S. 11:15–8 " 1952, c. 322, s. 3.

Additional Legislation.

State Classified Civil Service employees separated from service because of economy, etc., demotion to lower position, special re-employment list and reinstatement, provided for, suppl., 1952, c. 322, ss. 1, 2 (C. 11:15–9, 11:15–10).

Chapter 16. CERTIFICATION OF PAYROLLS.

R. S. 11:16–1 amended 1947, c. 201, s. 5.

Chapter 17. DISCRIMINATION AND POLITICAL ACTIVITY.

Note: For qualification for public employment forbidding joining or maintaining membership in National Guard, Naval Militia or United States Armed Forces Reserve, invalidated, see 1949, c. 99, (T. 38, c. 22).

Chapter 18. PENALTY FOR VIOLATIONS.

R. S. 11:18–1 amended 1953, c. 11, s. 4.

Subtitle 3. COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS.

Note: For civil service status, and seniority and pension rights, preserved, certain cases, see 1950, c. 235, (T. 11, c. 26B).

Chapter 20. ADOPTION OF SUBTITLE BY COUNTY, MUNICIPALITY OR SCHOOL DISTRICT.

R. S. 11:20–1 amended 1947, c. 28.

R. S. 11:20–2 " 1938, c. 135.

R. S. 11:20–3 " 1953, c. 11, s. 5.

Chapter 20A. (new) EMPLOYEES SUBJECT TO CIVIL SERVICE WITHOUT ADOPTION OF SUBTITLE.

Employees of Trenton and Mercer County Memorial Building Commission in exempt class of civil service, suppl., 1942, c. 65 (C. 11:20A–1).

Consolidated school districts, employees of, included in classified civil service, in certain cases, 1947, c. 272 (C. 11:20A–2).

Chapter 21. APPOINTMENTS, PROMOTIONS, REMOVALS AND DISCHARGE IN GENERAL.

Note: For appeal from suspension, fining or demotion for more than thirty days in one year or five days at one time, see 1938, c. 76, (T. 11, c. 2A), amended 1946, c. 184; for provision for discontinuance, etc., of competitive examinations, see 1944, c. 64, (T. 11, c. 22), amended 1945, c. 15, 1946, c. 156; for qualifications for public employment forbidding joining or maintaining membership in National Guard, Naval Militia or United States Armed Forces Reserve, invalidated, see 1949, c. 99 (T. 38, c. 22); for civil service status and seniority and pension rights, preserved, certain cases, see 1950, c. 235, (T. 11, c. 26B).

R. S. 11:21–2 amended 1953, c. 11, s. 6.

R. S. 11:21–6 " 1940, c. 150.

R. S. 11:21–9 " 1948, c. 345.

Additional Legislation.

Civil service status, certain employees of municipalities and school districts, not authorized by ordinance or resolution, provided for, 1951, c. 279 (C. 11:21–4.1).

Civil service status, police and firemen appointed between time of petition for and adoption of civil service law, provided for, 1948, c. 257 (C. 11:21–5.1).

Civil service status, certain employees, employed at time of filing petition for adoption of civil service by municipality, provided for, 1951, c. 278 (C. 11:21–5.2).

Chapter 22. CLASSES OF CIVIL SERVICE.

Note: For certain employees of water commissions in classified service, Civil Service, see 1949, c. 289, (T. 40, c. 62).

R. S. 11:22–2 amended 1946, c. 34; 1948, c. 47; 1948, c. 121, s. 5; 1952, c. 291.

R. S. 11:22–4 " 1948, c. 121, s. 10.

R. S. 11:22–9 repealed 1952, c. 323, s. 3.

R. S. 11:22–10 " 1952, c. 323, s. 3.

R. S. 11:22–16 amended 1952, c. 48, s. 1.

R. S. 11:22–20 " 1947, c. 200.

R. S. 11:22-21 amended 1953, c. 11, s. 7.

R. S. 11:22-22 " 1953, c. 11, s. 8.

R. S. 11:22-25 repealed 1948, c. 121, s. 11.

R. S. 11:22-26 " 1948, c. 121, s. 11.

R. S. 11:22-27 " 1948, c. 121, s. 11.

R. S. 11:22-28 " 1948, c. 121, s. 11.

R. S. 11:22-34 " 1950, c. 48.

Additional Legislation.

County, municipal or school district classified civil service employees separated from service because of economy, etc., demotion to lower position, special re-employment list and reinstatement, provided for, suppl., 1952, c. 323, ss. 1, 2 (C. 11:22-10.1, 11:22-10.2).

Employees, etc., in classified service but not in competitive or noncompetitive classes: rights of tenure, appeal, etc., 1940, c. 178 (NJSA 11:22-11.1; RSCS 11:21-6.1).

Competitive examinations, discontinuance, etc., provided for, suppl., 1944, c. 64 (C. 11:22-15.1 to 11:22-15.4).

Sec. 1 of above amended 1946, c. 156, s. 1 (C. 11:22-15.1).

Sec. 2 " " " 1946, c. 156, s. 2 (C. 11:22-15.2).

Sec. 4 " " " 1945, c. 15; 1946, c. 156, s. 3 (C. 11:22-15.4).

Provisional and temporary employees, continued, pending appointments from eligible lists, until June 30, 1951, 1948, c. 57 (C. 11:22-15.5).

Sec. 1 of above amended 1949, c. 68; 1950, c. 13 (C. 11:22-15.5).

City district courts, certain employees included in classified service upon judge's certification, suppl., 1948, c. 165 (C. 11:22-44.1 to 11:22-44.3).

Local assistance boards employees, certain, included in classified service upon certification of governing body, suppl., 1948, c. 466 (C. 11:22-44.4, 11:22-44.5).

Position, classified or unclassified, determination of, provided for, suppl., 1948, c. 121, ss. 6-9 (C. 11:22-50 to 11:22-52).

Chapter 23. EXAMINATIONS.

Note: For fees for applying to take examinations, provided for, see 1950, c. 74, (T. 11, c. 1).

Chapter 24A. (new) HOURS OF WORK, ATTENDANCE AND LEAVES OF ABSENCE.

Regulations as to holidays, hours of work, attendance, sick and other leaves of absence, suppl., 1939, c. 232 (NJSA 11:24A–1 to 11:24A–6; RSCS 11:26A–1 to 11:26A–7).

Sec. 3 of above amended 1943, c. 200 (C. 11:24A–3).

Sec. 6 " " " 1950, c. 202 (C. 11:24A–6).

Leaves of absence without pay, granting of, etc., provided for, suppl., 1946, c. 148 (C. 11:24A–6.1 to 11:24A–6.3).

Leave of absence for civil service county, municipal or school district employees to fill elective Constitutional office, provided for, 1942, c. 253 (C. 11:24A–7).

Chapter 25. APPEAL TO COMMISSION OR SUPREME COURT JUSTICE FOR VIOLATION OF SUBTITLE.

Note: For appeal from suspension, fining or demotion for more than thirty days in one year or five days at one time, see 1938, c. 76, (T. 11, c. 2A), amended 1946, c. 184.

R. S. 11:25–4 amended 1953, c. 11, s. 9.

R. S. 11:25–5 repealed 1953, c. 11, s. 10.

R. S. 11:25–6 " 1953, c. 11, s. 11.

Subtitle 3A. (new) STATE AND COUNTY MUNICIPAL, ETC., SERVICE.

Chapter 26B. (new) TRANSFERS FROM STATE TO COUNTY, ETC., SERVICE AND VICE VERSA.

Civil service status, and seniority and pension rights, preserved, certain cases, suppl., 1950, c. 235 (C. 11:26B–1 to 11:26B–3).

Chapter 26C. (new) LEAVES OF ABSENCE, ETC.

State, county and municipal employees not in classified service, leaves of absence to enter other service temporarily, resumption of office, position or employment, pension, retirement or annuity fund rights, provided for and protected, 1952, c. 302 (C. 11:26C–1 to 11:26C–3).

Subtitle 4. VETERANS.

Chapter 27. PREFERENCES.

R. S. 11:27–1 amended 1942, c. 84; 1942, c. 137, s. 1; 1946, c. 227, s. 1; 1947, c. 63; 1951, c. 19, s. 1.

R. S. 11:27–2 " 1938, c. 381, s. 1; repealed 1946, c. 227, s. 2.

R. S. 11:27–3 " 1938, c. 381, s. 2; 1946, c. 227, s. 3.

R. S. 11:27–4	amended	1938, c. 381, s. 3; 1946, c. 227, s. 4; 1952, c. 48, s. 2.
R. S. 11:27–5	"	1938, c. 381, s. 4; 1946, c. 227, s. 5.
R. S. 11:27–6	"	1938, c. 381, s. 5.
R. S. 11:27–7	"	1938, c. 381, s. 6.
R. S. 11:27–8	"	1938, c. 381, s. 7.
R. S. 11:27–9	"	1938, c. 381, s. 8.
R. S. 11:27–10	"	1938, c. 381, s. 9; 1951, c. 19, s. 2.
R. S. 11:27–11.1	"	1938, c. 38.
R. S. 11:27–12	"	1950, c. 305.

Additional Legislation.

Wife of disabled veteran entitled to preferences in employment, promotion and tenure in public employment, suppl., 1942, c. 137, s. 2 (C. 11:27–1.2).

Preference in State, county, municipal and school district civil service employment to mothers of certain deceased veterans, suppl., 1952, c. 309 (C. 11:27–1.3).

Administration of chapter by Civil Service Commission, suppl., 1938, c. 381, s. 10 (C. 11:27–13).

Title 12. COMMERCE AND NAVIGATION.

Chapter 1. DEFINITIONS.

R. S. 12:1-1 see 1945, c. 22, ss. 28, 29 (C. 13:1A-28, 13:1A-29); 1948, c. 448, s. 120 (C. 13:1B-69).

Chapter 2. DEPARTMENT AND BOARD OF COMMERCE AND NAVIGATION.

Note: For beach-front protection and dredging and removal of obstructions from streams, see 1940, c. 52 (T. 12, c. 6A), amended 1946, c. 258, 1950, c. 31; for transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22 (T. 13, c. 1A); for transfer of functions, powers and duties to the Department of Conservation and Economic Development, see 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 12:2-1 to 12:2-5 repealed 1945, c. 22, s. 44.

R. S. 12:2-16 " 1945, c. 22, s. 44.

Additional Legislation.

Charges for berthing or anchorage space for boats in public basins, etc., by Board of Commerce and Navigation; authorized; disposition of receipts, etc., suppl., 1941, c. 352 (C. 12:2-15.1).

Title of above amended 1950, c. 138, s. 1.

Sec. 1 " " " 1950, c. 138, s. 2 (C. 12:2-15.1).

Chapter 3. RIPARIAN LANDS.

Note: For State's interest in island shoals and reefs in tidal waters, disposal of, provided for, see 1946, c. 299, (T. 13, c. 1A); for municipal riparian lands, certain, not needed for public use and purportedly dedicated as a public street, sale of, provided for, see 1947, c. 322, (T. 40, c. 60).

For transfer of functions, powers and duties of Board of Commerce and Navigation to State Board of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 12:3-4 amended 1953, c. 12, s. 1.

R. S. 12:3-5 " 1952, c. 225.

R. S. 12:3-8 " 1953, c. 12, s. 2.

R. S. 12:3-9 " 1953, c. 12, s. 3.

R. S. 12:3-10 " 1938, c. 418.

R. S. 12:3-21 " 1953, c. 12, s. 4.

R. S. 12:3-25 " 1953, c. 12, s. 5.

R. S. 12:3-61 " 1953, c. 12, s. 6.

R. S. 12:3-64 " 1939, c. 193; 1953, c. 12, s. 7.

Chapter 4. NAVIGATION.

Note: For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For Board of New Jersey Pilot Commissioners or Commissioners of Pilotage transferred to and continued in Division of Planning and Development of Department of Conservation and Economic Development, see 1948, c. 448, s. 16 (T. 13, c. 1B).

R. S. 12:4–7 amended 1947, c. 37.

R. S. 12:4–17 " 1953, c. 12, s. 8.

Chapter 5. WATER-FRONT AND HARBOR FACILITIES.

Note: For beach-front protection and dredging and removal of obstructions from streams, see 1940, c. 52 (T. 12, c. 6A) amended 1946, c. 258; 1950, c. 31.

For transfer of functions, powers and duties of Board of Commerce and Navigation to State Board of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

Additional Legislation.

Marine improvements on certain lands, allocation of cost of certain, provided for, 1953, c. 126 (C. 12:5–10, 12:5–11).

Chapter 6. INLAND WATERWAYS.

Note: For transfer of functions, powers and duties of Board of Commerce and Navigation to State Board of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 12:6–14 amended 1953, c. 12, s. 9.

R. S. 12:6–17 repealed 1946, c. 314.

R. S. 12:6–18 " 1946, c. 314.

Additional Legislation.

Shrewsbury and Manasquan Rivers and tributaries, improvement of, authorized, suppl., 1946, c. 313 (C. 12:6–3.4, 12:6–3.5).

Shrewsbury River, Polly's pond, improvement of, authorized, suppl., 1949, c. 75 (C. 12:6–3.6, 12:6–3.7).

Co-operation with Federal Government in construction, improvement, operation and maintenance of New Jersey Intracoastal Waterway and conveyance of Manasquan-Bayhead Canal, provided for, 1950, c. 333 (C. 12:6–19, 12:6–20).

Sec. 1 of above amended 1951, c. 14 (C. 12:6–19).

Chapter 6A. (new) BEACH FRONT REPAIR AND DREDGING OF STREAMS.

Note: For transfer of functions, powers and duties of Board of Commerce and Navigation to State Board of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

Beach-front protection and dredging and removal of obstructions from streams, suppl., 1940, c. 52 (NJSA 12:6-3.1 to 12:6-3.3; RSCS 12:6A-1 to 12:6A-3).

Sec. 1 of above amended 1946, c. 258, s. 1; 1950, c. 31 (NJSA 12:6-3.1; RSCS 12:6A-1).

Sec. 2 " " " 1946, c. 258, s. 2 (NJSA 12:6-3.2; RSCS 12:6A-2).

Sec. 3 " " " 1946, c. 258, s. 3 (NJSA 12:6-3.3; RSCS 12:6A-3).

Chapter 7. REGULATION AND REGISTRATION OF POWER VESSELS.

Note: For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For transfer of functions, powers and duties of Board of Commerce and Navigation to State Board of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

Article 1. In General.

R. S. 12:7-6 amended 1953, c. 12, s. 10.

Article 3. Registration of Vessels.

Additional Legislation.

Registration of power vessels, suppl., 1941, c. 396 (C. 12:7-16.1 to 12:7-16.3).

Sec. 3 of above amended 1953, c. 12, s. 11 (C. 12:7-16.3).

Article 6. Penalties.

R. S. 12:7-25 amended 1953, c. 12, s. 12.

R. S. 12:7-26 repealed 1953, c. 12, s. 13.

R. S. 12:7-27 amended 1953, c. 12, s. 14.

R. S. 12:7-28 repealed 1953, c. 12, s. 15.

R. S. 12:7-29 " 1953, c. 12, s. 16.

R. S. 12:7-32 amended 1953, c. 12, s. 17.

Article 7. (new) Operation, Docking, Mooring and Anchoring.

Additional Legislation.

Power vessels, regulation of operation, docking, mooring and anchoring in tidal waters of State, suppl., 1952, c. 157 (C. 12:7-44 to 12:7-53).

Chapter 8. PILOTS.

Note: For Board of New Jersey Pilot Commissioners or Commissioners of Pilotage transferred to and continued in Division of Planning and Development of Department of Conservation and Economic Development, see 1948, c. 448, s. 16 (T. 13, c. 1B).

Additional Legislation.

Appointment of temporary branch and temporary deputy pilots, authorized, in certain cases, 1942, c. 349 (C. 12:8-15.1 to 12:8-15.6).

Chapter 9. HARBOR MASTERS.

Note: For transfer of functions, powers and duties of harbor masters to Department of Conservation and Economic Development, see 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 12:9-1 repealed 1948, c. 448, ss. 121, 122, 123.

R. S. 12:9-10 " 1948, c. 448, ss. 121, 122, 123.

Chapter 10. PORT WARDENS.

Note: For transfer of functions, powers and duties of port wardens to Department of Conservation and Economic Development, see 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 12:10-1 repealed 1948, c. 448, ss. 121, 122, 123.

R. S. 12:10-15 amended 1953, c. 12, s. 18.

Chapter 11. SOUTH JERSEY PORT DISTRICT.

R. S. 12:11-3 amended 1942, c. 167.

R. S. 12:11-6 " 1953, c. 287.

Chapter 12. PORT RARITAN DISTRICT.

Note: For transfer of functions, powers and duties to Department of Economic Development and to Department of Conservation and Economic Development, see 1944, c. 85 (T. 52, c. 27C), amended 1945, c. 128; 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 12:12-1 to 12:12-10 repealed 1944, c. 85, s. 52.

Title 13. CONSERVATION AND DEVELOPMENT—PARKS AND RESERVATIONS.

Note: For transfer of certain functions, powers and duties of Department and Board of Conservation and Development to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

For transfer of New Jersey System of Plane Co-ordinates to Board of Conservation and Development, see 1938, c. 225, (T. 51, c. 3); for tree experts; regulation and licensing by Board, see 1940, c. 100, (T. 45, c. 15C); for legal aid to police officers and firemen in suits arising from incidents in line of duty, provided for, see 1946, c. 67, (T. 40, c. 11), amended 1947, c. 103.

Chapter 1. DEPARTMENT AND BOARD OF CONSERVATION AND DEVELOPMENT.

Note: For transfer of certain functions, powers and duties of Department and Board of Conservation and Development to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

For underground storage of gas, petroleum products, etc., regulated, see 1951, c. 80 (T. 58, c. 10).

Article 1. Organization and Department Personnel.

R. S. 13:1–1 repealed 1945, c. 22, s. 44.

R. S. 13:1–2 " 1945, c. 22, s. 44.

R. S. 13:1–10 " 1945, c. 22, s. 44.

Article 3. Additional Powers and Duties of Board.

Note: For roadside parks and recreational facilities, establishment and maintenance of, see 1952, c. 18 (T. 13, c. 2).

Chapter 1A. (new) STATE DEPARTMENT OF CONSERVATION.

Note: For transfer of certain functions, powers and duties of Department and Board of Conservation and Development to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B); for underground storage of gas, petroleum products, etc., regulated, see 1951, c. 80 (T. 58, c. 10).

State Department of Conservation; establishment, organization, function, powers and duties, 1945, c. 22 (C. 13:1A–1 to 13:1A–45).

State's interest in islands, shoals and reefs in tidal waters, disposal of, provided for, 1946, c. 299 (C. 13:1A–32.1).

Chapter 1B. (new) DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT.

Note: For transfer of functions of Department Relating to Public Assistance to Department of Institutions and Agencies, see 1950, c. 166 (T. 30, c. 4B); for sea clams, dredging for, regulated, licenses, provided for, see 1950, c. 310 (T. 50, c. 2).

Department of Conservation and Economic Development Act of 1948, 1948, c. 448 (C. 13:1B–1 to 13:1B–72).

Sec. 27 of above amended 1951, c. 179 (C. 13:1B–25).

Bureau of Recreation, constitution, powers and duties, provided for, suppl., 1950, c. 338 (C. 13:1B–17.1 to 13:1B–17.3).

Division of Veterans' Services, co-ordination of services and information for war veterans and servicemen and their dependents and furnishing of assistance to obtain Federal and State benefits, suppl., 1952, c. 347 (C. 13:1B–22.1).

Fish and game wardens, appointment of additional number authorized, suppl., 1952, c. 327 (C. 13:1B–28.1).

Chapter 2. STATE PARKS IN GENERAL.

Note: For transfer of certain functions, powers and duties of Department and Board of Conservation and Development to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

Additional Legislation.

Roadside parks and recreational facilities, establishment and maintenance of, suppl., 1952, c. 18 (C. 13:2–5 to 13:2–10).

Chapter 2A. (new) BARNEGAT LIGHTHOUSE STATE PARK.

Barnegat Lighthouse State Park; establishment, maintenance, management, etc., 1951, c. 343 (C. 13:2A–1 to 13:2A–5).

Chapter 3. CHEESEQUAKE STATE PARK.

Note: For transfer of certain functions, powers and duties of Department and Board of Conservation and Development to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 13:3–5 amended 1950, c. 40, s. 1.

Chapter 4. EDISON STATE PARK.

Note: For transfer of functions, powers and duties of Board of Commissioners to State Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 13:4–1 repealed 1945, c. 22, s. 44.

R. S. 13:4–4 " 1945, c. 22, s. 44.

R. S. 13:4–6 " 1945, c. 22, s. 44.

Additional Legislation.

Maintenance and operation, etc., of Edison Tower at Menlo Park, provided for, 1938, c. 146 (NJSA 13:4–7 note; RSCS 13:4–8); 1942, c. 153.

Chapter 5. HIGH POINT PARK.

Note: For transfer of functions, powers and duties of Board of Commissioners to State Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 13:5-1 to 13:5-3 repealed 1945, c. 22, s. 44.

R. S. 13:5-10 amended 1950, c. 40, s. 2.

R. S. 13:5-12 repealed 1945, c. 22, s. 44.

Chapter 5A. (new) MOUNT MITCHELL SKYLINE PARK.

Note: For transfer of certain functions, powers and duties of Department and Board of Conservation and Development to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

Mount Mitchell Skyline Park; establishment, improvement, maintenance, management, 1940, c. 182 (C. 13:5A-1 to 13:5A-7).

Sec. 5 of above amended 1950, c. 40, s. 6 (C. 13:5A-5).

Chapter 6. PARK BORDERING ON ATLANTIC OCEAN.

Note: For transfer of certain functions, powers and duties of Department and Board of Conservation and Development to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

Chapter 6A. (new) POHATCONG PARK.

Establishment and operation of Pohatcong Park, provided for, 1941, c. 168 (C. 13:6A-1 to 13:6A-7).

Sec. 5 of above amended 1950, c. 40, s. 7 (C. 13:6A-5).

Chapter 7. WASHINGTON CROSSING PARK.

Note: For transfer of certain functions, powers and duties of Department and Board of Conservation and Development to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

Additional Legislation.

Payment of moneys received under R. S. 13:7-1 into State Treasury, provided for, suppl., 1950, c. 40, s. 3 (C. 13:7-2).

Chapter 8. FOREST PARK RESERVES AND RESERVATIONS.

Note: For conveyance of certain lands acquired by municipality under "Tax Sale Law" to State for forest park reservation; exemption from taxation, see 1940, c. 73, (T. 54, c. 5).

For transfer of certain functions, powers and duties of Department and Board of Conservation and Development to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 13:8-9 amended 1950, c. 40, s. 4.

R. S. 13:8-11 " 1950, c. 40, s. 5.

R. S. 13:8-20 " 1953, c. 13, s. 1.

Additional Legislation.

Application of profits derived from sale of products of forest parks, etc., suppl., 1939, c. 192 (NJSA 13:8-21.1; RSCS 13:8-11.1).

Chapter 9. STATE FOREST FIRE SERVICE.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For transfer of certain functions, powers and duties of Department and Board of Conservation and Development to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

Article 1. General Provisions.

R. S. 13:9-23 amended 1939, c. 246.

R. S. 13:9-26 " 1948, c. 38.

R. S. 13:9-30 " 1953, c. 13, s. 2.

R. S. 13:9-31 to 13:9-35 repealed 1953, c. 13, ss. 3-7.

R. S. 13:9-36 amended 1953, c. 13, s. 8.

R. S. 13:9-37 to 13:9-42 repealed 1953, c. 13, ss. 9-14.

R. S. 13:9-43 amended 1953, c. 13, s. 15.

R. S. 13:9-44 repealed 1953, c. 13, s. 16.

Article 3. (new) Closing of Forests, etc., for Fire Protection.

Note: For open seasons, fishing, hunting or trapping, extension or change, certain cases, authorized, see 1948, c. 39, (T. 23, c. 2).

Additional Legislation.

Closing of forests for fire protection, suspension of hunting, fishing or trapping seasons, suppl., 1948, c. 11 (C. 13:9-52).

Chapter 10. STATE GEOLOGIST AND GEOLOGICAL SURVEY.

Note: For transfer of certain functions, powers and duties of Department and Board of Conservation and Development to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

Chapter 11. STATE MUSEUM.

Note: For transfer of functions, powers, duties, etc., of State Museum to Division of the State Museum in the Department of Education, see 1945, c. 50 (T. 18, c. 24), amended 1949, c. 97, 1952, c. 82.

R. S. 13:11-1 repealed 1945, c. 50, s. 22.

Chapter 12. MORRIS CANAL.

Note: For transfer of certain functions, powers and duties of Department and Board of Conservation and Development to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 13:12-4 amended 1939, c. 326.

R. S. 13:12-6 " 1948, c. 448, ss. 14, 122, 123.

R. S. 13:12-8 " 1948, c. 448, ss. 15, 122, 123.

Chapter 13. DELAWARE AND RARITAN CANAL.

Note: For Delaware and Raritan Canal Commission continued, see 1938, c. 34.

For transfer of certain functions, powers and duties of Department and Board of Conservation and Development to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

Additional Legislation.

Use of canal for industrial water supply and recreational purposes, provided for, suppl., 1944, c. 172 (C. 13:13-12.1 to 13:13-12.8).

Sale of water at wholesale for industrial, public, potable and other purposes, authorized and regulated, suppl., 1949, c. 168 (C. 13:13-12.9 to 13:13-12.12).

Chapter 14. UNITED STATES RESERVATIONS.

R. S. 13:14-7 amended 1939, c. 195.

Chapter 15. (new) SANDY HOOK RESERVATION AUTHORITY.

Sandy Hook Reservation Authority Act of 1950, 1950, c. 290 (C. 13:15-1 to 13:15-20).

Acceptance of instruments of title, provided for, 1950, c. 316 (C. 13:15-21).

Title 14. CORPORATIONS, GENERAL.

Note: For actions in right of corporations by stockholders or voting trust certificate holders, regulated, see 1945, c. 131, (T. 14, c. 3).

For conversion of Provident Loan Ass'ns into general corporations and licensing under small loan law, see 1953, c. 353 (T. 17, c. 11).

Chapter 1. GENERAL PROVISIONS.

R. S. 14:1-5 repealed 1942, c. 208.

Chapter 2. FORMATION.

R. S. 14:2-3 amended 1944, c. 215, s. 1; 1953, c. 128, s. 1.

R. S. 14:2-4 " 1939, c. 249, s. 1.

R. S. 14:2-5 " 1939, c. 249, s. 2.

Chapter 3. POWERS.

R. S. 14:3-13 amended 1949, c. 171.

Additional Legislation.

Indemnification of directors against suits, etc., by certificate of incorporation or by-law, authorized, suppl., 1942, c. 124 (C. 14:3-14).

Actions in right of corporations by stockholders or voting trust certificate holders, regulated, suppl., 1945, c. 131 (C. 14:3-15 to 14:3-17).

Contributions, etc., for charitable, educational, scientific, benevolent, patriotic and civic purposes, authorized, 1950, c. 220 (C. 14:3-13.1 to 14:3-13.4).

Chapter 4. PRINCIPAL OFFICE AND AGENT.

R. S. 14:4-5 amended 1951, c. 293.

Additional Legislation.

Principal office of corporation, other than bank or savings bank, change of location, provided for, 1950, c. 282 (C. 14:4-4.1).

Chapter 5. BOOKS OF THE CORPORATION.

R. S. 14:5-2 amended 1953, c. 14, s. 1.

R. S. 14:5-3 " 1939, c. 352.

Chapter 6. CERTIFICATES, REPORTS AND STATEMENTS.

R. S. 14:6–2 amended 1953, c. 14, s. 2.

R. S. 14:6–4 " 1953, c. 14, s. 3.

Chapter 7. DIRECTORS AND OFFICERS; REMEDIES OF OR AGAINST DIRECTORS, OFFICERS AND STOCKHOLDERS.

Note: For indemnification of directors against suits, etc., by certificate of incorporation or by-laws, authorized, see 1942, c. 124, (T. 14, c. 3).

R. S. 14:7–2 amended 1947, c. 299.

R. S. 14:7–8 " 1953, c. 14, s. 4.

Chapter 8. STOCK AND DIVIDENDS.

R. S. 14:8–2 amended 1952, c. 276, s. 1.

R. S. 14:8–3 " 1943, c. 176.

R. S. 14:8–4 " 1952, c. 276, s. 2.

R. S. 14:8–43 " 1953, c. 14, s. 5.

Additional Legislation.

Nonredeemable preferred or special stocks, retirement of, provided for, suppl., 1943, c. 175 (C. 14:8–3.1).

Chapter 9. BENEFICIAL PROVISIONS FOR EMPLOYEES.

R. S. 14:9–3 amended 1950, c. 281.

R. S. 14:9–4 " 1948, c. 93.

Chapter 10. MEETINGS AND ELECTIONS.

R. S. 14:10–2 amended 1953, c. 14, s. 6.

R. S. 14:10–4 " 1949, c. 91; 1950, c. 12.

R. S. 14:10–5 " 1953, c. 14, s. 7.

R. S. 14:10–7 " 1946, c. 61; 1953, c. 14, s. 8.

R. S. 14:10–13 " 1941, c. 146.

R. S. 14:10–16 " 1953, c. 14, s. 9.

Chapter 11. AMENDMENTS, CHANGES OR ALTERATIONS.

R. S. 14:11–4 amended 1952, c. 342.

R. S. 14:11–15 " 1944, c. 215, s. 2; 1953, c. 128, s. 2.

Chapter 12. MERGER OR CONSOLIDATION.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

R. S. 14:12-4 amended 1938, c. 305.

R. S. 14:12-6 " 1953, c. 14, s. 10.

R. S. 14:12-7 " 1953, c. 14, s. 11.

R. S. 14:12-9 " 1943, c. 170.

Additional Legislation.

Merger of subsidiary with parent corporation, authorized and provided for, suppl., 1952, c. 33 (C. 14:12-10).

Chapter 13. DISSOLUTION AND WINDING UP.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

R. S. 14:13-7 amended 1953, c. 14, s. 12.

R. S. 14:13-9 " 1953, c. 14, s. 13.

R. S. 14:13-10 " 1953, c. 14, s. 14.

R. S. 14:13-11 " 1953, c. 14, s. 15.

R. S. 14:13-14 " 1938, c. 290; 1953, c. 14, s. 16.

Additional Legislation.

Dissolution when directors or stockholders deadlocked, suppl., 1938, c. 303 (NJSA 14:13-15; RSCS 14:13-1.1).

Sec. 1 of above amended 1953, c. 14, s. 17 (C. 14:13-15).

Reinstatement, dissolved corporations, certain cases, provided for, suppl., 1951, c. 254 (C. 14:13-7.1 to 14:13-7.3).

Chapter 14. INSOLVENCY, RECEIVERS AND REORGANIZATION.

Note: For dissolution, etc., when directors or stockholders deadlocked, see 1938, c. 303 (T. 14, c. 3).

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

R. S. 14:14-2 amended 1939, c. 241; 1939, c. 363.

R. S. 14:14-3 " 1953, c. 14, s. 18.

R. S. 14:14-4 " 1953, c. 14, s. 19.

R. S. 14:14-6 " 1953, c. 14, s. 20.

R. S. 14:14-7 " 1953, c. 14, s. 21.

R. S. 14:14-9 " 1953, c. 14, s. 22.

R. S. 14:14-10 " 1953, c. 14, s. 23.

R. S. 14:14–11	amended	1953, c. 14, s. 24.
R. S. 14:14–13	"	1953, c. 14, s. 25.
R. S. 14:14–14	"	1953, c. 14, s. 26.
R. S. 14:14–16	"	1953, c. 14, s. 27.
R. S. 14:14–17	"	1953, c. 14, s. 28.
R. S. 14:14–18	"	1953, c. 14, s. 29.
R. S. 14:14–19	repealed	1953, c. 14, s. 30.
R. S. 14:14–20	amended	1953, c. 14, s. 31.
R. S. 14:14–22	"	1953, c. 14, s. 32.
R. S. 14:14–24	"	1953, c. 14, s. 33.
R. S. 14:14–25	"	1953, c. 14, s. 34.
R. S. 14:14–26	"	1953, c. 14, s. 35.
R. S. 14:14–27	"	1953, c. 14, s. 36.
R. S. 14:14–30	"	1953, c. 14, s. 37.
R. S. 14:14–31	"	1953, c. 14, s. 38.
R. S. 14:14–32 to 14:14–35	repealed	1953, c. 14, ss. 39-42.
R. S. 14:14–36	amended	1953, c. 14, s. 43.
R. S. 14:14–37	"	1953, c. 14, s. 44.
R. S. 14:14–39	"	1953, c. 14, s. 45.
R. S. 14:14–43	"	1953, c. 14, s. 46.
R. S. 14:14–44	"	1948, c. 134, s. 1; see 1948, c. 417.
R. S. 14:14–45	"	1948, c. 134, s. 2; 1950, c. 67, s. 1; see 1948, c. 417.
R. S. 14:14–46	"	1948, c. 134, s. 3; see 1948, c. 417.

Chapter 15. FOREIGN CORPORATIONS.

Additional Legislation.

Issuance of certificate to transact business to merged or consolidated foreign corporation prohibited until certificate of payment of taxes by pre-existing corporations filed, suppl., 1938, c. 180 (NJSA 14:15–10; RSCS 14:15–3.1).

Surrender of certificate of foreign corporation to transact business in State authorized, suppl., 1938, c. 178 (C. 14:15–7 to 14:15–9).

Chapter 17. (new) TAXES, CHARGES OR FEES PAYABLE BY LAW, PAYMENT, ETC.

Taxes, charges or fees, payment notwithstanding doubts as to legality of law imposing same, provided for, 1950, c. 102 (C. 14:17–1).

Title 15. CORPORATIONS AND ASSOCIATIONS NOT FOR PROFIT.

Note: For shares of building and loan associations insured under "National Housing Act"; legal investments for charitable, etc., institutions, see 1940, c. 60 (T. 17, c. 12); for authority to pay taxes, charges or fees, notwithstanding doubts as to legality of law imposing same, provided for, see, 1950, c. 102 (T. 14, c. 17); for contributions, etc., for charitable, elucational, scientific, benevolent, patriotic and civic purposes, authorized, see 1950, c. 220 (T. 14, c. 3).

Chapter 1. GENERAL PROVISIONS.

Note: For provision for incorporation of clubs or societies for social, intellectual and recreative purposes under this chapter, see 1944, c. 237 (T. 15, c. 15); for righ to examine hospital records, in compensation cases and actions for damages, provided for, see N. J. S. 2A:82-41 to 2A:82-45.

R. S. 15:1-2 amended 1946, c. 288, s. 1.

R. S. 15:1-5 " 1946, c. 288, s. 2.

R. S. 15:1-7 " 1946, c. 288, s. 3.

Additional Legislation.

Annual report required to be filed, fee payable, suppl., 1947, c. 100 (C. 15:1-11.1).

Chapter 2. CHARITABLE, EDUCATIONAL AND BENEVOLENT CORPORATIONS AND SOCIETIES.

R. S. 15:2-1 amended 1950, c. 18.

R. S. 15:2-2 " 1953, c. 15, s. 1.

R. S. 15:2-5 (added) Merger of charitable corporations conducting their activities in the same county, suppl., 1939, c. 240.

R. S. 15:2-6 (added) Merger; agreement, suppl., 1939, c. 240.

R. S. 15:2-7 (added) Agreement; submission to members; filing; suppl., 1939, c. 240.

R. S. 15:2-8 (added) Effect of merger; suppl., 1939, c. 240; amended 1953, c. 15, s. 2.

R. S. 15:2-9 (added) Corporate entity continued for purpose of receiving legacy, bequest or devise; title vested in merged corporations, suppl., 1939, c. 240.

Chapter 4. DETECTIVE ASSOCIATIONS.

R. S. 15:4-4 amended 1953, c. 15, s. 3.

Chapter 5. DRAINAGE AND FLOWAGE OF LANDS.

R. S. 15:5-6 amended 1953, c. 15, s. 4.

Chapter 8. FIRE COMPANIES.

R. S. 15:8-4 amended 1940, c. 235; 1947, c. 293; 1953, c. 15, s. **5;** 1953, c. 292.

Additional Legislation.

Revival and extension of corporate existence of, and vesting of title in, certain fire companies, provided for, suppl., 1945, c. 109, ss. 1-4 (C. 15:8-9 to 15:8-12).

Sec. 1 of above amended 1948, c. 55; 1951, c. 310 (C. 15:8-9).

Chapter 10. HOSPITALS AND SIMILAR INSTITUTIONS.

Note: For right to examine hospital records in compensation cases and actions for damages, provided for, see N. J. S. 2A:82-41 to 2A:82-45.

R. S. 15:10-7 amended 1953, c. 15, s. 6.

Chapter 11. LEARNING, INSTITUTIONS OF.

R. S. 15:11-11 amended 1953, c. 15, s. 7.

Chapter 14. RELIGIOUS, CHARITABLE, EDUCATIONAL AND BENEVOLENT CORPORATIONS.

Note: For right to examine hospital records in compensation cases and actions for damages, provided for, see N. J. S. 2A:82-41 to 2A:82-45.

R. S. 15:14-1 amended 1953, c. 15, s. 8.

R. S. 15:14-2 " 1953, c. 15, s. 9.

R. S. 15:14-3 " 1953, c. 15, s. 10.

R. S. 15:14-5 " 1953, c. 15, s. 11.

R. S. 15:14-7 " 1953, c. 15, s. 12.

R. S. 15:14-8 " 1953, c. 15, s. 13.

R. S. 15:14-9 to 15:14-11 repealed 1953, c. 15, ss. 14-16.

Chapter 15. SOCIAL, INTELLECTUAL AND RECREATIVE SOCIETIES OR CLUBS.

R. S. 15:15-2 (added) Incorporation of clubs or societies for social, intellectual and recreative purposes under R. S. 15:1-1 et seq. provided for, 1944, c. 237.

Chapter 16. STATE ASSOCIATIONS.

R. S. 15:16-5 amended 1953, c. 15, s. 17.

Chapter 17. (new) VETERANS' ORGANIZATIONS.

Annual reports to Secretary of State, provided for, 1946, c. 226 (C. 15:17-1, 15:17-2).

Sec. 1 of above amended 1953, c. 15, s. 18 (C. 15:17-1).

Title 16. CORPORATIONS AND ASSOCIATIONS, RELIGIOUS.

Note: For authority to pay taxes, charges or fees, notwithstanding doubts as to legality of law imposing same, provided for, see 1950, c. 102 (T. 14, c. 17); for contributions, etc., for charitable, educational, scientific, benevolent, patriotic and civic purposes, authorized, see 1950, c. 220 (T. 14, c. 3).

Chapter 1. GENERAL PROVISIONS.

R. S. 16:1–15 amended 1953, c. 16, s. 1.

R. S. 16:1–26 " 1953, c. 16, s. 2.

R. S. 16:1–30 " 1953, c. 16, s. 3.

Additional Legislation.

By-laws providing for qualifications of trustees, treasurer and voting members; certain societies or congregations; authorized, suppl., 1941, c. 356 (C. 16:1–9.1, 16:1–9.2).

Consolidation of Cathedral Church or Foundation with Church Congregation, Parish, Society, etc., in certain cases, provided for, 1944, c. 143 (C. 16:1–43.1 to 16:1–43.10).

Sec. 6 of above amended 1953, c. 16, s. 4 (C. 16:1–43.6).

Chapter 2. STATE ORGANIZATIONS.

R. S. 16:2–20 amended 1953, c. 16, s. 5.

R. S. 16:2–21 " 1953, c. 16, s. 6.

Chapter 3. CHURCH OF CHRIST, SCIENTIST.

R. S. 16:3–4 amended 1953, c. 16, s. 7.

Chapter 5. EVANGELICAL LUTHERAN CHURCH.

Additional Legislation.

Evangelical Lutheran Synods, incorporation provided for, 1950, c. 84 (C. 16:5–4 to 16:5–14).

Sec. 3 of above amended 1953, c. 16, s. 8 (C. 16:5–6).

Chapter 8A. (new) THE METHODIST CHURCH.

Names of certain churches, change to "The Methodist Church", authorized, 1940, c. 253 (NJSA, RSCS 16:9–5).

Title of above amended 1941, c. 423.

Chapter 12. PROTESTANT EPISCOPAL CHURCH.

R. S. 16:12–10 amended 1949, c. 212.

R. S. 16:12–16 " 1941, c. 416.

R. S. 16:12–18 " 1953, c. 16, s. 9.

R. S. 16:12–24 " 1953, c. 16, s. 10.

Additional Legislation.

Common trust fund, in certain cases, provided for, 1944, c. 139 (C. 16:12–26 to 16:12–31).

Chapter 13. REFORMED CHURCHES AND REFORMED RELIGIOUS SOCIETIES.

R. S. 16:13–15 amended 1953, c. 16, s. 11.

R. S. 16:13–16 " 1953, c. 16, s. 12.

Chapter 15. ROMAN CATHOLIC CHURCH.

R. S. 16:15–11 amended 1953, c. 16, s. 13.

Chapter 15A. (new) RUSSIAN ORTHODOX GREEK CATHOLIC CHURCH OF NORTH AMERICA.

Incorporation and management of congregations or parishes, provided for and regulated, suppl., 1945, c. 139 (C. 16:15A–1 to 16:15A–6).

Chapter 16. RUTHENIAN CATHOLIC CHURCH.

R. S. 16:16–2 amended 1953, c. 16, s. 14.

R. S. 16:16–10 " 1953, c. 16, s. 15.

Chapter 17. SPIRITUALISTS, NEW JERSEY STATE ASSOCIATION OF.

R. S. 16:17–6 amended 1953, c. 16, s. 16.

Chapter 19. YOUNG MEN'S, YOUNG WOMEN'S CHRISTIAN OR HEBREW ASSOCIATIONS.

R. S. 16:19–2 amended 1939, c. 231; 1949, c. 12; 1953, c. 64.

R. S. 16:19–3 " 1953, c. 63, s. 1.

R. S. 16:19–5 " 1953, c. 63, s. 2.

Title 17. CORPORATIONS AND INSTITUTIONS FOR FINANCE AND INSURANCE.

Note: For contributions, etc., for charitable, educational, benevolent, patriotic and civic purposes, authorized, see 1950, c. 220 (T. 14, c. 3).

Subtitle 1. GENERAL PROVISIONS.

Part 1. THE DEPARTMENT OF BANKING AND INSURANCE.

Chapter 1. THE DEPARTMENT AND THE COMMISSIONER.

Note: For regulation, by Commissioner, of loans, service agreements, etc., on Federal Housing mortgages by building and loan associations, see 1939, c. 129 (T. 17, c. 12); for additional emergency powers of Commissioner of Banking and Insurance in connection with mortgages guaranteed or issued by corporation, see 1938, c. 212 (T. App. A, c. 7).

R. S. 17:1–1 amended 1948, c. 88, ss. 1, 13.

R. S. 17:1–2 " 1942, c. 195, s. 1; 1945, c. 87; 1948, c. 88, ss. 2, 13.

R. S. 17:1–3 " 1942, c. 195, s. 2; 1951, c. 95.

Additional Legislation.

"Department of Banking and Insurance Act of 1948", 1948, c. 88 (R. S. 17:1–1, C. 17:1–1.1, C. 17:1–1.2, R. S. 17:1–2, C. 17:1–3.1, R. S. 45:15–5, R. S. 45:15–7, C. 45:15–29.1 to 45:15–29.5).

Chapter 1A. BANKING ADVISORY BOARD.

R. S. 17:1A–1 to 17:1A–12 repealed 1948, c. 67, ss. 336, 343.

Part 2. INVESTMENTS.

Chapter 2. LEGAL INVESTMENTS GENERALLY.

Note: For shares of building and loan associations insured under "National Housing Act"; legal investments, see 1940, c. 60 (T. 17, C. 12). For Port Authority bonds issued for establishment, etc., of motor truck terminals, legal investments, see 1945, c. 197 (T. 32, c. 1); for county bridge commission bonds, etc., made legal investments, see 1948, c. 288, s. 3 (T. 27, c. 19).

R. S. 17:2–1 amended 1947, c. 27; 1948, c. 37; repealed (as to banks and savings banks) 1948, c. 67, ss. 336, 343.

R. S. 17:2–2 " 1953, c. 17, s. 1; repealed (as to banks and savings banks), 1948, c. 67, ss. 336, 343.

R. S. 17:2–3 to 17:2–5 repealed (as to banks and savings banks), 1948, c. 67, ss. 336, 343.

R. S. 17:2–6 amended 1938, c. 52, s. 1; repealed (as to banks and savings banks), 1948, c. 67, ss. 336, 343.

R. S. 17:2–6.1 amended 1938, c. 52, s. 2; repealed (as to banks and savings banks), 1948, c. 67, ss. 336, 343.

R. S. 17:2–7 repealed (as to banks and savings banks), 1948, c. 67, ss. 336, 343.

R. S. 17:2–8 " (as to banks and savings banks), 1948, c. 67, ss. 336, 343.

Additional Legislation.

Investments in securities of Federal Home Loan Banks, suppl., 1938, c. 222 (NJSA 17:2–9; RSCS 17:2–6.2); repealed (as to banks and savings banks), 1948, c. 67, ss. 336, 343.

Veterans loans guaranteed by Administrator of Veterans Affairs made legal investments, 1945, c. 257 (C. 17:2–9.2).

International Bank for Reconstruction and Development, obligations of, made legal investments for certain financial institutions, fiduciaries and others, 1947, c. 308 (C. 17:2–9.3, 17:2–9.4).

Chapter 3. MORTGAGES HELD BY INSOLVENT INSTITUTIONS.

R. S. 17:3–1 amended 1953, c. 17, s. 2; repealed (as to banks and savings banks), 1948, c. 67, ss. 336, 343.

R. S. 17:3–2 " 1953, c. 17, s. 3; repealed (as to banks and savings banks), 1948, c. 67, ss. 336, 343.

R. S. 17:3–3 " 1953, c. 17, s. 4; repealed (as to banks and savings banks), 1948, c. 67, ss. 336, 343.

Part 3. (new) LIQUIDATIONS AND DISSOLUTIONS.

Chapter 3A. (new) DESTRUCTION OF RECORDS.

Records, etc., certain corporations in liquidation and dissolution, destruction authorized, 1948, c. 266 (C. 17:3A–1 to 17:3A–7).

Sec. 1 of above amended 1953, c. 17, s. 5 (C. 17:3A–1).

Subtitle 2. FINANCIAL INSTITUTIONS.

Note: For authority to pay taxes, charges or fees, notwithstanding doubts as to legality of law imposing same, provided for, see 1950, c. 102 (T. 14, c. 17).

Part 1. BANKS, TRUST COMPANIES, BANKERS, SAVINGS BANKS AND CLEARING HOUSE ASSOCIATIONS.

Chapter 4. BANKS AND TRUST COMPANIES.

Note: For the Banking Act of 1948 (Revision), see 1948, c. 67 (T. 17, c. 9A), and amendments thereto.

For additional legislation affecting legal investments, see chapter 2 of this Title, supra; for veterans' loans, see 1944, c. 126; 1945, c. 185; 1946, c. 121; 1946, c. 134; 1947, c. 189; 1947, c. 190; 1950, c. 216; 1951, c. 89 (T. 38, c. 23B); for requiring purchase of insurance incidental to certain financial transactions from a designated agent or broker, a misdemeanor, see N. J. S. 2A:117-3, 2A:117-4.

R. S. 17:4–1 to 17:4–62 repealed 1948, c. 67, ss. 336, 343.

R. S. 17:4–63 to 17:4–67 repealed 1938, c. 431, s. 2.

R. S. 17:4–68 to 17:4–125 " 1948, c. 67, ss. 336, 343.

The following sections of the foregoing were amended prior to being repealed as aforesaid:

R. S. 17:4–14	amended	1946, c. 315.
R. S. 17:4–27	"	1942, c. 282; 1942, c. 341.
R. S. 17:4–29	"	1938, c. 185, s. 1.
R. S. 17:4–30	"	1941, c. 195.
R. S. 17:4–31	"	1940, c. 164.
R. S. 17:4–31.1	"	1945, c. 208.
R. S. 17:4–31.3	"	1941, c. 162, s. 1.
R. S. 17:4–31.6	"	1941, c. 162, s. 2.
R. S. 17:4–31.8	"	1938, c. 185, s. 2.
R. S. 17:4–49	"	1941, c. 187.
R. S. 17:4–51	"	1938, c. 226.
R. S. 17:4–54	"	1940, c. 214.
R. S. 17:4–59	"	1938, c. 218.
R. S. 17:4–60	"	1939, c. 351.
R. S. 17:4–62	"	1938, c. 431, s. 1.
R. S. 17:4–71	"	1938, c. 431, s. 3.
R. S. 17:4–103	"	1942, c. 336.

Additional Legislation.

"Successor company" to succeed to liquidating company's trusts, etc., suppl., 1942, c. 230 (C. 17:4–9.1).

Chapter 5. PRIVATE BANKERS.

Note: For requiring purchase of insurance incidental to certain financial transactions from a designated agent or broker, a misdemeanor, see N. J. S. 2A:117–3, 2A:117–4.

For the Banking Act of 1948 (Revision), see 1948, c. 67 (T. 17, c. 9A), and amendments thereto.

R. S. 17:5–1 to 17:5–11 repealed 1948, c. 67, ss. 336, 343.

Chapter 6. SAVINGS BANKS.

Note: For the Banking Act of 1948 (Revision), see 1948, c. 67 (T. 17, c. 9A), and amendments thereto.

For additional legislation affecting legal investments, see chapter 2 of this Title, supra; for credit unions excepted from chapter, see 1938, c. 293 (T. 17, c. 13), amended 1941, c. 254, 1941, c. 421, 1946, c. 285, 1948, c. 225, 1951, c. 180, 1953, c. 17; for requiring purchase of insurance incidental to certain financial transactions from a designated agent or broker, a misdemeanor, see N. J. S. 2A:117–3, 2A:117–4; for exemption from taxation of certain veterans' loans held by savings banks, see 1945, c. 80 (T. 54, c. 4).

R. S. 17:6–1 to 17:6–21 repealed 1948, c. 67, ss. 336, 343.

R. S. 17:6–21.1 " 1944, c. 147, s. 2.

R. S. 17:6–22 to 17:6–58 repealed 1948, c. 67, ss. 336, 343.

R. S. 17:6–58.1 (added) Industrial securities as investments, suppl., 1938, c. 162, s. 6, amended 1946, c. 311, s. 2.

R. S. 17:6–59 to 17:6–86 repealed 1948, c. 67, ss. 336, 343.

The following sections of the foregoing were amended prior to being repealed as aforesaid:

R. S. 17:6–14	amended	1939, c. 26; 1939, c. 202.
R. S. 17:6–21	"	1944, c. 147, s. 1.
R. S. 17:6–25	"	1941, c. 102.
R. S. 17:6–49	"	1938, c. 219.
R. S. 17:6–53	"	1938, c. 162, s. 1.
R. S. 17:6–54	"	1938, c. 162, s. 2; 1944, c. 104, s. 1; 1946, c. 58.
R. S. 17:6–55	"	1938, c. 162, s. 3; 1945, c. 179.
R. S. 17:6–56	"	1938, c. 162, s. 4.
R. S. 17:6–57	"	1938, c. 162, s. 5; 1946, c. 311, s. 1.
R. S. 17:6–59	"	1938, c. 162, s. 7.
R. S. 17:6–61	"	1938, c. 162, s. 8.
R. S. 17:6–62	"	1938, c. 162, s. 9.
R. S. 17:6–63	"	1938, c. 162, s. 10.
R. S. 17:6–70	"	1939, c. 27.
R. S. 17:6–72	"	1944, c. 22, s. 1.
R. S. 17:6–74	"	1944, c. 22, s. 2.

Additional Legislation.

Veterans' loans, when legal investments, suppl., 1945, c. 81 (C. 17:6–53.1, 17:6–53.2).

Determination of legality of investments, provided for, suppl., 1944, c. 104, s. 2 (C. 17:6–59.1).

Chapter 7. CLEARING HOUSE ASSOCIATIONS.

Note: For the Banking Act of 1948 (Revision), see 1948, c. 67 (T. 17, c. 9A), and amendments thereto.

R. S. 17:7–1 to 17:7–18 repealed 1948, c. 67, ss. 336, 343.

Chapter 8. ISSUANCE OF PREFERRED AND DEPOSITORS' COMMON STOCK; REORGANIZATIONS.

Note: For the Banking Act of 1948 (Revision), see 1948, c. 67 (T. 17, c. 9A), and amendments thereto.

R. S. 17:8–1 to 17:8–16 repealed 1948, c. 67, ss. 336, 343.

The following sections of the foregoing were amended prior to being repealed as aforesaid:

R. S. 17:8–1	amended	1939, c. 205, s. 1 (title amended 1941, c. 270); 1944, c. 25, s. 1.
R. S. 17:8–2	"	1939, c. 205, s. 2 (title amended 1941, c. 270).
R. S. 17:8–3	"	1939, c. 205, s. 3 (title amended 1941, c. 270).
R. S. 17:8–7	"	1939, c. 205, s. 4 (title amended 1941, c. 270).
R. S. 17:8–15	"	1939, c. 205, s. 5 (title amended 1941, c. 270).

Chapter 9. DEPOSITS GENERALLY.

Note: For the Banking Act of 1948 (Revision), see 1948, c. 67 (T. 17, c. 9A), and amendments thereto.

For limitation for claims for deposits of $1.00 or less, see 1951, c. 192 (c. 17:9-40).

R. S. 17:9–1 to 17:9–8.2 repealed 1948, c. 67, ss. 336, 343.

R. S. 17:9–10 to 17:9–16 " 1948, c. 67, ss. 336, 343.

Additional Legislation.

Escheat of unclaimed bank deposits, provided for, 1945, c. 199 (C. 17:9–18 to 17:9–26).

Sec. 2 of above amended 1946, c. 78, s. 1; 1947, c. 91, **s. 1 (C. 17:9–19).**

Sec. 3 " " " 1947, c. 91, s. 3 (C. 17:9–20).

Sec. 4 " " " 1949, c. 197, s. 1 (C. 17:9–21).

Sec. 5 " " " 1953, c. 17, s. 6 (C. 17:9–22).

Sec. 6 " " " 1946, c. 78, s. 5; 1953, c. 17, s. 11 (C. 17:9–23).

Sec. 7 " " " 1946, c. 78, s. 6; 1947, c. 91, s. 8 (C. 17:9–24).

Sec. 8 " " " 1946, c. 78, s. 8; 1947, c. 91, s. 9; 1949, c. 197, s. 2; 1953, c. 17, s. 12 (C. 17:9–25); see 1951, c. 192 (C. 17:9–40).

Sec. 9 " " " 1946, c. 78, s. 9; 1953, c. 17, s. 13 (C. 17:9–26).

Extended to include unclaimed moneys represented by certified checks, corporate deposits, etc., suppl., 1947, c. 91, ss. 2, 4–7 (C. 17:9–19.1, 17:9–22.4 to 17:9–22.7).

Sec. 5 of above repealed 1953, c. 17, s. 9 (C. 17:9–22.5).

Sec. 7 " " amended 1953, c. 17, s. 10 (C. 17:9–22.7).

Additional reports, proceedings, etc., as to certain unclaimed bank deposits, required, suppl., 1946, c. 78, ss. 2, 3 (C. 17:9–22.1, 17:9–22.2).

Sec. 2 of above repealed 1953, c. 17, s. 7 (C. 17:9–22.1).

Sec. 3 " " " 1953, c. 17, s. 8 (C. 17:9–22.2).

Escheat of certain unclaimed bank deposits less than fifty dollars and report and payment thereof to State Treasurer provided for, suppl., 1946, c. 78, s. 4 (C. 17:9–22.3).

Destruction, etc., of records, etc., of unclaimed bank deposits, subject to escheat or escheated, prohibited, suppl., 1946, c. 78, s. 7 (C. 17:9–24.1).

Limitations for claims for deposits of $1.00 or less, suppl., 1951, c. 192 (C. 17:9–40).

Unclaimed bank deposits, escheat of, in certain cases, 1947, c. 92 (C. 17:9–27 to 17:9–39).

Part 1A. (new) BANKING AND BANKING INSTITUTIONS.

Chapter 9A. (new) THE BANKING ACT OF 1948 WITH SUPPLEMENTS, ETC.

The Banking Act of 1948 (Revision), 1948, c. 67 (C. 17:9A–1 to 17:9A–343).

Article 1. Definitions: Application of Act.

Sec. 1 of above amended 1949, c. 44 (C. 17:9A–1).

Article 4. Banks and Savings Banks: Charters.

Sec. 9 of above amended 1950, c. 181, s. 1 (C. 17:9A–9).

Sec. 12 " " " 1950, c. 181, s. 2 (C. 17:9A–12).

Article 4. Banks and Savings Banks: Charters.

Sec. 15 of above amended 1953, c. 17, s. 14 (C. 17:9A–15).

Article 6. Banks and Savings Banks: Banking Offices.

Sec. 19 of above amended 1948, c. 408, ss. 1, 3; 1952, c. 220, s. 1 (C. 17:9A–19).

Sec. 21 " " " 1953, c. 17, s. 15 (C. 17:9A–21).

Sec. 23 " " " 1952, c. 220, s. 2 (C. 17:9A–23).

Additional Legislation.

Auxiliary offices, banks and savings banks, establishment and maintenance provided for, suppl., 1952, c. 179 (C. 17:9A–23.1 to 17:9A–23.8).

Article 7. Banks and Savings Banks: Powers.

Sec. 25.1 of above amended 1950, c. 288, s. 1; 1953, c. 124, s. 1 (C. 17:9A–25.1).

Additional Legislation.

Insurance of titles and conduct of safe deposit business by certain banks, authorized, suppl., 1949, c. 108 (C. 17:9A–27.2).

Article 7A. (new) Banks and Savings Banks: Officers and Employees Retirement.

Additional Legislation.

Banks' and Savings Banks' Officers' and Employees' Retirement and Benefit Act, suppl., 1953, c. 124, ss. 3-27 (C. 17:9A-27.3 to 17:9A-27.27).

Article 8. Qualified Banks.

Sec. 31 of above amended 1950, c. 130; 1953, c. 17, s. 16 (C. 17:9A-31).

Sec. 32 " " " 1953, c. 17, s. 17 (C. 17:9A-32).

Article 9. Common Trust Funds.

Sec. 36 of above amended 1951, c. 46, s. 1 (C. 17:9A-36).

Sec. 37 " " " 1951, c. 46, s. 2; 1953, c. 17, s. 18 (C. 17:9A-37).

Sec. 38 " " " 1951, c. 46, s. 3 (C. 17:9A-38).

Sec. 39 " " " 1950, c. 123 (C. 17:9A-39).

Sec. 40 " " " 1951, c. 46, s. 4 (C. 17:9A-40).

Sec. 41 " " " 1951, c. 46, s. 5 (C. 17:9A-41).

Sec. 42 " " " 1951, c. 46, s. 6 (C. 17:9A-42).

Sec. 44 " " " 1951, c. 46, s. 7 (C. 17:9A-44).

Sec. 45 " " " 1951, c. 46, s. 8 (C. 17:9A-45).

Sec. 46 " " " 1951, c. 46, s. 9 (C. 17:9A-46).

Article 10. Banks: Reserve Balances: Available Funds.

Sec. 48 of above amended 1950. c. 122 (C. 17:9A-48).

Sec. 49 " " " 1951, c. 34 (C. 17:9A-49).

Article 11. Banks: Profits and Dividends.

Sec. 52 of above amended 1952, c. 144, s. 1 (C. 17:9A-52).

Article 12. Banks: Installment Loans.

Sec. 53 of above amended 1950, c. 311, ss. 1, 6 (C. 17:9A-53).

Sec. 54 " " " 1950, c. 311, ss. 2, 6 (C. 17:9A-54).

Sec. 55 " " " 1950, c. 311, ss. 3, 6; 1953, c. 237 (C. 17:9A-55).

Sec. 56 " " " 1950, c. 311, ss. 4, 6; 1952, c. 248 (C. 17:9A-56).

Sec. 58 " " " 1950, c. 311, ss. 5, 6 (C. 17:9A-58).

Sec. 59 " " " 1952, c. 279 (C. 17:9A-59).

Article 13. Limitations on Liability to a Bank.

Sec. 60 of above amended 1953, c. 141, s. 1 (C. 17:9A-60).

Sec. 61 " " " 1949, c. 56; 1950, c. 75 (C. 17:9A-61).

Sec. 62 " " " 1949, c. 246, s. 1; 1953, c. 141, s. 2 (C. 17:9A-62).

Sec. 63 " " " 1953, c. 141, s. 3 (C. 17:9A-63).

Article 14. Banks: Mortgage Loans.

Sec. 64 of above amended 1950, c. 183; 1951, c. 165, s. 1 (C. 17:9A-64).

Sec. 65 " " " 1949, c. 246, s. 2; 1950, c. 247 (C. 17:9A-65).

Sec. 68 " " " 1949, c. 246, s. 3 (C. 17:9A-68).

Sec. 69 " " " 1951, c. 165, s. 2; 1952, c. 113 (C. 17:9A-69).

Article 16. Banks: By-Laws.

Sec. 78 of above amended 1949, c. 229, s. 1 (C. 17:9A-78).

Article 17. Banks: Stockholders: Meetings and Actions.

Sec. 79 of above amended 1949, c. 229, s. 2; 1950, c. 46 (C. 17:9A-79).

Sec. 81 of above amended 1949, c. 229, s. 3 (C. 17:9A–81).

Sec. 84 " " " 1953, c. 17, s. 19 (C. 17:9A–84).

Sec. 87 " " " 1949, c. 55 (C. 17:9A–87).

Sec. 89 " " " 1953, c. 17, s. 20 (C. 17:9A–89).

Sec. 95 " " " 1953, c. 17, s. 21 (C. 17:9A–95).

Sec. 96 " " " 1949, c. 229, s. 4; 1953, c. 71, s. 1 (C. 17:9A–96).

Sec. 97 " " " 1953, c. 17, s. 22 (C. 17:9A–97).

Sec. 99 " " " 1950, c. 267 (C. 17:9A–99).

Article 18. Banks: Directors: Committees: Officers.

Sec. 108 of above amended 1950, c. 160 (C. 17:9A–108).

Sec. 109 " " " 1951, c. 124 (C. 17:9A–109).

Sec. 110 " " " 1952, c. 56 (C. 17:9A–110).

Sec. 111 " " " 1950, c. 240 (C. 17:9A–111).

Sec. 115 " " " 1948, c. 408, ss. 2, 3 (C. 17:9A–115).

Article 19. Banks: Amendments to Certificate of Incorporation.

Sec. 117 of above amended 1949, c. 229, s. 5; 1953, c. 141, s. 4 (C. 17:9A–117).

Sec. 118 " " " 1953, c. 71, s. 2 (C. 17:9A–118).

Sec. 119 " " " 1949, c. 57 (C. 17:9A–119).

Article 20. Banks: Preferred Stock.

Additional Legislation.

Debentures to retire preferred stock, issuance provided for, suppl., 1953, c. 215, (C. 17:9A–131.1 to 17:9A–131.3).

Article 21. Banks: Merger.

Sec. 132	of	above	amended	1951, c. 41, s. 1 (C. 17:9A–132).
Sec. 136	"	"	"	1953, c. 17, s. 23 (C. 17:9A–136).
Sec. 137	"	"	"	1949, c. 229, s. 6; 1950, c. 153, s. 1 (C. 17:9A–137).
Sec. 139	"	"	"	1952, c. 220, s. 3 (C. 17:9A–139).
Sec. 140	"	"	"	1950, c. 153, s. 2 (C. 17:9A–140).
Sec. 141	"	"	"	1953, c. 17, s. 24 (C. 17:9A–141).
Sec. 142	"	"	"	1953, c. 17, s. 25 (C. 17:9A–142).
Sec. 146	"	"	"	1953, c. 17, s. 26 (C. 17:9A–146).
Sec. 148	"	"	"	1949, c. 46; 1951, c. 41, s. 2. (C. 17:9A–148).

Article 22. Conversion of National Banking Association into Bank.

Sec. 149	of	above	amended	1951, c. 41, s. 3 (C. 17:9A–149).
Sec. 150	"	"	"	1951, c. 41, s. 4 (C. 17:9A–150).
Sec. 151	"	"	"	1951, c. 41, s. 5 (C. 17:9A–151).
Sec. 152	"	"	"	1953, c. 17, s. 27 (C. 17:9A–152).
Sec. 153	"	"	"	1951, c. 41, s. 6 (C. 17:9A–153).

Article 22A. (new) Conversion of Bank into National Banking Association.

Additional Legislation.

Conversion of bank to national banking association, authorized, suppl., 1951, c. 41, s. 7 (C. 17:9A–154.1).

Article 23. Banks: Dissolution.

Sec. 155	of	above	amended	1950, c. 33 (C. 17:9A-155).

Article 24. Banks: Reorganization.

Sec. 159	of above		amended	1953, c. 17, s. 28 (C. 17:9A–159).
Sec. 160	"	"	"	1953, c. 17, s. 29 (C. 17:9A–160).
Sec. 162	"	"	"	1953, c. 17, s. 30 (C. 17:9A–162).
Sec. 166	"	"	"	1953, c. 17, s. 31 (C. 17:9A–166).
Sec. 168	"	"	"	1953, c. 17, s. 33 (C. 17:9A–168).
Sec. 172	"	"	repealed	1953, c. 17, s. 32 (C. 17:9A–172).

Article 25. Savings Banks: Investments.

Sec. 175	of above		amended	1952, c. 278 (C. 17:9A–175).
Sec. 176	"	"	repealed	1950, c. 313, s. 1 (C. 17:9A–176).
Sec. 178	"	"	amended	1949, c. 47 (C. 17:9A–178).
Sec. 179	"	"	"	1950, c. 200 (C. 17:9A–179).
Sec. 180	"	"	"	1948, c. 405, ss. 1, 2 (C. 17:9A–180).
Sec. 181	"	"	"	1950, c. 313, s. 2; 1951, c. 186; 1953, c. 210 (C. 17:9A–181).
Sec. 182	"	"	"	1950, c. 164 (C. 17:9A–182).

Additional Legislation.

Legal investments by savings banks in Canadian securities, provided for, suppl., 1952, c. 140 (C. 17:9A–175.1).

Investment by savings banks in certain corporate securities, authorized and regulated, suppl., 1951, c. 167 (C. 17:9A–180.1 to 17:9A–180.4).

Investments by savings banks in certain stocks authorized and regulated, suppl., 1953, c. 78 (C. 17:9A–180.5 to 17:9A–180.10).

Article 26. Savings Banks: Deposits.

Sec. 184 of above amended 1950, c. 214 (C. 17:9A–184).

Sec. 186 of above amended 1950, c. 233 (C. 17:9A–186).

Article 28. Savings Banks: Managers: Officers.

Sec. 188 of above amended 1948, c. 40, ss. 1, 3 (C. 17:9A–188).

Sec. 189 " " " 1948, c. 406, ss. 2, 3 (C. 17:9A–189).

Article 29. Savings Banks: Retirement Benefits.

Sec. 196 of above amended 1950, c. 288, s. 2; 1953, c. 124, s. 2 (C. 17:9A–196).

Article 31. Savings Banks: Merger.

Sec. 202 of above amended 1952, c. 220, s. 4 (C. 17:9A–202).

Article 34. Banks and Savings Banks: Prohibited Acts.

Sec. 212 of above amended 1952, c. 144, s. 2 (C. 17:9A–212).

Article 35. Deposits and Withdrawals.

Sec. 216 of above amended 1949, c. 286; 1953, c. 17, s. 34 (C. 17:9A–216).

Sec. 217 " " " 1953, c. 17, s. 35 (C. 17:9A–217).

Sec. 220 " " " 1950, c. 124 (C. 17:9A–220).

Sec. 225 " " " 1953, c. 282 (C. 17:9A–225).

Additional Legislation.

Statements of account by bank to depositors, effect, limitation of time for questioning correctness, provided for, suppl., 1951, c. 166 (C. 17:9A–229.1 to 17:9A–229.5).

Article 36. Bank Collection Code.

Sec. 235 of above amended 1949, c. 243; 1951, c. 88 (C. 17:9A–235).

Article 37. Copy of Records: Destruction of Records.

Sec. 248 of above amended 1953, c. 17, s. 36 (C. 17:9A–248).

Article 39. Banks and Savings Banks: Indemnification of Directors, Managers, Officers and Employees.

Sec. 250 of above amended 1953, c. 17, s. 37 (C. 17:9A–250).

Article 41. Banks and Savings Banks: Reports and Examinations: Valuations by Commissioner.

Sec. 253 of above amended 1953, c. 71, s. 3 (C. 17:9A–253).

Sec. 255 " " " 1951, c. 35; 1953, c. 71, s. 4 (C. 17:9A–255).

Sec. 256 " " " 1953, c. 17, s. 38 (C. 17:9A–256).

Sec. 257 " " " 1953, c. 17, s. 39 (C. 17:9A–257).

Sec. 263 " " " 1953, c. 17, s. 40 (C. 17:9A–263).

Article 42. Banks and Savings Banks: Ultra Vires, Unlawful and Unsafe Practices: Possession by Commissioner: Liquidating Agents: Receiver.

Sec. 267 of above amended 1953, c. 17; 1953, c. 97 (C. 17:9A–267).

Sec. 268 " " " 1953, c. 17, s. 42 (C. 17:9A–268).

Sec. 270 " " " 1953, c. 17, s. 43 (C. 17:9A–270).

Sec. 271 " " " 1953, c. 17, s. 44 (C. 17:9A–271).

Sec. 272 " " " 1953, c. 17, s. 45 (C. 17:9A–272).

Sec. 273 " " " 1953, c. 17, s. 46 (C. 17:9A–273).

Sec. 277 " " " 1953, c. 17, s. 47 (C. 17:9A–277).

Sec. 278 " " repealed 1953, c. 17, s. 48 (C. 17:9A–278).

Sec. 279	of above	amended	1953, c. 17, s. 49 (C. 17:9A–279).
Sec. 283	"	"	"	1953, c. 17, s. 50 (C. 17:9A–283).
Sec. 284	"	"	"	1953, c. 17, s. 51 (C. 17:9A–284).
Sec. 303	"	"	"	1953, c. 17, s. 52 (C. 17:9A–303).

Article 44. Foreign Banks.

Sec. 321	of above	amended	1953, c. 17, s. 53 (C. 17:9A–321).
Sec. 326	"	"	"	1953, c. 17, s. 54 (C. 17:9A–326).
Sec. 330	"	"	"	1953, c. 17, s. 55 (C. 17:9A–330).
Sec. 331	"	"	"	1950, c. 97 (C. 17:9A–331).

Additional Legislation.

Merged or consolidated foreign banks acting as successor fiduciary, certain cases, authorized, 1949, c. 241 (C. 17:9A–316.1, 17:9A–316.2).

Part 2. LOAN BUSINESS AND COMPANIES; BUILDING AND LOAN ASSOCIATIONS; CREDIT UNIONS.

Chapter 10. SMALL LOAN BUSINESS.

Note: For credit unions excepted from chapter, see 1938, c. 293 (T. 17, c. 13), amended 1941, c. 254, 1941, c. 421, 1946, c. 285, 1948, c. 225, 1951, c. 180, 1953, c. 17; for requiring purchase of insurance incidental to certain financial transactions from a designated agent or broker, a misdemeanor, see N. J. S. 2A:117–3, 2A:117–4.

For conversion of Provident Loan Associations into general corporations and licensing under small loan law, see 1953, c. 353 (T. 17, c. 11).

R. S. 17:10–2	amended	1948, c. 71, ss. 1, 9, 10.
R. S. 17:10–5	"	1949, c. 109.
R. S. 17:10–13	"	1948, c. 71, ss. 2, 9, 10.
R. S. 17:10–14	"	1948, c. 71, ss. 3, 9, 10.
R. S. 17:10–16	"	1948, c. 71, ss. 4, 9, 10.
R. S. 17:10–17	"	1948, c. 71, ss. 5, 9, 10.
R. S. 17:10–18	"	1948, c. 71, ss. 6, 9, 10.
R. S. 17:10–19	"	1948, c. 71, ss. 7, 9, 10.
R. S. 17:10–20	"	1948, c. 71, ss. 8, 9, 10.

Chapter 11. PROVIDENT LOAN ASSOCIATIONS.

Note: For requiring purchase of insurance incidental to certain financial transactions from a designated agent or broker, a misdemeanor, see N. J. S. 2A:117-3, 2A:117-4.

R. S. 17:11-1 amended 1948, c. 421, s. 1.

R. S. 17:11-2 " 1953, c. 339, s. 1.

R. S. 17:11-3 " 1953, c. 339, s. 2.

R. S. 17:11-4 " 1948, c. 421, s. 2.

R. S. 17:11-9 " 1953, c. 17, s. 56.

Additional Legislation.

Provident Loan Assocations conversion into general corporations and license under small loan law, provided for, suppl., 1953, c. 353 (C. 17:11-13 to 17:11-18).

Chapter 12. BUILDING AND LOAN ASSOCIATIONS.

Note: For Savings and Loan Act (1946), see 1946, c. 56 (T. 17, c. 12A), and amendments thereto; for requiring purchase of insurance incidental to certain financial transactions from a designated agent or broker, a misdemeanor, see N. J. S. 2A:117-3, 2A:117-4.

Article 1. Formation.

R. S. 17:12-3 amended 1940, c. 62.

R. S. 17:12-6 " 1942, c. 163.

Article 2. Powers, Duties and Limitations.

Note: For authorization of investment in, insurance, assignment and servicing of Federal Housing mortgages, see 1939, c. 129 (T. 17, c. 12).

R. S. 17:12-11 amended 1939, c. 126.

R. S. 17:12-17 " 1938, c. 32.

Article 2A. (new) Change of Location of Principal Office.

Additional Legislation.

Change in location of principal office, suppl., 1939, c. 131 (NJSA 17:12-22.1; RSCS 17:12-57.1).

Article 3. Directors, Officers and Employees.

R. S. 17:12-29 amended 1945, c. 144.

R. S. 17:12-30 " 1945, c. 143.

New Jersey State Library

Article 4A. (new) Supervision by Department of Banking and Insurance.

Additional Legislation.

Rules and regulations as to bookkeeping and accounting practices, adoption and compliance with, provided for, suppl., 1945, c. 146 (C. 17:12–36.1).

Article 5. Members and Membership.

R. S. 17:12–39 amended 1938, c. 31; 1941, c. 320.

Article 6. Investments and Reserves.

R. S. 17:12–45 amended 1945, c. 142.

R. S. 17:12–46 " 1944, c. 82.

Additional Legislation.

Veterans' loans, when proper investments, suppl., 1945, c. 25 (C. 17:12–43.1).

Article 6A. (new) Federal Housing Administration Mortgages.

Additional Legislation.

Making, servicing, etc., of Federal Housing Administration loans authorized, suppl., 1939, c. 129 (NJSA 17:12–46.1; RSCS 17:12–41.1).

Article 7. Shares.

R. S. 17:12–47 amended 1941, c. 259.

R. S. 17:12–48 " 1941, c. 261.

R. S. 17:12–49 " 1940, c. 211.

R. S. 17:12–51 " 1938, c. 113.

R. S. 17:12–52 " 1938, c. 112.

Additional Legislation.

Shares of building and loan associations insured under "National Housing Act"; legal investments, suppl., 1940, c. 60 (NJSA 17:12–55.2, 17:12–55.3; RSCS 17:12–125, 17:12–126).

Article 10. Conversion Into Federal Savings and Loan Association.

R. S. 17:12–60 amended 1939, c. 208, s. 1.

R. S. 17:12–61 " 1939, c. 208, s. 2.

R. S. 17:12–62 repealed 1939, c. 208, s. 3.

R. S. 17:12–63 " 1939, c. 208, s. 5.

Article 10A. (new) Conversion of Federal Savings and Loan Association Into Building and Loan Association.

Additional Legislation.

Conversion of Federal Savings and Loan Association into Building and Loan Association, provided for, suppl., 1939, c. 208, ss. 4, 6 (NJSA 17:12-63.1, 17:12-63.2; RSCS 17:12-62, 17:12-63).

Article 11. Delinquent or Unsafe Associations.

Additional Legislation.

Annual and final statements and reports as to associations in liquidation by or possession of commissioner, required, suppl., 1941, c. 319 (C. 17:12-68.1).

Article 12. Dissolution and Liquidation.

Note: For liquidation of associations through liquidating corporations, see 1941, c. 408, ss. 5 to 12 (T. 17, c. 12).

R. S. 17:12-81	amended	1939, c. 130, s. 1.
R. S. 17:12-82	"	1939, c. 130, s. 2; 1945, c. 141.
R. S. 17:12-83	"	1939, c. 130, s. 3; 1945, c. 140.
R. S. 17:12-86	"	1939, c. 130, s. 4.
R. S. 17:12-87	"	1939, c. 130, s. 5.
R. S. 17:12-87.1 (added)	Trustees, accounting, allowances, etc., suppl., 1939, c. 130, s. 6.	

Article 15. Reorganization.

R. S. 17:12-106	amended	1939, c. 255.
R. S. 17:12-107	"	1939, c. 132, s. 1; 1940, c. 213; 1941, c. 408, s. 1.
R. S. 17:12-108	"	1939, c. 132, s. 2.
R. S. 17:12-109	"	1939, c. 132, s. 3.
R. S. 17:12-109.1 (added)	Certificate of incorporation and organization of associations under R. S. 17:12-107, suppl., 1939, c. 132, s. 4.	
R. S. 17:12-110	amended	1939, c. 132, s. 5; 1941, c. 408, s. 2.
R. S. 17:12-111	"	1939, c. 132, s. 6; 1941, c. 408, s. 3.
R. S. 17:12-115	"	1939, c. 127; 1941, c. 408, s. 4.

Additional Legislation.

Liquidation of building and loan association through liquidating corporation, procedure, etc., suppl., 1941, c. 408, ss. 5-12 (C. 17:12-115.1 to 17:12-115.8).

Article 16. Issuance of Shares by Federal Savings and Loan Insurance Corporation.

R. S. 17:12–124 amended 1939, c. 208, s. 7.

Chapter 12A. (new) SAVINGS AND LOAN ASSOCIATIONS AND BUILDING AND LOAN ASSOCIATIONS.

Savings and Loan Act (1946), 1946, c. 56 (C. 17:12A–1 to 17:12A–151).

Sec. 3 of above amended 1952, c. 164, s. 1 (C. 17:12A–3).

Sec. 13 " " " 1948, c. 95; 1953, c. 135, s. 1 (C. 17:12A–13).

Sec. 18 " " " 1953, c. 135, s. 2 (C. 17:12A–18).

Sec. 21 " " " 1952, c. 204 (C. 17:12A–21).

Sec. 24 " " " 1953, c. 136 (C. 17:12A–24).

Sec. 27 " " " 1948, c. 70, s. 1 (C. 17:12A–27).

Sec. 32 " " " 1949, c. 73; 1953, c. 137, s. 1 (C. 17:12A–32).

Sec. 39 " " " 1948, c. 401, ss. 1, 2 (C. 17:12A–39).

Sec. 42 " " " 1953, c. 138, s. 1 (C. 17:12A–42).

Sec. 47 " " " 1952, c. 164, s. 2 (C. 17:12A–47).

Sec. 48 " " " 1952, c. 164, s. 3 (C. 17:12A–48).

Sec. 49 " " " 1952, c. 164, s. 4 (C. 17:12A–49).

Sec. 60 " " " 1952, c. 151 (C. 17:12A–60).

Sec. 62 " " " 1953, c. 138, s. 2 (C. 17:12A–62).

Sec. 74 " " " 1953, c. 17, s. 57 (C. 17:12A–74).

Sec. 76 " " " 1953, c. 17, s. 58 (C. 17:12A–76).

Sec. 78 " " " 1947, c. 90; 1950, c. 285; 1951, c. 125 (C. 17:12A–78).

Sec. 79 " " " 1947, c. 300, s. 1 (C. 17:12A–79).

Sec. 80	of above	amended	1951, c. 37 (C. 17:12A–80).
Sec. 81	" "	"	1951, c. 36 (C. 17:12A–81).
Sec. 83	" "	"	1948, c. 59; 1951, c. 305 (C. 17:12A–83).
Sec. 84	" "	"	1953, c. 324 (C. 17:12A–84).
Sec. 87	" "	"	1953, c. 17, s. 59 (C. 17:12A–87).
Sec. 88	" "	repealed	1953, c. 17, s. 60 (C. 17:12A–88).
Sec. 90	" "	amended	1953, c. 17, s. 61 (C. 17:12A–90).
Sec. 93	" "	"	1953, c. 17, s. 62 (C. 17:12A–93).
Sec. 96	" "	"	1953, c. 17, s. 63 (C. 17:12A–96).
Sec. 97	" "	"	1950, c. 95; 1953, c. 17, s. 64 (C. 17:12A–97).
Sec. 98	" "	"	1953, c. 17, s. 65 (C. 17:12A–98).
Sec. 99	" "	"	1953, c. 17, s. 66 (C. 17:12A–99).
Sec. 100	" "	"	1953, c. 17, s. 67 (C. 17:12A–100).
Sec. 101	" "	"	1949, c. 58; 1950, c. 87; 1953, c. 137, s. 2 (C. 17:12A–101).
Sec. 103	" "	"	1953, c. 17, s. 68 (C. 17:12A–103).
Sec. 108	" "	"	1953, c. 17, s. 69 (C. 17:12A–108).
Sec. 110	" "	"	1953, c. 17, s. 70 (C. 17:12A–110).
Sec. 116	" "	"	1953, c. 17, s. 71 (C. 17:12A–116).
Sec. 118	" "	"	1953, c. 17, s. 72 (C. 17:12A–118).
Sec. 125	" "	"	1953, c. 17, s. 73 (C. 17:12A–125).
Sec. 126	" "	"	1953, c. 17, s. 74 (C. 17:12A–126).

Sec. 127 of above amended 1953, c. 17, s. 75 (C. 17:12A–127).

Sec. 128 " " " 1953, c. 17, s. 76 (C. 17:12A–128).

Sec. 133 " " " 1953, c. 17, s. 77 (C. 17:12A–133).

Sec. 140 " " " 1953, c. 17, s. 78 (C. 17:12A–140).

Sec. 141 " " " 1953, c. 17, s. 79 (C. 17:12A–141).

Sec. 142 " " " 1953, c. 17, s. 80 (C. 17:12A–142).

Sec. 148 " " " 1953, c. 17, s. 81 (C. 17:12A–148).

Sec. 149 " " " 1953, c. 17, s. 82 (C. 17:12A–149).

Sec. 150 " " repealed 1953, c. 17, s. 83 (C. 17:12A–150).

Sec. 151 " " amended 1953, c. 100 (C. 17:12A–151).

Conditions precedent to approval of application for approval of incorporation, provided for, suppl., 1953, c. 135, s. 3 (C. 17:12A–16.1).

Auxiliary offices, savings and loan and building and loan associations, establishment and maintenance provided for, suppl., 1952, c. 205 (C. 17:12A–21.1 to 17:12A–21.8).

Transmission of funds, money orders, and travel checks, suppl., 1948, c. 69 (C. 17:12A–27.1).

Chapter 13. CREDIT UNIONS.

Article 1. Formation.

R. S. 17:13–1 to 17:13–7 repealed 1938, c. 293, s. 47.

Article 2. Powers.

R. S. 17:13–8 repealed 1938, c. 293, s. 47.

Article 3. Trustees and Officers.

R. S. 17:13–9 repealed 1938, c. 293, s. 47.

R. S. 17:13–10 " 1938, c. 293, s. 47.

Article 4. Reports, Examinations and Books.

R. S. 17:13–11 to 17:13–16 repealed 1938, c. 293, s. 47.

Article 5. Membership.

R. S. 17:13–17 repealed 1938, c. 293, s. 47.

R. S. 17:13–18 " 1938, c. 293, s. 47.

Article 6. Loans.

R. S. 17:13–19 to 17:13–21 repealed 1938, c. 293, s. 47.

Article 7. Investments and Dividends.

R. S. 17:13–22 to 17:13–24 repealed 1938, c. 293, s. 47.

Article 8. Dissolution.

R. S. 17:13–25 repealed 1938, c. 293, s. 47.

Article 9. (new) Credit Unions, Incorporation and Regulation.

Additional Legislation.

Incorporation and regulation of credit unions, 1938, c. 293 (NJSA 17:13–26 to 17:13–71, RSCS 17:13–1 to 17:13–46).

Sec. 1 of above amended 1941, c. 421 (C. 17:13–26).

Sec. 2 " " " 1946, c. 285; 1948, c. 225, s. 1 (C. 17:13–27).

Sec. 3 " " " 1941, c. 254 (C. 17:13–28).

Sec. 6 " " " 1953, c. 17, s. 84 (C. 17:13–31).

Sec. 11 " " " 1951, c. 180, s. 1 (C. 17:13–36).

Sec. 17 " " " 1948, c. 225, s. 2; 1951, c. 180, s. 2 (C. 17:13–42).

Sec. 25 " " " 1953, c. 17, s. 85 (C. 17:13–50).

Sec. 28 " " " 1953, c. 17, s. 86 (C. 17:13–53).

Sec. 29 " " " 1953, c. 17, s. 87 (C. 17:13–54).

Sec. 30 " " " 1953, c. 17, s. 88 (C. 17:13–55).

Sec. 31 " " " 1953, c. 17, s. 89 (C. 17:13–56).

Sec. 33 " " " 1953, c. 17, s. 90 (C. 17:13–58).

Sec. 34 of above amended 1953, c. 17, s. 91 (C. 17:13-59).

Sec. 39 " " " 1953, c. 17, s. 92 (C. 17:13-64).

Sec. 44 " " " 1953, c. 17, s. 93 (C. 17:13-69).

Part 4. TRANSMITTING MONEY TO FOREIGN COUNTRIES OR BUYING AND SELLING FOREIGN MONEY.

Chapter 15. CERTIFICATE OF AUTHORITY AND BOND.

R. S. 17:15-9 amended 1953, c. 17, s. 94.

Part 4A. (new) CASHING CHECKS, DRAFTS AND MONEY ORDERS.

Chapter 15A. (new) THE CHECK CASHING LAW (1951).

The Check Cashing Law, 1951, c. 187 (C. 17:15A-1 to 17:15A-29).

Sec. 22 of above amended 1953, c. 17, s. 95 (C. 17:15A-22).

Sec. 24 " " " 1953, c. 151 (C. 17:15A-24).

Part 5. FOREIGN INSTITUTIONS.

Chapter 16. REGULATION OF BUSINESS IN STATE.

R. S. 17:16-1 to 17:16-3 repealed 1948, c. 67, ss. 336, 343.

R. S. 17:16-3.1 (added) suppl. 1939, c. 123, s. 1; repealed 1948, c. 67, ss. 336, 343.

R. S. 17:16-3.2 (added) " 1939, c. 123, s. 2; repealed 1948, c. 67, ss. 336, 343.

R. S. 17:16-4 to 17:16-14 repealed 1948, c. 67, ss. 336, 343.

R. S. 17:16-15 " 1938, c. 321, s. 4.

R. S. 17:16-16 to 17:16-19 " 1948, c. 67, ss. 336, 343.

The following sections of the foregoing were amended prior to being repealed as aforesaid:

R. S. 17:16-1 amended 1941, c. 190, s. 1.
R. S. 17:16-2 " 1938, c. 321, s. 1; 1941, c. 190, s. 2.
R. S. 17:16-3 " 1938, c. 321, s. 2; 1941, c. 190, s. 3.
R. S. 17:16-10 " 1938, c. 321, s. 3; 1941, c. 426.

Part 6. (new) INVESTMENT COMPANIES.

Chapter 16A. (new) INVESTMENT COMPANIES.

Investment companies defined and regulated, 1938, c. 322 (NJSA 17:16A–1 to 17:16A–20; RSCS 17:13A–1 to 17:13A–20).

Sec. 3 of above amended 1939, c. 353; 1941, c. 420 (C. 17:16A–3).

Sec. 7 " " " 1953, c. 17, s. 96 (C. 17:16A–7).

Sec. 8 " " " 1953, c. 17, s. 97 (C. 17:16A–8).

Sec. 10 " " " 1953, c. 17, s. 98 (C. 17:16A–10).

Sec. 13 " " " 1953, c. 17, s. 99 (C. 17:16A–13).

Sec. 14 " " " 1953, c. 17, s. 100 (C. 17:16A–14).

Sec. 18 " " " 1953, c. 17, s. 101 (C. 17:16A–18).

Sec. 19 " " " 1953, c. 17, s. 102 (C. 17:16A–19).

Sec. 20 " " " 1953, c. 17, s. 103 (C. 17:16A–20).

Part 7. (new) FINANCE COMPANIES, ETC.

Chapter 16B. (new) SALES FINANCE COMPANIES.

Retail installment sales, $3,000.00 or less; sales finance companies regulated and licensing provided for, 1948, c. 419 (C. 17:16B–1 to 17:16B–12).

Sec. 3 of above amended 1953, c. 17, s. 104 (C. 17:16B–3).

Sec. 5 " " " 1953, c. 17, s. 105 (C. 17:16B–5).

Subtitle 3. INSURANCE.

Note: For renewal of reinstatement of certain licenses, registration certificates or permits to practice profession or engage in occupation, for veterans, provided for, see 1946, c. 51 (T. 38, c. 23A), amended 1952, c. 116; for authority to pay taxes, charges or fees, notwithstanding doubts as to legality of law imposing same, provided for, see 1950, c. 102 (T. 14, c. 17).

Part 1. INSURANCE COMPANIES GENERALLY.

Note: For assessment life insurance company, conversion into mutual life insurance company, authorized, see 1947, c. 84 (T. 17, c. 35).

Chapter 17. FORMATION.

R. S. 17:17–1	amended	1938, c. 289, s. 1; 1947, c. 312; 1948, c. 243; 1953, c. 108.
R. S. 17:17–2	"	1945, c. 224, s. 1.
R. S. 17:17–3	"	1938, c. 289, s. 2; 1945, c. 224, s. 2.
R. S. 17:17–4	"	1938, c. 289, s. 3; 1945, c. 224, s. 3; 1947, c. 80, s. 1.
R. S. 17:17–6	"	1938, c. 289, s. 4; 1947, c. 80, s. 2.
R. S. 17:17–7	"	1945, c. 224, s. 4; 1951, c. 206, s. 2.
R. S. 17:17–8	"	1938, c. 289, s. 5.
R. S. 17:17–10	"	1950, c. 47.
R. S. 17:17–12	"	1942, c. 162.

Additional Legislation.

Mutual insurance companies, assessments required when liabilities exceed assets, suppl., 1951, c. 206, s. 1 (C. 17:17–14).

Chapter 17A. (new) STOCK OWNERSHIP AND COMMON MANAGEMENT OF INSURANCE COMPANIES.

Stock ownership, interlocking directorates, common management, regulated, 1948, c. 157 (C. 17:17A–1 to 17:17A–4).

Sec. 3 of above amended 1953, c. 17, s. 106 (C. 17:17A–3).

Chapter 18. POWERS, DUTIES AND LIMITATIONS.

Note: For assessments by mutual insurance companies when liabilities exceed assets, see 1951, c. 206 (T. 17, c. 17).

R. S. 17:18–3	amended	1943, c. 174; 1945, c. 226, s. 1; 1950, c. 283, s. 1; 1953, c. 17, s. 107.
R. S. 17:18–7	repealed	1939, c. 305, s. 8.
R. S. 17:18–9	amended	1949, c. 59; 1951, c. 206, s. 3.
R. S. 17:18–11	repealed	1940, c. 91.

Additional Legislation.

Insurance companies, photographing and destruction of certain documents and records, authorized, suppl., 1949, c. 156 (C. 17:18–12.1).

Reserves required of title insurance companies, suppl., 1938, c. 289, ss. 6-8 (C. 17:18–13 to 17:18–15).

Sec. 6 of above amended 1949, c. 180 (C. 17:18–13).

Payment of taxes, etc., in other States and territories, authorized, 1945, c. 186 (C. 17:18–16).

Chapter 19. REMEDYING HOUSING CONDITIONS.

R. S. 17:19–4 amended 1953, c. 17, s. 108.

Chapter 20. DEPOSITS WITH COMMISSIONER.

R. S. 17:20–3 amended 1953, c. 17, s. 109.

R. S. 17:20–4 " 1953, c. 17, s. 110.

Chapter 21. DIRECTORS AND OFFICERS.

Note: For assessments by mutual insurance companies when liabilities exceed assets, see 1951, c. 206 (T. 17, c. 17).

Chapter 22. BROKERS AND AGENTS.

R. S. 17:22–1 to 17:22–5 repealed 1944, c. 175, s. 26.

R. S. 17:22–6 amended 1947, c. 248; 1952, c. 294.

Additional Legislation.

Insurance agents, licenses required, suppl., 1941, c. 118 (C. 17:22–5.1, 17:22–5.2).

Sec. 1 of above repealed 1944, c. 175, s. 26 (C. 17:22–5.1).

Licensing, regulation and supervision of insurance agents, brokers and solicitors, suppl., 1944, c. 175, ss. 1–25, 27 (C. 17:22–6.1 to 17:22–6.28).

Sec. 9 of above amended 1945, c. 82; 1946, c. 20 (C. 17:22–6.9).

Sec. 13 " " " 1946, c. 66 (C. 17:22–6.13).

Sec. 14 " " " 1945, c. 224, s. 6; 1951, c. 318, s. 1 (C. 17:22–6.14).

Sec. 15 " " " 1946, c. 291, s. 1; 1951, c. 318, s. 2 (C. 17:22–6.15).

Sec. 17 " " " 1953, c. 17, s. 111 (C. 17:22–6.17).

Sec. 18 " " " 1948, c. 256 (C. 17:22–6.18).

Sec. 21 " " " 1948, c. 462, ss. 1, 9 (C. 17:22–6.21).

Sec. 23 " " " 1946, c. 291, s. 2 (C. 17:22–6.23).

Sec. 24 " " " 1946, c. 291, s. 3; 1948, c. 146, ss. 1, 2 (C. 17:22–6.24).

Sec. 25 of above amended 1953, c. 17, s. 112 (C. 17:22-6.25).

License for sale of insurance of companies not authorized to do business in State, issuance in certain cases, provided for, suppl., 1948, c. 462, ss. 2-7, 9 (C. 17:22-6.29 to 17:22-6.36).

Sec. 2 of above amended 1953, c. 330 (C. 17:22-6.29).

Sec. 6 " " " 1950, c. 67, s. 7 (C. 17:22-6.33).

Chapter 23. REPORTS AND EXAMINATIONS.

R. S. 17:23-1 amended 1947, c. 321.

R. S. 17:23-2 " 1953, c. 17, s. 113.

R. S. 17:23-3 repealed 1944, c. 175, s. 26.

R. S. 17:23-4 amended 1953, c. 17, s. 114.

Chapter 24. INVESTMENTS.

Note: For additional legislation affecting legal investments, see chapter 2 of this Title, supra.

R. S. 17:24-1 amended 1938, c. 359; 1938, c. 368; 1945, c. 226, s. 2; 1946, c. 116; 1947, c. 358, s. 1; 1950, c. 283, s. 2; 1952, c. 136; 1953, c. 17, s. 115.

R. S. 17:24-2 " 1947, c. 358, s. 2.

R. S. 17:24-7 " 1938, c. 289, s. 9.

R. S. 17:24-10 " 1945, c. 23.

Additional Legislation.

Contribution, Committee on Valuation of Securities of the National Association of Insurance Commissioners, authorized and regulated, 1949, c. 248 (C. 17:24-13 to 17:24-16).

Chapter 26. AMENDMENTS, CHANGES AND ALTERATIONS.

R. S. 17:26-1 amended 1940, c. 82.

Additional Legislation.

Mutual life insurance corporations, amendment of charters or certificates of incorporation, provided for, suppl., 1943, c. 14 (C. 17:26-1.1).

Sec. 1 of above amended 1953, c. 17, s. 116 (C. 17:26-1.1).

Chapter 27. MERGER.

R. S. 17:27–1 amended 1938, c. 259, s. 1.

R. S. 17:27–2 " 1938, c. 259, s. 2.

R. S. 17:27–3 " 1938, c. 259, s. 3 and see R. S. 17:27–5A added below.

R. S. 17:27–4 amended 1938, c. 259, s. 4 and see R. S. 17:27–5A added below.

R. S. 17:27–5 " 1938, c. 259, s. 5 and see R. S. 17:27–5A added below.

R. S. 17:27–5A (added) Effect of unconstitutionality or invalidity of any provision of act, suppl., 1938, c. 259, s. 17:27–5A.

Chapter 28. POLICY FORM AND PROVISIONS.

Note: For required policy and certificate provisions and reserves; assessment life, accident and health insurance, see 1938, c. 322 (T. 17, c. 16A), amended 1939, c. 353, 1941, c. 420, 1953, c. 17.

R. S. 17:28–1 amended 1940, c. 92; 1941, c. 364; 1943, c. 159; 1944, c. 153.

R. S. 17:28–3 " 1951, c. 206, s. 4.

Additional Legislation.

Insurance of financed automobiles, suppl., 1939, c. 74 (C. 17:28–4 to 17:28–7).

Title of above amended 1950, c. 157, s. 1.

Sec. 1 " " " 1950, c. 157, s. 2 (C. 17:28–4).

Chapter 28A (new). GROUP INSURANCE.

Group life and accident group health, or group accident and health insurance, writing regulated, suppl., 1950, c. 276 (C. 17:28A–1).

Policy dividends or rate reductions, application of, regulated, suppl., 1950, c. 271 (C. 17:28A–2, 17:28A–3).

Chapter 29. REBATES AND UNFAIR DISCRIMINATION.

R. S. 17:29–1 to 17:29–6 repealed 1944, c. 27, s. 27.

R. S. 17:29–8 " 1944, c. 27, s. 27.

R. S. 17:29–9 " 1944, c. 27, s. 27.

R. S. 17:29–10 amended 1953, c. 17, s. 117.

Chapter 29A. (new) RATES.

Making and applying of insurance rates and licensing of rating organizations, provided for, 1944, c. 27, ss. 1–26, 28 (C. 17:29A–1 to 17:29A–28).

Sec. 5 of above amended 1950, c. 176 (C. 17:29A–5).

Sec. 18 " " " 1953, c. 17, s. 118 (C. 17:29A–18).

Sec. 22 " " " 1953, c. 17, s. 119 (C. 17:29A–22).

Sec. 23 " " " 1953, c. 17, s. 120 (C. 17:29A–23).

Sec. 24 " " " 1953, c. 17, s. 121 (C. 17:29A–24).

Sec. 25 " " " 1947, c. 360; 1949, c. 162; 1950, c. 309, s. 5 (C. 17:29A–25).

Insurance advisory organizations, joint reinsurance and joint underwriting regulated, 1950, c. 309, ss. 1-4 (C. 17:29A–29 to 17:29A–32).

Chapter 29B. (new) TRADE PRACTICES REGULATED.

Unfair methods of competition and unfair or deceptive acts or practices, defined and prohibited; procedure to compel compliance with trade regulations, provided for, 1947, c. 379 (C. 17:29B–1 to 17:29B–14).

Sec. 6 of above amended 1953, c. 17, s. 122 (C. 17:29B–6).

Sec. 7 " " " 1953, c. 17, s. 123 (C. 17:29B–7).

Sec. 8 " " " 1953, c. 17, s. 124 (C. 17:29B–8).

Sec. 9 " " " 1953, c. 17, s. 125 (C. 17:29B–9).

Sec. 10 " " " 1953, c. 17, s. 126 (C. 17:29B–10).

Sec. 13 " " " 1953, c. 17, s. 127 (C. 17:29B–13).

Chapter 30. INSOLVENCY, LIQUIDATION AND DISSOLUTION.

Note: For assessments by mutual insurance companies when liabilities exceed assets, see 1951, c. 206 (T. 17, c. 17).

R. S. 17:30–1 amended 1951, c. 206, s. 5.

R. S. 17:30–2 " 1951, c. 206, s. 6.

R. S. 17:30-3 amended 1953, c. 17, s. 128.

R. S. 17:30-4 " 1953, c. 17, s. 129.

R. S. 17:30-5 " 1953, c. 17, s. 130.

Chapter 31. SURETY BONDS.

R. S. 17:31-4 amended 1953, c. 17, s. 131.

Chapter 32. FOREIGN COMPANIES.

R. S. 17:32-2 amended 1938, c. 289, s. 10.

R. S. 17:32-4 " 1953, c. 17, s. 132.

R. S. 17:32-6 repealed 1944, c. 175, s. 26.

R. S. 17:32-7 amended 1938, c. 55; repealed 1945, c. 132, s. 15.

R. S. 17:32-11 repealed 1944, c. 175, s. 26.

R. S. 17:32-12 amended 1944, c. 153, s. 2; repealed 1945, c. 132, s. 15.

Additional Legislation.

Retaliatory taxes, fines, penalties, licenses, deposit requirements, etc., on foreign companies, exchanges, etc., provided for, suppl., 1950, c. 231 (C. 17:32-15).

Chapter 33. FEES AND PENALTIES.

R. S. 17:33-1 amended 1941, c. 118, s. 2; 1945, c. 224, s. 5.

R. S. 17:33-2 " 1943, c. 148, s. 12; 1953, c. 17, s. 133.

Part 2. LIFE INSURANCE.

Note: For deductions from salaries of employees of board of education for hospital service or group insurance plans, see 1940, c. 47 (T. 18, c. 5), amended 1942, c. 218.

Chapter 34. LIFE INSURANCE COMPANIES GENERALLY.

Note: For assessment life insurance company, conversion into mutual life insurance company, authorized, see 1947, c. 84 (T. 17, c. 35).

Article 1. Participating or Nonparticipating.

R. S. 17:34-1 repealed 1945, c. 228.

R. S. 17:34-2 " 1945, c. 228.

Article 2. Directors, Trustees, Officers and Agents.

Note: For directors continued in office notwithstanding repeal of R. S. 17:34-3 and P. L. 1943, c. 16, see 1949, c. 198 (T. 17, c. 34).

R. S. 17:34-3 amended 1948, c. 377, ss. 1, 3; repealed 1949, c. 198, s. 1.

Additional Legislation.

Mutual life insurance corporations, election of directors in certain cases, provided for, suppl., 1943, c. 15 (C. 17:34-3.2 to 17:34-3.10).

Directors continued in office notwithstanding repeal of R. S. 17:34-3 and P. L. 1943, c. 16; 1949, c. 198, s. 2 (C. 17:34-3.11).

Directors certain mutual life insurance corporations, appointment, nomination and election, provided for, 1953, c. 156 (C. 17:34-3.12 to 17:34-3.22).

Article 5. Policies.

R. S. 17:34-15 amended 1943, c. 148, s. 3.

R. S. 17:34-17 " 1943, c. 148, s. 4.

R. S. 17:34-18 " 1953, c. 17, s. 134.

R. S. 17:34-19 " 1938, c. 255, s. 1; 1943, c. 148, s. 5.

R. S. 17:34-21 " 1953, c. 17, s. 135.

R. S. 17:34-22 " 1941, c. 135, s. 1; 1943, c. 148, s. 6.

R. S. 17:34-23 " 1943, c. 148, s. 7.

R. S. 17:34-24 " 1938, c. 254; 1941, c. 135, s. 2; 1943, c. 148, s. 8; 1948, c. 455; 1949, c. 219.

R. S. 17:34-25 " 1943, c. 148, s. 10.

R. S. 17:34-25.1 " 1943, c. 148, s. 11.

Additional Legislation.

Standard Nonforfeiture Law (1943), suppl., 1943, c. 148, s. 1 (C. 17:34-21.1).

Reserves, additional, for certain life insurance policies, provided for, suppl., 1946, c. 119 (C. 17:34-22.1).

Standard Valuation Law (1943), suppl., 1943, c. 148, s. 2 (C. 17:34-25.2).

Article 6. Insurable Interest and Beneficiaries.

R. S. 17:34-30 amended 1944, c. 221.

Article 7. Group Insurance.

Note: For group life and accident, group health, or group accident and health insurance, writing regulated, see 1950, c. 276 (T. 17, c. 28A).

R. S. 17:34-31 amended 1938, c. 255, s. 2; 1942, c. 86, s. 1; 1944, c. 73; 1945, c. 187, s. 1; 1946, c. 16, s. 1; 1949, c. 106; 1950, c. 301, s. 1.

R. S. 17:34–32 amended 1938, c. 255, s. 3; 1942, c. 86, s. 2; 1943, c. 148, s. 9; 1945, c. 187, s. 2; 1946, c. 16, s. 2; 1950, c. 301, s. 2.

Additional Legislation.

Individual policy of life insurance, issuance, certain cases, regulated, suppl., 1950, c. 301, s. 3 (C. 17:34–32.2).

Article 8. Acquiring Stock for Policyholders; Mutualization.

R. S. 17:34–34 amended 1953, c. 17, s. 136.

R. S. 17:34–35 " 1953, c. 17, s. 137.

R. S. 17:34–36 " 1953, c. 17, s. 138.

R. S. 17:34–37 " 1953, c. 17, s. 139.

R. S. 17:34–38 " 1953, c. 17, s. 140.

R. S. 17:34–41 " 1943, c. 13.

R. S. 17:34–42 " 1953, c. 17, s. 141.

R. S. 17:34–43 " 1953, c. 17, s. 142.

Additional Legislation.

Acquisition of additional stock after lapse of twenty years from confirmation of appraisement by certain life insurance companies; authorized, 1940, c. 208 (C. 17:34–43.1 to 17:34–43.7).

Sec. 1 of above amended 1953, c. 17, s. 143 (C. 17:34–43.1).

Sec. 2 " " " 1953, c. 17, s. 144 (C. 17:34–43.2).

Sec. 3 " " " 1953, c. 17, s. 145 (C. 17:34–43.3).

Sec. 5 " " " 1953, c. 17, s. 146 (C. 17:34–43.5).

Sec. 6 " " repealed 1953, c. 17, s. 147 (C. 17:34–43.6).

Article 9. Distinctions and Discriminations.

R. S. 17:34–46 amended 1953, c. 17, s. 148.

Article 10. (new) Unclaimed Funds.

Additional Legislation.

Reports, advertisement, payments to State Treasurer, etc., 1946, c. 154 (C. 17:34–49 to 17:34–58).

Sec. 3 of above amended 1949, c. 211, s. 1 (C. 17:34–51).

Sec. 4 of above amended 1953, c. 17, s. 149 (C. 17:34-52).

Sec. 7 " " " 1953, c. 17, s. 150 (C. 17:34-55).

Sec. 9 " " " 1949, c. 211, s. 2 (C. 17:34-57).

Chapter 35. ASSESSMENT LIFE INSURANCE COMPANIES.

Article 1. Domestic Companies.

R. S. 17:35-8 amended 1945, c. 178.

R. S. 17:35-14 " 1953, c. 17, s. 151.

Additional Legislation.

Assessment life insurance company, conversion into mutual life insurance company, authorized, suppl., 1947, c. 84 (C. 17:35-14.1, 17:35-14.2).

Article 2. Foreign Companies.

R. S. 17:35-23 amended 1953, c. 17, s. 152.

Article 3. (new) Life, Accident and Health Insurance.

Additional Legislation.

Life, accident and health insurance policies and certificates issued by assessment life, health and accident insurance companies and associations and transaction of business by such companies and associations, regulated, suppl., 1938, c. 232 (C. 17:35-26 to 17:35-31).

Sec. 1 of above amended 1944, c. 101; 1945, c. 227; 1953, c. 17, s. 153 (C. 17:35-26).

Part 3. FIRE INSURANCE.

Chapter 36. FIRE INSURANCE COMPANIES GENERALLY.

R. S. 17:36-1 repealed 1948, c. 462, ss. 8, 9.

R. S. 17:36-3 to 17:36-5 " 1944, c. 171, s. 13.

R. S. 17:36-7 " 1944, c. 171, s. 13.

Additional Legislation.

Standard forms of policies, endorsements and supplemental contracts, provided for, 1944, c. 171 (C. 17:36-5.1 to 17:36-5.14).

Sec. 3 of above amended 1949, c. 158 (C. 17:36-5.3).

Sec. 5 " " " 1947, c. 203; 1953, c. 89, s. 1 (C. 17:36-5.5).

Sec. 11 of above amended 1953, c. 17, s. 154 (C. 17:36-5.11).

Effection of invalidity of amendatory act, provided for, suppl., 1953, c. 89, s. 2 (C. 17:36-5.5a).

Chapter 37. MUTUAL COMPANIES.

R. S. 17:37-8 amended 1951, c. 206, s. 7.

Part 4. HEALTH AND ACCIDENT INSURANCE.

Note: For regulation of assessment, health and accident insurance companies and associations, see 1938, c. 232, (T. 17, c. 35), amended 1944, c. 101, 1945, c. 227, 1953, c. 17; for regulation of hospital service corporations and plans, see 1938, c. 366 (T. 17, c. 48), amended 1953, c. 17.

Chapter 38. UNIFORM POLICY PROVISIONS.

Note: For group life and accident, group health, or group accident and health insurance, writing regulated, see 1950, c. 276 (T. 17, c. 28A).

R. S. 17:38-1 amended 1944, c. 100; 1945, c. 225; 1951, c. 237, ss. 1, 12, 13; 1953, c. 17, s. 155.

R. S. 17:38-2 " 1940, c. 104; see 1951, c. 237, s. 12 (C. 17:38-13.11).

R. S. 17:38-3 to 17:38-11 see 1951, c. 237, s. 12 (C. 17:38-13.11).

R. S. 17:38-12 amended 1946, c. 310; see 1951, c. 237, s. 12 (C. 17:38-13.11).

R. S. 17:38-13 see 1951, c. 237, s. 12 (C. 17:38-13.11).

Additional Legislation.

Health and accident policies, alternative required provisions, suppl., 1951, c. 237, ss. 2-13 (C. 17:38-13.1 to 17:38-13.12).

Standard provisions in group health and accident policies, filing of forms, etc., approval, etc., suppl., 1939, c. 305 (C. 17:38-14 to 17:38-22).

Sec. 2 of above amended 1944, c. 72, s. 1; 1948, c. 31; 1948, c. 440, s. 1; 1949, c. 234; 1950, c. 302, s. 1 (C. 17:38-15).

Sec. 3 " " repealed 1950, c. 302, s. 2 (C. 17:38-16).

Sec. 4 " " amended 1944, c. 72, s. 2 (C. 17:38-17).

Sec. 5 " " " 1944, c. 72, s. 3; 1948, c. 440, s. 2 (C. 17:38-18).

Sec. 6 " " " 1945, c. 188 (C. 17:38-19).

Sec. 7 " " " 1953, c. 17, s. 156 (C. 17:38-20).

Part 5. FRATERNAL ASSOCIATIONS.

Chapter 43. INSURANCE OF CHILDREN.

R. S. 17:43-1 amended 1946, c. 33.

Part 6. MUTUAL BENEFIT ASSOCIATIONS.

Note: For regulation of assessment, health and accident insurance companies and associations, see 1938, c. 232 (T. 17, c. 35), amended 1944, c. 101, 1945, c. 227, 1953, c. 153; for regulation of hospital service corporations and plans, see 1938, c. 366 (T. 17, c. 48), amended 1953, c. 17.

Chapter 45. AUTHORITY, REGULATIONS AND RESTRICTIONS.

Note: For group life and accident, group health or group accident and health insurance, writing regulated, see 1950, c. 276 (T. 17, c. 28A).

R. S. 17:45-1 amended 1950, c. 148, s. 1.

R. S. 17:45-4 " 1950, c. 148, s. 2.

R. S. 17:45-8 " 1950, c. 148, s. 3.

R. S. 17:45-9 " 1950, c. 148, s. 4.

R. S. 17:45-13 " 1953, c. 17, s. 157.

R. S. 17:45-14 " 1953, c. 17, s. 158.

R. S. 17:45-15 " 1953, c. 17, s. 159.

R. S. 17:45-17 " 1953, c. 17, s. 160.

Additional Legislation.

Certain associations excepted from application of chapter, suppl., 1938, c. 60 (NJSA 17:45-21; RSCS 17:45-18.1).

Increased death benefit payments and increased assets, permitted and required, suppl., 1948, c. 467 (C. 17:45-22, 17:45-23).

Part 7. MORTGAGE GUARANTY COMPANIES.

Chapter 46. REHABILITATION.

R. S. 17:46-2 amended 1953, c. 17, s. 161.

R. S. 17:46-3 " 1953, c. 17, s. 162.

R. S. 17:46-4 " 1953, c. 17, s. 163.

R. S. 17:46-5 " 1953, c. 17, s. 164.

R. S. 17:46-6 " 1953, c. 17, s. 165.

R. S. 17:46-7 " 1953, c. 17, s. 166.

R. S. 17:46-9 " 1953, c. 17, s. 167.

R. S. 17:46-13 amended 1953, c. 17, s. 168.

R. S. 17:46-14 repealed 1953, c. 17, s. 169.

R. S. 17:46-15 amended 1953, c. 17, s. 170.

R. S. 17:46-19 " 1953, c. 17, s. 171.

R. S. 17:46-20 " 1953, c. 17, s. 172.

R. S. 17:46-22 " 1953, c. 17, s. 173.

R. S. 17:46-31 " 1953, c. 17, s. 174.

Part 9. (new) HOSPITAL AND MEDICAL SERVICE CORPORATIONS, ETC.

Chapter 48. (new) HOSPITAL SERVICE CORPORATIONS.

Note: For deductions from salaries of employees of board of education for hospital service or group insurance plans, authorized, see 1940, c. 47 (T. 18, c. 5), amended 1942, c. 218; of municipal employees adopting group hospital plan, authorized and validated, see 1941, c. 133 (T. 40, c. 46); for group life and accident, group health, or group accident and health insurance, writing regulated, see 1950, c. 276 (T. 17, c. 28A).

Hospital service corporations and hospital service plans, regulated, suppl., 1938, c. 366 (C. 17:48-1 to 17:48-19).

Sec. 8 of above amended 1953, c. 17, s. 175 (C. 17:48-8).

Sec. 9 " " " 1953, c. 17, s. 176 (C. 17:48-9).

Sec. 11 " " " 1953, c. 17, s. 177 (C. 17:48-11).

Sec. 12 " " " 1953, c. 17, s. 178 (C. 17:48-12).

Sec. 13 " " " 1953, c. 17, s. 179 (C. 17:48-13).

Sec. 15 " " " 1953, c. 17, s. 180 (C. 17:48-15).

Sec. 16 " " " 1953, c. 17, s. 181 (C. 17:48-16).

Chapter 48A. (new) MEDICAL SERVICE CORPORATIONS.

Medical service corporations, organization, regulation, etc., suppl., 1940, c. 74 (C. 17:48A-1 to 17:48A-25).

Sec. 1 of above amended 1944, c. 102, s. 1 (C. 17:48A-1).

Sec. 2 " " " 1944, c. 102, s. 2 (C. 17:48A-2).

Sec. 3 of above amended 1944, c. 102, s. 2a (C. 17:48A–3).

Sec. 5 " " " 1944, c. 102, s. 3 (C. 17:48A–5).

Sec. 6 " " " 1944, c. 102, s. 4 (C. 17:48A–6).

Sec. 7 " " " 1944, c. 102, s. 5 (C. 17:48A–7).

Sec. 8 " " " 1944, c. 102, s. 6 (C. 17:48A–8).

Sec. 9 " " " 1953, c. 17, s. 182 (C. 17:48A–9).

Sec. 10 " " " 1953, c. 17, s. 183 (C. 17:48A–10).

Sec. 11 " " " 1944, c. 102, s. 7 (C. 17:48A–11).

Sec. 16 " " " 1953, c. 17, s. 184 (C. 17:48A–16).

Sec. 18 " " " 1953, c. 17, s. 185 (C. 17:48A–18).

Sec. 20 " " " 1944, c. 102, s. 8; 1953, c. 17, s. 186 (C. 17:48A–20).

Sec. 22 " " " 1944, c. 102, s. 9; 1953, c. 17, s. 187 (C. 17:48A–22).

Sec. 23 " " " 1946, c. 259 (C. 17:48A–23).

Extension of act to services rendered by licensed chiropodists, provided for, suppl., 1953, c. 283 (C. 17:48A–26).

Part 10. (new) INSURANCE BY INDIVIDUALS, PARTNERSHIPS AND UNINCORPORATED ASSOCIATIONS.

Chapter 49. (new) REGULATION.

Transaction of insurance business by individuals, partnerships and unincorporated associations, regulated, 1939, c. 188 (C. 17:49–1 to 17:49–6).

Sec. 6 of above amended 1953, c. 17, s. 188 (C. 17:49–6).

Part 11. (new) RECIPROCAL INSURANCE AND INTERINSURANCE CONTRACTS.

Chapter 50. (new) EXCHANGE OF RECIPROCAL OR INTERINSURANCE CONTRACTS.

Exchange of reciprocal or interinsurance contracts, authorized and regulated, licenses and penalties, provided for, suppl. 1945, c. 161 (C. 17:50–1 to 17:50–19).

Sec. 4 of above amended 1953, c. 17, s. 189 (C. 17:50–4).

Sec. 7 " " " 1948, c. 218 (C. 17:50–7).

Part 12. (new) UNAUTHORIZED INSURERS.

Chapter 51. (new) SUBMISSION TO JURISDICTION OF STATE.

Unauthorized Insurers Process Act, suppl., 1952, c. 330, (C. 17:51–1 to 17:51–5).

Sec. 1 of above amended 1953, c. 17, s. 190 (C. 17:51–1).

Sec. 2 " " " 1953, c. 17, s. 191 (C. 17:51–2).

Sec. 3 " " " 1953, c. 17, s. 192 (C. 17:51–3).

Title 18. EDUCATION.

Note: For prohibition of payment of pensions or subsidies by school districts to certain inmates of penal institutions, see 1938, c. 221 (T. 43, c. 3).

Chapter 2. STATE BOARD OF EDUCATION.

Note: For illegal dismissal, officers and employees, recovery of compensation, provided for, see 1948, c. 241 (T. 18, c. 5).

R. S. 18:2-1	amended	1945, c. 51, s. 1; 1945, c. 211, ss. 1, 2; 1950, c. 254; 1953, c. 154.
R. S. 18:2-4	"	1945, c. 51, s. 2; 1947, c. 148, s. 1; 1952, c. 236, ss. 1, 22; 1953, c. 18, s. 1; 1953, c. 428, s. 8.
R. S. 18:2-9	"	1945, c. 51, s. 3; 1948, c. 27, s. 1.

Additional Legislation.

Inspection of records and furnishing of information, rules to be prescribed by State board, suppl., 1944, c. 217 (C. 18:2-4.1).

Chapter 3. COMMISSIONER OF EDUCATION.

Note: For requirement of teachers' certificates in certain schools under management of Department of Institutions and Agencies, see 1946, c. 100 (T. 30, c. 1).

R. S. 18:3-2	amended	1945, c. 51, s. 5.
R. S. 18:3-3	"	1945, c. 51, s. 6.
R. S. 18:3-4	"	1945, c. 51, s. 7.
R. S. 18:3-5	"	1945, c. 51, s. 8.
R. S. 18:3-6	"	1945, c. 51, s. 9.
R. S. 18:3-9	"	1945, c. 51, s. 12.
R. S. 18:3-15	"	1944, c. 168.
R. S. 18:3-19	"	1952, c. 236, ss. 2, 22.
R. S. 18:3-20	"	1952, c. 236, ss. 3, 22.

Additional Legislation.

Functions, powers and duties of Commissioner and State Board, prescribed, suppl., 1945, c. 51, ss. 10, 11 (C. 18:3-7.1, 18:3-7.2).

Annual report of comparative financial statistics of school districts, compilation, publication and distribution by Commissioner of Education, required, suppl., 1951, c. 230 (C. 18:3-11.1 to 18:3-11.2).

Grants, conveyances, etc., acceptance, authorized, suppl., 1948, c. 141 (C. 18:3-21, 18:3-22).

Chapter 4. COUNTY SUPERINTENDENTS OF SCHOOLS.

R. S. 18:4-1 amended 1947, c. 148, s. 2.

R. S. 18:4-2 " 1944, c. 177.

R. S. 18:4-4 " 1946, c. 29.

R. S. 18:4-7 " 1953, c. 409, s. 1.

Additional Legislation.

Substitute or successor, to superintendent, how designated, etc., suppl., 1946, c. 265 (C. 18:4-1.1, 18:4-1.2).

Chapter 4A. (new) PUBLIC SCHOOL SYSTEM IN GENERAL.

Note: For tenure of office, etc., and pension rights of employees, see 1943, c. 187 (T. 18, c. 5).

Tenure of office, etc., re-employment and pension rights, employees in war service, 1944, c. 226 (C. 18:4A-1 to 18:4A-4).

Title of above amended 1951, c. 91, s. 1.

Sec. 3 " " " 1951, c. 91, s. 2 (C. 18:4A-3).

In time of emergency defined, suppl., 1951, c. 91, s. 3 (C. 18:4A-3.1).

Chapter 5. SCHOOL DISTRICTS IN GENERAL.

Note: For authority of district clerks or secretary of board of education to take oaths, etc., in school matters, see 1939, c. 148 (T. 18, C. 5); for leave of absence for school employees for military service, see 1941, c. 119 (T. 38, c. 23), amended 1942, c. 327; for deductions from salaries, etc., of employees, provided for, see 1943, c. 69; 1943, c. 102 (T. 52, c. 14); for establishment and administration of ration bank accounts, etc., see 1943, c. 142 (T. 52, c. 14); for time of war service not to be counted in determining maximum age limits for appointment or election to State office, position, etc., see 1944, c. 98 (T. 38, c. 23A), amended 1946, c. 206; for tenure of office, etc., re-employment and pension rights of employees in war service, see 1944, c. 226 (T. 18, c. 4A), amended 1951, c. 91; for deductions for group, accident and sickness insurance premiums from compensation of school district officers, employees, etc., authorized, see 1946, c. 7 (T. 52, c. 14), amended 1947, c. 143; for school district employees, certain municipalities, not eligible to join Teachers' Pension and Annuity Fund, membership in Retirement System, provided for, see 1946, c. 135 (T. 43, c. 15), amended 1949, c. 45; 1950, c. 36; for qualification for public employment forbidding joining or maintaining membership in National Guard, Naval Militia or United States Armed Forces Reserve, invalidated, see 1949, c. 99 (T. 38, c. 22).

Article 1. Municipalities as Districts.

R. S. 18:5–1 amended 1942, c. 47; repealed 1953, c. 417, s. 16.

Article 1A. (new) Municipalities as School Districts and Creation of New Districts.

Additional Legislation.

Municipal school districts and creation of new districts provided for, suppl., 1953, c. 417 (C. 18:5–1.1 to 18:5–1.17).

Article 2. Districts Where Municipality Is Divided.

R. S. 18:5–2 repealed 1953, c. 417, s. 16.

R. S. 18:5–3 amended 1947, c. 148, s. 3; 1953, c. 409, s. 2; repealed 1953, c. 417, s. 16.

Article 3. Effect of Creation of New Districts in General.

Note: For tenure, seniority and pension rights in divided school districts, regulated, see 1952, c. 160 (T. 18, c. 5).

R. S. 18:5–4 repealed 1953, c. 417, s. 16.

R. S. 18:5–5 amended 1953, c. 160; repealed 1953, c. 417, s. 16.

R. S. 18:5–6 to 18:5–10 repealed 1953, c. 417, s. 16.

Additional Legislation.

Divided districts, vesting of property, provided for, suppl., 1950, c. 230 (C. 18:5–10.1).

1950, c. 230 repealed 1953, c. 417, s. 16.

Article 4. Effect of Formation of New Municipality or Annexation of Municipality or Part Thereof.

R. S. 18:5–13 repealed 1939, c. 343, s. 39.

1922, c. 129, repealed 1939, c. 343.

1925, c. 149, repealed 1939, c. 343.

Article 5. Consolidation of Districts.

Note: For consolidated school districts, employees of, included in classified civil service, in certain cases, see 1947, c. 272 (T. 11, c. 20A).

R. S. 18:5–14 repealed 1947, c. 86, s. 29.

R. S. 18:5–15 " 1947, c. 86, s. 29.

R. S. 18:5–16 amended 1938, c. 145; 1939, c. 3; repealed 1947, c. 86, s. 29.

R. S. 18:5–17 repealed 1947, c. 86, s. 29.

Additional Legislation.

Consolidated school districts, revision of law, suppl., 1947, c. 86 (C. 18:5-17.1 to 18:5-17.29).

Sec. 21 of above amended 1951, c. 63 (C. 18:5-17.21).

Article 7. District Property; Acquisition, Use and Disposition in General.

Note: For burial grounds, etc., acquisition for municipal or school purposes, see 1948, c. 80 (T. 40, c. 60), amended 1953, c. 37.

R. S. 18:5-27 amended 1939, c. 341, s. 1; 1946, c. 126, s. 1.

R. S. 18:5-28 " 1939, c. 341, s. 2; 1946, c. 126, s. 2; 1948, c. 196.

Additional Legislation.

Conveyance of certain lands held for more than 30 years in certain cases, authorized, 1948, c. 427 (C. 18:5-29.1).

Sec. 1 of above amended 1953, c. 18, s. 2; 1953, c. 428, s. 7 (C. 18:5-29.1).

Article 8. Disposition of Real Estate Devised in Trust for School Purposes.

R. S. 18:5-31 amended 1953, c. 18, s. 3.

R. S. 18:5-32 " 1953, c. 18, s. 4.

R. S. 18:5-33 " 1953, c. 18, s. 5.

Article 10. Public Playgrounds and Recreation Places.

R. S. 18:5-43 amended 1949, c. 208, s. 1; 1950, c. 209.

R. S. 18:5-44 " 1949, c. 208, s. 2.

R. S. 18:5-46 " 1948, c. 62.

Article 12. Officers, Teachers and Employees, in General.

Note: For school district classified civil service employees separated from service because of economy, etc., demotion to lower position, special reemployment list and reinstatement, provided for, see 1952, c. 323 (T. 11, c. 22).

R. S. 18:5-50.1 repealed 1946, c. 145, s. 1.

R. S. 18:5-50.2 amended 1952, c. 236, ss. 4, 22.

Additional Legislation.

Illegal dismissal, officers and employees, recovery of compensation, provided for, suppl., 1948, c. 241 (C. 18:5-49.1).

Protection of teachers and members of supervisory and administrative staff against claims for negligence, etc., while in discharge of duties, suppl., 1938, c. 311 (C. 18:5-50.4).

Physical examination of employees of boards of education required, suppl., 1939, c. 295 (C. 18:5-50.5).

Hospital services or group insurance plans for employees, deductions from salaries authorized and validated, suppl., 1940, c. 47 (C. 18:5-50.6, 18:5-50.7).

Sec. 1 of above amended 1942, c. 218, s. 1 (C. 18:5-50.6).

Sec. 2 " " " 1942, c. 218, s. 2 (C. 18:5-50.7).

Payment of premiums for insurance by board of education authorized, suppl., 1951, c. 145 (C. 18:5-50.7a, 18:5-50.7b).

Termination of employment of employees for age; pension, etc., provided for; 1942, c. 255 (C. 18:5-50.9 to 18:5-50.13).

Sec. 4 of above amended 1949, c. 244 (C. 18:5-50.12).

Tenure of office, etc., and pension rights, employees in war service, 1943, c. 187 (C. 18:5-50.14 to 18:5-50.16).

Tenure, seniority and pension rights in divided school districts, regulated 1952, c. 160 (C. 18:5-50.17, 18:5-50.18).

Article 13. Secretaries, District Clerks, and Business Managers.

Note: For tenure, seniority and pension rights in divided school districts, regulated, see 1952, c. 160 (T. 18, c. 5).

R. S. 18:5-51 amended 1938, c. 78, s. 1; 1938, c. 247.

Additional Legislation.

Oaths, etc., in school matters taken by secretary or district clerk of board of education, 1939, c. 148 (C. 18:5-51.1).

Assistant district clerks and secretaries, appointment provided for, suppl., 1950, c. 163 (C. 18:5-51.2).

District clerks, appointed from secretarial or clerical position having tenure, tenure, provided for, 1953, c. 401 (C. 18:5-51.3).

Article 14. Custodians of School Moneys.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, s. 17 (T. 52, c. 27A).

R. S. 18:5-53 amended 1947, c. 148, s. 4.

R. S. 18:5-61 " 1953, c. 18, s. 6.

R. S. 18:5-62 repealed 1944, c. 55.

R. S. 18:5-63 " 1944, c. 55.

Article 14A (new) Audits.

Additional Legislation.

Annual audit of school districts, required and regulated, suppl., 1951, c. 229 (C. 18:5-65.1 to 18:5-65.12).

Sec. 7 of above amended 1952, c. 135 (C. 18:5-65.7).

Sec. 9 " " " 1953, c. 18, s. 7 (C. 18:5-65.9).

Sec. 10 " " " 1953, c. 18, s. 8 (C. 18:5-65.10).

Article 15. School Janitors.

Note: For tenure, seniority and pension rights in divided school districts, regulated, see 1952, c. 160 (T. 18, c. 5).

Article 16. Pension Funds of School District Employees in Counties of First Class.

R. S. 18:5-75 amended 1946, c. 194.

R. S. 18:5-76 " 1950, c. 339, s. 2.

R. S. 18:5-77 " 1950, c. 339, s. 3.

R. S. 18:5-79 " 1950, c. 339, s. 4.

Additional Legislation.

Persons temporarily, etc., employed, admission to fund when made permanent, provided for, suppl., 1950, c. 339, s. 1 (C. 18:5-75.1).

Article 18. Limitations on Issuance of Bonds.

R. S. 18:5-84 amended 1938, c. 335; 1946, c. 260, ss. 1, 9; 1952, c. 252, ss. 1, 13, 14.

R. S. 18:5-85 " 1946, c. 260, ss. 2, 9; 1952, c. 252, ss. 2, 13, 14.

R. S. 18:5-86 " 1946, c. 260, ss. 3, 9; 1947, c. 153; 1952, c. 252, ss. 3, 13, 14.

R. S. 18:5-87 " 1946, c. 260, ss. 4, 9; 1952, c. 252, ss. 4, 13, 14; 1953, c. 18, s. 9.

R. S. 18:5-88 " 1946, c. 260, ss. 5, 9; 1952, c. 252, ss. 5, 13, 14.

Article 19. (new) Sale of United States Defense Stamps, etc.

Additional Legislation.

Revolving fund to purchase and sell United States Defense Stamps in public schools, authorized, 1942, c. 165 (C. 18:5-100 to 18:5-103).

Chapter 6. SCHOOL DISTRICTS IN CITIES, AND IN TOWNSHIPS, INCORPORATED TOWNS AND BOROUGHS ACCEPTING THIS CHAPTER.

Article 1. Definitions; Application of Chapter.

R. S. 18:6-2 amended 1946, c. 262, s. 1; see 1951, c. 308 (C. 18:7-3.2 to 18:7-3.4).

R. S. 18:6-3 " 1946, c. 262, s. 2; see 1948, c. 228 (C. 18:14-78.1, 18:14-78.2).

Article 2. Appointment, Membership, and Organization of Boards of Education.

R. S. 18:6-12 amended 1947, c. 148, s. 5.

R. S. 18:6-13 " 1947, c. 148, s. 6.

Article 3. Powers and Functions of Boards in General.

R. S. 18:6-23 amended 1953, c. 18, s. 10.

R. S. 18:6-24 " 1953, c. 18, s. 11.

R. S. 18:6-25 " 1949, c. 150.

R. S. 18:6-27 " 1938, c. 78, s. 2.

Article 4. Secretaries of Boards.

R. S. 18:6-31 amended 1947, c. 148, s. 7.

Article 5. Superintendents of Schools.

Note: For superintendents, assistant superintendents and supervising principals, tenure of service and service rights, protected, see 1952, c. 236, ss. 21, 22 (T. 18, c. 13).

R. S. 18:6-37 amended 1952, c. 236, ss. 5, 22.

R. S. 18:6-38 " 1947, c. 148, s. 8; 1952, c. 236, ss. 6, 22.

R. S. 18:6-40 " 1952, c. 236, ss. 7, 22.

R. S. 18:6-41 " 1947, c. 148, s. 9.

R. S. 18:6-42 " 1952, c. 236, ss. 8, 22.

Article 7. Boards of School Estimate; Annual and Emergency Appropriations.

R. S. 18:6-49 amended 1943, c. 201, s. 1.

R. S. 18:6-50 " 1943, c. 201, s. 2.

Article 8. Raising Money for Land or Buildings.

R. S. 18:6-61 amended 1952, c. 252, ss. 6, 13, 14.

R. S. 18:6-62 " 1952, c. 252, ss. 7, 13, 14.

R. S. 18:6–63 amended 1952, c. 252, ss. 8, 13, 14; 1953, c. 18, s. 12.

R. S. 18:6–72.1 " 1939, c. 89; 1941, c. 425.

R. S. 18:6–73 " 1952, c. 252, ss. 9, 13, 14.

R. S. 18:6–74 " 1952, c. 252, ss. 10, 13, 14.

R. S. 18:6–76 repealed 1952, c. 252, ss. 11, 13, 14.

Chapter 7. SCHOOL DISTRICTS IN TOWNSHIPS, INCORPORATED TOWNS AND BOROUGHS AND IN CITIES ACCEPTING THIS CHAPTER.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158, s. 17 (T. 52, c. 27A).

Article 1. Definitions; Application of Chapter.

R. S. 18:7–2 amended 1952, c. 357, s. 1.

R. S. 18:7–3 " 1952, c. 357, s. 2; 1953, c. 271; see 1948, c. 228 (C. 18:14–78.1, 18:14–78.2).

Additional Legislation.

Adoption of R. S. 18:7–1 et seq. by certain second-class cities provided for, 1951, c. 308 (C. 18:7–3.2 to 18:7–3.4).

Article 2. Membership of Boards of Education in General.

R. S. 18:7–5 amended 1947, c. 135, s. 1.

R. S. 18:7–6 " 1947, c. 135, s. 2.

R. S. 18:7–7 " 1947, c. 135, s. 3.

R. S. 18:7–8 " 1947, c. 135, s. 4.

R. S. 18:7–9 " 1947, c. 135, s. 5.

R. S. 18:7–10 " 1947, c. 134; 1953, c. 161.

R. S. 18:7–11 " 1947, c. 148, s. 10.

R. S. 18:7–12 " 1953, c. 409, s. 3.

Article 3. Election of Members of Boards of Education; Annual School Elections; Special Elections.

Note: For distribution of printed matter, etc., in connection with certain school elections, by pupils, regulated, see 1948, c. 228 (T. 18, c. 14), amended 1952, c. 268.

R. S. 18:7–15 amended 1953, c. 18, s. 13.

R. S. 18:7–18 " 1953, c. 409, s. 4.

R. S. 18:7–19 " 1950, c. 213, ss. 1, 8.

R. S. 18:7–20 " 1939, c. 386, s. 1; 1953, c. 409, s. 5.

R. S. 18:7–23	amended	1950, c. 213, ss. 2, 8.
R. S. 18:7–27	"	1939, c. 386, s. 2; 1947, c. 148, s. 11; 1948, c. 287, s. 1; 1953, c. 409, s. 6.
R. S. 18:7–28	"	1947, c. 148, s. 12; 1948, c. 287, s. 2.
R. S. 18:7–29	"	1939, c. 386, s. 3; repealed 1947, c. 148, s. 13.
R. S. 18:7–30	"	1948, c. 32, s. 1; 1950, c. 213, ss. 4, 8; 1953, c. 409, s. 7.
R. S. 18:7–31	"	1948, c. 32, s. 2; 1953, c. 409, s. 8.
R. S. 18:7–32	"	1948, c. 32, s. 3; 1953, c. 409, s. 9.
R. S. 18:7–34	"	1939, c. 386, s. 4.
R. S. 18:7–35	"	1939, c. 386, s. 5; 1947, c. 2; 1947, c. 145; 1953, c. 409, s. 10.
R. S. 18:7–36	"	1939, c. 386, s. 6; 1953, c. 409, s. 11.
R. S. 18:7–37	repealed	1950, c. 143.
R. S. 18:7–38	amended	1939, c. 386, s. 7.
R. S. 18:7–39	repealed	1939, c. 386, s. 8.
R. S. 18:7–42	amended	1939, c. 386, s. 9.
R. S. 18:7–44	"	1939, c. 386, s. 10; 1953, c. 409, s. 12.
R. S. 18:7–45	"	1953, c. 409, s. 13.
R. S. 18:7–47	"	1948, c. 32, s. 4; 1953, c. 409, s. 14.

Additional Legislation.

School elections registration, certain cases, regulated, suppl., 1944, c. 3 (C. 18:7–29.1, 18:7–29.2).

Sec. 1 of above amended 1950, c. 213, ss. 3, 8 (C. 18:7–29.1).

Position of names on ballots, how determined, suppl., 1950, c. 213, ss. 5, 8 (C. 18:7–29.3).

Unofficial ballots, use when supply of official ballots exhausted, provided for, suppl., 1950, c. 213, ss. 6, 8 (C. 18:7–33.1).

Military service balloting, how conducted, suppl., 1950, c. 213, ss. 7, 8 (C. 18:7–36.1).

Special school elections to raise tax or to authorize bond issue, limitation on number, suppl., 1951, c. 73 (C. 18:7–46.1).

Voting machines, use of in annual school elections, authorized and regulated, suppl., 1947, c. 146 (C. 18:7-47.1 to 18:7-47.13).

Title of above amended 1949, c. 13, s. 1.

Sec. 1 " " " 1949, c. 13, s. 2 (C. 18:7-47.1).

Sec. 2 " " " 1949, c. 13, s. 3 (C. 18:7-47.2).

Sec. 5 " " " 1949, c. 13, s. 4 (C. 18:7-47.5).

Sec. 6 " " " 1949, c. 13, s. 5 (C. 18:7-47.6).

Sec. 7 " " " 1949, c. 13, s. 6 (C. 18:7-47.7).

Sec. 8 " " " 1949, c. 13, s. 7; 1951, c. 39 (C. 18:7-47.8).

Sec. 9 " " " 1949, c. 13, s. 8 (C. 18:7-47.9).

Sec. 10 " " " 1949, c. 13, s. 9 (C. 18:7-47.10).

Sec. 13 " " " 1949, c. 13, s. 10 (C. 18:7-47.13).

Article 4A. (new) Appointment or Election of Boards in Town Districts. Additional Legislation.

Change in method of election or appointment of members of boards of education in town school districts, authorized, suppl., 1951, c. 100 (C. 18:7-52.1 to 18:7-52.4).

Article 5. Organization, Powers and Functions of Boards in General.

Note: For superintendents, assistant superintendents and supervising principals, tenure of service and service rights, protected, see 1952, c. 236, ss. 21, 22 (T. 18, c. 13).

R. S. 18:7-55 amended 1953, c. 409, s. 15.

R. S. 18:7-56 " 1938, c. 78, s. 3.

R. S. 18:7-59 " 1953, c. 18, s. 14.

R. S. 18:7-64 " 1949, c. 151.

R. S. 18:7-68 " 1947, c. 148, s. 14; 1953, c. 255, ss. 1, 3.

R. S. 18:7-69 " 1953, c. 255, ss. 2, 3; 1953, c. 409, s. 16.

R. S. 18:7–70 amended 1947, c. 148, s. 15; 1952, c. 236, ss. 9, 22.

R. S. 18:7–71 " 1947, c. 148, s. 16.

R. S. 18:7–73 " 1945, c. 133; 1948, c. 162, s. 1.

R. S. 18:7–75 " 1953, c. 18, s. 15.

R. S. 18:7–76 " 1948, c. 162, s. 2.

R. S. 18:7–77 repealed 1947, c. 148, s. 17.

Additional Legislation.

Superintendents of schools, duties and powers, provided for, suppl., 1952, c. 236, ss. 17, 22 (C. 18:7–70.2).

Assistant superintendents of schools, appointment, salary, removal, provided for, suppl., 1952, c. 236, ss. 18, 22 (C. 18:7–70.3).

Superintendents of schools, annual report to Commissioner of Education, required, suppl., 1952, c. 236, ss. 19, 22 (C. 18:7–70.4).

Assessment for special benefit on district real estate, payment authorized, suppl., 1948, c. 150 (C. 18:7–76.1).

Article 5A. (new) Budgets.

Additional Legislation.

Budgets, preparation, advertisement, hearing on, etc., provided for, suppl., 1943, c. 201, ss. 3 and 4 (C. 18:7–77.1, 18:7–77.2).

Article 6. Raising Money by Special District Tax.

Additional Legislation.

Issuance of notes for additional school moneys, certain cases, authorized and regulated, suppl., 1951, c. 224 (C. 18:7–83.1 to 18:7–83.5).

Article 7. Bonds and Other Obligations.

R. S. 18:7–88 repealed 1947, c. 152.

R. S. 18:7–89 amended 1950, c. 32, s. 2; 1953, c. 18, s. 16.

R. S. 18:7–90 " 1941, c. 305, s. 1.

R. S. 18:7–90.1 " 1941, c. 305, s. 2.

R. S. 18:7–94 " 1942, c. 319; 1950, c. 32, s. 1.

Additional Legislation.

Loan to pay school bonds when certification under R. S. 18:7–96 not made, provided for, suppl., 1950, c. 120 (C. 18:7–96.1, 18:7–96.2).

Article 8. Notes or Temporary Bonds in Anticipation of Bond Issue.

R. S. 18:7–100 amended 1947, c. 148, s. 18.

R. S. 18:7–104 " 1951, c. 40.

Article 9. Moneys Transferred by Township Committee to Board of Education.

R. S. 18:7–105 amended 1941, c. 9, s. 1; 1942, c. 201, s. 1.

R. S. 18:7–106 " 1941, c. 9, s. 2; 1942, c. 201, s. 2.

Article 9A. (new) Moneys Transferred by Municipality to Board of Education.

Additional Legislation.

Application of certain moneys transferred by municipality to school districts, provided for, suppl., 1942, c. 222 (C. 18:7–106.1).

Article 10. Certain Districts Comprising More Than One Municipality.

R. S. 18:7–107 amended 1949, c. 232.

R. S. 18:7–110 " 1953, c. 18, s. 17.

R. S. 18:7–112 " 1943, c. 201, s. 5; 1952, c. 101, s. 1.

R. S. 18:7–113 " 1943, c. 201, s. 6; 1952, c. 101, s. 2.

R. S. 18:7–114 " 1943, c. 201, s. 7; 1952, c. 101, s. 3.

Additional Legislation.

Referendum as to taking effect of R. S. 18:7–107 et seq., in certain municipalities, provided for, suppl., 1950, c. 180 (C. 18:7–107.1).

Public hearing on amount to be raised, certain repairs and improvements, provided for, suppl., 1953, c. 373 (C. 18:7–117.1 to 18:7–117.3).

Chapter 8. REGIONAL BOARDS OF EDUCATION.

R. S. 18:8–1 amended 1938, c. 155, s. 1; 1953, c. 90, ss. 1, 3.

R. S. 18:8–4 " 1938, c. 155, s. 2.

R. S. 18:8–5 " 1938, c. 155, s. 3.

R. S. 18:8–6 " 1938, c. 155, s. 4.

R. S. 18:8–7 " 1938, c. 155, s. 5.

R. S. 18:8–8 " 1938, c. 155, s. 6; 1949, c. 66.

R. S. 18:8–9 " 1938, c. 155, s. 7.

R. S. 18:8–10 " 1938, c. 155, s. 8.

R. S. 18:8–11 " 1938, c. 155, s. 9.

R. S. 18:8–16 " 1938, c. 155, s. 10.

R. S. 18:8–17 " 1953, c. 90, ss. 2, 3.

Additional Legislation.

Districts uniting with regional boards, composition of board, suppl., 1948, c. 433 (C. 18:8-6.1 to 18:8-6.3).

Boards of education, certain consolidated or union-graded schools, constitution, provided for, suppl., 1953, c. 189 (C. 18:8-6.4 to 18:8-6.7).

Regional board, when to assume control of regional district, etc., provided for, suppl., 1946, c. 266 (C. 18:8-14.1).

Sec. 1 of above amended 1952, c. 111 (C. 18:8-14.1).

Purchase of high school buildings; referendum, suppl., 1939, c. 113 (NJSA 18:8-22; RSCS 18:8-1.1).

Tenure and pension rights of teachers in high schools uniting as a regional school district, protected, 1951, c. 128 (C. 18:8-23, 18:8-24).

Chapter 9. STATE FEDERATION OF BOARDS OF EDUCATION.

R. S. 18:9-6 amended 1952, c. 15.

Chapter 10. STATE SCHOOL MONEYS, AND APPORTIONMENT THEREOF.

Note: For establishment, etc., of veterans education revolving account, see 1946, c. 64 (T. 18, c. 14A), amended 1949, c. 101.

For transfer of Trustees for the Support of Public Schools to Division of Investment in Department of the Treasury, see 1950, c. 270 (T. 52, c. 18A), amended 1952, c. 272, 1953, c. 115.

Article 1. School Fund.

R. S. 18:10-1 see 1950, c. 270 (C. 52:18A-79 to 52:18A-94).

R. S. 18:10-12 amended 1953, c. 18, s. 18.

R. S. 18:10-13 " 1953, c. 18, s. 19.

R. S. 18:10-15 " 1946, c. 88, ss. 1, 12.

R. S. 18:10-16 " 1946, c. 88, ss. 2, 12.

R. S. 18:10-17 repealed 1946, c. 88, ss. 10, 12.

Article 2. School Tax.

R. S. 18:10-18 amended 1938, c. 9; 1945, c. 164, s. 1; repealed 1946, c. 88, ss. 11, 12.

R. S. 18:10-19 to 18:10-21 repealed 1946, c. 88, ss. 11, 12.

R. S. 18:10-22 to 18:10-28 " 1946, c. 88, ss. 10, 12.

R. S. 18:10-29, 1933, c. 155 repealed 1946, c. 88, ss. 10, 12.
1934, c. 14 " 1946, c. 88, ss. 10, 12.
1934, c. 183 " 1946, c. 88, ss. 10, 12.

Article 2A. (new) State Public School Account.

Additional Legislation.

State Public School Account, constitution and distribution as State aid for schools, suppl., 1946, c. 63 (C. 18:10–29.1 to 18:10–29.18).

Sec. 5 of above amended 1950, c. 59; 1951, c. 149 (C. 18:10–29.5).

Sec. 7 " " " 1951, c. 171 (C. 18:10–29.7).

Sec. 8 " " " 1948, c. 19 (C. 18:10–29.8).

Sec. 13 " " " 1952, c. 242 (C. 18:10–29.13).

Article 2B. (new) Additional State Aid for Schools.

Additional Legislation.

Additional State aid for schools, apportionment of, suppl., 1948, c. 66 (C. 18:10–29.19 to 18:10–29.29).

Article 3. Tax on Railroad and Canal Property.

R. S. 18:10–30 amended 1941, c. 292.

R. S. 18:10–31 " 1943, c. 177.

R. S. 18:10–33 " 1946, c. 88, ss. 3, 12.

R. S. 18:10–34 repealed 1946, c. 88, ss. 10, 12.

R. S. 18:10–35 amended 1946, c. 88, ss. 4, 12.

R. S. 18:10–36 " 1953, c. 18, s. 20.

R. S. 18:10–37 repealed 1946, c. 88, ss. 10, 12.

R. S. 18:10–38 " 1946, c. 88, ss. 10, 12.

Article 4. Interest of Surplus Revenue of Counties.

R. S. 18:10–39 amended 1946, c. 88, ss. 5, 12.

Article 5. Apportionment to Districts of State School Moneys and Interest of Surplus Revenue.

R. S. 18:10–40 repealed 1946, c. 88, ss. 10, 12.

R. S. 18:10–41 amended 1942, c. 44; repealed 1946, c. 88, ss. 10, 12.

R. S. 18:10–42 to 18:10–44 repealed 1946, c. 88, ss. 10, 12.

R. S. 18:10–46 " 1946, c. 88, ss. 10, 12.

R. S. 18:10–47 " 1946, c. 88, ss. 10, 12.

Article 6. Other State Moneys and Appropriations.

R. S. 18:10–49 amended 1938, c. 14; 1946, c. 88, ss. 6, 12.

Additional Legislation.

Definition, "crippled children" to include those suffering from cerebral palsy, suppl., 1951, c. 227 (C. 18:10–49.1).

Chapter 11. SCHOOLHOUSES, FACILITIES AND ACCOMMODATIONS.

R. S. 18:11–2 amended 1946, c. 88, ss. 7, 12.
R. S. 18:11–10 " 1953, c. 272.
R. S. 18:11–11 " 1948, c. 56.
R. S. 18:11–14 " 1947, c. 148, s. 19.

Chapter 12. TEXTBOOKS AND SUPPLIES; LIBRARIES.

R. S. 18:12–3 amended 1947, c. 136; 1948, c. 347.

Chapter 12A. (new) AUDIO-VISUAL EDUCATION AIDS.

County Educational Audio-Visual Aids Centers, suppl., 1950, c. 228 (C. 18:12A–1 to 18:12A–13).

Sec. 9 of above amended 1952, c. 115 (C. 18:12A–9).

Chapter 13. TEACHERS.

Note: For leave of absence for school employees for military service, see 1941, c. 119 (T. 38, c. 23), amended 1942, c. 327; for requirement of teachers' certificates in certain schools under management of Department of Institutions and Agencies, see 1946, c. 100 (T. 30, c. 1); for illegal dismissal, officers and employees, recovery of compensation, provided for, see 1948, c. 241 (T. 18, c. 5); for qualification for public employment forbidding joining or maintaining membership in National Guard, Naval Militia or United States Armed Forces Reserve, invalidated, see 1949, c. 99 (T. 38, c. 22).

For tenure, seniority and pension rights in divided school districts, regulated, see 1952, c. 160 (T. 18, c. 5).

Article 1. Boards of Examiners.

R. S. 18:13–1 amended 1947, c. 144; 1952, c. 236, ss. 10, 22.

Article 2. Employment, Tenure, Resignation, and Dismissal of Teachers and Principals.

Note: For tenure of office, etc., re-employment and pension rights of employees in war service, see 1943, c. 187 (T. 18, c. 5); 1944, c. 226 (T. 18, c. 4A), amended 1951, c. 91.

For superintendents, assistant superintendents and supervising principals, tenure of service and service rights protected, see 1952, c. 236; ss. 21, 22 (T. 18, c. 13).

R. S. 18:13–7 amended 1951, c. 194.
R. S. 18:13–8 " 1952, c. 236, ss. 11, 22.
R. S. 18:13–9.1 " 1949, c. 23, s. 1.
R. S. 18:13–9.2 " 1947, c. 148, s. 20; 1949, c. 23, s. 2.
R. S. 18:13–9.3 " 1947, c. 148, s. 21.
R. S. 18:13–13 " 1941, c. 284; 1944, c. 180; 1947, c. 131, ss 1, 2; 1948, c. 176; 1949, c. 48; 1951, c. 55.

R. S. 18:13-16 amended 1940, c. 43; 1952, c. 236, ss. 12, 21, 22.

R. S. 18:13-17 " 1952, c. 236, ss. 13, 22.

R. S. 18:13-18 " 1953, c. 18, s. 21.

R. S. 18:13-19 " 1942, c. 269; 1951, c. 292; 1952, c. 236, ss. 14, 22.

R. S. 18:13-20 " 1952, c. 236, ss. 15, 22.

R. S. 18:13-22 repealed 1946, c. 88, ss. 10, 12.

Additional Legislation.

Equality of compensation between male and female teachers, provided for, suppl., 1942, c. 256 (C. 18:13-10.1, 18:13-10.2). Sec. 1 of above amended 1945, c. 42.

Tenure of service or service rights of teachers, principals, supervising principals, assistant superintendents and superintendents not affected by change in method of government of school districts or change of name or title of office or position by reason thereof, suppl., 1952, c. 236, ss. 20, 22 (C. 18:13-16.2).

Article 2A. (new) Leave of Absence, etc.

Additional Legislation.

Sick leave to teachers, principals and supervisory principals in public schools, regulated, suppl., 1942, c. 142 (C. 18:13-23.1 to 18:13-23.7).

Title of above amended 1952, c. 237, ss. 1, 5.

Sec. 1 " " " 1952, c. 237, ss. 2, 5 (C. 18:13-23.1).

Sec. 3 " " " 1952, c. 237, ss. 3, 5 (C. 18:13-23.3).

Sec. 4 " " " 1952, c. 237, ss. 4, 5 (C. 18:13-23.4).

Article 3. Pension and Annuity Fund.

Note: For pension rights of employees in war service, see 1943, c. 187 (T. 18, c. 5); 1944, c. 226 (T. 18, c. 4A); for Board of Trustees of the Teachers' Pension and Annuity Fund transferred to the Division of Budget and Accounting in the Department of the Treasury and to Division of Investment in the Department of the Treasury, see 1948, c. 92, s. 14 (T. 52, c. 18A), 1950, c. 270 (T. 52, c. 18A) amended 1952, c. 8, 1952, c. 272, 1953, c. 115; for transfer of certain former employees of school districts to retirement system or pension fund of municipality or county, provided for, see 1949, c. 149 (T. 43, c. 2).

A. PREAMBLE AND DEFINITIONS.

R. S. 18:13–25 amended 1944, c. 146, s. 1; 1946, c. 145, s. 2.

C. BOARD OF TRUSTEES; ANNUAL CONVENTION OF RETIREMENT SYSTEM.

R. S. 18:13–28 see 1950, s. 270 (C. 52:18A–79 to 52:18A–94).

R. S. 18:13–30 amended 1945, c. 21.

R. S. 18:13–31 " 1946, c. 210.

D. MEMBERSHIP.

Note: For continued membership of certain persons affected by creation of regional or consolidated school districts, see 1951, c. 328 (T. 18, c. 13, Art. 3 J-1).

R. S. 18:13–39 amended 1944, c. 185, s. 1.

R. S. 18:13–41 " 1944, c. 185, s. 2; 1947, c. 245, s. 1.

Additional Legislation.

Executive secretary; New Jersey Education Association, membership and contributions, suppl., 1940, c. 117 (NJSA 18:13–41.1; RSCS 18:13–38.1).

E. SERVICE CREDITABLE.

R. S. 18:13–43 amended 1946, c. 145, s. 3; 1952, c. 235, s. 1.

R. S. 18:13–47 " 1952, c. 235, s. 2.

R. S. 18:13–48 " 1945, c. 57; 1951, c. 181.

R. S. 18:13–49 " 1946, c. 145, s. 5.

Additional Legislation.

Former members, requirements and privileges upon rejoining system, suppl., 1946, c. 145, ss. 4, 15 (C. 18:13–48.1).

F. SUPERANNUATION RETIREMENT.

R. S. 18:13–52 amended 1943, c. 179; 1945, c. 299, s. 1; 1946, c. 145, s. 6; 1946, c. 153, s. 1; 1950, c. 268, ss. 1, 3; 1952, c. 266, ss. 1, 3.

R. S. 18:13–54 " 1948, c. 192, ss. 1, 6.

R. S. 18:13–55 " 1946, c. 153, s. 2; 1948, c. 192, ss. 2, 6; 1950, c. 268, ss. 2, 3; 1952, c. 266, ss. 2, 3.

R. S. 18:13–56 " 1948, c. 192, ss. 3, 6; 1951, c. 203, ss. 1, 4; 1952, c. 270; 1953, c. 361.

G. DISABILITY RETIREMENT.

R. S. 18:13–57 amended 1946, c. 145, s. 7.

R. S. 18:13–59 " 1946, c. 153, s. 3; 1947, c. 346; 1948, c. 192, ss. 4, 6.

Additional Legislation.

Payment of allowance accrued since first of month of death of retired contributor authorized, suppl., 1951, c. 129 (C. 18:13–67.1).

J. BENEFITS OF TEACHERS RETIRED PRIOR TO 1919.

R. S. 18:13–69 amended 1951, c. 203, ss. 2, 4; 1953, c. 121.

R. S. 18:13–70 " 1948, c. 192, ss. 5, 6; 1951, c. 203, ss. 3, 4.

J-1. (new) TEACHERS UNEMPLOYED BECAUSE OF CREATION OF REGIONAL OR CONSOLIDATED SCHOOL DISTRICT.

Additional Legislation.

Membership, contribution and pension of members, unemployed or reduced in salaries by creation of regional or consolidated school districts, suppl., 1951, c. 328 (C. 18:13–70.1, 18:13–70.2).

J-2. (new) MINIMUM RETIREMENT ALLOWANCES.

Additional Legislation.

Minimum retirement allowances, certain teachers already retired, fixed, suppl., 1953, c. 360 (C. 18:13–70.3, 18:13–70.4).

L. FUNDS CREATED.

R. S. 18:13–72 amended 1946, c. 145, s. 8.

M. FUNDS DERIVED FROM MEMBERS' CONTRIBUTIONS.

R. S. 18:13–77 amended 1945, c. 299, s. 2; 1946, c. 153, s. 4.

R. S. 18:13–78 " 1944, c. 146, s. 2; 1946, c. 145, s. 9.

Additional Legislation.

Periodic adjustment of deductions and annuities, provided for, suppl., 1946, c. 235 (C. 18:13–77.1 to 18:13–77.4).

Additional contribution to fund by certain members, provided for, suppl., 1946, c. 270 (C. 18:13–77.5).

Terminated interest accrual resumed upon return of member to active service upon compliance with certain conditions, suppl., 1947, c. 245, s. 2 (C. 18:13–77.6).

Special Reserve Fund, defined, etc., suppl., 1946, c. 145, ss. 11, 15 (C. 18:13–79.1).

Sec. 11 of above amended 1953, c. 200 (C. 18:13–79.1).

N. FUNDS DERIVED FROM CONTRIBUTIONS FROM SCHOOL APPORTIONMENT FUND.

R. S. 18:13-81 amended 1952, c. 142, ss. 1, 4.

R. S. 18:13-82 " 1952, c. 142, ss. 2, 4.

R. S. 18:13-83 " 1952, c. 142, ss. 3, 4.

R. S. 18:13-90 " 1946, c. 145, s. 10.

O. COLLECTION OF MEMBERS' CONTRIBUTIONS.

R. S. 18:13-94 amended 1944, c. 113, s. 1; 1946, c. 145, s. 12.

R. S. 18:13-95 " 1944, c. 113, s. 2.

Q. ADMINISTRATION.

R. S. 18:13-102 see 1947, c. 308 (C. 17:2-9.3, 17:2-9.4).

R. S. 18:13-105 amended 1946, c. 145, s. 13.

R. S. 18:13-106 " 1943, c. 180.

Additional Legislation.

Dedicated funds from sinking funds, treatment as investments, 1941, c. 161 (C. 18:13-102.1).

Payments from State to motor vehicle license fee fund, treatment as investments, 1942, c. 233 (C. 18:13-102.2).

Advisory Committee, constitution, etc., provided for, suppl., 1946, c. 145, ss. 14, 15 (C. 18:13-112.1, 18:13-112.2).

Article 4. Authority and Duties.

R. S. 18:13-113 amended 1953, c. 123.

Article 5. Teachers' Institutes and Conventions.

R. S. 18:13-118 amended 1953, c. 120.

R. S. 18:13-119 repealed 1946, c. 88, ss. 10, 12.

Chapter 14. PUPILS AND CONDUCT OF SCHOOLS IN GENERAL.

Article 1. Admission and Attendance of Pupils in General.

R. S. 18:14-1 amended 1942, c. 211; 1947, c. 138.

R. S. 18:14-2 " 1945, c. 172.

R. S. 18:14-7 " 1944, c. 210.

R. S. 18:14-8 " 1941, c. 191.

R. S. 18:14-10 " 1939, c. 86, s. 1.

R. S. 18:14-12 " 1939, c. 86, s. 2; 1940, c. 149; 1942, c. 229; 1951, c. 114; 1952, c. 241.

Additional Legislation.

Free education to children of non-resident farm laborers, suppl., 1943, c. 91 (C. 18:14–1.1, 18:14–1.2).

Sec. 2 of above repealed 1946, c. 88, ss. 10, 12 (C. 18:14–1.2).

Instruction beyond twelfth grade, charge of tuition fees for, furnishing in another district, provided for, suppl., 1946, c. 296 (C. 18:14–1.3).

Attendance of pupils at adjacent school districts outside the State, certain cases, authorized, suppl., 1950, c. 158 (C. 18:14–5.1 to 18:14–5.3).

Evening high school courses, payment of tuition for in another district, provided for, suppl., 1946, c. 213 (C. 18:14–6.1).

Agreement for high school education for pupils of one district in another district making and termination, provided for, suppl., 1953, c. 273 (C. 18:14–7.3 to 18:14–7.6).

School buses, warning lights, markings, etc., required, suppl., 1948, c. 133 (C. 18:14–12.1 to 18:14–12.4).

Transportation contractor, compensation for expenditures necessitated by law, etc., authorized, 1948, c. 131 (C. 18:14–12.5).

Joint transportation of pupils by school districts, provided for, suppl., 1950, c. 27 (C. 18:14–12.6 to 18:14–12.11).

School bus drivers, information and fingerprints to be furnished to school district, provided for, suppl., 1950, c. 159 (C. 18:14–12.12 to 18:14–12.15).

Article 2. Compulsory Education.

Note: For employment and age certificates, issuance, etc., see 1940, c. 153 (T. 34, c. 2), amended 1941, c. 139; for State Commission on Student Service established, powers, etc., see 1942, c. 23 (T. 34, c. 2), amended 1943, c. 44, 1943, c. 195; for county attendance officers, membership in State Employees' Retirement System, provided for, see 1946, c. 191 (T. 43, c. 15).

R. S. 18:14–14 amended 1940, c. 154, s. 1.

R. S. 18:14–15 to 18:14–33 repealed 1940, c. 153, s. 21

R. S. 18:14–34 amended 1940, c. 154, s. 2.

R. S. 18:14–35 " 1940, c. 154, s. 3.

R. S. 18:14–38 repealed 1940, c. 154, s. 4.

R. S. 18:14–39 amended 1953, c. 18, s. 22.

R. S. 18:14–40 repealed 1953, c. 18, s. 23.

R. S. 18:14–41 repealed 1953, c. 18, s. 24.

R. S. 18:14–42 amended 1938, c. 262, s. 1.

R. S. 18:14–45 repealed 1947, c. 148, s. 22.

R. S. 18:14–46 " 1946, c. 88, ss. 10, 12.

R. S. 18:14–47 amended 1938, c. 262, s. 2; 1944, c. 106.

R. S. 18:14–48 " 1938, c. 262, s. 3; 1946, c. 88, ss. 8, 12; see 1946, c. 191 (C. 43:15–2.3).

R. S. 18:14–49 " 1940, c. 154, s. 5.

Article 4. Promotion of Health and Prevention of Disease.

Note: For use of county tuberculosis hospitals for examinations of pupils, see 1941, c. 219 (T. 30, c. 9).

A. IN GENERAL.

R. S. 18:14–52 amended 1952, c. 152.

B. DISTRICT MEDICAL INSPECTORS AND NURSES.

R. S. 18:14–56 amended 1947, c. 148, s. 23; 1952, c. 127.

Additional Legislation.

School nurses, certificates by State Board of Examiners required, fees, prior appointees unaffected, suppl., 1947, c. 133 (C. 18:14–56.1 to 18:14–56.3).

Physical examination of pupils, regulated, suppl., 1939, c. 296 (C. 18:14–57.1).

B-1. (new) Immunization to Diphtheria.

Additional Legislation.

Boards of education authorized to require or waive immunization to diphtheria of pupils, suppl., 1939, c. 299 (NJSA 18:14–64.2 to 18:14–64.4; RSCS 18:14–66.6 to 18:14–66.8).

Sec. 1 of above amended 1952, c. 153 (C. 18:14–64.2).

B-2. (new) Test for Tuberculosis, etc.

Additional Legislation.

Tests for tuberculosis in pupils required, suppl., 1939, c. 294 (NJSA 18:14–64.5 to 18:14–64.9; RSCS 18:14–66.1 to 18:14–66.5).

C. COUNTY MEDICAL INSPECTOR.

R. S. 18:14–65 amended 1947, c. 148, s. 24.

Article 5. Subnormal and Physically Handicapped Children.

R. S. 18:14–70 amended 1948, c. 191, ss. 1, 5.

Additional Legislation.

Definition, "crippled children" or "physically handicapped children" to include those suffering from cerebral palsy, suppl., 1951, c. 38 (C. 18:14–69.1).

Special classes in hospitals, etc., pursuant to R. S. 18:14–70, attendance, credits, etc., provided for, suppl., 1948, c. 191, ss. 2-5 (C. 18:14–70.1 to 18:14–70.4).

Article 7. Conduct of Schools.

A. IN GENERAL.

R. S. 18:14–80 amended 1944, c. 212.

R. S. 18:14–82 " 1943, c. 212; 1944, c. 107; 1951, c. 81.

R. S. 18:14–87 " 1949, c. 30.

R. S. 18:14–89 " 1952, c. 236, ss. 16, 22.

R. S. 18:14–90 " 1953, c. 139.

Additional Legislation.

Distribution of printed matter, etc., in connection with certain school elections, by pupils, regulated, 1948, c. 228 (C. 18:14–78.1, 18:14–78.2).

Title of above amended 1952, c. 268, s. 1.

Sec. 1 " " " 1952, c. 268, s. 2 (C. 18:14–78.1).

Courses in United States history, prescribed, suppl., 1945, c. 261 (C. 18:14–85.1, 18:14–85.2).

Sec. 1 of above amended 1952, c. 238 (C. 18:14–85.1).

Commodore John Barry Day established, school observance required, 1947, c. 109 (C. 18:14–89.1 to 18:14–89.3).

Absence for religious observance on religious holidays provided for, suppl., 1951, c. 322 (C. 18:14–92.2 to 18:14–92.4).

B1. (new) ACCIDENT INSURANCE FOR PUPILS.

Additional Legislation.

Accident insurance for pupils engaging in athletic contests and physical education programs, Boards of Education authorized to maintain, suppl., 1947, c. 130 (C. 18:14–105.1 to 18:14–105.3).

Article 8. County Supervisor of Child Study.

R. S. 18:14–113 amended 1946, c. 88, ss. 9, 12.

Article 9. General Provisions.

R. S. 18:14–114 amended 1953, c. 18, s. 25; 1953, c. 428, s. 1.

Chapter 14A. (new) SPECIAL SCHOOLS AND COURSES GENERALLY.

Veterans education and training programs, establishment and maintenance, provided for, 1946, c. 64 (C. 18:14A–1 to 18:14A–18).

Sec. 6 of above amended 1947, c. 141, s. 1 (C. 18:14A–6).

Sec. 17 " " " 1947, c. 141, s. 2; 1948, c. 147; 1949, c. 101 (C. 18:14A–17).

Chapter 15. SPECIAL SCHOOLS AND COURSES IN SCHOOL DISTRICTS OR IN COUNTIES.

Article 1A. (new) Nursery Schools and Nursery Classes.

Additional Legislation.

Nursery school and nursery departments in school districts, provided for, suppl., 1943, c. 172 (C. 18:15–3.1 to 18:15–3.3).

Article 2. Intermediate Schools.

R. S. 18:15–4 amended 1947, c. 148, s. 25.

R. S. 18:15–5 " 1947, c. 148, s. 26.

Article 4. Schools for Industrial Education.

R. S. 18:15–20 amended 1952, c. 28.

Article 5. Vocational Schools.

R. S. 18:15–46 amended 1946, c. 99; 1948, c. 15, s. 1; 1953, c. 18, s. 26.

R. S. 18:15–53 " 1950, c. 92.

Additional Legislation.

Board members, terms continued, 1948, c. 15, s. 2 (C. 18:15–46.1).

County vocational schools; teachers, principals and directors, rights and privileges, suppl., 1941, c. 150 (C. 18:15–58.1, 18:15–58.2).

County vocational schools, second-class counties, establishment, operation, etc., suppl., 1941, c. 287 (C. 18:15–58.3 to 18:15–58.15).

Emergency county vocational schools, second-class counties, establishment, operation, etc., suppl., 1941, c. 289 (C. 18:15-58.16 to 18:15-58.19).

Article 6. Continuation Schools.

R. S. 18:15-59 to 18:15-80 repealed 1947, c. 148, s. 27.

Article 7. Schools for Dependent and Delinquent Children.

R. S. 18:15-81 amended 1953, c. 18, s. 27.

R. S. 18:15-84 " 1953, c. 18, s. 28.

R. S. 18:15-92 " 1953, c. 18, s. 29.

Article 8. Public Evening Schools.

R. S. 18:15-94 amended 1947, c. 148, s. 28.

Article 10. Classes for Foreign-Born Residents.

R. S. 18:15-104 repealed 1946, c. 88, ss. 10, 12.

R. S. 18:15-105 " 1946, c. 88, ss. 10, 12.

Article 12. (new) Adult Education.

Additional Legislation.

Adult education courses, suppl., 1938, c. 307 (C. 18:15-109 to 18:15-111).

Donations and tuition fees for adult education, application and use of, regulated, suppl., 1950, c. 81 (C. 18:15-112 to 18:15-115).

Chapter 16. PARTICULAR STATE SCHOOLS.

Note: For requirement of teachers' certificates in certain schools under managment of Department of Institutions and Agencies, see 1946, c. 100 (T. 30, c. 1).

Article 1. School for the Deaf.

R. S. 18:16-2 amended 1947, c. 148, s. 29

R. S. 18:16-5 " 1953, c. 18, s. 30.

Article 2. Manual Training and Industrial School for Colored Youth.

R. S. 18:16-8 amended 1947, c. 148, s. 30; 1948, c. 27, s. 2.

R. S. 18:16-10 " 1948, c. 27, s. 3.

Article 3. Teachers' Training Schools and Courses.

R. S. 18:16–20 amended 1947, c. 148, s. 31.

R. S. 18:16–27 repealed 1944, c. 140, s. 2.

R. S. 18:16–29 amended 1947, c. 148, s. 32.

Additional Legislation.

Work for needy students provided for in lieu of loans for tuition in normal schools and teachers' colleges, 1944, c. 140 (C. 18:16–27.1, 18:16–27.2).

Sec. 1 of above amended 1953, c. 280 (C. 18:16–27.1).

Purchase of land and improvement thereof for State teachers college in Passaic County, authorized, 1948, c. 14 (C. 18:16–32.1).

Article 4. (new) Tenure in Office, Position or Employment.

Additional Legislation.

Tenure of certain persons employed in teaching capacities, supervisors, registrars, etc., in certain State educational institutions, provided for, suppl., 1946, c. 124 (C. 18:16–37 to 18:16–41).

Sec. 3 of above amended 1953, c. 18, s. 31 (C. 18:16–39).

Chapter 19. LAWS AFFECTING BOTH PUBLIC AND PRIVATE SCHOOLS.

Note: For use of county tuberculosis hospitals for examination of pupils, see 1941, c. 219 (T. 30, c. 9).

Chapter 20. LAWS AFFECTING PRIVATE SCHOOLS AND COLLEGES.

Article 1. Titles of Educational Institutions.

R. S. 18:20–1 amended 1946, c. 289.

Additional Legislation.

Approval of names of certain institutions above high school grade, by State Board of Education, required, suppl., 1938, c. 261 (C. 18:20–1.1).

Article 2. Institutions Conferring Degrees in General.

R. S. 18:20–4 repealed 1947, c. 262, s. 22.

R. S. 18:20–6 amended 1953, c. 18, s. 32.

R. S. 18:20–11 " 1953, c. 18, s. 33.

R. S. 18:20–12 repealed 1953, c. 18, s. 34.

R. S. 18:20–13 amended 1953, c. 18, s. 35.

R. S. 18:20–14 repealed 1953, c. 18, s. 36.

R. S. 18:20–15 " 1953, c. 18, s. 37.

R. S. 18:20–16 amended 1953, c. 18, s. 38.

R. S. 18:20–17 repealed 1953, c. 18, s. 39.

Article 4. (new) Private Boarding Schools; Registration, etc.

Additional Legislation.

Boarding schools; certain private; registration, certificate of approval, examination, control, etc., by Commissioner of Education, suppl., 1940, c. 173 (C. 18:20–25 to 18:20–30).

Article 5. (new) Private Schools; Registration, etc.

Additional Legislation.

Private trade and technical schools, registration, approval, examination, control, etc., by Commissioner of Education, suppl., 1942, c. 113 (C. 18:20–31 to 18:20–35).

Sec. 1 of above amended 1942, c. 323 (C. 18:20–31).

Registration and regulation of certain correspondence schools and licensing of field representatives or agents, provided for, suppl., 1949, c. 230 (C. 18:20–36 to 18:20–47).

Sec. 9 of above amended 1953, c. 18, s. 40 (C. 18:20–44).

Chapter 20A. (new) CHILD CARE CENTERS.

Private child care centers, registration and regulation of, provided for, suppl., 1946, c. 303, ss. 1–9, 12 (C. 18:20A–1 to 18:20A–10).

Sec. 3 of above amended 1949, c. 50 (C. 18:20A–3).

Sec. 4 " " " 1950, c. 24 (C. 18:20A–4).

Chapter 21. CERTIFICATES OF PRELIMINARY ACADEMIC EDUCATION.

R. S. 18:21–1 amended 1946, c. 243.

R. S. 18:21–3 " 1953, c. 225.

Chapter 22. PUBLIC HIGHER EDUCATION.

Article 1. State Board of Regents.

R. S. 18:22–1 to 18:22–14 repealed 1945, c. 51, s. 15.

Article 1A. (new) Public Higher Education In General.

Additional Legislation.

Disbursement of State moneys to denominational (religious), etc., institutions, prohibited, suppl., 1945, c. 51, s. 4 (C. 18:22–14.1).

Article 2. Rutgers University (State Agricultural College; Rutgers Scientific School).

A. DESIGNATION.

Additional Legislation.

State University of New Jersey; designation of State College for benefit of Agriculture and Mechanics Arts, Agricultural Experiment Station, New Jersey Agricultural Experiment Station, New Jersey College for Women and certain departments, Rutgers College, as; management and use of facilities for public higher education, and membership by employees in State Employees' Retirement System, provided for, 1945, c. 49 (C. 18:22–15.1 to 18:22–15.13).

State University of New Jersey, incorporation of University of Newark into, provided for, 1946, c. 217 (C. 18:22–15.14, 18:22–15.15).

The Paterson College of Rutgers University, established as a division of The State University, 1947, c. 139 (C. 18:22–15.16, 18:22–15.17).

Integration of facilities and buildings of State Teachers Colleges and The State University, Commissioner of Education authorized to provide for, 1947, c. 140 (C. 18:22–15.18 to 18:22–15.22).

College of South Jersey Junior College and School of Law incorporated in the State University of New Jersey, 1950, c. 116 (C. 18:22–15.23, 18:22–15.24).

B. FEDERAL AID.

R. S. 18:22–23 repealed 1945, c. 212, ss. 2, 1.

R. S. 18:22–24 " 1945, c. 212, ss. 2, 1.

R. S. 18:22–25 " 1945, c. 212, ss. 2, 1.

J. (new) INSTITUTE OF MANAGEMENT AND LABOR.

Additional Legislation.

Institute of Management and Labor Relations, in State University, provided for, 1947, c. 307 (C. 18:22–48 to 18:22–52).

Sec. 3 of above amended 1953, c. 319 (C. 18:22–50).

K. (new) GRADUATE SCHOOL OF SOCIAL WORK.

Additional Legislation.

New Jersey School of Social Work, in State University, provided for, 1948, c. 195 (C. 18:22-53 to 18:22-57).

Chapter 23. STATE PUBLIC SCHOOL FUND AND FEDERAL FUNDS.

R. S. 18:23-1 to 18:23-18 repealed 1946, c. 88, ss. 10, 12.

Additional Legislation.

Acceptance, apportionment and disbursement of Federal, etc., moneys, regulated, 1941, c. 373 (C. 18:23-19 to 18:23-21).

Chapter 24. (new) DIVISION OF THE STATE LIBRARY, ARCHIVES AND HISTORY AND DIVISION OF THE STATE MUSEUM.

Division of the State Library, Archives and History and Division of the State Museum, established; functions, powers, duties, etc., provided for, 1945, c. 50 (C. 18:24-1 to 18:24-23).

Sec. 8 of above amended 1949, c. 97 (C. 18:24-8).

Sec. 10 " " " 1945, c. 215 (C. 18:24-10).

Sec. 11 " " " 1952, c. 82 (C. 18:24-11).

Federal grants for public or school libraries, application for, acceptance of, provided for, 1948, c. 107 (C. 18:24-24 to 18:24-26).

Deposit and exchange library service extended, suppl., 1949, c. 96 (C. 18:24-27, 18:24-28).

Title of above amended 1950, c. 67, s. 9.

Chapter 25. (new) LAW AGAINST DISCRIMINATION.

Division Against Discrimination in State Department of Education, established; functions, powers and duties provided for, and certain discriminatory practices prohibited, suppl., 1945, c. 169, ss. 1-27 (C. 18:25-1 to 18:25-28).

Title of above amended 1949, c. 11, s. 1; 1951, c. 64, s. 1.

Sec. 3 " " " 1951, c. 64, s. 2 (C. 18:25-3).

Sec. 4 " " " 1949, c. 11, s. 2 (C. 18:25-4).

Sec. 5 " " " 1949, c. 11, s. 3; 1951, c. 64, s. 3 (C. 18:25-5).

Sec. 6	of above	amended	1951, c. 64, s. 4 (C. 18:25-6).
Sec. 7	"	"	"	1949, c. 11, s. 4 (C. 18:25-7).
Sec. 8	"	"	"	1947, c. 155, s. 1; 1949, c. 11, s. 5; 1951, c. 64, s. 5 (C. 18:25-8).
Sec. 8A	"	"	repealed	1947, c. 155, s. 2 (C. 18:25-9).
Sec. 9	"	"	amended	1949, c. 11, s. 6 (C. 18:25-10).
Sec. 11	"	"	"	1949, c. 11, s. 7; 1951, c. 64, s. 6 (C. 18:25-12).
Sec. 12	"	"	"	1949, c. 11, s. 8 (C. 18:25-13).
Sec. 13	"	"	"	1949, c. 11, s. 9 (C. 18:25-14).
Sec. 14	"	"	"	1949, c. 11, s. 10 (C. 18:25-15).
Sec. 16	"	"	"	1949, c. 11, s. 11 (C. 18:25-17).
Sec. 18	"	"	"	1949, c. 11, s. 12; 1953, c. 18, s. 41 (C. 18:25-19).
Sec. 19	"	"	"	1949, c. 11, s. 13; repealed 1953, c. 18, s. 42 (C. 18:25—20).
Sec. 20	"	"	"	1949, c. 11, s. 14; 1953, c. 18, s. 43 (C. 18:25-21).
Sec. 21	"	"	"	1949, c. 11, s. 15; repealed 1953, c. 18, s. 44 (C. 18:25-22).
Sec. 22	"	"	"	1949, c. 11, s. 16 (C. 18:25-23).
Sec. 23	"	"	"	1949, c. 11, s. 17 (C. 18:25-24).
Sec. 25	"	"	"	1949, c. 11, s. 18 (C. 18:25-26).
Sec. 26	"	"	"	1949, c. 11, s. 19; 1951, c. 64. s. 7 (C. 18:25-27).

Title 19. ELECTIONS.

Note: For distribution of printed matter, etc., in connection with certain school elections, by pupils, regulated, see 1948, c. 228 (T. 18, c. 14), amended 1952, c. 268.

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

Subtitle 1. ANY ELECTION.

Chapter 1. DEFINITIONS AND APPLICATION.

R. S. 19:1-1 amended 1947, c. 168, s. 1; 1948, c. 438, s. 1.

Chapter 2. TIME FOR HOLDING.

R. S. 19:2-1 amended 1946, c. 11, ss. 1, 17 (1946, c. 11, ss. 1, 17, repealed 1948, c. 2, s. 32); 1948, c. 2, s. 1.

R. S. 19:2-2 repealed 1946, c. 11, s. 16.

Chapter 3. OFFICES AND PUBLIC QUESTIONS.

R. S. 19:3-2 amended 1948, c. 438, s. 2.

R. S. 19:3-3 " 1946, c. 11, ss. 2, 17 (1946, c. 11, ss. 2, 17, repealed 1948, c. 2, s. 32); 1948, c. 2, s. 2.

R. S. 19:3-6 " 1938, c. 308; 1941, c. 170.

R. S. 19:3-7 " 1949, c. 24, ss. 1, 12.

R. S. 19:3-9 " 1953, c. 19, s. 1.

R. S. 19:3-13 " 1953, c. 19, s. 2.

R. S. 19:3-16 " 1953, c. 19, s. 3.

R. S. 19:3-19 " 1953, c. 19, s. 4.

R. S. 19:3-23 " 1953, c. 19, s. 5.

R. S. 19:3-24 " 1953, c. 19, s. 6.

R. S. 19:3-29 " 1951, c. 119, s. 2.

Chapter 4. THE ELECTORATE.

R. S. 19:4-1 amended 1948, c. 438, s. 3.

R. S. 19:4-6 " 1948, c. 2, s. 3.

R. S. 19:4-8 " 1953, c. 19, s. 7.

Chapter 5. PARTY ORGANIZATIONS.

R. S. 19:5–1 amended 1948, c. 438, s. 4.

R. S. 19:5–3 " 1946, c. 11, ss. 3, 17 (1946, c. 11, ss. 3, 17, repealed 1948, c. 2, s. 32); 1948, c. 2, s. 4.

R. S. 19:5–4 " 1948, c. 216, ss. 1, 3.

R. S. 19:5–5 see 1946, c. 152 (C. 19:41–4.1, 19:41–4.2).

R. S. 19:5–6 amended 1948, c. 216, ss, 2, 3; 1950, c. 35.

Chapter 6. ELECTION OFFICIALS.

Article 1. District Boards of Registry and Election.

R. S. 19:6–2 amended 1940, c. 136.

R. S. 19:6–3 " 1948, c. 2, s. 5; 1953, c. 19, s. 8.

R. S. 19:6–4 " 1953, c. 19, s. 9.

R. S. 19:6–7 " 1948, c. 2, s. 6.

R. S. 19:6–8 " 1948, c. 2, s. 7.

R. S. 19:6–10 " 1939, c. 81; 1946, c. 11, s. 4.

R. S. 19:6–16 " 1953, c. 19, s. 10.

Article 2. County Boards of Election.

R. S. 19:6–17 amended 1948, c. 438, s. 5.

R. S. 19:6–21 " 1951, c. 10.

R. S. 19:6–22 " 1948, c. 2, s. 8.

Article 4. Board of State Canvassers.

Note: For Board of State Canvassers continued in the Department of State, see 1948, c. 445, s. 10 (T. 52, c. 16A).

Article 5. All Election Officials.

R. S. 19:6–30 amended 1953, c. 19, s. 11.

Chapter 8. POLLING PLACES; BALLOT BOXES; EQUIPMENT.

R. S. 19:8–2 amended 1938, c. 280; 1946, c. 11, ss. 5, 17 (1946, c. 11, ss. 5, 17, repealed 1948, c. 2, s. 32); 1948, c. 2, s. 9.

R. S. 19:8–4 " 1938, c. 281; 1946, c. 11, ss. 6, 17 (1946, c. 11, ss. 6, 17, repealed 1948, c. 2, s. 32); 1948, c. 2, s. 10.

Chapter 9. ELECTION SUPPLIES.

R. S. 19:9–2 amended 1946, c. 11, ss. 7, 17 (1946, c. 11, ss. 7, 17, repealed 1948, c. 2, s. 32); 1947, c. 168, s. 2; 1948, c. 2, s. 11; 1953, c. 19, s. 12.

Subtitle 2. GENERAL ELECTIONS.

Chapter 12. CERTIFICATES AND NOTICES.

R. S. 19:12-1	amended	1946, c. 11, ss. 8, 17 (1946, c. 11, ss. 8, 17, repealed 1948, c. 2, s. 32); 1948, c. 2, s. 12.
R. S. 19:12-2	"	1946, c. 11, ss. 9, 17 (1946, c. 11, repealed 1948, c. 2, s. 32); 1948, c. 2, s. 13; repealed 1953, c. 19, s. 13.
R. S. 19:12-3	"	1946, c. 11, s. 10, 17 (1946, c. 11, ss. 10, 17, repealed 1948, c. 2, s. 32); 1948, c. 2, s. 14.
R. S. 19:12-5	"	1946, c. 11, ss. 11, 17 (1946, c. 11, ss. 11, 17, repealed 1948, c. 2, s. 32); 1948, c. 2, s. 15.
R. S. 19:12-6	"	1946, c. 11, ss. 12, 17 (1946, c. 11, ss. 12, 17, repealed 1948, c. 2, s. 32); 1948, c. 2, s. 16.
R. S. 19:12-7	"	1945, c. 184.

Chapter 13. NOMINATION OF CANDIDATES.

R. S. 19:13-5	amended	1948, c. 438, s. 6.
R. S. 19:13-8	"	1949, c. 24, ss. 2, 12.
R. S. 19:13-9	"	1948, c. 2, s. 17.
R. S. 19:13-11	"	1942, c. 50, s. 1; 1948, c. 2, s. 18.
R. S. 19:13-12	"	1942, c. 50, s. 1a; 1953, c. 19, s. 14.
R. S. 19:13-13	"	1948, c. 2, s. 19.
R. S. 19:13-15	"	1944, c. 157; 1949, c. 24, ss. 3, 12.
R. S. 19:13-16	"	1942, c. 50, s. 2.
R. S. 19:13-19	"	1942, c. 50, s. 3.
R. S. 19:13-20	"	1942, c. 50, s. 4; 1945, c. 263; 1948, c. 261; 1949, c. 24, ss. 4, 12.
R. S. 19:13-21	"	1942, c. 50, s. 5; 1949, c. 24, ss. 5, 12.
R. S. 19:13-22	"	1942, c. 50, s. 6; 1948, c. 2, s. 20.
R. S. 19:13-23	"	1942, c. 50, s. 6a.

Chapter 14. BALLOTS.

R. S. 19:14-2	amended	1949, c. 24, ss. 6, 12.
R. S. 19:14-4	"	1941, c. 166, s. 2; 1947, c. 104, s. 1.
R. S. 19:14-6	"	1947, c. 104, s. 2.
R. S. 19:14-8	"	1951, c. 315, s. 1.

R. S. 19:14–10	amended	1951, c. 315, s. 2.
R. S. 19:14–11	"	1941, c. 166, s. 3; repealed 1947, c. 104, s. 9.
R. S. 19:14–12	"	1942, c. 50, s. 7; 1948, c. 2, s. 21; 1949, c. 207.
R. S. 19:14–14	"	1947, c. 104, s. 3.
R. S. 19:14–17	repealed	1947, c. 104, s. 9.
R. S. 19:14–20	amended	1953, c. 19, s. 15.
R. S. 19:14–21	"	1941, c. 275, s. 1; 1946, c. 261, s. 1; 1947, c. 168, s. 3.
R. S. 19:14–23	"	1947, c. 168, s. 4.
R. S. 19:14–25	"	1941, c. 275, s. 2; 1946, c. 261, s. 2; 1947, c. 168, s. 5; 1952, c. 61, s. 1.
R. S. 19:14–27	"	1947, c. 53.

Additional Legislation.

Use of names of candidates for President and Vice-President instead of those of Presidential Electors, provided for, suppl., 1944, c. 16 (C. 19:14–8.1).

Chapter 15. BALLOTING.

R. S. 19:15–7	amended	1939, c. 354, s. 1; repealed 1944, c. 230, s. 4.
R. S. 19:15–13 to 19:15–16	repealed	1944, c. 230, s. 4.
R. S. 19:15–24	amended	1953, c. 19, s. 16.
R. S. 19:15–27	"	1947, c. 104, s. 4.
R. S. 19:15–28	"	1947, c. 104, s. 5.
R. S. 19:15–35	repealed	1944, c. 230, s. 4.
R. S. 19:15–36	"	1944, c. 230, s. 4.

Chapter 16. COUNTING BALLOTS BY DISTRICT BOARDS.

R. S. 19:16–1	repealed	1947, c. 104, s. 9.
R. S. 19:16–3	amended	1947, c. 104, s. 6; 1953, c. 19, s. 17.
R. S. 19:16–4	"	1947, c. 104, s. 7; 1953, c. 19, s. 18.

Chapter 17. RETURNS BY DISTRICT BOARDS.

R. S. 19:17–1	amended	1945, c. 76, s. 1.
R. S. 19:17–3	"	1945, c. 76, s. 2; 1947, c. 168, s. 6; 1953, c. 19, s. 19.
R. S. 19:17–4	repealed	1953, c. 19, s. 20.
R. S. 19:17–5	amended	1953, c. 19, s. 21.

Chapter 18. DISPOSITION OF BALLOT BOXES, ELECTION RECORDS AND EQUIPMENT.

R. S. 19:18-1 amended 1940, c. 196; 1947, c. 168, s. 7; 1953, c. 19, s. 22.

R. S. 19:18-4 " 1953, c. 19, s. 23.

R. S. 19:18-7 " 1945, c. 76, s. 3.

R. S. 19:18-8 " 1953, c. 19, s. 24.

Chapter 19. CANVASS OF RETURNS BY BOARD OF COUNTY CANVASSERS.

R. S. 19:19-8 amended 1938, c. 399, s. 1.

R. S. 19:19-12 " 1938, c. 399, s. 2.

Subtitle 3. PRIMARY ELECTIONS.

Chapter 23. PRIMARY FOR GENERAL ELECTION.

Article 1. Notice of Elections.

R. S. 19:23-1 amended 1946, c. 11, ss. 13, 17 (1946, c. 11, ss. 13, 17, repealed 1948, c. 2, s. 32); 1948, c. 2, s. 22.

Article 2. Registry Book—Municipalities Not Having Permanent Registration.

R. S. 19:23-3 repealed 1947, c. 104, s. 9.

R. S. 19:23-4 " 1947, c. 104, s. 9.

Article 3. Nomination of Candidates.

Note: For certification of names for nomination and printing of primary ballots, official and samples, certain second-class counties, regulated, see 1945, c. 68 (T. 19, c. 23), amended 1945, c. 290, 1948, c. 2.

R. S. 19:23-7 amended 1948, c. 438, s. 7; 1949, c. 24, ss. 7, 12.

R. S. 19:23-8 " 1945, c. 285; 1948, c. 438, s. 8.

R. S. 19:23-12 " 1942, c. 50, s. 8; 1949, c. 24, ss. 8, 12.

R. S. 19:23-13 " 1942, c. 50, s. 9; 1949, c. 24, ss. 9, 12.

R. S. 19:23-14 " 1940, c. 135, s. 1; 1941, c. 166, s. 1; 1942, c. 50, s. 9a; 1948, c. 2, s. 23.

R. S. 19:23-15 " 1949, c. 24, ss. 10, 12.

R. S. 19:23-16 " 1949, c. 24, ss. 11, 12.

R. S. 19:23-17 " 1944, c. 231.

R. S. 19:23-21 " 1942, c. 50, s. 10.

R. S. 19:23-22 " 1942, c. 50, s. 11; 1948, c. 2, s. 24.

Article 3A. (new) Certification of Nominations and Furnishing of Ballots in Certain Second-class Counties.

Additional Legislation.

Certification of names for nomination and printing of primary ballots, official and samples, certain second-class counties, regulated, suppl., 1945, c. 68 (C. 19:23-22.1 to 19:23-22.3).

Sec. 1 of above amended 1948, c. 2, s. 25 (C. 19:23-22.1).

Sec. 2 " " " 1945, c. 290, s. 1 (C. 19:23-22.2).

Sec. 3 " " " 1945, c. 290, s. 2 (C. 19:23-22.3).

Article 4. OFFICIAL BALLOTS.

Note: For certification of names for nomination and printing of primary ballots, official and samples, certain second-class counties, regulated, see 1945, c. 68 (T. 19, c. 23), amended 1945, c. 290, 1948, c. 2.

R. S. 19:23-24 amended 1942, c. 50, s. 12.

R. S. 19:23-25 " 1947, c. 104, s. 8.

R. S. 19:23-26 repealed 1947, c. 104, s. 9.

R. S. 19:23-29 amended 1953, c. 19, s. 25.

Additional Legislation.

Printing of designations or slogans on ballots prohibited, certain cases, suppl., 1944, c. 8, s. 3 (C. 19:23-25.1).

Article 5. SAMPLE BALLOTS.

Note: For certification of names for nomination and printing of primary ballots, official and samples, certain second-class counties, regulated, see 1945, c. 68 (T. 19, c. 23), amended 1945, c. 290, 1948, c. 2.

R. S. 19:23-30 amended 1941, c. 275, s. 3; 1946, c. 261, s. 3; 1947, c. 168, s. 8.

R. S. 19:23-32 " 1947, c. 168, s. 9.

R. S. 19:23-33 " 1941, c. 275, s. 4; 1946, c. 261, s. 4; 1947, c. 168, s. 10.

R. S. 19:23-34 " 1941, c. 275, s. 5; 1946, c. 261, s. 5; 1947, c. 168, s. 11.

R. S. 19:23-35 " 1941, c. 275, s. 6; 1946, c. 261, s. 6; 1947, c. 168, s. 12; 1952, c. 61, s. 2.

R. S. 19:23-36 " 1941, c. 275, s. 7; 1946, c. 261, s. 7; 1947, c. 168, s. 13.

Article 7. Conduct of Primary in General.

R. S. 19:23-40 amended 1946, c. 11, ss. 14, 17 (1946, c. 11, ss. 14, 17, repealed 1948, c. 2, s. 32); 1948, c. 2, s. 26.

Article 8. Registry and Poll Books.

R. S. 19:23-43 repealed 1947, c. 104, s. 9.

R. S. 19:23-44 " 1947, c. 104, s. 9.

Article 9. Balloting Procedure.

R. S. 19:23-45 amended 1939, c. 354, s. 2; 1952, c. 158.

Article 10. Canvass of Votes; Certification of Results.

R. S. 19:23-50 amended 1945, c. 76, s. 4.

R. S. 19:23-53 " 1945, c. 76, s. 5; 1947, c. 168, s. 14.

Chapter 24. PRIMARY FOR DELEGATES AND ALTERNATES TO NATIONAL CONVENTIONS.

R. S. 19:24-1 amended 1946, c. 11, ss. 15, 17 (1946, c. 11, ss. 15, 17, repealed 1948, c. 2, s. 32); 1948, c. 2, s. 27.

R. S. 19:24-2 " 1948, c. 2, s. 28.

R. S. 19:24-4 " 1948, c. 2, s. 29.

R. S. 19:24-5 " 1944, c. 8, s. 1.

Chapter 25. PETITION INDORSING CANDIDATE FOR PRESIDENT.

R. S. 19:25-1 repealed 1944, c. 8, s. 2.

R. S. 19:25-2 " 1944, c. 8, s. 2.

Additional Legislation.

Candidates for President, printing of names on primary election ballot, provided for, suppl., 1952, c. 2 (C. 19:25-3, 19:25-4).

Chapter 26. ANY PRIMARY.

R. S. 19:26-2 amended 1953, c. 19, s. 26.

R. S. 19:26-3 repealed 1947, c. 104, s. 9.

Subtitle 4. SPECIAL ELECTIONS AND FILLING VACANCIES.

Chapter 27. GENERAL PROVISIONS.

R. S. 19:27-4 amended 1948, c. 438, s. 9.

R. S. 19:27-11 " 1951, c. 119, s. 1.

R. S. 19:27-14 " 1947, c. 168, s. 15.

Additional Legislation.

Filling certain vacancies in representation in House of Representatives, regulated, suppl., 1945, c. 206 (C. 19:27-10.1).

Subtitle 5. RECOUNTS AND CONTESTS—ANY ELECTION.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

Chapter 28. RECOUNT OF VOTES.

R. S. 19:28-1 amended 1953, c. 19, s. 27.
R. S. 19:28-2 " 1953, c. 19, s. 28.
R. S. 19:28-3 " 1953, c. 19, s. 29.
R. S. 19:28-4 " 1953, c. 19, s. 30.
R. S. 19:28-5 " 1953, c. 19, s. 31.
R. S. 19:28-8 " 1953, c. 19, s. 32.

Chapter 29. CONTEST OF NOMINATIONS OR ELECTIONS—ANY ELECTION.

R. S. 19:29-2 amended 1947, c. 6; 1953, c. 19, s. 33.
R. S. 19:29-4 " 1953, c. 19, s. 34.
R. S. 19:29-5 " 1953, c. 19, s. 35.
R. S. 19:29-6 " 1953, c. 19, s. 36.
R. S. 19:29-7 " 1953, c. 19, s. 37.
R. S. 19:29-8 " 1953, c. 19, s. 38.
R. S. 19:29-9 " 1953, c. 19, s. 39.
R. S. 19:29-10 " 1953, c. 19, s. 40.
R. S. 19:29-11 " 1953, c. 19, s. 41.
R. S. 19:29-12 repealed 1953, c. 19, s. 42.
R. S. 19:29-13 amended 1953, c. 19, s. 43.

Subtitle 6. REGISTRATION OF VOTERS.

Chapter 30. MUNICIPALITIES NOT HAVING PERMANENT REGISTRATION.

Note: For registration day for municipal election; certain commission governed municipalities, see 1940, c. 44 (T. 40, c. 75); for requirement of permanent registration in all municipalities, see 1943, c. 218 (T. 19, c. 31).

R. S. 19:30-1 repealed 1947, c. 347, s. 5.
R. S. 19:30-2 amended 1947, c. 168, s. 16; repealed 1947, c. 347, s. 5.
R. S. 19:30-3 to 19:30-10 repealed 1946, c. 11, s. 16.

Chapter 31. MUNICIPALITIES HAVING PERMANENT REGISTRATION.

R. S. 19:31–1	amended	1940, c. 18; 1940, c. 19.
R. S. 19:31–2	"	1940, c. 165, s. 1; 1941, c. 275, s. 8; 1947, c. 168, s. 17; 1952, c. 290, ss. 1, 4-6; 1953, c. 348, s. 1.
R. S. 19:31–3	"	1941, c. 174, s. 1.
R. S. 19:31–4	repealed	1941, c. 174, s. 2.
R. S. 19:31–5	amended	1949, c. 123.
R. S. 19:31–6	"	1940, c. 135, s. 2; 1945, c. 36, s. 1; 1947, c. 168, s. 18; 1952, c. 60, s. 1.
R. S. 19:31–7	"	1940, c. 135, s. 3; 1945, c. 36, s. 2; 1952, c. 60, s. 2.
R. S. 19:31–8	repealed	1952, c. 60, s. 3.
R. S. 19:31–11	amended	1940, c. 135, s. 4; 1941, c. 165; 1944, c. 251; 1945, c. 75; 1946, c. 149.
R. S. 19:31–13	"	1945, c. 117; 1953, c. 19, s. 44.
R. S. 19:31–14	"	1947, c. 277, s. 1.
R. S. 19:31–15	"	1940, c. 155; 1941, c. 273, s. 2; 1945, c. 18; 1947, c. 168, s. 19; 1952, c. 292; 1953, c. 206.
R. S. 19:31–16	"	1947, c. 168, s. 20.
R. S. 19:31–17	"	1947, c. 168, s. 21; 1950, c. 37.
R. S. 19:31–18	"	1947, c. 347, s. 1.
R. S. 19:31–19	"	1940, c. 31, s. 1; 1953, c. 19, s. 45.
R. S. 19:31–20	"	1947, c. 168, s. 22.
R. S. 19:31–21	"	1945, c. 77.
R. S. 19:31–25	repealed	1941, c. 164.

Additional Legislation.

Permanent registration in all municipalities after July 1, 1943, provided for, suppl., 1941, c. 273, s. 1 (C. 19:31–1.1).
Sec. 1 of above amended 1941, c. 378; 1943, c. 218 (C. 19:31–1.1).

Moving permits, monthly reports of issuance, required, suppl., 1940, c. 54 (NJSA 19:31–11.1; RSCS 19:31–16.1).
Sec. 1 of above amended 1947, c. 310 (C. 19:31–11.1).

Registration, change of residence, commissioner to notify commissioner of county where last registered, etc., provided for, suppl., 1947, c. 414 (C. 19:31–13.1).

New election districts, ascertainment of permanent registrations, provided for, suppl., 1947, c. 277, s. 2 (C. 19:31–14.5).

Registry lists, certification, transmission, printing, furnishing copies, investigations by chiefs of police, filing, provided for, suppl., 1947, c. 347, ss. 2-5 (C. 19:31–18.1 to 19:31–18.4).

Sec. 2 of above amended 1951, c. 273, s. 1 (C. 19:31–18.1).

Sec. 3 " " repealed 1951, c. 273, s. 2 (C. 19:31–18.2).

Inspection, etc., of registration binders and poll books; authorized, suppl., 1940, c. 53 (C. 19:31–27, 19:31–28).

Sec. 1 of above amended 1953, c. 19, s. 46 (C. 19:31–27).

Chapter 31A. (new) SIGNATURE COMPARISON RECORDS; FORM AND USE.

Form, use, etc., of signature comparison record, provided for, suppl., 1944, c. 230, ss. 1-3 (C. 19:31A–7 to 19:31A–10).

Subtitle 7. ENFORCEMENT OF ELECTION LAW.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

Chapter 32. SUPERINTENDENT OF ELECTIONS.

R. S. 19:32–1	amended	1940, c. 165, s. 2; 1944, c. 45.
R. S. 19:32–2	"	1940, c. 165, s. 3; 1945, c. 56, s. 11; 1945, c. 304; 1952, c. 290, ss. 2, 6; 1953, c. 348, s. 2.
R. S. 19:32–11	"	1953, c. 19, s. 47.
R. S. 19:32–15	"	1940, c. 31, s. 2.
R. S. 19:32–16	"	1941, c. 273, s. 3; 1945, c. 40.
R. S. 19:32–17	"	1940, c. 31, s. 3; 1945, c. 19.
R. S. 19:32–18	"	1940, c. 31, s. 4; 1940, c. 199, s. 1; 1948, c. 438, s. 10; 1953, c. 19, s. 48.
R. S. 19:32–19	"	1940, c. 199, s. 2; 1948, c. 438, s. 11; 1953, c. 19, s. 49.

Additional Legislation.

Superintendent of elections in second-class counties, procedure for appointment, term, compensation, provided for, suppl., 1947, c. 167 (C. 19:32–26 to 19:32–53).

Title of above amended 1949, c. 188, s. 1; 1953, c. 84, s. 1.

Sec. 1 of above amended 1949, c. 188, s. 2; 1953, c. 84, s. 2; 1953, c. 246 (C. 19:32-26).

Sec. 9 " " " 1953, c. 19, s. 50 (C. 19:32-34).

Sec. 16 " " " 1953, c. 19, s. 51 (C. 19:32-41).

Sec. 17 " " " 1953, c. 19, s. 52 (C. 19:32-42).

Chapter 33. REMOVAL OF NAMES FROM REGISTERS BY COURTS.

R. S. 19:33-1 amended 1945, c. 270; 1953, c. 19, s. 53.

Chapter 34. CRIMES AND PENALTIES—ENFORCEMENT.

R. S. 19:34-6 amended 1940, c. 199, s. 3; 1948, c. 438, s. 12.

R. S. 19:34-7 " 1940, c. 199, s. 4; 1948, c. 438, s. 13.

R. S. 19:34-11 " 1940, c. 199, s. 5; 1948, c. 438, s. 14.

R. S. 19:34-12 " 1940, c. 199, s. 6; 1948, c. 438, s. 15.

R. S. 19:34-13 " 1940, c. 199, s. 7; 1948, c. 438, s. 16.

R. S. 19:34-15 " 1940, c. 199, s. 8; 1948, c. 438, s. 17.

R. S. 19:34-28 " 1940, c. 199, s. 9; 1948, c. 438, s. 18.

R. S. 19:34-38 " 1940, c. 199, s. 10; 1948, c. 438, s. 19.

R. S. 19:34-56 " 1953, c. 19, s. 54.

R. S. 19:34-57 " 1953, c. 19, s. 55.

Subtitle 8. WAR TIME VOTING.

Note: For war time voting legislation, see Subtitle 16 (new), this Title.

Chapter 35. WHEN ALLOWED; PROCEDURE.

R. S. 19:35-1 to 19:35-18 repealed 1942, c. 18, s. 16.

Subtitle 10. NONBINDING COUNTY OR MUNICIPAL REFERENDA.

Chapter 37. PROCEDURE AND EFFECT.

R. S. 19:37-1 amended 1942, c. 50, s. 13.

R. S. 19:37-2 " 1947, c. 69.

Subtitle 11. FIRST ELECTIONS IN CONSOLIDATED MUNICIPALITIES.

Chapter 38. PROCEDURE.

R. S. 19:38–1 amended 1939, c. 343, s. 22.

R. S. 19:38–2 " 1939, c. 343, s. 23.

R. S. 19:38–3 " 1939, c. 343, s. 24.

R. S. 19:38–4 repealed 1939, c. 343, s. 39.

R. S. 19:38–5 amended 1939, c. 343, s. 25.

R. S. 19:38–6 " 1939, c. 343, s. 26.

Subtitle 12. CAMPAIGN EXPENDITURES.

Chapter 41. CAMPAIGN CONTRIBUTIONS.

R. S. 19:41–3 see 1946, c. 152, infra.

R. S. 19:41–4 " 1946, c. 152, infra.

Additional Legislation.

Contributions, time and purpose of receipt and disbursement by committee, regulated, suppl., 1946, c. 152 (C. 19:41–4.1, 19:41–4.2).

Chapter 43. AUDIT AND PAYMENT OF BILLS.

R. S. 19:43–3 amended 1953, c. 19, s. 56.

Chapter 44. STATEMENTS CONCERNING CAMPAIGN FUNDS.

R. S. 19:44–6 amended 1953, c. 19, s. 57.

Subtitle 13. PUBLIC ELECTION EXPENSES.

Chapter 45. LIABILITY FOR.

R. S. 19:45–6 amended 1941, c. 275, s. 9; 1944, c. 152; 1946, c. 261, s. 8; 1952, c. 97; 1953, c. 88.

R. S. 19:45–7 " 1940, c. 165, s. 4; 1941, c. 324; 1944, c. 178; 1947, c. 168, s. 23; 1948, c. 183; 1951, c. 268.

Additional Legislation.

Vouchers for compensation for services of members of district boards, provided for, suppl., 1952, c. 62 (C. 19:45–6.1).

Subtitle 15. VOTING MACHINES; PROCEDURE.

Chapter 48. VOTING MACHINES.

R. S. 19:48–1	amended	1941, c. 166, s. 4.
R. S. 19:48–2	"	1953, c. 19, s. 58.
R. S. 19:48–3	"	1940, c. 152; 1940, c. 197, ss. 1-3 (C. 19:48–3.1, 19:48–3.2).
R. S. 19:48–4	"	1945, c. 56, s. 1; 1947, c. 168, s. 24.
R. S. 19:48–6	"	1945, c. 56, s. 2; 1947, c. 168, s. 25.
R. S. 19:48–7	"	1945, c. 56, s. 3.

Additional Legislation.

Voting machines in first- and second-class counties, provided for, suppl., 1944, c. 7 (C. 19:48–3.3 to 19:48–3.14).

Sec. 5 of above amended 1947, c. 168, s. 26 (C. 19:48–3.7).

Sec. 6 " " " 1945, c. 122 (C. 19:48–3.8).

Sec. 9 " " " 1947, c. 168, s. 27 (C. 19:48–3.11).

Sec. 11 " " " 1947, c. 168, s. 28 (C. 19:48–3.13).

Voting machines for municipal elections in certain first- and second-class counties, provided for, suppl., 1945, c. 59 (C. 19:48–3.15 to 19:48–3.21).

Sec. 3 of above amended 1947, c. 168, s. 29 (C. 19:48–3.17).

Chapter 49. BALLOTS.

R. S. 19:49–2	amended	1940, c. 137; 1941, c. 163, s. 1; see also 1941, c. 163, s. 2 (C. 19:49–2.1); 1944, c. 127; 1945, c. 70; 1946, c. 17; 1948, c. 240.
R. S. 19:49–3	"	1945, c. 56, s. 4.
R. S. 19:49–4	"	1947, c. 79.
R. S. 19:49–5	"	1941, c. 166, s. 5.

Chapter 50. INSTRUCTION CONCERNING VOTING MACHINES.

R. S. 19:50–1	amended	1945, c. 56, s. 5; 1947, c. 78.
R. S. 19:50–2	"	1942, c. 106; 1945, c. 56, s. 6.
R. S. 19:50–3	"	1944, c. 128; 1945, c. 56, s. 7.

Chapter 51. NUMBER OF REGISTERED VOTERS IN A DISTRICT.

R. S. 19:51–1 amended 1945, c. 56, s. 8.

Chapter 52. PROCEDURE AT POLLING PLACE.

R. S. 19:52–1 amended 1945, c. 56, s. 9.

R. S. 19:52–6 " 1942, c. 56; 1943, c. 80; 1953, c. 19, s. 59.

R. S. 19:52–7 " 1945, c. 56, s. 10.

Additional Legislation.

Voting authorities, form and use of, provided, suppl., 1944, c. 213 (C. 19:52–2.1, 19:52–2.2).

Subtitle 16. (new) ABSENTEE VOTING—MILITARY SERVICE.

Chapter 55. (new) IN TIME OF WAR.

1944, c. 95 expired

1944, c. 208 "

Chapter 56. (new) MILITARY SERVICE VOTING.

Military service voting act (1948), suppl., 1948, c. 1 (C. 19:56–1 to 19:56–27).

Sec. 1 of above amended 1949, c. 53, s. 1 (1949, c. 53 repealed 1953, c. 211, s. 38) (C. 19:56–1).

Sec. 10 " " " 1949, c. 53, s. 2 (1949, c. 53 repealed 1953, c. 211, s. 38) (C. 19:56–10).

Sec. 17 " " " 1949, c. 53, s. 3 (1949, c. 53 repealed 1953, c. 211, s. 38) (C. 19:56–17).

Sec. 18 " " " 1953, c. 19, s. 60 (C. 19:56–18).

Sec. 22 " " " 1953, c. 19, s. 61 (C. 19:56–22).

Sec. 23 " " " 1953, c. 19, s. 62 (C. 19:56–23).

1948, c. 1 repealed 1953, c. 211, s. 38.

Military service voting act (1949), suppl., 1949, c. 54 (C. 19:56–28 to 19:56–47).

Sec. 5 of above amended 1950, c. 146, s. 1 (1950, c. 146 repealed 1953, c. 211, s. 38) (C. 19:56–32).

Sec. 11 of above amended 1950, c. 146, s. 2 (1950, c. 146 repealed 1953, c. 211, s. 38) (C. 19:56–38).

Sec. 15 " " " 1950, c. 146, s. 3 (1950, c. 146 repealed 1953, c. 211, s. 38) (C. 19:56–42).

1949, c. 54 repealed 1953, c. 211, s. 38.

Subtitle 17. (new) ABSENTEE VOTING.

Chapter 57. (new) ABSENTEE CIVILIAN AND MILITARY SERVICE VOTING.

Absentee Voting Law (1953), 1953, c. 211 (C. 19:57–1 to 19:57–40).

Title 20. EMINENT DOMAIN.

Chapter 1. CONDEMNATION IN GENERAL.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

R. S. 20:1–2	amended	1953, c. 20, ss. 1, 45.
R. S. 20:1–3	repealed	1953, c. 20, ss. 2, 45.
R. S. 20:1–4	amended	1953, c. 20, ss. 13, 45.
R. S. 20:1–5	repealed	1953, c. 20, ss. 14, 45.
R. S. 20:1–6	amended	1953, c. 20, ss. 15, 45.
R. S. 20:1–7	repealed	1953, c. 20, ss. 16, 45.
R. S. 20:1–8	"	1953, c. 20, ss. 17, 45.
R. S. 20:1–9	amended	1953, c. 20, ss. 18, 45.
R. S. 20:1–10	"	1953, c. 20, ss. 19, 45.
R. S. 20:1–11	"	1953, c. 20, ss. 20, 45.
R. S. 20:1–12	"	1953, c. 20, ss. 21, 45.
R. S. 20:1–13	"	1953, c. 20, ss. 22, 45.
R. S. 20:1–14	repealed	1953, c. 20, ss. 23, 45.
R. S. 20:1–15	amended	1953, c. 20, ss. 24, 45.
R. S. 20:1–16	"	1953, c. 20, ss. 25, 45.
R. S. 20:1–17	repealed	1953, c. 20, ss. 26, 45.
R. S. 20:1–18	amended	1953, c. 20, ss. 27, 45.
R. S. 20:1–19	repealed	1953, c. 20, ss. 28, 45.
R. S. 20:1–20	amended	1953, c. 20, ss. 29, 45.
R. S. 20:1–21	repealed	1953, c. 20, ss. 30, 45.
R. S. 20:1–22	"	1953, c. 20, ss. 31, 45.
R. S. 20:1–23	amended	1953, c. 20, ss. 32, 45.
R. S. 20:1–24	"	1953, c. 20, ss. 33, 45.
R. S. 20:1–25	"	1953, c. 20, ss. 34, 45.
R. S. 20:1–26	"	1953, c. 20, ss. 35, 45.
R. S. 20:1–27	repealed	1953, c. 20, ss. 36, 45.
R. S. 20:1–28	amended	1953, c. 20, ss. 37, 45.

R. S. 20:1–30 amended 1938, c. 21, s. 1; 1953, c. 20, ss. 38, 45.

R. S. 20:1–31 repealed 1953, c. 20, ss. 39, 45.

R. S. 20:1–32 " 1953, c. 20, ss. 40, 45.

R. S. 20:1–33 amended 1953, c. 20, ss. 41, 45.

R. S. 20:1–34 " 1953, c. 20, ss. 42, 45.

R. S. 20:1–35 " 1953, c. 20, ss. 43, 45.

R. S. 20:1–36 (added) Condemnation by Housing Authority, suppl., 1938, c. 21, s. 2; amended 1951, c. 150; 1953, c. 20, ss. 44, 45.

Additional Legislation.

Entry into possession in advance of ascertainment of compensation for property taken by State or other public body, provided for, 1942, c. 14 (C. 20:1–3.1 to 20:1–3.10).

Sec. 1 of above amended 1947, c. 353; 1953, c. 20, ss. 3, 45 (C. 20:1–3.1).

Sec. 2 " " repealed 1953, c. 20, ss. 4, 45 (C. 20:1–3.2).

Sec. 3 " " " 1953, c. 20, ss. 5, 45 (C. 20:1–3.3).

Sec. 4 " " amended 1953, c. 20, ss. 6, 45 (C. 20:1–3.4).

Sec. 5 " " " 1953, c. 20, ss. 7, 45 (C. 20:1–3.5).

Sec. 6 " " repealed 1953, c. 20, ss. 8, 45 (C. 20:1–3.6).

Sec. 7 " " amended 1953, c. 20, ss. 9, 45 (C. 20:1–3.7).

Sec. 8 " " " 1953, c. 20, ss. 10, 45 (C. 20:1–3.8).

Sec. 9 " " " 1953, c. 20, ss. 11, 45 (C. 20:1–3.9).

Sec. 10 " " " 1953, c. 20, ss. 12, 45 (C. 20:1–3.10).

Chapter 2. ACQUISITION OF LANDS BY THE STATE OR ANY AGENCY THEREOF.

R. S. 20:2–1 to 20:2–18 repealed 1938, c. 103.

Title 21. EXPLOSIVES AND FIREWORKS.

Subtitle 1. EXPLOSIVES.

Chapter 1. MANUFACTURE, STORAGE, SALE AND TRANSPORTATION.

R. S. 21:1–1 to 21:1–40	repealed	1941, c. 27, s. 127.
R. S. 21:1–45 to 21:1–49	"	1941, c. 27, s. 127.
R. S. 21:1–52	"	1941, c. 27, s. 127.
R. S. 21:1–53	"	1941, c. 27, s. 127.

Chapter 1A. (new) 1941 EXPLOSIVES ACT.

Manufacture, storage, sale, transportation, etc., regulated, 1941, c. 27 (C. 21:1A–1 to 21:1A–127).

Sec.	17	of above	amended	1948, c. 210, s. 1 (C. 21:1A–17).
Sec.	27	"	"	1946, c. 109, s. 1; 1947, c. 390, s. 1 (C. 21:1A–27).
Sec.	33	"	"	1946, c. 109, s. 2 (C. 21:1A–33).
Sec.	41	"	"	1946, c. 109, s. 3 (C. 21:1A–41).
Sec.	51	"	"	1948, c. 210, s. 2 (C. 21:1A–51).
Sec.	53	"	"	1946, c. 109, s. 4; 1947, c. 390, s. 2 (C. 21:1A–53).
Sec.	84	"	"	1946, c. 109, s. 5 (C. 21:1A–84).
Sec.	100	"	"	1948, c. 210, s. 3 (C. 21:1A–100).
Sec.	101	"	"	1948, c. 210, s. 4 (C. 21:1A–101).
Sec.	110	"	"	1950, c. 43 (C. 21:1A–110).
Sec.	115	"	"	1953, c. 21, s. 1 (C. 21:1A–115).
Sec.	116	"	"	1953, c. 21, s. 2 (C. 21:1A–116).

Chapter 1B. (new) LIQUEFIED PETROLEUM GASES.

Storing, handling, transporting, utilizing and odorization of liquefied petroleum gas, regulated, 1950, c. 139 (C. 21:1B–1 to 21:1B–8).

Sec. 6 of above amended 1953, c. 21, s. 3 (C. 21:1B–6).

Subtitle 2. FIREWORKS.

Chapter 2. MANUFACTURE, STORAGE AND TRANSPORTATION.

R. S. 21:2–4 amended 1938, c. 69.
R. S. 21:2–35 " 1953, c. 21, s. 4.

Chapter 3. SALE AND PUBLIC DISPLAY.

R. S. 21:3–5 amended 1946, c. 81.

Title 22. FEES AND COSTS.

Note: Title 22 of the Revised Statutes, with all amendments and supplements, repealed, suppl., 1953, c. 22 (T. 22A, N. J. S.).

Chapter 1A. (new) FEES AND COSTS IN CIVIL AND CRIMINAL COURTS.

Fees and costs in the Supreme, Superior and County Courts, 1948, c. 366 (C. 22:1A-1 to 22:1A-26).

Sec. 1 of above			amended	1949, c. 193, ss. 1, 21 (C. 22:1A-1).
Sec. 2 "	"	"	"	1949, c. 193, ss. 2, 21 (C. 22:1A-2).
Sec. 3 "	"	"	"	1949, c. 193, ss. 3, 21 (C. 22:1A-3).
Sec. 4 "	"	"	"	1949, c. 193, ss. 4, 21 (C. 22:1A-4).
Sec. 5 "	"	"	"	1949, c. 193, ss. 5, 21 (C. 22:1A-5).
Sec. 6 "	"	"	"	1949, c. 193, ss. 6, 21 (C. 22:1-6).
Sec. 8 "	"	"	"	1949, c. 193, ss. 7, 21 (C. 22:1A-8).
Sec. 12 "	"	"	"	1949, c. 193, ss. 8, 21 (C. 22:1A-12).
Sec. 14 "	"	"	"	1949, c. 193, ss. 9, 21 (C. 22:1A-14).
Sec. 15 "	"	"	"	1949, c. 193, ss. 10, 21. (C. 22:1A-15).
Sec. 17 "	"	"	"	1949, c. 193, ss. 11, 21 (C. 22:1A-17).
Sec. 19 "	"	"	repealed	1949, c. 193, ss. 19, 21 (C. 22:1A-19).
Sec. 20 "	"	"	amended	1949, c. 193, ss. 12, 21 (C. 22:1A-20).
Sec. 21 "	"	"	"	1949, c. 193, ss. 13, 21 (C. 22:1A-21).
Sec. 28 "	"	"	"	1949, c. 193, ss. 14, 21 (C. 22:1A-24).

See N. J. S. 22A:2-1 to 22A:2-10, 22A:2-12, 22A:2-13, 22A:2-15 to 22A:2-24.

Guardian ad litem appointed after default in Chancery Division, Superior Court, compensation fixed, suppl., 1949, c. 193, ss. 15, 21 (C. 22:1A–27).

See N. J. S. 22A:2–14.

Proceedings in Chancery Division, Superior Court, costs taxed before final judgment, amount fixed, suppl., 1949, c. 193, ss. 16, 21 (C. 22:1A–28).

See N. J. S. 22A:2–11.

State officers, departments, boards, bodies or commissions, filing or service fees, waiver, suppl., 1949, c. 193, ss. 17, 21 (C. 22:1A–29).

See N. J. S. 22A:2–22.

Waiver of fees by or under general rule or by special order of Supreme Court, suppl., 1949, c. 193, ss. 18, 21 (C. 22:1A–30).

See N. J. S. 22A:2–23.

Undetermined pending causes and proceedings, fees payable to Court Clerks, fixed, suppl., 1949, c. 193, ss. 20, 21 (C. 22:1A–32).

See N. J. S. 22A:2–17.

Chapter 1B. (new) FEES AND COSTS—COUNTY CLERKS' OFFICES.

Fees and costs in county clerks' offices provided for, 1948, c 411 (C. 22:1B–1).

See N. J. S. 22A:2–29.

Chapter 2. IN CIVIL CAUSES AND PROCEEDINGS IN THE COURTS.

Additional Legislation.

Fees for probate of wills, certain cases, waived, 1944, c. 188 (C. 22:2–38.1).

Sec. 1 of above amended 1951, c. 66 (C. 22:2–38.1).

See N. J. S. 22A:2–32.

Title 22A. FEES AND COSTS.

Added by P. L. 1953, c. 22, which see

Chapter 1. GENERAL PROVISIONS.

Note: For allowance of fees to attorneys, proctors, solicitors and counsel, in proceedings, etc., in courts, see 1939, c. 140 (T. 2, c. 20).

Chapter 2. CIVIL CAUSES.

Article 1. Supreme Court and Superior Court.

N. J. S. 22A:2-11 amended 1953, c. 321.

Article 4. County District Courts and Municipal Courts.

N. J. S. 22A:2-37 amended 1953, c. 391, ss. 1, 5.

N. J. S. 22A:2-38 " 1953, c. 391, ss. 2, 5.

N. J. S. 22A:2-39 repealed 1953, c. 391, ss. 4, 5.

N. J. S. 22A:2-40 amended 1953, c. 391, ss. 3, 5.

Article 6. (new) Transferred Causes.

Additional Legislation.

Division of fees when cause transferred from Superior to County District Court, provided for, suppl., 1953, c. 336 (C. 22A:2-45).

Divison of fees when cause transferred from County to County District Court, provided for, suppl., 1953, c. 338 (C. 22A:2-46).

Fees divided on transfer, effect as payment in lower court, provided for, suppl., 1953, c. 337 (C. 22A:2-47, 22A:2-48).

Chapter 3. CRIMINAL CAUSES.

N. J. S. 22A:3-4 amended 1953, c. 427, ss. 1, 2.

Chapter 4. FEES OF CERTAIN STATE AND COUNTY OFFICERS.

Note: For fees on issuance of commission to notary public payable to, and accountable by, Secretary of State, see 1944, c. 243 (T. 52, c. 7), amended 1951, c. 67).

N. J. S. 22A:4-4 amended 1953, c. 428, s. 4.

Title 23. FISH AND GAME, WILD BIRDS AND ANIMALS.

Note: For closing of forests for fire protection, suspension of hunting, fishing or trapping seasons, see 1948, c. 11 (T. 13, c. 9).

For transfer of functions, powers and duties of Board of Fish and Game Commissioners to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22, s. 14 (T. 13, c. 1A), 1948, c. 448, s. 6 (T. 13, c. 1B).

Chapter 1. DEFINITIONS AND CONSTRUCTION.

R. S. 23:1-1 amended 1948, c. 448, ss. 39, 122, 123.

Chapter 2. BOARD OF FISH AND GAME COMMISSIONERS, ITS OFFICERS, EMPLOYEES AND DEPUTIES.

Note: For transfer of functions, powers and duties of Board of Fish and Game Commissioners to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22, s. 14 (T. 13, c. 1A), 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 23:2-1 repealed 1945, c. 22, s. 44.

R. S. 23:2-4 amended 1953, c. 335; see 1952, c. 327 (C. 13:1B-28.1).

R. S. 23:2-8 " 1948, c. 448, ss. 42, 122, 123; 1953, c. 23, s. 1.

R. S. 23:2-11 " 1953, c. 95.

Additional Legislation.

Open seasons, fishing, hunting or trapping, extension or change, certain cases, authorized, suppl., 1948, c. 39 (C. 23:2-2.1).

Chapter 3. LICENSES AND PERMITS.

Note: For transfer of functions, powers and duties of Board of Fish and Game Commissioners to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22, s. 14 (T. 13, c. 1A), 1948, c. 448, s. 6 (T. 13, c. 1B).

Article 1. General Hunting and Fishing Licenses.

R. S. 23:3-1 amended 1945, c. 116; 1948, c. 226, s. 1; 1951, c. 226, ss. 1, 17; 1953, c. 425.

R. S. 23:3-4 " 1939, c. 100; 1947, c. 163, ss. 1, 3; 1948, c. 226, s. 2; 1951, c. 226, ss. 3, 17.

R. S. 23:3-5 " 1951, c. 226, ss. 4, 17.

R. S. 23:3-6 " 1947, c. 159, s. 1; 1951, c. 226, ss. 5, 17.

R. S. 23:3-7 " 1947, c. 64; 1947, c. 159, s. 2; 1951, c. 226, ss. 6, 17.

R. S. 23:3-8	amended	1947, c. 159, s. 3; 1951, c. 226, ss. 7, 17; 1952, c. 172, s. 1.
R. S. 23:3-9	"	1947, c. 159, s. 4; 1951, c. 226, ss. 8, 17; 1952, c. 172, s. 2.
R. S. 23:3-10	"	1947, c. 159, s. 5; 1948, c. 151; 1951, c. 226, ss. 9, 17.
R. S. 23:3-11	"	1947, c. 163, ss. 2, 3; 1953, c. 334.
R. S. 23:3-13	"	1947, c. 159, s. 6; 1951, c. 226, ss. 10, 17; 1952, c. 172, s. 3.
R. S. 23:3-14	"	1947, c. 159, s. 7; 1951, c. 226, ss. 11, 17.
R. S. 23:3-15	"	1947, c. 159, s. 8; 1951, c. 226, ss. 12, 17.
R. S. 23:3-16	"	1947, c. 159, s. 9; 1951, c. 226, ss. 13, 17.
R. S. 23:3-18	"	1947, c. 159, s. 10; 1951, c. 226, ss. 14, 17.
R. S. 23:3-19	"	1947, c. 159, s. 11; 1951, c. 226, ss. 15, 17.
R. S. 23:3-20	"	1947, c. 159, s. 12; 1951, c. 226, ss. 16, 17.
R. S. 23:3-21	"	1950, c. 78.
R. S. 23:3-22	"	1948, c. 123; 1948, c. 448, ss. 43, 122, 123.

Additional Legislation.

Nonresidents one-day hunting license, authorized, suppl., 1951, c. 226, ss. 2, 17 (C. 23:3-4.1).

Article 2. Licenses for Special Purposes.

R. S. 23:3-23	amended	1946, c. 83, s. 1; 1950, c. 79.
R. S. 23:3-24	"	1951, c. 93, s. 1.
R. S. 23:3-27	"	1946, c. 83, s. 2.
R. S. 23:3-28	"	1948, c. 113, s. 1; 1953, c. 175, s. 1.
R. S. 23:3-29	"	1948, c. 113, s. 2; 1953, c. 175, s. 2.
R. S. 23:3-32	"	1940, c. 233; 1941, c. 301; 1948, c. 113, s. 3; 1953, c. 175, s. 3.
R. S. 23:3-36	"	1948, c. 113, s. 4; 1953, c. 175, s. 4.
R. S. 23:3-40	repealed	1946, c. 49.
R. S. 23:3-41	amended	1951, c. 294, s. 1.
R. S. 23:3-42	"	1948, c. 174, s. 1; 1951, c. 294, s. 2.
R. S. 23:3-43	repealed	1951, c 294, s. 3.

R. S. 23:3-47 amended 1948, c. 174, s. 2.

R. S. 23:3-49 " 1948, c. 144.

R. S. 23:3-50 " 1939, c. 51; 1939, c. 350; 1940, c. 166, s. 1

R. S. 23:3-51 " 1951, c. 93, s. 2.

R. S. 23:3-52 " 1940, c. 166, s. 2.

Article 3. (new) Trout Fishing Stamps.

Additional Legislation.

Trout fishing stamps, issuance, regulation, etc., suppl., 1952, c. 328 (C. 23:3-57 to 23:3-61).

Chapter 4. GAME, WILD BIRDS AND ANIMALS.

Note: For transfer of functions, powers and duties of Board of Fish and Game Commissioners to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22, s. 14 (T. 13, c. 1A), 1948, c. 448, s. 6 (T. 13, c. 1B).

Article 1. Seasons and Bag Limits.

R. S. 23:4-1 amended 1939, c. 168, s. 1; 1941, c. 302; 1944, c. 163, s. 1; 1945, c. 107; 1947, c. 164; 1948, c. 448, ss. 44, 122, 123; 1950, c. 86, s. 1; 1951, c. 52.

R. S. 23:4-2 " 1939, c. 168, s. 2; 1948, c. 448, ss. 45, 122, 123.

R. S. 23:4-7 " 1938, c. 39; repealed 1951, c. 31.

R. S. 23:4-8 " 1939, c. 120; 1944, c. 78.

R. S. 23:4-9 " 1948, c. 448, ss. 46, 122, 123.

R. S. 23:4-11 " 1948, c. 448, ss. 47, 122, 123.

Article 2. Manner, Means and Times of Hunting.

R. S. 23:4-12 amended 1938, c. 102; 1944, c. 163, s. 2; 1948, c. 448, ss. 48, 122, 123; 1950, c. 86, s. 2.

R. S. 23:4-13 " 1946, c. 50; 1948, c. 448, ss. 49, 122, 123.

R. S. 23:4-16 " 1939, c. 252; 1946, c. 171.

R. S. 23:4-17 repealed 1941, c. 196.

R. S. 23:4-18 amended 1942, c. 105.

R. S. 23:4-23 " 1938, c. 304; 1946, c. 48.

R. S. 23:4-24 " 1953, c. 402.

Additional Legislation.

Carrying of loaded firearms in vehicle for hunting purposes, prohibited, 1939, c. 172 (NJSA 23:4-24.1; RSCS 23:4-36.1).

Article 3. Dogs.

R. S. 23:4–25	amended	1946, c. 103; 1947, c. 319; 1948, c. 448, ss. 50, 122, 123; 1950, c. 86, s. 3.
R. S. 23:4–26	"	1948, c. 448, ss. 51, 122, 123.

Article 4. Transportation and Sale of Game.

R. S. 23:4–27	amended	1943, c. 207; 1948, c. 448, ss. 52, 122, 123.
R. S. 23:4–29	"	1948, c. 448, ss. 53, 122, 123.
R. S. 23:4–30	"	1948, c. 448, ss. 54, 122, 123.

Article 5. Hunting and Possession of Guns by Unauthorized Persons.

R. S. 23:4–36	amended	1953, c. 23, s. 2.

Article 6. Fur-Bearing Animals.

R. S. 23:4–37	amended	1939, c. 69, s. 1.
R. S. 23:4–38	repealed	1939, c. 278.
R. S. 23:4–39	amended	1939, c. 69, s. 2; 1939, c. 293; 1948, c. 209; 1948, c. 448, ss. 55, 122, 123; 1952, c. 114, s. 1.
R. S. 23:4–41	"	1948, c. 448, ss. 56, 122, 123; 1952, c. 114, s. 2.

Article 7. Deer.

R. S. 23:4–42	amended	1947, c. 239, ss. 1, 4; 1948, c. 448, ss. 57, 122, 123.
R. S. 23:4–43	"	1947, c. 239, ss. 2, 4; 1948, c. 448, ss. 58, 122, 123.
R. S. 23:4–44	"	1947, c. 239, ss. 3, 4; 1948, c. 448, ss. 59, 122, 123.
R. S. 23:4–45	"	1948, c. 448, ss. 60, 122, 123.
R. S. 23:4–48	"	1948, c. 448, ss. 61, 122, 123.

Article 8. Birds and Animals Absolutely Protected.

R. S. 23:4–50	amended	1948, c. 448, ss. 62, 122, 123; 1951, c. 296.
R. S. 23:4–53	"	1948, c. 448, ss. 63, 122, 123.
R. S. 23:4–54	"	1948, c. 448, ss. 64, 122, 123.
R. S. 23:4–55	"	1946, c. 165; 1948, c. 448, ss. 65, 122, 123.

Article 9. Destructive Animals and Birds.

A. LIBERATION, POSSESSION, HUNTING AND KILLING OF FOXES.

R. S. 23:4-58.1 amended 1948, c. 448, ss. 66, 122, 123.

R. S. 23:4-58.2 repealed 1953, c. 96.

B. DESTRUCTION OF FOXES OR WOODCHUCK.

R. S. 23:4-59 amended 1949, c. 38, s. 1; 1950, c. 190, s. 1; 1952, c. 69, s. 1.

R. S. 23:4-60 " 1945, c. 65; 1947, c. 334; 1948, c. 201; 1949, c. 38, s. 2; 1950, c. 190, s. 2; 1952, c. 69, s. 2.

Additional Legislation.

Certificates made under R. S. 23:4-59 to 23:4-62 before certain officers, payment upon, authorization, 1949, c. 39 (C. 23:4-62.1).

D. (new) POSSESSION OR LIBERATION OF COYOTES.

Additional Legislation.

Possession or liberation of coyotes, regulated, 1939, c. 42 (NJSA 23:4-63.1, 23:4-63.2; RSCS 23:4-58.4, 23:4-58.5).

Chapter 5. FISH.

Note: For transfer of functions, powers and duties of Board of Fish and Game Commissioners to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22, s. 14 (T. 13, c. 1A), 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 23:5-1 amended 1939, c. 327, s. 1; 1946, c. 47; 1947, c. 48: 1948, c. 448, ss. 67, 122, 123.

R. S. 23:5-3 " 1939, c. 327, s. 2; 1948, c. 448, ss. 68, 122, 123.

R. S. 23:5-5 repealed 1938, c. 318, s. 10.

R. S. 23:5-7 amended 1946, c. 74; 1948, c. 448, ss. 69, 122, 123.

R. S. 23:5-8 " 1938, c. 318, s. 11.

R. S. 23:5-9 " 1942, c. 110.

R. S. 23:5-10 " 1939, c. 327, s. 3; 1948, c. 448, ss. 70, 122, 123.

R. S. 23:5-11 amended 1948, c. 448, ss. 71, 122, 123.

R. S. 23:5-13 " 1952, c. 103.

R. S. 23:5-15 " 1946, c. 166.

R. S. 23:5–17 amended 1948, c. 448, ss. 72, 122, 123.

R. S. 23:5–21 repealed 1951, c. 183.

R. S. 23:5–28 amended 1950, c. 49.

R. S. 23:5–35 " 1948, c. 154, s. 1.

Additional Legislation.

Protection of striped bass and licensing of use of nets for taking, regulated, 1938, c. 318 (C. 23:5–5.1 to 23:5–5.10).

Title of above amended 1948, c. 35, s. 1.

Sec. 1 " " " 1947, c. 68; 1948, c. 35, s. 2; 1953, c. 333, s. 1 (C. 23:5–5.1).

Sec. 2 " " " 1948, c. 35, s. 3; 1953, c. 333, s. 2 (C. 23:5–5.2).

Sec. 3 " " " 1948, c. 35, s. 4; 1953, c. 333, s. 3 (C. 23:5–5.3).

Sec. 4 " " repealed 1948, c. 35, s. 6 (C. 23:5–5.4).

Sec. 5 " " " 1948, c. 35, s. 6 (C. 23:5–5.5).

Sec. 6 " " " 1948, c. 35, s. 6 (C. 23:5–5.6).

Sec. 8 " " amended 1948, c. 35, s. 5 (C. 23:5–5.8).

Sec. 9 " " " 1953, c. 23, s. 3 (C. 23:5–5.9).

Goggle fishing for striped bass in Atlantic Ocean, regulated, suppl., 1952, c. 216 (C. 23:5–5.1A).

Summer flounder or fluke, possessing, purchasing, selling, offering or exposing for sale, legal length regulated, reciprocal legislation, suppl., 1952, c. 71 (C. 23:5–8.1, 23:5–8.2).

Uniform regulations on net fishing and licenses to net, 1941, c. 211 (C. 23:5–24.1 to 23:5–24.13).

Title of above amended 1942, c. 294, s. 1.

Sec. 1 " " " 1948, c. 175, s. 1 (C. 23:5–24.1).

Sec. 2 " " " 1942, c. 174, s. 1; 1948, c. 175, s. 2; 1948, c. 472; 1951, c. 53; 1953, c. 258 (C. 23:5–24.2).

Sec. 3 " " " 1942, c. 174, s. 2 (C. 23:5–24.3).

Sec. 5 " " " 1942, c. 174, s. 3 (C. 23:5–24.5).

Sec. 10 of above amended 1950, c. 80 (C. 23:5-24.9).
Sec. 11 " " " 1942, c. 294, s. 2 (C. 23:5-24.11).
Crabs, size limited, suppl., 1948, c. 154, s. 2 (C. 23:5-35.1).
Sec. 2 of above amended 1951, c. 79 (C. 23:5-35.1).

Chapter 6. FISH AND GAME; PERMITTING UNLAWFUL CONTRIVANCES ON PROPERTY.

R. S. 23:6-1 amended 1948, c. 448, ss. 73, 122, 123.

Chapter 7. TRESPASS; POSTING OF PROPERTY.

R. S. 23:7-1 amended 1948, c. 229, s. 1.
R. S. 23:7-2 " 1953, c. 23, s. 4.
R. S. 23:7-3 " 1947, c. 303; 1948, c. 229, s. 2.
R. S. 23:7-4 " 1953, c. 23, s. 5.

Chapter 8. GAME FARMS AND FISH HATCHERIES; GAME REFUGES; FISH CULTURAL OPERATIONS.

Note: For transfer of functions, powers and duties of Board of Fish and Game Commissioners to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22, s. 14 (T. 13, c. 1A), 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 23:8-2 repealed 1952, c. 108.
R. S. 23:8-3 " 1952, c. 108.
R. S. 23:8-9 amended 1948, c. 448, ss. 74, 122, 123.
R. S. 23:8-10 " 1948, c. 448, ss. 75, 122, 123.
R. S. 23:8-11 " 1948, c. 448, ss. 76, 122, 123; 1950, c. 67, s. 5.

Chapter 9. LOCAL AND SPECIAL PROVISIONS.

Note: For transfer of functions, powers and duties of Board of Fish and Game Commissioners to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22, s. 14 (T. 13, c. 1A), 1948, c. 448, s. 6 (T. 13, c. 1B).

Article 1. Delaware River and Inland Tidal Waters.

R. S. 23:9-1 amended 1950, c. 273.

Article 4. Delaware River and Bay and Tributaries Between New Jersey and Delaware.

R. S. 23:9-40 amended 1950, c. 147, s. 1.
R. S. 23:9-43 repealed 1950, c. 147, s. 2.
R. S. 23:9-44 amended 1950, c. 147, s. 3; 1951, c. 201.
R. S. 23:9-45 repealed 1950, c. 147, s. 2.
R. S. 23:9-47 to 23:9-49 " 1950, c. 147, s. 2.

Article 6. Atlantic, Burlington, Monmouth and Ocean Counties.

R. S. 23:9–59 to 23:9–61 repealed 1941, c. 211, s. 14.

Article 6A. (new) Atlantic, Cape May, Cumberland, Gloucester and Salem Counties.

Note: For 1942, c. 55, amended to extend territorial, etc., effect, see Article 6B infra.

Article 6B. (new) Atlantic, Burlington, Cape May, Cumberland Gloucester and Salem Counties.

Additional Legislation.

Hunting, etc., certain birds or animals while snow on ground, prohibited, 1942, c. 55 (C. 23:9–61.1).

Title of above amended 1943, c. 131, s. 1.

Sec. 1 " " " 1943, c. 131, s. 2; 1946, c. 75 (C. 23:9–61.1)

Article 7. Barnegat Bay.

R. S. 23:9-62 to 23:9-68 repealed 1941, c. 211, s. 14.

Article 8. Cape May County.

R. S. 23:9-69 to 23:9-72 repealed 1941, c. 211, s. 14.

Article 9. Manasquan River.

R. S. 23:9–73 repealed 1941, c. 211, s. 14.

R. S. 23:9–74 " 1941, c. 211, s. 14.

Article 10. Middlesex County.

R. S. 23:9–75 repealed 1941, c. 211, s. 14.

Article 11. Mullica River and Tributaries.

R. S. 23:9–76 to 23:9–82 repealed 1941, c. 211, s. 14.

Additional Legislation.

Erection, etc., of net or fishing device near fishery, certain cases, prohibited, 1944, c. 111 (C. 23:9–76.1).

Article 12. Newark Bay; Passaic and Hackensack Rivers; Kill von Kull

R. S. 23:9–83 to 23:9–88 repealed 1941, c. 211, s. 14

Article 13. Raritan, South and Millstone Rivers.

A. NETS.

R. S. 23:9–89 to 23:9–93 repealed 1941, c. 211, s. 14.

Article 14. Shark River.

B. NETS.

R. S. 23:9–99 repealed 1941, c. 211, s. 14.

Article 15. Shrewsbury Rivers, Sandy Hook and Raritan Bays.

A. PROTECTION OF WATERFOWL IN SOUTH SHREWSBURY RIVER.

R. S. 23:9–100 repealed 1941, c. 58.

B. NETS AND SEINES IN SHREWSBURY RIVERS, SANDY HOOK AND RARITAN BAYS.

R. S. 23:9–101 to 23:9–104 repealed 1941, c. 211, s. 14.

C. SHREWSBURY RIVER IN MONMOUTH COUNTY.

R. S. 23:9–105 repealed 1941, c. 211, s. 14.

R. S. 23:9–106 " 1941, c. 211, s. 14.

D. CRABS IN NORTH AND SOUTH SHREWSBURY RIVERS.

R. S. 23:9–107 repealed 1941, c. 211, s. 14.

Article 15A. (new) Shrewsbury and Navesink Rivers.

Additional Legislation.

Ice fishing in Navesink and Shrewbury Rivers, regulated, 1947, c. 297 (C. 23:9–112.1, 23:9–112.2).

Article 16. Union and Essex Counties.

R. S. 23:9–113 repealed 1941, c. 211, s. 14.

Article 17. Hudson River.

R. S. 23:9–115 amended 1941, c. 26; 1941, c. 334.

Article 18. (new) Reciprocal Enforcement of Fishing Laws; New Jersey, New York and Pennsylvania.

Additional Legislation.

Reciprocal enforcement of fishing laws on Hudson and Delaware river with New York and Pennsylvania, provided for, 1938, c. 240 (NJSA, RSCS 23:9–120, 23:9–20.1).

Article 19. (new) Hudson River, New York Harbor and Sandy Hook Bay.

Additional Legislation.

Sturgeon, size limited, 1941, c. 244 (C. 23:9–122 to 23:9–125).

Article 20. (new) Greenwood Lake.

Additional Legislation.

Reciprocal use of New York and New Jersey fishing licenses, provided for, suppl., 1943, c. 93 (C. 23:9–126).

Chapter 10. PROCEDURE FOR COLLECTION OF PENALTIES; FORFEITURES.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

For transfer of functions, powers and duties of Board of Fish and Game Commissioners to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22, s. 14 (T. 13, c. 1A), 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 23:10–1	amended	1948, c. 448, ss. 77, 122, 123.
R. S. 23:10–2	"	1948, c. 448, ss. 78, 122, 123; 1953, c. 23, s. 6.
R. S. 23:10–3	"	1948, c. 448, ss. 79, 122, 123.
R. S. 23:10–5	"	1939, c. 106; 1948, c. 448, ss. 80, 122, 123; 1953, c. 23, s. 7.
R. S. 23:10–6	"	1948, c. 448, ss. 81, 122, 123; repealed 1953, c. 23, s. 8.
R. S. 23:10–7	"	1948, c. 448, ss. 82, 122, 123; repealed 1953, c. 23, s. 9.
R. S. 23:10–8	"	1948, c. 448, ss. 83, 122, 123; repealed 1953, c. 23, s. 10.
R. S. 23:10–9	"	1948, c. 448, ss. 84, 122, 123; repealed 1953, c. 23, s. 11.
R. S. 23:10–10	repealed	1953, c. 23, s. 12.
R. S. 23:10–11	"	1953, c. 23, s. 13.
R. S. 23:10–13	amended	1948, c. 448, ss. 85, 122, 123; repealed 1953, c. 23, s. 14.
R. S. 23:10–15	"	1948, c. 448, ss. 86, 122, 123.
R. S. 23:10–16	repealed	1953, c. 23, s. 15.

R. S. 23:10–18	repealed	1953, c. 23, s. 16.
R. S. 23:10–19	amended	1948, c. 448, ss. 87, 122, 123.
R. S. 23:10–20	"	1948, c. 448, ss. 88, 122, 123.
R. S. 23:10–21	"	1948, c. 200; 1948, c. 448, ss. 89, 122, 123; 1953, c. 23, s. 17.
R. S. 23:10–22	repealed	1953, c. 23, s. 18.
R. S. 23:10–23	"	1953, c. 23, s. 19.

Additional Legislation.

Unclaimed illegal nets and fishing apparatus, forfeiture provided for, suppl., 1952, c. 70 (C. 23:10–21.1).

Chapter 12. (new) WILDLIFE-RESTORATION PROJECTS.

Board of Fish and Game Commissioners co-operative agency in wildlife-restoration projects, 1938, c. 157.

Assent of State to United States co-operative fish restoration project and designation of division to carry out same, 1951, c. 147 (C. 23:12–2).

Title 24. FOOD AND DRUGS.

Subtitle 1. FOOD AND DRUGS.

Note: For act adding cosmetics to Pure Food and Drug Law, see 1939, c. 320, amending sections of this Title.

Chapter 1. DEFINITIONS AND CONSTRUCTION.

R. S. 24:1–1 amended 1939, c. 320, s. 1.

R. S. 24:1–2 " 1939, c. 320, s. 2; 1953, c. 24, s. 1.

R. S. 24:1–4 (added) Federal regulations to control over State regulations, suppl., 1939, c. 320, s. 3.

Chapter 2. ENFORCEMENT AGENCIES.

R. S. 24:2–1 amended 1939, c. 320, s. 4.

Chapter 3. INSPECTION—SAMPLES.

R. S. 24:3–1 amended 1939, c. 320, s. 5.

R. S. 24:3–2 " 1939, c. 320, s. 6.

R. S. 24:3–3 " 1939, c. 320, s. 7.

R. S. 24:3–4 " 1939, c. 320, s. 8.

R. S. 24:3–6 " 1939, c. 320, s. 9.

Chapter 4. CONDEMNATION AND DESTRUCTION OF FOOD OR DRUG.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

R. S. 24:4–1 amended 1939, c. 320, s. 10; 1953, c. 24, s. 2.

R. S. 24:4–2 " 1939, c. 320, s. 11; 1953, c. 24, s. 3.

R. S. 24:4–3 repealed 1953, c. 24, s. 4.

R. S. 24:4–4 " 1953, c. 24, s. 5.

R. S. 24:4–5 amended 1953, c. 24, s. 6.

R. S. 24:4–6 repealed 1953, c. 24, s. 7.

R. S. 24:4–7 " 1953, c. 24, s. 8.

R. S. 24:4–8 amended 1939, c. 320, s. 12.

R. S. 24:4-9 amended 1939, c. 320, s. 13; 1953, c. 24, s. 9.

R. S. 24:4-10 " 1953, c. 24, s. 10.

R. S. 24:4-12 (added) Embargo on adulterated or misbranded articles suppl., 1939, c. 320, s. 14.

Chapter 5. GENERAL ADULTERATION AND MISBRANDING OF FOODS AND DRUGS.

Note: For regulations governing animals slaughtered for food, adoption authorized, see 1950, c. 244, s. 2 (T. 24, c. 16A).

R. S. 24:5-1 amended 1939, c. 320, s. 15.

R. S. 24:5-2 " 1939, c. 320, s. 16.

R. S. 24:5-5 " 1939, c. 320, s. 17.

R. S. 24:5-6 " 1939, c. 320, s. 18.

R. S. 24:5-8 " 1939, c. 320, s. 19; 1950, c. 244, s. 1.

R. S. 24:5-9 " 1939, c. 320, s. 20.

R. S. 24:5-10 " 1939, c. 320, s. 21.

R. S. 24:5-11 " 1939, c. 320, s. 22.

R. S. 24:5-11.1 (added) Adulteration of cosmetics defined, suppl., 1939, c. 320, s. 23.

R. S. 24:5-13 amended 1939, c. 320, s. 24.

R. S. 24:5-16 " 1939, c. 320, s. 25.

R. S. 24:5-17 " 1939, c. 320, s. 26.

R. S. 24:5-18 " 1939, c. 320, s. 27.

R. S. 24:5-18.1 (added) Misbranding of cosmetics defined, suppl., 1939, c. 320, s. 28.

R. S. 24:5-18.2 (added) Articles to be processed, labeled or repacked elsewhere than where originally processed or packed exempted from labeling and processing requirements, suppl., 1939, c. 320, s. 29.

R. S. 24:5-19 amended 1939, c. 320, s. 30.

R. S. 24:5-21 " 1952, c. 30.

Chapter 6. STANDARDS OF PURITY, QUALITY AND STRENGTH.

R. S. 24:6-1 amended 1939, c. 320, s. 31.

R. S. 24:6-2 " 1939, c. 320, s. 32.

R. S. 24:6-3 " 1939, c. 320, s. 33.

Chapter 6A. (added) NEW DRUGS.

Introduction of new drugs; regulations concerning, suppl., 1939, c. 320, s. 35 (NJSA 24:6A-1; RSCS 24:6A-1 to 24:6A-5).

Chapter 9. COLD STORAGE, REFRIGERATION, ETC.

R. S. 24:9–1 to 24:9–20 repealed 1951, c. 342, s. 17.

Additional Legislation.

Refrigerated warehouse and locker plant, operation and storage regulated, licenses required, etc., suppl., 1951, c. 342 (C. 24:9–21 to 24:9–37).

Chapter 10. DAIRY PRODUCTS.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

Article 1. Production, Handling and Distribution of Milk, Cream and Milk Products.

R. S. 24:10–1 amended 1953, c. 422, s. 1.

R. S. 24:10–16 " 1939, c. 185; 1942, c. 284.

R. S. 24:10–21 " 1953, c. 24, s. 11.

Article 3. Dairy Sanitation and Hygiene.

R. S. 24:10–42 amended 1953, c. 24, s. 12.

Article 6. Pasteurization.

R. S. 24:10–50 amended 1953, c. 24, s. 13.

R. S. 24:10–52 repealed 1953, c. 24, s. 14.

R. S. 24:10–54 " 1953, c. 24, s. 15.

R. S. 24:10–55 " 1953, c. 24, s. 16.

R. S. 24:10–56 " 1953, c. 24, s. 17.

Article 7. Ice Cream and Other Frozen Products.

Note: For regulation of containers for ice cream and other frozen products, see 1941, c. 278 (T. 51, c. 1).

R. S. 24:10–66 amended 1941, c. 42.

Article 10. Skimmed Milk.

R. S. 24:10–95 amended 1953, c. 422, s. 2.

R. S. 24:10–96 " 1953, c. 422, s. 3.

Article 11. Tuberculin Test.

R. S. 24:10–99 amended 1953, c. 24, s. 18.
R. S. 24:10–100 " 1953, c. 24, s. 19.
R. S. 24:10–101 repealed 1953, c. 24, s. 20.
R. S. 24:10–102 amended 1953, c. 24, s. 21.
R. S. 24:10–103 repealed 1953, c. 24, s. 22.

Article 12. (new) Goats Milk.

Additional Legislation.

Production, sale, etc., of goats milk, regulated, 1938, c. 195 (C. 24:10–104 to 24:10–137).

Sec. 32 of above amended 1953, c. 24, s. 23 (C. 24:10–135).

Sec. 33 " " " 1953, c. 24, s. 24 (C. 24:10–136).

Chapter 10A. (new) DRINKING DEVICES.

Straws, tubes, etc., for drinking out of containers, sanitary condition of service, etc., to public, regulated, 1946, c. 107 (C. 24:10A–1 to 24:10A–4).

Sec. 3 of above amended 1953, c. 24, s. 25 (C. 24:10A–3).

Chapter 11. EGG BREAKING ESTABLISHMENTS.

Additional Legislation.

Eggs removed from incubators, distribution, etc., regulated, suppl., 1939, c. 116 (C. 24:11–7 to 24:11–9).

Chapter 11A. (new) FLOUR AND BREAD ENRICHMENT.

Flour and bread enrichment act (1946), suppl., 1946, c. 86, ss. 1-13, 15 (C. 24:11A–1 to 24:11A–14).

Sec. 10 of above amended 1953, c. 24, s. 26 (C. 24:11A–10).

Sec. 12 " " " 1953, c. 24, s. 27 (C. 24:11A–12).

Chapter 13. OLEOMARGARINE; IMITATION BUTTER AND CHEESE.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

R. S. 24:13–4 repealed 1948, c. 36.

R. S. 24:13–7 amended 1953, c. 24, s. 28.

R. S. 24:13–8 " 1953, c. 24, s. 29.

R. S. 24:13–9 " 1953, c. 24, s. 30.

R. S. 24:13–10 repealed 1953, c. 24, s. 31.

R. S. 24:13–11 " 1953, c. 24, s. 32.

R. S. 24:13–12 " 1953, c. 24, s. 33.

R. S. 24:13–13 " 1953, c. 24, s. 34.

R. S. 24:13–14 " 1953, c. 24, s. 35.

Chapter 14. OYSTERS, CLAMS AND OTHER SHELL FISH.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

R. S. 24:14–9 amended 1953, c. 24, s. 36.

R. S. 24:14–10 " 1953, c. 24, s. 37.

R. S. 24:14–11 repealed 1953, c. 24, s. 38.

R. S. 24:14–12 amended 1953, c. 24, s. 39.

R. S. 24:14–13 repealed 1953, c. 24, s. 40.

R. S. 24:14–14 amended 1953, c. 24, s. 41.

R. S. 24:14–15 repealed 1953, c. 24, s. 42.

Chapter 15. SANITATION IN FOOD ESTABLISHMENTS.

R. S. 24:15–4 amended 1942, c. 43.

Chapter 15A. (new) CONTAINERS, EQUIPMENT, ETC., FOR STORAGE, SERVICE, ETC., OF BEVERAGES AND FOODS.

Use of certain metals in equipment for storing, serving, etc., beverages and foods, prohibited, suppl., 1942, c. 42 (C. 24:15A–1, 24:15A–2).

Chapter 16A (new) ANIMALS SLAUGHTERED FOR FOOD.

Regulations governing animals slaughtered for food, adoption authorized, suppl., 1950, c. 244, s. 2 (C. 24:16A–1).

Chapter 17. VIOLATIONS; PENALTIES; RECOVERY.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

R. S. 24:17–2 amended 1939, c. 320, s. 34.

R. S. 24:17–4 " 1953, c. 24, s. 43.

R. S. 24:17–5 " 1953, c. 24, s. 44.

R. S. 24:17–6 repealed 1953, c. 24, s. 45.

R. S. 24:17–7 " 1953, c. 24, s. 46.

Subtitle 2. NARCOTIC DRUGS.

Chapter 18. UNIFORM NARCOTIC DRUG LAW.

Article 1. Definitions and Construction.

R. S. 24:18–2 amended 1938, c. 156, s. 1; 1944, c. 26; 1948, c. 125; 1950, c. 88.

Article 2. General Provisions.

R. S. 24:18–7 amended 1938, c. 156, s. 2; 1947, c. 124; 1952, c. 285; 1953, c. 318.

R. S. 24:18–10 " 1950, c. 152.

Article 5A. (new) Reports of Narcotic Cases.

Additional Legislation.

Reports of narcotic drug cases by physicians to State Police required, suppl., 1953, c. 190 (C. 24:18–24.1, 24:18–24.2).

Article 6. Records.

R. S. 24:18–30 amended 1938, c. 156, s. 3.

Article 8. Nuisances and Forfeitures.

Additional Legislation.

Seizure and forfeiture of vehicles, boats, etc., for violation of chapter, authorized and regulated, suppl., 1951, c. 57, ss. 1-3 (C. 24:18–38.1 to 24:18–38.3).

Article 9. Offenses.

R. S. 24:18–47 amended 1951, c. 56; 1952, c. 90.

R. S. 24:18–49 repealed 1951, c. 58.

Title 25. FRAUDS AND FRAUDULENT CONVEYANCES.

Chapter 2. FRAUDULENT CONVEYANCES.

Note: For alienability of rights of creator of trust, regulated, see 1950, c. 297 (T. 3, c. 45).

R. S. 25:2–15 amended 1953, c. 25, s. 1.

R. S. 25:2–16 " 1953, c. 25, s. 2.

Title 26. HEALTH AND VITAL STATISTICS.

Note: For hospital service corporations and plans, regulated, see 1938, c. 366 (T. 17, c. 48), amended 1953, c. 17; for licensing of persons in charge of water purification or treatment and sewerage treatment plants and water supply systems, see 1938, c. 206 (T. 58, c. 11); for production, etc., and sale of goats milk, regulated, see 1938, c. 195 (T. 24, c. 10), amended 1953, c. 24; for permits for physical connections between approved potable water supplies and unapproved water supplies, required and provided for, see 1942, c. 308 (T. 58, c. 11), amended 1953, c. 54; for licensing superintendents or operators of water treatment, sewerage treatment and water supply, plants and systems, provided for, see 1946, c. 295 (T. 58, c. 11), amended 1947, c. 126, 1953, c. 54.

For reports of narcotic drug cases to State Police by physicians required, see 1953, c. 190 (T. 24, c. 18).

Chapter 1. DEFINITIONS.

R. S. 26:1–1 amended 1947, c. 177, ss. 64, 69; 1950, c. 29, s. 7; 1951, c. 69, s. 67.

Chapter 1A. (new) STATE DEPARTMENT OF HEALTH—REORGANIZED.

Note: For mosquito extermination and control in counties bordering on Atlantic Ocean, use of amounts annually appropriated to Department of Health, provided for, see 1949, c. 89 (T. 26, c. 9); for public health laboratory technicians, qualifications, examinations, licenses, appointment, tenure, etc., regulated, see 1950, c. 119 (T. 26, c. 3); for regulations governing animals slaughtered for food, adoption authorized, see 1950, c. 244, s. 2 (T. 24, c. 16A).

State Department of Health, organizations, functions, powers, activities and duties, consolidation of, suppl., 1947, c. 177, ss. 1-63, 65-69 (C. 26:1A–1 to 26:1A–68).

Sec. 1 of above amended 1950, c. 29, s. 1; 1951, c. 69, s. 66 (C. 26:1A–1); see 1950, c. 119, s. 1 (T. 26, c. 3).

Sec. 2 " " " 1948, c. 444, ss. 1, 27 (C. 26:1A–2).

Sec. 3 " " " 1948, c. 444, ss. 2, 27 (C. 26:1A–3).

Sec. 5 of above amended 1950, c. 29, s. 2 (C. 26:1A–5).

Sec. 7 " " " 1953, c. 165, s. 1 (C. 26:1A–7).

Sec. 8 " " " 1950, c. 29, s. 3; 1953, c. 165, s. 2 (C. 26:1A–8).

Sec. 10 " " " 1953, c. 26, s. 1 (C. 26:1A–10).

Sec. 13 " " " 1950, c. 29, s. 4 (C. 26:1A–13).

Sec. 27 " " " 1953, c. 26, s. 2 (C. 26:1A–27).

Sec. 28 " " " 1953, c. 26, s. 3 (C. 26:1A–28).

Sec. 29 " " repealed 1953, c. 26, s. 4 (C. 26:1A–29).

Sec. 30 " " amended 1953, c. 26, s. 5 (C. 26:1A–30).

Sec. 32 " " " 1950, c. 29, s. 5 (C. 26:1A–32).

Sec. 38 " " " 1950, c. 119, ss. 2, 10 (C. 26:1A–38).

Sec. 39 " " " 1949, c. 210; 1950, c. 119, ss. 3, 10 (C. 26:1A–39).

Sec. 41 " " " 1950, c. 119, ss. 4, 10 (C. 26:1A–41).

Sec. 60 " " " 1950, c. 29, s. 6 (C. 26:1A–60).

Charges for preparation and furnishing statistical data authorized, suppl., 1951, c. 97 (C. 26:1A–37.1).

State Department of Health Act of 1948, suppl., 1948, c. 444 (C. 26:1A–69 to 26:1A–91).

Sec. 3 of above amended 1951, c. 42, s. 1 (C. 26:1A–69).

Sec. 4 " " " 1951, c. 42, s. 2 (C. 26:1A–70).

Sec. 5 " " " 1951, c. 42, s. 3 (C. 26:1A–71).

Sec. 9 " " " 1951, c. 42, s. 4 (C. 26:1A–75).

Sec. 10 " " " 1951, c. 42, s. 5 (C. 26:1A–76).

Sec. 13 " " " 1951, c. 42, s. 6 (C. 26:1A–79).

Sec. 14 " " " 1951, c. 42, s. 7 (C. 26:1A–80).

The Prevention of Chronic Illness Act 1952, c. 102 (C. 26:1A–92 to 26:1A–106).

Chapter 2. STATE DEPARTMENT OF HEALTH.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

Article 1. Organization and Departmental Personnel.

R. S. 26:2–1 to 26:2–14 repealed 1947, c. 177, ss. 65, 69.

The following sections of the foregoing were amended prior to being repealed as aforesaid:

R. S. 26:2–2 amended 1939, c. 280, s. 1.
R. S. 26:2–3 " 1939, c. 280, s. 2.
R. S. 26:2–7 " 1942, c. 309.

Article 2. Powers and Duties.

A. IN GENERAL.

R. S. 26:2–15 to 26:2–26.1 repealed 1947, c. 177, ss. 65, 69.

B. STATE SANITARY CODE.

R. S. 26:2–27 to 26:2–30 repealed 1947, c. 177, ss. 65, 69.

C. EXAMINATIONS, INSPECTIONS AND SURVEYS.

R. S. 26:2–31 to 26:2–37 repealed 1947, c. 177, ss. 65, 69.

D. HEARINGS AND INVESTIGATIONS.

R. S. 26:2–38 to 26:2–42 repealed 1947, c. 177, ss. 65, 69.

E. ABATEMENT OF NUISANCES OR SOURCES OF FOULNESS

R. S. 26:2–43 to 26:2–48 repealed 1947, c. 177, ss. 65, 69.

F. EXAMINATION AND LICENSING OF HEALTH OFFICERS AND INSPECTORS.

R. S. 26:2–49 to 26:2–53 repealed 1947, c. 177, ss. 65, 69.

G. REPORTS.

R. S. 26:2–54 repealed 1947, c. 177, ss. 65, 69.

R. S. 26:2–55 " 1947, c. 177, ss. 65, 69.

I. FEDERAL GRANTS FOR PUBLIC HEALTH WORK, MATERNAL AND CHILD WELFARE.

R. S. 26:2–60 amended 1939, c. 378; 1944, c. 70, s. 1.

R. S. 26:2–61 " 1944, c. 70, s. 2.

J. (added) INSPECTION OF PUBLIC PLACES.

R. S. 26:2–62 (added) Definition of public place, suppl., 1939, c. 261.

R. S. 26:2–63 (added) Toilets, wash rooms, etc., cleanliness, suppl., 1939, c. 261.

R. S. 26:2–64 (added) Toilets, etc., construction and sanitation, suppl., 1939, c. 261.

R. S. 26:2–65 (added) Quality of water used or available for use regulated, suppl., 1939, c. 261.

R. S. 26:2–66 (added) Protection of food from contamination, suppl., 1939, c. 261.

R. S. 26:2–67 (added) Towels and drinking utensils to be kept clean, suppl., 1939, c. 261.

R. S. 26:2–68 (added) Utensils and equipment to be kept clean, suppl., 1939, c. 261.

R. S. 26:2–69 (added) Garbage, etc., storage, etc., suppl., 1939, c. 261.

R. S. 26:2–70 (added) Drainage of waste liquids regulated, suppl., 1939, c. 261.

R. S. 26:2–71 (added) Freedom from rats, etc., and vermin required, suppl., 1939, c. 261.

R. S. 26:2–72 (added) Jurisdiction of local boards of health saved, suppl., 1939, c. 261.

R. S. 26:2–73 (added) Penalties for violations; amount and in whose name sued for, suppl., 1939, c. 261; amended 1953, c. 26, s. 6.

R. S. 26:2–74 (added) Payments and disposal of penalties, suppl., 1939, c. 261; amended 1953, c. 26, s. 7.

R. S. 26:2–75 (added) Jurisdiction of and institution of proceedings, suppl., 1939, c. 261; amended 1953, c. 26, s. 8.

R. S. 26:2–76 (added) Trial, suppl., 1939, c. 261; repealed 1953, c. 26, s. 9.

R. S. 26:2–77 (added) Imprisonment for failure to pay judgment, suppl., 1939, c. 261.

R. S. 26:2–78 (added) Adjournment of hearing; detention of defendant; bond and prosecution thereof, suppl., 1939, c. 261; repealed 1953, c. 26, s. 10.

R. S. 26:2–79 (added) Form of judgment, suppl., 1939, c. 261; repealed 1953, c. 26, s. 11.

R. S. 26:2–80 (added) Execution of process; recovery of costs; execution, suppl., 1939, c. 261; repealed 1953, c. 26, s. 12.

K. (new) WEEDS DETRIMENTAL TO HEALTH.

Additional Legislation.

Control of marihuana weed, 1939, c. 248 (NJSA 26:2–81, 26:2–82; RSCS 24:19–1, 24:19–2).

L. (new) HOSPITALS FOR VENEREAL DISEASES.

Additional Legislation.

Maintenance and operation by department, provided for, suppl., 1944, c. 70, s. 3 (C. 26:2–83).

Chapter 2A. (new) HUMAN BLOOD AND ITS DERIVATIVES.

Program of collection, processing, storage and distribution, etc., of human blood and its derivatives to be established, etc., by Department of Health, 1945, c. 301 (C. 26:2A–1).

Chapter 2B. (new) REHABILITATION OF ALCOHOLICS, ETC.

Program for prevention and treatment of alcoholism, authorized, suppl., 1948, c. 453 (C. 26:2B–1 to 26:2B–6).

Chapter 3. LOCAL BOARDS OF HEALTH.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

Article 1. Organization and Personnel.

R. S. 26:3–1 amended 1951, c. 69, s. 68.

R. S. 26:3–3 " 1953, c. 349, s. 1.

R. S. 26:3–5 " 1953, c. 349, s. 2.

R. S. 26:3–6 " 1953, c. 349, s. 3.

R. S. 26:3–7 " 1953, c. 349, s. 4.

R. S. 26:3–9 " 1938, c. 105; 1953, c. 349, s. 5.

R. S. 26:3–10 " 1953, c. 349, s. 6.

R. S. 26:3-12 amended 1953, c. 349, s. 7.
R. S. 26:3-13 " 1953, c. 349, s. 8.
R. S. 26:3-14 " 1953, c. 349, s. 9.
R. S. 26:3-15 " 1953, c. 349, s. 10.
R. S. 26:3-16 " 1953, c. 349, s. 11.
R. S. 26:3-17 repealed 1947, c. 181, ss. 9, 10.
R. S. 26:3-18 " 1947, c. 181, ss. 9, 10.
R. S. 26:3-19 amended 1947, c. 181, ss. 1, 10; 1950, c. 119, ss. 5, 10.
R. S. 26:3-20 " 1947, c. 181, ss. 2, 10; 1950, c. 119, ss. 6, 10.
R. S. 26:3-21 " 1947, c. 181, ss. 3, 10; 1950, c. 119, ss. 7, 10.
R. S. 26:3-22 " 1947, c. 181, ss. 4, 10.
R. S. 26:3-25 repealed 1947, c. 181, ss. 9, 10.
R. S. 26:3-26 amended 1947, c. 181, ss. 6, 10.
R. S. 26:3-27 " 1947, c. 181, ss. 7, 10; 1950, c. 119, ss. 9, 10.

Additional Legislation.

"Public health laboratory technician" defined, suppl., 1950, c. 119, ss. 1, 10 (C. 26:3-18.1).

Health officers, inspectors and employees, of local boards of health in municipalities under civil service, in classified service, provided for, 1951, c. 333 (C. 26:3-19.1).

Plumbing inspectors, certain civil service status, provided for, 1953, c. 382 (C. 26:3-19.2).

Injunction to restrain violations by local boards, Chancery may issue on application by State Department, suppl., 1947, c. 181, ss. 8, 10 (C. 26:3-20.1).

Sec. 8 of above amended 1953, c. 26, s. 13 (C. 26:3-20.1).

Licensed health officers and inspectors, maximum salaries payable within five years of appointment, suppl., 1947, c. 181, ss. 5, 10 (C. 26:3-25.1).

Sec. 5 of above amended 1950, c. 119, ss. 8, 10 (C. 26:3-20.1).

Article 2. General Powers and Duties.

R. S. 26:3-31 amended 1946, c. 211.
R. S. 26:3-33 see 1946, c. 255 (C. 26:3c); amended 1949, c. 94.
R. S. 26:3-41 amended 1943, c. 115, s. 1.
R. S. 26:3-42 " 1943, c. 115, s. 2.
R. S. 26:3-43 " 1943, c. 115, s. 3.

Additional Legislation.

Codes, regulating plumbing, etc., licensing plumbers, etc., incorporation in ordinance by reference, permitted, suppl., 1948, c. 275 (C. 26:3-31.1 to 26:3-31.3).

Article 3. Declaration and Abatement of Nuisances.

R. S. 26:3-54 amended 1953, c. 26, s. 14.

R. S. 26:3-56 " 1953, c. 26, s. 15.

R. S. 26:3-57 " 1953, c. 26, s. 16.

R. S. 26:3-58 " 1953, c. 26, s. 17.

R. S. 26:3-59 " 1953, c. 26, s. 18.

R. S. 26:3-62 " 1953, c. 26, s. 19.

Article 4. Enactment of Ordinances and Rules.

Additional Legislation.

Codes and related documents related to health and sanitary standards, adoption by reference by local, etc., boards of health, provided for, suppl., 1950, c. 188 (C. 26:3-69.1 to C. 26:3-69.6).

Article 5. Penalties for Violations of Health Ordinance or Code; Recovery.

R. S. 26:3-71 amended 1953, c. 26, s. 20.

R. S. 26:3-72 " 1953, c. 26, s. 21.

R. S. 26:3-73 repealed 1953, c. 26, s. 22.

R. S. 26:3-74 " 1953, c. 26, s. 23.

R. S. 26:3-76 " 1953, c. 26, s. 24.

R. S. 26:3-77 amended 1953, c. 26, s. 25.

R. S. 26:3-78 " 1953, c. 26, s. 26.

R. S. 26:3-79 to 26:3-81 repealed 1953, c. 26, ss. 27-29.

Article 6. (new) Regional Health Commissions.

Note: For licensed health officers and inspectors, maximum salaries payable within five years of appointment, see 1947, c. 181, s. 5 (T. 26, c. 3), amended 1950, c. 119, ss. 8, 10.

Additional Legislation.

Associations to furnish public health services, 1938, c. 67 (NJSA 26:3-83 to 26:3-91; RSCS 26:3A-1 to 26:3A-9).

Chapter 3A1. (new) LOCAL HEALTH DISTRICTS.

Local Health District Act, 1951, suppl., 1951, c. 69, ss. 1-65, 69–72 (C. 26:3A1–1 to 26:3A1–69).

Chapter 3B. (new) NUISANCES AFFECTING HEALTH.

Certain nuisances affecting health, etc., maintenance of, prohibited, suppl., 1945, c. 192 (C. 26:3B–1 to 26:3B–17).

Sec. 11 of above amended 1953, c. 26, s. 30 (C. 26:3B–11).

Sec. 12 " " " 1953, c. 26, s. 31 (C. 26:3B–12).

Sec. 13 " " repealed 1953, c. 26, s. 32 (C. 26:3B–13).

Sec. 14 " " " 1953, c. 26, s. 33 (C. 26:3B–14).

Sec. 15 " " " 1953, c. 26, s. 34 (C. 26:3B–15).

Chapter 3C. (new) SANITATION.

Standard plumbing code, establishment, etc., in certain counties and municipalities, provided for, 1946, c. 255 (C. 26:3C–1 to 26:3C–3).

Title of above amended 1947, c. 125.

Chapter 4. COMMUNICABLE DISEASES.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

Article 1. General Provisions.

R. S. 26:4–4 amended 1953, c. 26, s. 35.

Article 2. Report of Communicable Diseases.

R. S. 26:4–25 repealed 1953, c. 325, ss. 2, 3.

R. S. 26:4–26 amended 1953, c. 325, ss. 1, 3.

Article 3. Venereal Diseases.

Note: For test for syphilis before marriage license issued, see 1938, c. 126 (T. 37, c. 1), amended 1941, c. 427.

R. S. 26:4–27 amended 1945, c. 104, s. 1.

R. S. 26:4–28 " 1945, c. 104, s. 2.

R. S. 26:4-36 amended 1945, c. 104, s. 3.

R. S. 26:4-37 " 1945, c. 104, s. 4; 1953, c. 26, s. 36.

R. S. 26:4-41 " 1945, c. 103; 1952, c. 78.

R. S. 26:4-48 " 1945, c. 104, s. 5.

R. S. 26:4-49 " 1953, c. 26, s. 37.

Additional Legislation.

Quarantines and commitments, etc., for venereal diseases, medical treatment, when not required, suppl., 1945, c. 104, s. 6 (C. 26:4-48.1).

Tests of pregnant women for syphilis; report on birth certificate; required, 1938, c. 41 (C. 26:4-49.1 to 26:4-49.3).

Migrant labor, examinations for venereal diseases, provided for, suppl., 1945, c. 102 (C. 26:4-49.5, 26:4-49.6).

Defendants in criminal proceedings, inmates of penal and correctional institutions, examination, treatment, etc., for venereal diseases, required, suppl., 1945, c. 101 (C. 26:4-49.7, 26:4-49.8).

Sec. 1 of above amended 1953, c. 26, s. 38 (C. 26:4-49.7).

Article 4. Carriers of Typhoid or Paratyphoid Fever.

R. S. 26:4-51 amended 1953, c. 26, s. 39.

R. S. 26:4-52 " 1953, c. 26, s. 40.

R. S. 26:4-53 " 1953, c. 26, s. 41.

R. S. 26:4-54 to 26:4-56 repealed 1953, c. 26, ss. 42-44.

R. S. 26:4-57 amended 1953, c. 26, s. 45.

Article 5. Tuberculosis.

Additional Legislation.

Tubercular persons, quarantine, report of removal from hospital, release from quarantine, penalties, suppl., 1949, c. 196 (C. 26:4-71.1 to 26:4-71.6).

Article 6. Ophthalmia Neonatorium.

R. S. 26:4-77 amended 1953, c. 26, s. 46.

Article 7. Rabies and Control of Dogs.

R. S. 26:4-84 amended 1939, c. 201, s. 1.

R. S. 26:4-94 " 1939, c. 201, s. 2; 1942, c. 41; 1953, c. 26, s. 47.

Article 8. Biological Products and Laboratory Supplies.

Additional Legislation.

Free distribution of anti-pneumococcic serum, authorized, 1938. c. 24 (C. 26:4–100.1 to 26:4–100.3).

Title of above amended 1941, c. 424.

Free distribution of typhoid vaccine and other biological products, authorized, 1942, c. 148 (C. 26:4–100.4, 26:4–100.5).

Title of above amended 1947, c. 323, s. 1.

Sec. 1 " " " 1947, c. 323, s. 2 (C. 26:4–100.4).

Article 9. Prevention of Introduction of Communicable Diseases by Vessels.

R. S. 26:4–111 repealed 1947, c. 177, ss. 65, 69.

R. S. 26:4–114 " 1947, c. 177, ss. 65, 69.

R. S. 26:4–115 " 1947, c. 177, ss. 65, 69.

Article 10. Penalties; Recovery.

R. S. 26:4–130 amended 1953, c. 26, s. 48.

Chapter 4A. (new) PUBLIC SWIMMING POOLS AND PLACES.

Life saving and resuscitation personnel and appliances required, 1946, c. 172 (C. 26:4A–1 to 26:4A–3).

Sec. 1 of above amended 1947, c. 241 (C. 26:4A–1).

Chapter 5. MENTAL DEFICIENCY AND EPILEPSY.

R. S. 26:5–6 amended 1940, c. 101, s. 1.

R. S. 26:5–10 " 1940, c. 101, s. 2.

Chapter 5A. (new) CEREBRAL PALSY.

Cerebral palsy, report of cases of, to local boards of health, required, 1950, c. 28 (C. 26:5A–1).

Chapter 6. DISPOSAL OF DEAD BODIES.

Note: For notice of death to, and powers and duties of, county physicians thereupon, failures to report deaths, disturbance of bodies, etc., made misdemeanors, see 1947, c. 403 (T. 40, c. 21), amended 1951, c. 309; for notice of death to, and powers and duties of, coroners, where no medical examiner or county physician, failures to report deaths, disturbance of bodies, etc., made misdemeanors, see 1947, c. 404 (T. 40, c. 40).

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For disposal of dead animals and licensing of disposal plants regulated and prohibited, see 1953, c. 415 (T. 4, c. 5A).

Article 1. General Provisions.

R. S. 26:6–5 amended 1953, c. 26, s. 50.

Additional Legislation.

Monthly record of burials of deceased veterans required to be furnished by State Department of Health to Superintendents of Soldiers' Burials or Boards of Chosen Freeholders, suppl., 1945, c. 202, s. 1 (C. 26:6–4.1).

Sec. 1 of above amended 1946, c. 232, s. 1 (C. 26:6–4.1).

Records of interment of certain deceased veterans required to be furnished by Superintendents, etc., of cemeteries, etc., or undertakers, to Superintendents of Soldiers' Burials or Boards of Chosen Freeholders, suppl., 1945, c. 202, s. 2 (C. 26:6–4.2).

Sec. 2 of above amended 1946, c. 232, s. 2; 1953, c. 26, s. 49; 1953, c. 316 (C. 26:6–4.2).

Article 2A. (new) Recording and Certifying Deaths in Military Service.

Additional Legislation.

Recording and certifying, provided for, suppl., 1950, c. 299 (C. 26:6–5.2 to C. 26:6–5.4).

Article 3. Death Certificate and Burial or Removal Permit.

R. S. 26:6–7 amended 1945, c. 253; 1951, c. 84, s. 1.

R. S. 26:6–11 " 1951, c. 85, s. 1.

R. S. 26:6–21 " 1953, c. 26, s. 51.

R. S. 26:6–22 " 1953, c. 26, s. 52.

Article 4. Transportation of Dead Bodies.

R. S. 26:6–24 amended 1951, c. 82, s. 1.

R. S. 26:6–26 " 1951, c. 82, s. 2.

Article 8. Penalties.

R. S. 26:6–49 amended 1953, c. 26, s. 53.

Chapter 7. CREMATION OF DEAD BODIES.

R. S. 26:7–1 to 26:7–10 repealed 1950, c. 256, s. 13.

Additional Legislation.

Cremation, and interment of cremated remains, of dead, human bodies, regulated, licenses provided for, 1950, c. 256 (C. 26:7–11 to 26:7–23).

Sec. 12 of above amended 1953, c. 26, s. 54 (C. 26:7–22).

Chapter 8. REGISTRATION OF VITAL STATISTICS.

Note: For report as to prenatal tests for syphilis required in birth and still birth certificates, see 1938, c. 41 (T. 26, c. 4).

Article 2. Administrative Personnel.

R. S. 26:8–13 amended 1948, c. 205, s. 1.

R. S. 26:8–16 " 1941, c. 252.

R. S. 26:8–17 " 1948, c. 205, s. 2.

Article 3. General Powers and Duties.

R. S. 26:8–23 amended 1941, c. 251.

R. S. 26:8–25 " 1948, c. 126, ss. 1, 2.

Article 4. Birth Certificates.

R. S. 26:8–29 amended 1951, c. 84, s. 2.

R. S. 26:8–37 " 1951, c. 85, s. 2.

R. S. 26:8–38 " 1941, c. 63; 1942, c. 21; 1946, c. 26; 1953, c. 26, s. 55.

R. S. 26:8–40.1 " 1940, c. 215; 1950, c. 99.

Additional Legislation.

Foundlings, presumption of time and place of birth, certificates, etc., provided for, suppl., 1942, c. 95 (C. 26:8–40.2 to 26:8–40.6).

Sec. 2 of above repealed 1953, c. 26, s. 56 (C. 26:8–40.3).

Sec. 3 " " amended 1953, c. 26, s. 57 (C. 26:8–40.4).

Honorable discharges from armed services, acceptance of in lieu of birth certificates by employers, provided for, 1942, c. 243 (C. 26:8–40.7 to 26:8–40.9).

Article 5. Marriage Licenses and Certificates of Marriage.

R. S. 26:8–42 amended 1950, c. 118.

R. S. 26:8–45 " 1948, c. 322, ss. 1, 3; 1953, c. 26, s. 58.

R. S. 26:8–46 " 1948, c. 322, ss. 2, 3; 1953, c. 26, s. 59.

New Jersey State Library

Article 6. Correction or Amendment of Marriage, Birth, Stillbirth or Death Certificates.

Note: For adjustment of birth or marriage records upon change of name, see N. J. S. 2A:52-4.

R. S. 26:8-49 amended 1938, c. 174, s. 1; 1942, c. 225.

R. S. 26:8-51 " 1938, c. 174, s. 2.

Article 7. Fees.

R. S. 26:8-56 amended 1948, c. 285, s. 1.

R. S. 26:8-60 " 1948, c. 285, s. 2.

R. S. 26:8-62 " 1952, c. 26, s. 1.

R. S. 26:8-63 " 1951, c. 83.

R. S. 26:8-64 " 1952, c. 26, s. 2.

Article 8. Violations; Penalties.

R. S. 26:8-68 amended 1953, c. 26, s. 60.

R. S. 26:8-69 " 1953, c. 26, s. 61.

Chapter 9. MOSQUITO EXTERMINATION.

R. S. 26:9-13 amended 1948, c. 383, s. 1.

Additional Legislation.

Mosquito extermination and control in counties bordering on Atlantic Ocean, use of amounts annually appropriated to Department of Health, provided for, 1949, c. 89, ss. 1, 3 (C. 26:9-12.1, 26:9-12.2).

Commissioners, terms continued, suppl., 1948, c. 383, s. 2 (C. 26:9-13.1).

Appointments to county mosquito extermination commission certain second-class counties by county judges, provided for, suppl., 1948, c. 387 (C. 26:9-13.2, 26:9-13.3).

Chapter 10. BED SPRINGS, COTS, LOUNGES, SOFAS AND MATTRESSES.

Note: For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

R. S. 26:10-18 amended 1953, c. 26, s. 62.

Chapter 11. COUNTY BOARD OF HEALTH.

R. S. 26:11–14	amended	1953, c. 26, s. 63.
R. S. 26:11–20	"	1953, c. 26, s. 64.
R. S. 26:11–21	"	1953, c. 26, s. 65.
R. S. 26:11–22	"	1953, c. 26, s. 66.
R. S. 26:11–25	"	1953, c. 26, s. 67.
R. S. 26:11–30	"	1953, c. 26, s. 68.
R. S. 26:11–31	"	1953, c. 26, s. 69.
R. S. 26:11–32	repealed	1953, c. 26, s. 70.
R. S. 26:11–34	amended	1953, c. 26, s. 71.
R. S. 26:11–35	"	1953, c. 26, s. 72.
R. S. 26:11–36	"	1953, c. 26, s. 73.

Title 27. HIGHWAYS.

Subtitle 1. STATE HIGHWAY DEPARTMENT AND COMMISSIONER.

Chapter 1. CONSTITUTION AND GENERAL POWERS.

Note: For provision of lands for eastern approach to Delaware—New Jersey Crossing by Commissioner authorized, see 1946, c. 18 (T. 32, c. 11B); for "no passing" zones, establishment, etc., by State Highway Commissioner, authorized, see 1948, c. 170 (T. 39, c. 4), amended 1951, c. 23; for "no parking" zones, establishment, etc., by State Highway Commissioner, authorized, see 1948, c. 342 (T. 39, c. 4), amended 1951, c. 23.

R. S. 27:1–1 amended 1948, c. 91, ss. 1, 10.

R. S. 27:1–3 " 1948, c. 91, ss. 2, 10.

R. S. 27:1–4 " 1948, c. 91, ss. 3, 10.

R. S. 27:1–7 " 1948, c. 91, ss. 4, 10.

R. S. 27:1–11 " 1944, c. 159.

R. S. 27:1–14 " 1948, c. 91, ss. 5, 10.

R. S. 27:1–15 " 1948, c. 91, ss. 6, 10.

R. S. 27:1–16 " 1948, c. 91, ss. 7, 10.

Additional Legislation.

"State Highway Department Act of 1948", 1948, c. 91 (R. S. 27:1–1; C. 27:1–1.1, 27:1–1.2; R. S. 27:1–3, 27:1–4, 27:1–7, 27:1–11, 27:1–14, 27:1–15, 27:1–16; C. 27:1–16.1).

Deputy State Highway Commissioner, provided for, suppl., 1953, c. 167 (C. 27:1–16.2, 27:1–16.3).

Subtitle 2. PUBLIC ROADS AND HIGHWAYS IN GENERAL.

Chapter 5. ADVERTISING ALONG HIGHWAYS.

R. S. 27:5–1 amended 1953, c. 27, s. 1.

R. S. 27:5–3 " 1953, c. 27, s. 2.

Chapter 5A. (new) SUPERVISION OVER ROADS AND HIGHWAYS.

Federal military reservations, policing, etc., of roads by Federal Government; authorized, suppl., 1941, c. 312 (C. 27:5A–1, 27:5A–2).

Chapter 5B. (new) CONTRACTS WITH AUTHORITIES.

Note: For roadside parks and recreational facilities, acquisition from Authority in State Highway Department by Department of Conservation and Economic Development, and maintenance of same, see 1952, c. 18 (T. 13, c. 2).

Contracts between State Highway Commissioner and any Authority in the State Highway Department for acquisition, construction, reconstruction, maintenance and repair of Authority projects at its expense, authorized, suppl., 1952, c. 19 (C. 27:5B-1).

Subtitle 3. STATE HIGHWAYS.

Chapter 6. STATE HIGHWAY ROUTES.

R. S. 27:6-1

(Route Nos. 28 and S-28) amended 1938, c. 17.

(Route No. 3) relocated in part 1949, c. 292.

Route 2-N added 1938, c. 269.

Route No. 4, part designated as freeway, suppl., 1953, c. 86.

Route S-4-d extended 1938, c. 134 (sec. 1 amended 1941, c. 263).

Route S-4-A " 1938, c. 341.

Route 6-A added 1938, c. 47.

Route 24N " 1938, c. 85.

Route 29B " 1938, c. 183.

Route 31A " 1938, c. 345; amended 1941, c. 105.

Route 36 extended 1940, c. 95.

Route 38 " 1938, c. 51; designated a freeway, suppl., 1953, c. 130.

Route S-41 extended 1938, c. 299.

Route S-43 added 1938, c. 216.

Route S-44 " 1938, c. 374.

Route 44-T " 1938, c. 367; 1939, c. 264.

Route S-49 " 1938, c. 168.

Route 54 " 1938, c. 43.

Route 55 " 1938, c. 83; 1938, c. 143 (1938, c. 143 repealed 1939, c. 266).

Route 56 added 1938, c. 84; 1938, c. 177.

Route 100, S-100 " 1938, c. 50; amended 1946, c. 57, s. 1; freeway 1946, c. 57, s. 2, amended 1947, c. 261.

Route 13-E added 1938, c. 238.

Route 18 " 1939, c. 243; amended 1941, c. 413.

Route 19	added	1939, c. 200.
Route 25A	"	1939, c. 198; amended 1945, c. 58.
Route 25B	"	1939, c. 317.
Route 101	"	1939, c. 105; amended 1951, c. 290.

Route Absecon Boulevard to Route 38 added 1941, c. 64.

Route Bayonne to Bayonne Naval Supply Base and Dry Dock added 1941, c. 32; amended, freeway, 1947, c. 325.

Route Camp Dix to Route 39 added 1941, c. 13.

Route Millville to Route 48 added 1941, c. 38.

Route Morris Plains to Route 2 added 1941, c. 55.

Route Somers Point to Beasleys Point added 1942, c. 64.

Route Clifton to Route S-3 added 1942, c. 77.

Route Trenton-Morrisville bridge to Route 26, 1943, c. 28; freeway, suppl., 1947, c. 15.

Lincoln Tunnel approach highway, 1943, c. 52.

Route No. 29 southeasterly through Trenton, 1944, c. 37; see 1947, c. 157; designated a freeway, 1953, c. 306.

Route No. 44 to Route No. 48, 1944, c. 47.

Route intersection of Absecon boulevard and Brigantine boulevard to city of Brigantine, 1945, c. 1.

Route county highway No. 17 on a map of Cape May county added 1945, c. 20.

Route No. Pennsauken Township to Delaware River bridge, Camden, freeway, added, 1946, c. 113.

Routes Nos. 44, 45 and 47—Westville, extended to Delaware River bridge, Camden, 1946, c. 114; freeway, suppl., 1947, c. 58.

Route No. 25 to foot of Market and Federal streets, Camden, added, 1946, c. 115.

Route No. 6 to Cape May and Trenton, parkway, added, 1946, c. 117 (Title amended 1950, c. 198, s. 1; Sec. 2 amended 1950, c. 198, s. 2; 1952, c. 13).

Route No. 51 to Route No. 42, Gloucester county, added, 1946, c. 128.

Route No. 48 to Route No. 56, Atlantic county, added, 1946, c. 139.

Route—North Field road, West Orange, to Route No. 25A, freeway, added, 1946, c. 176; relocated, 1952, c. 289, s. 3.

Route No. extending Route 25 from Pennsauken to Delaware River bridge, 1947, c. 55.

Route No. extending route added by 1946, c. 114, from Timber Creek to Route No. 42, 1947, c. 56.

Route from Alpine to vicinity of George Washington bridge, spur to Route 1 in Fort Lee, parkway, 1947, c. 74.

Route No. 300—From Route No. 100 in Middlesex county to Delaware River at Deepwater, added; freeway, 1947, c. 259.

Route No. Crown Point road in Westville, at intersection with Route No. 47 to Route Nos. 45 and 44, added, 1947, c. 260.

Route—Route 25 to Route 35, all in Woodbridge township, added; parkway, 1947, c. 328.

Route No. Intersection of Routes 10 and 6 to Route 6A, added, 1947, c. 329.

Route No. from Route No. 26 at Clarksville to Route No 37 at White Horse, added, 1948, c. 43.

Route No. Absecon Blvd., from Route No. 56 at junction of Kuehnle Ave., Atlantic City to junction with Delaware Ave., 1948, c. 51.

Route No. 43, White Horse Pike, reconstruction, etc., as a dual highway, 1948, c. 75.

Route No. 43, lighting provided for, 1948, c. 76.

Route No. from Route No. 49 in vicinity of Dennisville to Route No. 47 in vicinity of Marshallville, added, 1948, c. 167.

Route No. spur from Route No. S-3, vicinity of Broad Street to westerly end of Clifton Avenue in Clifton, added 1948, c. 221.

Route No. extending Route No. 21 from Newark to vicinity of Grand and Marshal Street in Paterson, 1948, c. 235.

Route No. 29A to include sixty foot right-of-way between Byram Station and end of improved concrete roadway, below Frenchtown, 1948, c. 296.

Route No. Route No. 29 to Delaware river bridge in Lambertville, added, 1948, c. 407.

Route No. From trans-Bayonne freeway through Jersey City to approach of the Holland Tunnel, added, 1948, c. 451.

Route No. From intersection Route No. 1 with Route No. 25 skyway to intersection of Route No. 100, Route No. 3 and Lincoln Tunnel approach, added, 1948, c. 452.

Route No. 44 designated a freeway, 1949, c. 167.

Route No. extending Route No. 7 from intersection of Route No. 3 to Route No. 6, 1949, c. 175.

Route No. Raritan river between Fort Earle and Route 35 to Route 34 south of Route 33, 1950, c. 261.

Route No. Route No. 38 in Burlington county along Old Monmouth Road to Route No. 4 at Freehold, 1950, c. 300.

Route No. Route 8 to Delaware Water Gap bridge, added, freeway, 1951, c. 107.

Route No. Raritan River to Route 34 south of Route 33, added, parkway, 1951, c. 109.

Route No. Route 31 north of Somerville to Boonton to Route 17 in Bergen County, added, freeway, 1951, c. 110.

Route No. 28, Still Valley to West Portal, freeway, 1951, c. 111.

Route S-101, Route 4 in Hackensack to New York State line near Chestnut Ridge Road, added, parkway, 1951, c. 289.

Route No. 6, Denville to Netcong; freeway, suppl., 1952, c. 42.

Route No. 21, as extended; freeway, 1952, c. 110.

Route No. 3, with Lincoln Tunnel, non-access facilities; freeway, suppl., 1952, c. 223.

Route No. 10, relocated; freeway, 1952, c. 289, ss. 1, 2.

Route No. 24 and S-24, relocated; freeway, 1952, c. 289, ss. 4, 5.

Route No. Verga, Gloucester County to Barrington, Camden County, added as freeway, 1953, c. 70.

Route No. Outerbridge Crossing to Middletown, added as freeway, 1953, c. 87.

Route No. Lyndhurst to Hanson, added as freeway, 1953, c. 93.

Route No. Robbinsville to "Thomas A. Mathis Bridge," added as freeway, 1953, c. 111.

Route No. Route 68 to Route 72, added as freeway, 1953, c. 112.

Route Burlington-Bristol Bridge, to Route 70, added as freeway, 1953, c. 113.

Additional Legislation.

Renumbering of State Highway Routes by Commissioner, authorized, 1940, c. 184 (NJSA 27:6-1 note; RSCS 27:6-1.1 to 27:6-1.4).

Chapter 7. ACQUISITION, CONSTRUCTION AND MAINTENANCE BY STATE.

R. S. 27:7-23 amended 1953, c. 27, s. 3.

R. S. 27:7-44.1 " 1953, c. 27, s. 4.

Additional Legislation.

Settlement of claims against counties, municipalities or corporations for share of cost of laying-out, etc., maintenance, etc., of State highways, 1938, c. 258 (C. 27:7–19.1, 27:7–19.2).

Sec. 2 of above amended 1939, c. 10 (C. 27:7–19.2).

Compensation for destruction of wells by construction of highway, authorized, 1942, c. 22 (C. 27:7–21.1, 27:7–21.2).

Lands acquired subject to restrictions, release of restrictions provided for, 1946, c. 294 (C. 27:7–22.1).

Lands, acquisition of in fee simple absolute by State Highway Commissioner, authorized, suppl., 1951, c. 112 (C. 27:7–22.2).

Acquisition of right of access to traffic circles in State Highway System by State Highway Commissioner, authorized, suppl., 1952, c. 20 (C. 27:7–22.3).

Relief of contractor from maintenance of completed portion of project by Commissioner, authorized, suppl., 1949, c. 176 (C. 27:7–44.2).

Acquisition of unimproved lands for relocation of structures located on highway lands, authorized, suppl., 1950, c. 250 (C. 27:7–44.3 to 27:7–44.8).

Chapter 7A. (new) FREEWAYS AND PARKWAYS.

Freeways and parkways, establishment, construction, maintenance, etc., provided for, suppl., 1945, c. 83 (C. 27:7A–1 to 27:7A–9).

Title of above amended 1948, c. 461, s. 1.

Sec. 1 " " " 1948, c. 461, s. 2 (C. 27:7A–1).

Sec. 3 " " " 1948, c. 461, s. 3 (C. 27:7A–3).

Sec. 4 " " " 1948, c. 461, s. 4 (C. 27:7A–4).

Sec. 8 " " " 1948, c. 461, s. 5 (C. 27:7A–8).

Acquisition of excess properties for rights-of-way by State Highway Commissioner, authorized and regulated, suppl., 1952, c. 21 (C. 27:7A–4.1).

Chapter 11. FINANCES.

Note: For General State Fund to be sole State Fund, etc., see 1945, c. 33 (T. 52, c. 9H).

Chapter 12. SALE OF LANDS.

R. S. 27:12–1 amended 1938, c. 407.

Subtitle 3A. (new) FERRIES AND ADDITIONAL FACILITIES.

Chapter 12A. (new) FERRIES.

Note: For Cape May-Lewes Ferry Act of 1953, see 1953, c. 164 (T. 27, c. 12B).

Cape May-Lewes Ferry Act of 1951, 1951, c. 15 (C. 27:12A-1 to 27:12A-11).

1951, c. 15 repealed 1953, c. 164, s. 6.

Subtitle 3B. (new) HIGHWAY AUTHORITIES.

Chapter 12B. (new) NEW JERSEY HIGHWAY AUTHORITY.

Note: For contracts between State Highway Commissioner and any Authority in the State Highway Department for acquisition, construction, reconstruction, maintenance and repair of Authority projects at its expense, authorized, see 1952, c. 19 (T. 27, c. 5B).

For roadside parks and recreational facilities, establishment and maintenance of, see 1952, c. 18 (T. 13, c. 2).

New Jersey Highway Authority Act, 1952, c. 16 (C. 27:12B-1 to 27:12B-26).

Sec. 3 of above amended 1953, c. 164, s. 4 (C. 27:12B-3).

Sec. 5 " " " 1953, c. 164, s. 5 (C. 27:12B-5).

Sec. 7 " " " 1953, c. 27, s. 5 (C. 27:12B-7).

Sec. 15 " " " 1953, c. 224 (C. 27:12B-15).

Cape May-Lewes Ferry Act of 1953, suppl., 1953, c. 164, ss. 1-3, 6 (C. 27:12B-27 to 27:12B-30).

Subtitle 4. STATE AID ROADS.

Chapter 13. STATE AID TO COUNTIES AND MUNICIPALITIES.

Additional Legislation.

State Aid Road Fund Account, provided for, 1943, c. 45 (C. 27:13-5, 27:13-6).

Sec. 2 of above amended 1953, c. 144 (C. 27:13-6).

State aid moneys heretofore allotted to counties and municipalities, payment and retention for said purpose, investment, etc., provided for, 1946, c. 241 (C. 27:13-7, 27:13-8).

Sec. 2 of above amended 1953, c. 285 (C. 27:13-8).

Snow removal equipment purchased by municipalities and counties with presently allocated State aid moneys, authorized, suppl., 1949, c. 126 (C. 27:13-9).

Chapter 14. STATE AID TO COUNTIES.

R. S. 27:14-1 amended 1946, c. 207.

R. S. 27:14-24 " 1948, c. 111.

Additional Legislation.

County road supervisors, certain, counties having population from 275,000 to 325,000, tenure by action of board of freeholders, authorized, 1951, c. 247 (C. 27:14-24.1).

Chapter 15. STATE AID TO MUNICIPALITIES.

R. S. 27:15-1 amended 1938, c. 427, s. 1; 1944, c. 110, s. 1; 1946, c. 196 (1946, c. 196 repealed 1947, c. 62, ss. 17, 18); 1947, c. 62, ss. 1, 18.

R. S. 27:15-2 " 1938, c. 427, s. 2; repealed 1947, c. 62, ss. 16, 18.

R. S. 27:15-3 repealed 1947, c. 62, ss. 16, 18.

R. S. 27:15-4 amended 1938, c. 427, s. 3; 1944, c. 110, s. 2; repealed 1947, c. 62, ss. 16, 18.

R. S. 27:15-5 repealed 1947, c. 62, ss. 16, 18.

R. S. 27:15-6 " 1947, c. 62, ss. 16, 18.

R. S. 27:15-7 amended 1938, c. 403.

R. S. 27:15-9 repealed 1947, c. 62, ss. 16, 18.

R. S. 27:15-10 amended 1940, c. 218; 1942, c. 257; 1944, c. 110, s. 3; repealed 1947, c. 62, ss. 16, 18.

R. S. 27:15-11 " 1944, c. 110, s. 4; repealed 1947, c. 62, ss. 16, 18.

R. S. 27:15-12 to 27:15-15 repealed 1947, c. 62, ss. 16, 18.

Additional Legislation.

State program of financial aid for road purposes revised, suppl., 1947, c. 62, ss. 2-18 (C. 27:15-1.1 to 27:15-1.17).

Sec. 15 of above amended 1948, c. 460 (C. 27:15-1.15).

"Unimproved roads" defined, 1938, c. 362 (C. 27:15-17).

Certain moneys appropriated for maintenance, roads and streets, use for new construction, etc.; authorized, certain municipalities, 1948, c. 124 (C. 27:15-19, 27:15-20).

Subtitle 4A. (new) STATE AID FOR ROADS AND BRIDGES.

Chapter 15A. (new) EXTRAORDINARY REPAIRS, ETC.

State aid to counties for repairing or replacing roads or bridges damaged or destroyed under abnormal conditions, provided for, 1946, c. 301 (C. 27:15A-1 to 27:15A-7).

Sec. 1 of above amended 1947, c. 127 (C. 27:15A-1).

Subtitle 5. COUNTY AND MUNICIPAL ROADS.

Chapter 16. COUNTY ROADS; GENERALLY.

R. S. 27:16-31 amended 1953, c. 313.

R. S. 27:16-42 " 1953, c. 27, s. 6.

R. S. 27:16-43 to 27:16-47 repealed 1953, c. 27, ss. 7-11

R. S. 27:16-48 amended 1953, c. 27, s. 12.

R. S. 27:16-49 to 27:16-53 repealed 1953, c. 27, ss. 13-17.

R. S. 27:16-54 amended 1947, c. 39.

R. S. 27:16-55 " 1952, c. 262.

R. S. 27:16-57 " 1953, c. 27, s. 18.

R. S. 27:16-64 " 1953, c. 27, s. 19.

R. S. 27:16-65 " 1953, c. 27, s. 20.

R. S. 27:16-66 " 1953, c. 27, s. 21.

R. S. 27:16-67 " 1953, c. 27, s. 22.

Additional Legislation.

Restriction of traffic on certain highways, first-class counties over 800,000 inhabitants, authorized, suppl., 1950, c. 280 (C. 27:16-31.1).

Chapter 17. COUNTY BOULEVARDS AND BOULEVARD COMMISSIONERS.

Note: For award of damages to traffic police officers for permanent injury received while on duty by board of chosen freeholders, authorized and regulated, see 1952, c. 350 (T. 40, c. 22).

R. S. 27:17-4 amended 1953, c. 27, s. 23.

Chapter 19. COUNTY BRIDGES AND VIADUCTS.

R. S. 27:19-7 amended 1953, c. 27, s. 24.

R. S. 27:19-13 " 1953, c. 289.

R. S. 27:19-26 amended 1946, c. 318, s. 1.

R. S. 27:19-27 " 1946, c. 318, s. 2.

R. S. 27:19-28 " 1946, c. 318, s. 3; 1948, c. 288, s. 2.

R. S. 27:19-31 " 1946, c. 318, s. 4.

R. S. 27:19-32 " 1946, c. 318, s. 5; 1953, c. 27, s. 25.

R. S. 27:19-33 " 1941, c. 71; 1946, c. 318, s. 6.

R. S. 27:19-34 " 1946, c. 318, s. 7.

R. S. 27:19-36 " 1946, c. 318, s. 8; 1953, c. 162.

R. S. 27:19-38 " 1946, c. 318, s. 9.

R. S. 27:19-39 " 1946, c. 318, s. 10.

Additional Legislation.

Covenants of State as to bonds, provided for, suppl., 1946, c. 318, s. 11 (C. 27:19-32.1).

Title of above amended 1948, c. 288, s. 1.

County Bridge Commission's bonds, etc., made legal investments, suppl., 1948, c. 288, s. 3 (C. 27:19-32.2).

Payments to municipalities in lieu of, or reimbursement for loss of, taxes, provided for, suppl., 1952, c. 338 (C. 27:19-36.1).

Real property, acquisition of, by lease, conveyance, etc., provided for, suppl., 1953, c. 399 (C. 27:19-36.2).

Chapter 20. FORMER TOLL ROADS AND BRIDGES; MAINTENANCE BY COUNTY.

R. S. 27:20-3 amended 1953, c. 27, s. 26.

R. S. 27:20-4 " 1953, c. 27, s. 27.

R. S. 27:20-6 " 1953, c. 27, s. 28.

Chapter 21. BRIDGES OVER CANALS.

R. S. 27:21-3 amended 1953, c. 27, s. 29.

Subtitle 6. (new) TURNPIKES.

Chapter 23. (new) NEW JERSEY TURNPIKE AUTHORITY.

Note: For contracts between State Highway Commissioner and any Authority in the State Highway Department for acquisition, construction, reconstruction, maintenance and repair of Authority projects at its expense, authorized, see 1952, c. 19 (T. 27, c. 5B).

New Jersey Turnpike Authority Act of 1948, 1948, c. 454 (C. 27:23-1 to 27:23-22).

Title of above amended 1950, c. 1, s. 1.

Sec. 1 " " " 1950, c. 1, s. 2 (C. 27:23-1).

Sec. 2 " " " 1950, c. 1, s. 3 (C. 27:23-2).

Sec. 3 " " " 1952, c. 35 (C. 27:23-3).

Sec. 4 " " " 1950, c. 1, s. 4 (C. 27:23-4).

Sec. 5 " " " 1950, c. 1, s. 5 (C. 27:23-5).

Sec. 7 " " " 1950, c. 1, s. 6 (C. 27:23-7).

Feeder roads, definition, construction, repair and maintenance, and return to local authorities by Turnpike Authority, authorized, suppl., 1949, c. 40 (C. 27:23-5.1 to 27:23-5.7)

Turnpike, construction, maintenance, repair and operation by Turnpike Authority between designated termini, authorized, 1949, c. 41 (C. 27:23-23, 27:23-24).

Title of above amended 1951, c. 286, s. 1.

Sec. 1 " " " 1950, c. 2; 1951, c. 286, ss. 2, 4; 1952, c. 334 (C. 27:23-23).

Repealer and severability clause, 1951, c. 286, ss. 3, 4 (C. 27:23-24.1, 27:23-24.2).

Toll and traffic regulations, authorized, 1951, c. 264 (C. 27:23-25 to 27:23-39).

Title 28. HISTORIC MEMORIALS, MONUMENTS AND SITES.

Chapter 1. HISTORIC SITES COMMISSION.

Note: For transfer of functions, powers and duties of Historic Sites Commission to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22, s. 24 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 28:1–1 to 28:1–3	repealed	1945, c. 22, s. 44.
R. S. 28:1–12	"	1945, c. 22, s. 44.

Chapter 2. CERTAIN MEMORIALS, MONUMENTS AND SITES.

Note: For transfer of functions, powers and duties of the Grover Cleveland Birthplace Association and New Jersey Veterans of All Wars Association to State Department of Conservation and to Department of Conservation and Economic Development, see 1945, c. 22, s. 24 (T. 13, c. 1A); 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 28:2–2 to 28:2–6	repealed	1945, c. 22, s. 44.
R. S. 28:2–10	amended	1946, c. 127, s. 1.
R. S. 28:2–11	"	1946, c. 127, s. 2.
R. S. 28:2–15	repealed	1945, c. 22, s. 44.
R. S. 28:2–16	"	1945, c. 22, s. 44.

Title 29. HOTELS.

Chapter 1. FIRE PROTECTION.

R. S. 29:1-1 repealed 1948, c. 340, ss. 37, 40.

R. S. 29:1-2 " 1948, c. 340, ss. 37, 40.

R. S. 29:1-3 amended 1942, c. 150; repealed 1948, c. 340, ss. 37, 40.

R. S. 29:1-4 to 29:1-7 repealed 1948, c. 340, ss. 37, 40.

Additional Legislation.

Registration and inspection of hotels, etc., as to safety, etc., standards, etc., provided for, 1948, c. 340 (C. 29:1-8 to 29:1-46).

Sec. 4 of above amended 1950, c. 245, s. 1 (C. 29:1-11).

Sec. 5 " " " 1950, c. 245, s. 2 (C. 29:1-12).

Sec. 11 " " " 1950, c. 245, s. 3 (C. 29:1-18).

Sec. 12 " " " 1950, c. 245, s. 4 (C. 29:1-19).

Sec. 13 " " " 1949, c. 297, s. 1; 1950, c. 245, s. 5 (C. 29:1-20).

Sec. 15 " " " 1950, c. 245, s. 6 (C. 29:1-22).

Sec. 16 " " " 1950, c. 245, s. 7 (C. 29:1-23).

Sec. 19 " " " 1949, c. 297, s. 3; 1950, c. 245, s. 8 (C. 29:1-26).

Sec. 24 " " " 1950, c. 245, s. 9 (C. 29:1-31).

Sec. 25 " " " 1950, c. 245, s. 10 (C. 29:1-32).

Sec. 29 " " " 1950, c. 245, s. 11 (C. 29:1-36).

Sec. 30 " " " 1949, c. 297, s. 4 (C. 29:1-37).

Sec. 35 " " " 1953, c. 28, s. 1 (C. 29:1-42).

Sec. 40 " " " 1949, c. 297, s. 5 (C. 29:1-46).

Chapter 2. LIABILITY TO GUESTS.

R. S. 29:2-2 amended 1952, c. 145, s. 1.

R. S. 29:2-4 " 1952, c. 145, s. 2.

Chapter 3. REGISTRATION OF HOTEL NAMES.

R. S. 29:3-12 amended 1953, c. 28, s. 2.

R. S. 29:3-19 " 1953, c. 28, s. 3.

Chapter 4. (new) REGULATION IN GENERAL.

Tourist and trailer camps and overnight lodging places, regulated, 1939, c. 254 (NJSA 29:4-1 to 29:4-4; RSCS 45:22A-1 to 45:22A-4).

Title 30. INSTITUTIONS AND AGENCIES.

Note: For lien in favor of State and county institutions for care and treatment of patients, see 1938, c. 239 (T. 30, c. 4), amended 1946, c. 306, 1947, c. 274, 1953, c. 29; for release of inmates from penal and correctional institutions for induction into armed forces of the United States, see 1945, c. 54 (T. 38, c. 28).

Subtitle 1. STATE DEPARTMENTS AND INSTITUTIONS GOVERNED THEREBY.

Chapter 1. ORGANIZATION, JURISDICTION AND POWER IN GENERAL.

R. S. 30:1–2 amended 1948, c. 87, ss. 1, 7.

R. S. 30:1–7 " 1948, c. 60, s. 1; 1952, c. 65; see 1947, c. 257 (C. 30:5–1.1, 30:5–1.2).

R. S. 30:1–8 " 1948, c. 87, ss. 2, 7.

R. S. 30:1–11 " 1948, c. 87, ss. 3, 7.

R. S. 30:1–16 " 1953, c. 29, s. 1.

R. S. 30:1–17 " 1953, c. 29, s. 2.

R. S. 30:1–18 " 1953, c. 29, s. 3.

Additional Legislation.

Certain schools under management of Department, teachers' certificates, required, 1946, c. 100 (C. 30:1–10.1, 30:1–10.2).

Department of Institutions and Agencies designated to receive Federal funds for hospitals and to carry out purposes of laws providing such funds, 1947, c. 83 (C. 30:1–19 to 30:1–22).

Chapter 2. APPROPRIATIONS.

R. S. 30:2–1 amended 1938, c. 275.

Chapter 3. ADVISORY BOARD, CONSTRUCTION FUND, AND DIVISION OF ARCHITECTURE.

Note: For functions, powers and duties of Division of Architecture, Construction and Maintenance in Department of Institutions and Agencies, transferred to Division of Purchase and Property, see 1950, c. 227 (T. 52, c. 18A).

R. S. 30:3–1 to 30:3–3 repealed 1948, c. 87, ss. 6, 7.

Chapter 4. MANAGEMENT, CONTROL AND OPERATION OF INSTITUTIONS IN GENERAL.

Note: For inmates of penal and correctional institutions, examination, treatment, etc., for venereal diseases, required, see 1945, c. 101 (T. 26, c. 4), amended 1953, c. 26.

Article 1. In General.

Additional Legislation.

Inmates of penal and correctional institutions, attendance at bedside or funeral of dying or deceased relative, permitted, suppl., 1948, c. 414 (C. 30:4-8.1, 30:4-8.2).

Article 3. Commitment and Admission.

Note: For commitment and transfer of veterans to Veterans Administration or other Federal Institution, by courts or judicial officers, authorized and regulated, see 1952, c. 76 (T. 30, c. 6B).

R. S. 30:4-23	amended	1953, c. 29, s. 4.
R. S. 30:4-26.1	"	1941, c. 353; 1953, c. 29, s. 5.
R. S. 30:4-26.2	"	1953, c. 29, s. 6.
R. S. 30:4-27	"	1953, c. 29, s. 7.
R. S. 30:4-28	"	1953, c. 29, s. 8.
R. S. 30:4-29	"	1944, c. 52; 1953, c. 29, s. 9.
R. S. 30:4-30	"	1953, c. 29, s. 10.
R. S. 30:4-31	"	1953, c. 29, s. 11.
R. S. 30:4-34	"	1953, c. 29, s. 12.
R. S. 30:4-36	"	1953, c. 29, s. 13.
R. S. 30:4-37	"	1953, c. 29, s. 14.
R. S. 30:4-38	"	1953, c. 29, s. 15.
R. S. 30:4-39	"	1953, c. 29, s. 16.
R. S. 30:4-40	repealed	1953, c. 29, s. 17.
R. S. 30:4-41	amended	1953, c. 29, s. 18.
R. S. 30:4-42	"	1953, c. 29, s. 19.
R. S. 30:4-44	"	1953, c. 29, s. 20.
R. S. 30:4-45	"	1953, c. 29, s. 21.
R. S. 30:4-46	"	1953, c. 29, s. 22.
R. S. 30:4-48	"	1940, c. 144.
R. S. 30:4-56	"	1953, c. 29, s. 23.
R. S. 30:4-57	"	1953, c. 29, s. 24.
R. S. 30:4-58	"	1953, c. 29, s. 25.
R. S. 30:4-59	"	1953, c. 29, s. 26.
R. S. 30:4-60	"	1953, c. 29, s. 27.

R. S. 30:4-61 amended 1953, c. 29, s. 28.

R. S. 30:4-62 " 1953, c. 29, s. 29.

R. S. 30:4-63 " 1953, c. 29, s. 30.

R. S. 30:4-65 " 1953, c. 29, s. 31.

R. S. 30:4-66 " 1953, c. 29, s. 32.

R. S. 30:4-67 " 1939, c. 259.

R. S. 30:4-70 " 1953, c. 29, s. 33.

R. S. 30:4-71 " 1953, c. 29, s. 34.

R. S. 30:4-73 " 1942, c. 250; 1953, c. 29, s. 35.

Additional Legislation.

Admission for observation, certain patients, provided for, 1953, c. 418 (C. 30:4-46.1, 30:4-46.2).

Deposit, etc., of funds of inmates of State institutions, regulated, suppl., 1938, c. 380 (C. 30:4-67.1).

Article 3A. (new) Lien for Maintenance.

Additional Legislation.

Lien in favor of State and county institutions upon property of persons receiving care and treatment therein, provided for, suppl., 1938, c. 239 (NJSA 30:4-80.1 to 30:4-80.6; RSCS 30:7A-1 to 30:7A-6).

Sec. 1 of above amended 1946, c. 306, s. 1; 1947, c. 274, s. 1 (C. 30:4-80.1).

Sec. 2 " " " 1947, c. 274, s. 2 (C. 30:4-80.2).

Sec. 3 " " " 1953, c. 29, s. 36 (C. 30:4-80.3).

Sec. 4 " " " 1947, c. 274, s. 3 (C. 30:4-80.4).

Sec. 5 " " " 1953, c. 29, s. 37 (C. 30:4-80.5).

Sec. 6 " " " 1947, c. 274, s. 4; 1953, c. 29, s. 38 (C. 30:4-80.6).

Examination into the validity, review and discharge of liens, provided for, suppl., 1946, c. 306, s. 2 (C. 30:4-80.7).

Sec. 2 of above amended 1953, c. 29, s. 39 (C. 30:4-80.7).

Article 3B. (new) Expunging Records of Commitments.

Additional Legislation.

Expunging records of commitments, certain cases, provided for, 1953, c. 268 (C. 30:4–80.8 to 30:4–80.10).

Article 4. Confinement and Transfer of Inmates.

R. S. 30:4–82 amended 1953, c. 29, s. 40.

R. S. 30:4–85 " 1948, c. 203.

R. S. 30:4–87 " 1953, c. 208.

Additional Legislation.

Inmates of county penal institutions, transfer to State correctional institutions, provided for, suppl., 1948, c. 204 (C. 30:4–85.1).

Article 5. Institutional Labor.

R. S. 30:4–98 amended 1948, c. 291, s. 1; 1948, c. 398, s. 1.

R. S. 30:4–100 " 1948, c. 291, s. 2; 1948, c. 398, s. 2.

Article 8. Parole or Discharge.

R. S. 30:4–106.1 repealed 1948, c. 84, s. 38.

R. S. 30:4–106.2 " 1948, c. 84, s. 38.

R. S. 30:4–107 amended 1949, c. 231.

R. S. 30:4–113 " 1948, c. 86.

Additional Legislation.

State Parole Board, established, powers, duties, etc.; parole system, provided for, 1948, c. 84 (C. 30:4–123.1 to 30:4–123.39).

Sec. 10 of above amended 1950, c. 292; 1953, c. 277, s. 1 (C. 30:4–123.10).

Sec. 12 " " " 1953, c. 277, s. 2 (C. 30:4–123.12).

Sec. 13 " " repealed 1950, c. 315, s. 3 (C. 30:4–123.13).

Parole of persons convicted as narcotic addicts for purpose of treatment, authorized and regulated, suppl., 1952, c. 32 (C. 30:4–123.43, 30:4–123.44).

Prisoners in State Prison, certain, under indeterminate sentences, parole provided for, 1950, c. 30 (C. 30:4–123.40 to 30:4–123.42).

Article 10. Inspection and Investigation.

R. S. 30:4–127 amended 1953, c. 29, s. 41.
R. S. 30:4–128 " 1953, c. 29, s. 42.
R. S. 30:4–131 " 1953, c. 29, s. 43.

Article 12. Particular Institutions.

A. STATE PRISON.

R. S. 30:4–136 amended 1948, c. 60, s. 2.
R. S. 30:4–138 " 1953, c. 29, s. 44.
R. S. 30:4–142 repealed 1948, c. 84, s. 38.
R. S. 30:4–143 amended 1946, c. 312, s. 1.

B. NEW JERSEY REFORMATORY.

R. S. 30:4–146 amended 1948, c. 60, s. 3.
R. S. 30:4–148 " 1951, c. 335, ss. 1, 4.

C. ANNANDALE REFORMATORY.

R. S. 30:4–152 amended 1951, c. 335, ss. 2, 4.

D. WOMEN'S REFORMATORY.

R. S. 30:4–154 amended 1946, c. 312, s. 2.
R. S. 30:4–155 " 1946, c. 312, s. 3; 1951, c. 335, ss. 3, 4.

E. STATE HOMES FOR BOYS AND GIRLS.

R. S. 30:4–157.3 amended 1953, c. 29, s. 45.
R. S. 30:4–157.4 " 1939, c. 301; 1953, c. 29, s. 46.
R. S. 30:4–157.5 " 1953, c. 29, s. 47.

F. STATE TUBERCULOSIS SANATORIUM.

R. S. 30:4–159 amended 1940, c. 143; 1946, c. 253.

G. STATE HOSPITALS.

R. S. 30:4–160 amended 1952, c. 64, s. 1.
R. S. 30:4–162 " 1952, c. 64, s. 2.

H. STATE VILLAGE FOR EPILEPTICS.

Note: For establishment of New Jersey Neuropsychiatric Institute, see 1953, c. 122 (T. 30, c. 4).

R. S. 30:4–166 to 30:4–169 repealed 1953, c. 122, s. 9.

K. (new) CHILD TREATMENT CENTERS.

Additional Legislation.

Arthur Brisbane Child Treatment Center established; admitting and receiving patients, provided for, suppl., 1947, c. 252, ss. 1-11 (C. 30:4–177.1 to 30:4–177.11).

L. (new) NEW JERSEY NEUROPSYCHIATRIC INSTITUTE.

Additional Legislation.

New Jersey Neuropsychiatric Institute established; administration, admissions to, etc., provided for, suppl., 1953, c. 122 (C. 30:4–177.12 to 30:4–177.19).

Chapter 4A. (new) DIAGNOSTIC CENTER.

Diagnostic Center, establishment and administration of, and commitment and admission, etc., thereto, provided for, suppl., 1946, c. 118 (C. 30:4A–1 to 30:4A–17).

Sec. 1 of above amended 1947, c. 238 (C. 30:4A–1).

Sec. 4 " " " 1953, c. 29, s. 48 (C. 30:4A–4).

Sec. 7 " " " 1953, c. 29, s. 49 (C. 30:4A–7).

Subtitle 1A. (new) DIVISION OF WELFARE.

Chapter 4B. (new) CONSTITUTION, POWERS AND FUNCTIONS.

Division constituted, functions, powers and duties provided for; functions of State Board of Child Welfare, Commission for the Blind, Division of Old Age Assistance, and administration of General Public Assistance Law, included, suppl., 1950, c. 166 (C. 30:4B-1 to C. 30:4B–10).

Chapter 4C. (new) DEPENDENT AND NEGLECTED CHILDREN.

Care, custody, guardianship, maintenance and supervision of dependent and neglected children, promotion of home life therefor and financing thereof, regulated and provided for, 1951, c. 138 (C. 30:4C–1 to 30:4C–40).

Subtitle 2. STATE BOARD OF CHILDREN'S GUARDIANS.

Note: For administration of functions of Board by Division of Welfare, provided for, see 1950, c. 166 (T. 30, c. 4B).

Chapter 5. ASSISTANCE TO AND CARE, CUSTODY, GUARDIANSHIP, ETC., OF CHILDREN.

Article 1. Definitions, Construction of Chapter and General Powers and Duties of Board.

R. S. 30:5–1 to 30:5–4 repealed 1951, c. 138, ss. 38, 40.

The following sections of the foregoing were amended prior to being repealed as aforesaid:

R. S. 30:5–1 amended 1938, c. 161, s. 1; 1940, c. 118.
R. S. 30:5–4 " 1939, c. 245.

Additional Legislation.

Claims for reimbursement for financial assistance, compromise, provided for, 1943, c. 89 (C. 30:5–4.4).

Article 2. Assistance to Indigent, Etc., Children Becoming a Public Charge in General.

R. S. 30:5–5 to 30:5–18 repealed 1951, c. 138, ss. 38, 40.

The following sections of the foregoing were amended prior to being repealed as aforesaid:

R. S. 30:5–7 amended 1942, c. 140, s. 1; 1944, c. 194, s. 1.
R. S. 30:5–8 " 1942, c. 140, s. 2; 1947, c. 128.
R. S. 30:5–9 " 1939, c. 377, s. 1.

Article 3. Care, Custody, Guardianship and Support of Abandoned, Etc., Children.

R. S. 30:5–19 to 30:5–32 repealed 1951, c. 138, ss. 38, 40.

The following sections of the foregoing were amended prior to being repealed as aforesaid:

R. S. 30:5–19 amended 1942, c. 223, ss. 1, 4, 5.
R. S. 30:5–21 " 1942, c. 223, ss. 2, 4, 5.
R. S. 30:5–26 " 1942, c. 223, ss. 3-5.

Article 4. Home Life of Dependent Children.

R. S. 30:5–33 amended 1938, c. 161, s. 2; 1938, c. 400 (1938, c. 400, repealed 1951, c. 138, ss. 38, 40); 1939, c. 377, s. 2; 1944, c. 194, s. 2; 1945, c. 264 (1945, c. 264, repealed 1951, c. 138, ss. 38, 40); 1950, c. 317.

R. S. 30:5–35 " 1939, c. 377, s. 3.

R. S. 30:5–36 " 1938, c. 161, s. 3; 1939, c. 377, s. 4; 1942, c. 121.

R. S. 30:5–37 amended 1944, c. 194, s. 3.

R. S. 30:5–43 " 1938, c. 161, s. 4.

R. S. 30:5–44 " 1938, c. 161, s. 5; 1944, c. 194, s. 4.

Action by State Board of Child Welfare or County Welfare Board to enforce maintenance and support of persons granted assistance, grant of assistance on written promise to repay in certain cases, authorized, suppl., 1952, c. 23 (C. 30:5–41.1, 30:5–41.2).

Chapter 5A. CONTRIBUTIONS TO AND FUNDS OF STATE BOARD OF CHILDREN'S GUARDIANS.

R. S. 30:5A–1 to 30:5A–3 repealed 1951, c. 138, ss. 38, 40.

Subtitle 3. BLIND, DEAF AND DUMB AND FEEBLE-MINDED PERSONS.

Note: For administration of functions by Division of Welfare, see 1950, c. 166 (T. 30, c. 4B).

Chapter 6. RELIEF OF BLIND, DEAF AND DUMB AND FEEBLE-MINDED.

R. S. 30:6–3 amended 1939, c. 160, s. 1; 1944, c. 241, s. 1; 1946, c. 168, s. 1; 1951, c. 140; 1953, c. 29, s. 50.

R. S. 30:6–5 " 1939, c. 160, s. 2; 1946, c. 168, s. 3.

R. S. 30:6–6 repealed 1944, c. 241, s. 5.

R. S. 30:6–7 repealed 1944, c. 241, s. 5.

R. S. 30:6–10 amended 1939, c. 160, s. 3.

R. S. 30:6–11 " 1944, c. 241, s. 2.

R. S. 30:6–12 repealed 1944, c. 241, s. 5.

R. S. 30:6–13 amended 1944, c. 241, s. 3.

R. S. 30:6–14 " 1946, c. 168, s. 4.

R. S. 30:6–16 " 1944, c. 241, s. 4.

Additional Legislation.

Investigation of applications for assistance and temporary orders for assistance, provided for, suppl., 1946, c. 168, s. 2 (C. 30:6–4.1).

Operation of stands in public buildings, by the blind, under supervision of New Jersey State Commission for Blind, 1938, c. 349 (C. 30:6–15.1, 30:6–15.2).

Subtitle 4. SOLDIERS' HOMES.

Chapter 6A. HOMES FOR DISABLED SOLDIERS, SAILORS AND MARINES AND THEIR WIVES AND WIDOWS.

R. S. 30:6A–2 amended 1953, c. 29, s. 51.

R. S. 30:6A–3 " 1938, c. 184.

R. S. 30:6A–14 " 1943, c. 129; 1946, c. 225, s. 1.

R. S. 30:6A–16 " 1946, c. 225, s. 2.

Subtitle 4A. (new) VETERANS HOSPITALS.

Chapter 6B. (new) FEDERAL HOSPITALS.

Commitment and transfer of veterans to Veterans Administration or other Federal Institution by courts or judicial officers, authorized and regulated, 1952, c. 76 (C. 30:6B–1 to 30:6B–5).

Subtitle 5. OTHER INSTITUTIONS IN GENERAL.

Chapter 7. NEW JERSEY FIREMEN'S HOME.

Note: Board of Managers of the N. J. Firemen's Home an agency in the Department of Institutions and Agencies, see 1948, c. 87, s. 4 (T. 30, c. 7).

R. S. 30:7–1 amended 1948, c. 87, ss. 4, 7.

R. S. 30:7–2 " 1948, c. 87, ss. 5, 7.

Subtitle 6. COUNTY AND MUNICIPAL INSTITUTIONS.

Note: For lien in favor of State and county institutions for care and treatment of patients, see 1938, c. 239 (T. 30, c. 4), amended 1946, c. 306, 1947, c. 274, 1953, c. 29.

Chapter 8. PENAL INSTITUTIONS.

Note: For inmates of penal and correction institutions, examination, treatment, etc., for venereal diseases, required, see 1945, c. 101 (T. 26, c. 4), amended 1953, c. 26.

Article 1. Reception, Confinement, Transportation and Rights and Privileges of Prisoners or Persons Under Arrest.

R. S. 30:8–3 repealed 1951, c. 354.

R. S. 30:8–4 " 1951, c. 354.

R. S. 30:8–7 amended 1953, c. 235.

Article 2. County Penal Institutions in General.

Note: For inmates of county penal institutions transfer to State correctional institutions, provided for, see 1948, c. 204 (T. 30, c. 4).

R. S. 30:8–15 amended 1945, c. 44.

Additional Legislation.

Compensation of guards, keepers and industrial officers in jails, detention houses and penitentiaries; first class counties, 1938, c. 54 (NJSA 40:21-80; RSCS 30:8-13.1).

Title of above amended 1940, c. 134, s. 1.

Sec. 1 " " " 1940, c. 134, s. 2; 1947, c. 212, s. 1; 1951, c. 176, s. 1 (NJSA 40:21-80, RSCS 30:8-13.1).

1949, c. 34 (C. 30:8-13.2, 30:8-13.3) not affected, 1951, c. 176, s. 2 (C. 30:8-13.1b).

Guards, keepers, etc., jails, houses of detention and penitentiaries, first-class counties exceeding 800,000 inhabitants, compensation to be fixed by board of chosen freeholders, 1949, c. 34 (C. 30:8-13.2, 30:8-13.3).

Wardens of penitentiaries, certain counties of the first class, tenure of office provided for, suppl., 1950, c. 19 (C. 30:8-15.1, 30:8-15.2).

Article 3. County Jails in Care, Custody and Control of Sheriffs.

R. S. 30:8-18 amended 1953, c. 29, s. 52.

Article 4. County Jails in Care, Custody and Control of Boards of Chosen Freeholders.

R. S. 30:8-20 amended 1945, c. 149.

Additional Legislation.

Jail keepers in certain counties of the second and fifth class, compensation same as court attendants, in certain cases, suppl., 1947, c. 278 (C. 30:8-24.1).

Article 5. Employment and Wages of Prisoners in County Jails.

R. S. 30:8-28 amended 1953, c. 29, s. 53.

Article 6. County Workhouse.

R. S. 30:8-33 amended 1953, c. 29, s. 54.

R. S. 30:8-43 " 1948, c. 17; 1953, c. 29, s. 55.

Chapter 9. ASYLUMS AND HOSPITALS.

Note: For acquisition, improvement, etc., of lands by counties for hospital purposes, see 1940, c. 33 (T. 40, c. 32); for right to examine hospital records in compensation cases and actions for damages, provided for, see N. J. S. 2A:82-41 to 2A:82-45; for veterans, certain care and treatment in county hospitals, provided for, see 1946, c. 73 (T. 40, c. 23).

For appropriation for expense of psychiatric diagnosis and treatment of indigent residents of county having no mental or psychiatric hospital or clinic, authorized and regulated, see 1952, c. 119 (T. 44, c. 5).

Article 1. County Asylums and Hospitals.

R. S. 30:9–2 amended 1953, c. 29, s. 56.

R. S. 30:9–4 " 1940, c. 7, s. 1.

R. S. 30:9–5 " 1940, c. 7, s. 2.

R. S. 30:9–10 " 1953, c. 29, s. 57.

Additional Legislation.

Stores at county insane hospitals, maintenance, use of funds, etc., suppl., 1941, c. 37 (C. 30:9–3.1).

Article 1A. (new) County Hospitals.

Additional Legislation.

County hospitals, in certain counties, authorized, 1947, c. 34 (C. 30:9–12.1 to 30:9–12.14).

Title of above amended 1950, c. 238, s. 1.

Sec. 1 " " " 1950, c. 238, s. 2 (C. 30:9–12.1).

Sec. 9 " " " 1953, c. 29, s. 58 (C. 30:9–12.9).

Sec. 14 " " " 1950, c. 238, s. 3 (C. 30:9–12.14).

Admission of private patients to county hospitals, second-class counties, and fixing of maintenance charges, authorized and regulated, 1952, c. 58 (C. 30:9–12.15).

Article 2. City and Municipal Hospitals in General.

R. S. 30:9–14 amended 1953, c. 29, s. 59.

R. S. 30:9–17 " 1945, c. 173.

R. S. 30:9–19 " 1938, c. 275, s. 2.

Article 2A. (new) County and Municipal Medical Institutions.

Additional Legislation.

Medical director, assistants, etc., appointment, salary, etc., for hospitals and medical centers, certain first-class cities and counties, suppl., 1941, c. 52 (C. 30:9–23.1 to 30:9–23.4).

Sec. 1 of above amended 1943, c. 56 (C. 30:9–23.1).

Sec. 4 " " " 1953, c. 29, s. 60 (C. 30:9–23.4).

Retirement system and pension fund benefits, suppl., 1943, c. 58 (C. 30:9–23.5).

Article 3. Maternity Hospitals.

R. S. 30:9–24 amended 1938, c. 425; 1939, c. 340.

Article 4. Institutions for Communicable Diseases.

R. S. 30:9–29 amended 1945, c. 181.

R. S. 30:9–37 " 1953, c. 148, ss. 1, 3.

R. S. 30:9–38 " 1946, c. 223, ss. 1, 3.

R. S. 30:9–40 " 1945, c. 43.

R. S. 30:9–50 " 1942, c. 328.

R. S. 30:9–53 " 1953, c. 29, s. 61.

R. S. 30:9–54 " 1953, c. 29, s. 62.

R. S. 30:9–57 " 1942, c. 224, s. 1; 1948, c. 42; 1953, c. 29, s. 63.

R. S. 30:9–58 " 1942, c. 224, s. 2; 1945, c. 252; 1953, c. 29, s. 64.

R. S. 30:9–60 " 1953, c. 29, s. 65.

R. S. 30:9–63 " 1947, c. 254, s. 1.

R. S. 30:9–65 " 1953, c. 29, s. 66.

R. S. 30:9–66 " 1947, c. 254, s. 2; 1953, c. 29, s. 67.

R. S. 30:9–68 " 1953, c. 29, s. 68.

Additional Legislation.

Abolition of appointed Board of Managers and control of institution by Board of Chosen Freeholders or committee, certain counties, provided for, suppl., 1946, c. 223, ss. 2, 3 (C. 30:9–38.1).

Hospitals for communicable diseases, first-class counties, use in connection with almshouse, authorized, suppl., 1950, c. 242 (C. 30:9–44.1, 30:9–44.2).

County hospitals for communicable diseases, counties over 800,000 inhabitants, use for other purposes authorized, suppl., 1953, c. 148, ss. 2, 3 (C. 30:9–44.3).

Use of tuberculosis hospital, etc., for examinations of school pupils, suppl., 1941, c. 219 (C. 30:9–52.1).

Subtitle 7. PRIVATE INSTITUTIONS.

Chapter 11. NURSING HOMES OR HOSPITALS.

Note: For right to examine hospital records in compensation cases and actions for damages, provided for, see 1945, c. 286 (T. 2, c. 101A).

R. S. 30:11-1 amended 1947, c. 340, ss. 1, 9; 1952, c. 211, ss. 1, 2, 5.

R. S. 30:11-2 " 1950, c. 38.

R. S. 30:11-3 " 1947, c. 340, ss. 3, 9.

R. S. 30:11-4 " 1947, c. 340, ss. 4, 9; 1952, c. 211, ss. 1, 3, 5.

R. S. 30:11-5 repealed 1947, c. 340, ss. 5, 9.

Additional Legislation.

Private nursing homes, convalescent homes, and hospitals, licensing and regulation of, inspections, approvals of plans, provided for, suppl., 1947, c. 340, ss. 6, 9 (C. 30:11-3.1).

Title of above amended 1952, c. 211, ss. 1, 5.

Private nursing homes, convalescent homes, and hospitals, licensing and regulation of, hospital licensing board, composition, duties, and powers, provided for, suppl., 1947, c. 340, ss. 7, 8, 9 (C. 30:11-6, 30:11-7).

Title of above amended 1952, c. 211, ss. 1, 5.

Private nursing homes, convalescent homes, and hospitals, licensing and regulation of, definitions, suppl., 1947, c. 340, ss. 2, 9 (C. 30:11-8, 30:11-9).

Title of above amended 1952, c. 211, ss. 1, 5.

Sec. 2 " " " 1952, c. 211, ss. 4, 5 (C. 30:11-8).

Chapter 11A. (new) HOMES FOR SHELTERED CARE.

Boarding and other homes for sheltered care of adults, certain, regulated, suppl., 1953, c. 212 (C. 30:11A-1 to 30:11A-14).

Title 31. INTEREST AND USURY.

Chapter 1. USURY AND EFFECT THEREOF.

R. S. 31:1-1 amended 1953, c. 150.

R. S. 31:1-2 " 1953, c. 30, s. 1.

R. S. 31:1-3 " 1953, c. 30, s. 2.

R. S. 31:1-4 " 1953, c. 30, s. 3.

R. S. 31:1-6 " 1953, c. 30, s. 4.

Title 32. INTERSTATE AND PORT AUTHORITIES AND COMMISSIONS.

Note: For legal aid to police officers and firemen in suits arising from incidents in line of duty, provided for, see 1946, c. 67 (T. 40, c. 11), amended 1947, c. 103; for interstate communication facilities protection in case of emergency, provided for, see 1950, c. 68 (T. 38, c. 14C).

Subtitle 1. THE PORT OF NEW YORK AUTHORITY.

Note: For instruments issued by Port of New York Authority, certain of such made negotiable, see 1947, c. 45 (T. 7, c. 5), amended 1953, c. 45.

Chapter 1. COMPACT OF APRIL 30, 1921, WITH SUPPLEMENTARY AND AMENDATORY LAWS.

Note: For retirement on pension, municipal employees transferring to Port of New York Authority service, see 1948, c. 250 (T. 43, c. 11A).

Article 2A. (new) Air Terminals.

Additional Legislation.

Air terminals, financing and effectuation of, provided for, 1947, c. 43 (C. 32:1–35.1 to 32:1–35.17).

Sec. 8 of above amended 1947, c. 330, ss. 1, 4; 1948, c. 214, ss. 1, 3, (C. 32:1–35.8).

Sec. 10 " " " 1947, c. 330, ss. 2, 4; 1948, c. 214, ss. 2, 3 (C. 32:1–35.10).

Sec. 15 " " " 1947, c. 330, ss. 3, 4; 1953, c. 31, s. 1 (C. 32:1–35.15).

Sec. 16 see 1953, c. 374 (C. 32:1–35.17a, 32:1–35.17b).

Condemnation, alternate procedure by appointment of commissioners, provided for, suppl., 1953, c. 374 (C. 32:1–35.17a, 32:1–35.17b).

Condemnation by Port Authority for Teterboro Airport air terminal, authorized, 1949, c. 81 (C. 32:1–35.18 to 32:1–35.19).

Article 2B. (new) Marine Terminals.

Additional Legislation.

Marine terminals, financing and development of, provided for, 1947, c. 44 (C. 32:1–35.28 to 32:1–35.36).

Sec. 1 of above amended 1948, c. 212, ss. 1, 2, 4 (C. 32:1–35.28).

Sec. 4 " " " 1948, c. 212, ss. 3, 4 (C. 32:1–35.31).

Sec. 6 of above amended 1953, c. 31, s. 2 (C. 32:1-35.33).

Sec. 7 " " repealed 1953, c. 31, s. 3 (C. 32:1-35.34); see 1953, c. 375 (C. 32:1-35.36a, 32:1-35.36b).

Condemnation, alternative procedure by appointment of commissioners, provided for, suppl., 1953, c. 375 (C. 32:1-35.36a, 32:1-35.36b).

Article 2C. (new) Rehousing Areas.

Additional Legislation.

Rehousing of residents of areas acquired by Port of New York Authority, provided for, 1948, c. 97 (C. 32:1-35.37 to 32:1-35.46).

Article 3. Arthur Kill Bridges.

A. OUTERBRIDGE CROSSING; CONSTRUCTION.

Note: For repayment to States of New York and New Jersey of certain moneys advanced for Outerbridge Crossing in cash or bonds, provided for, see 1946, c. 54 (T. 32, c. 1).

C. GOETHALS BRIDGE; CONSTRUCTION.

Note: For repayment to States of New York and New Jersey of certain moneys advanced for Goethals Bridge in cash or bonds, provided for, see 1946, c. 54 (T. 32, c. 1).

E. ARTHUR KILL BRIDGES; FINANCING.

Note: For repayment to States of New York and New Jersey of certain moneys advanced for Arthur Kill Bridges in cash or bonds, provided for, see 1946, c. 54 (T. 32, c. 1).

Article 5. Bayonne Bridge.

Note: For repayment to States of New York and New Jersey of certain moneys advanced for Bayonne Bridge in cash or bonds, provided for, see 1946, c. 54 (T. 32, c. 1).

Article 6A. (new) REFINANCING.

Additional Legislation.

Repayment to States of New York and New Jersey of certain moneys advanced in connection with construction, etc., of Outerbridge Crossing, Goethals Bridge and Bayonne Bridge in cash or bonds, issuance, terms, etc., of bonds, provided for, 1946, c. 54 (C. 32:1-140.1 to 32:1-140.7).

Article 7. General Reserve Fund.

Note: For principal and interest of bonds issued to repay States of New York and New Jersey for certain advances secured by general reserve fund, see 1946, c. 54 (T. 32, c. 1); for pledge of general reserve fund to provide funds to establish, maintain, etc., a motor bus terminal, authorized, see 1946, c. 95 (T. 32, c. 2).

1931, c. 5, title amended 1945, c. 197, s. 1.

R. S. 32:1–141 1931, c. 5, s. 1 " 1945, c. 197, s. 2.

Additional Legislation.

Establishment, acquisition, rehabilitation, etc., of motor truck terminals and issuance of bonds and acquisition of property therefor, provided for, suppl., 1945, c. 197, ss. 3-5 (C. 32:1–141.1 to 32:1–141.3).

Article 8A. (new) Enforcement of Rules and Regulations.

Additional Legislation.

Penalties for violations of rules and regulations, prescription, amendment, etc., by Port Authority, authorized, 1951, c. 205 (C. 32:1–146.1 to 32:1–146.3).

Violations of certain rules and regulations, relating to smoking, etc., penalties and enforcement, provided for, 1953, c. 170 (C. 32:1–146.4, 32:1–146.5).

Violations of certain rules and regulations relating to peddling, soliciting, etc., penalties and enforcement, provided for, 1953, c. 171 (C. 32:1–146.6, 32:1–146.7).

Article 9. Regulation of Traffic on Port Authority Facilities.

R. S. 32:1–147 to 32:1–154 1932, c. 146, repealed 1950, c. 192, ss. 12, 17.

Additional Legislation.

Interstate vehicular traffic on Port Authority facilities, regulation provided for, 1950, c. 192 (C. 32:1–154.1 to 32:1–154.17).

Penalties and enforcement procedure, for violation of rules and regulations of Port Authority, provided for, 1951, c. 239 (C. 32:1–154.18 to 32:1–154.24).

Article 10A. (new) Suits Against Port Authority.

Additional Legislation.

Consent to certain suits at law, equity or otherwise against Port of New York Authority, provided for, 1951, c. 204 (C. 32:1–157 to 32:1–168).

Consent to actions by operators of scheduled aircraft, certain contracts, New York International Airport, provided for and actions regulated, 1953, c. 172 (C. 32:1–169 to 32:1–174).

Chapter 2. OTHER LAWS RELATING TO THE PORT OF NEW YORK AUTHORITY.

Note: For asistance to be rendered by Authority to the Metropolitan Rapid Transit Commission, see 1952, c. 194 (T. 32, c. 22).

Article 3. Condemnation.

R. S. 32:2–10 amended 1953, c. 31, s. 4.

R. S. 32:2–11 " 1953, c. 31, s. 5.

R. S. 32:2–12 " 1953, c. 31, s. 6.

R. S. 32:2–13 " 1953, c. 31, s. 7.

R. S. 32:2–14 repealed 1953, c. 31, s. 8.

Article 4A. (new) Motor Bus Terminal.

Additional Legislation.

Motor bus terminal, establishment, maintenance, operation and financing of, provided for, 1946, c. 95 (C. 32:2–23.1 to 32:2–23.5).

Article 5. Bonds as Legal Investments.

R. S. 32:2–24.1 amended 1953, c. 81.

Additional Legislation.

Series F and FF Bonds, etc., legal investments, 1939, c. 189 (NJSA, RSCS 32:1–130.1, 32:1–130.2); repealed (as to banks and savings banks), 1948, c. 67, ss. 336, 343.

Article 9. (new) Sale of Real Estate.

Additional Legislation.

Procedure upon sale of real estate; prior conveyances ratified, 1939, c. 35 (NJSA 32:2–28, 32:2–28 (note) RSCS 32:2–28 to 32:2–30).

Article 10. (new) Examination, Etc., of Accounts, Etc. Additional Legislation.

Examination of books, accounts, etc., of Authority, provided for, 1950, c. 90 (C. 32:2–31 to 32:2–33).

Subtitle 2. DELAWARE RIVER JOINT COMMISSION [CAMDEN-PHILADELPHIA BRIDGE].

Note: For proposed change of name of Commission to Delaware River Port Authority, see 1951, c. 288 (T. 32, c. 3).

Chapter 3. COMPACT.

R. S. 32:3-2, 1931, c. 391, Art. I amended 1951, c. 288, ss. 1(1), 2-12.

R. S. 32:3-3, 1931, c. 391, Art. II " 1951, c. 288, ss. 1(2), 2-12.

R. S. 32:3-5, 1931, c. 391, Art. IV " 1951, c. 288, ss. 1(3), 2-12.

R. S. 32:3-12, 1931, c. 391, Art. XI " 1951, c. 288, ss. 1(4), 2-12.

R. S. 32:3-13, 1931, c. 391, Art. XII " 1951, c. 288, ss. 1(5), 2-12.

Additional Legislation.

Supplemental compact to facilitate construction of additional Delaware River crossings, authorized, 1951, c. 287 (C. 32:3-13.12 to 32:3-13.22).

Definitions inserted, supplementary compact authorized, suppl., 1951, c. 288, ss. 1(6)-12 (C. 32:3-13.23 to 32:3-13.34).

Chapter 4A. (new) REGULATION OF TRAFFIC, TOLLS, ETC.

Ambulances, first aid, etc., vehicles, fire fighting apparatus, no tolls to be charged, 1950, c. 208 (C. 32:4A-1, 32:4A-2).

Chapter 5A. (new) PROMOTION OF COMMERCE AND FACILITIES.

Campaign to promote increased commerce on Delaware River, directed, 1947, c. 282 (C. 32:5A-1, 32:5A-2).

Subtitle 4. DELAWARE RIVER BRIDGES.

Chapter 8. COMPACT CREATING THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION.

R. S. 32:8-2, 1934, c. 215, Art. I amended 1952, c. 333, ss. 1(1), 2-5.

R. S. 32:8-3, 1934, c. 215, Art. II " 1952, c. 333, ss. 1(2), 2-5.

R. S. 32:8-10, 1934, c. 215, Art. IX " 1947, c. 283, ss. 1(1), 2, 3, 5.

R. S. 32:8-11, 1934, c. 215, Art. X " 1947, c. 283, ss. 1(2), 2, 3, 5; para. a amended 1951, c. 284, ss. 1-8.

Additional Legislation.

Supplemental compact enlarging jurisdiction and powers of Commission as to port and terminal facilities, the fixing, etc., of tolls, etc., for the use of said facilities, providing for the financing thereof and the joint financing thereof with bridges, authorizing the issuance of securities and providing for the designation of deputies for certain members of the Commission, suppl., 1952, c. 333, ss. 2-5 (C. 32:8-3.1 to 32:8-3.4).

Supplemental compact regulating acquisition, construction, rehabilitation, improvement, maintenance and operation of Delaware river bridges, authorized, 1951, c. 284, ss. 2, 3, 5-8 (C. 32:8-11.1 to 32:8-11.6).

Laws restricting acquisition, etc., by State, or construction, acquisition, etc., by private or public bodies, of certain Delaware River crossings, repealed, 1951, c. 284, ss. 4, 8 (C. 32:8-16).

Chapter 9. ACQUISITION OF TOLL BRIDGES AND MAINTENANCE THEREOF AS FREE BRIDGES.

R. S. 32:9-9 amended 1953, c. 31, s. 9.

R. S. 32:9-10 " 1953, c. 31, s. 10.

Additional Legislation.

Receipts appropriated to Commission, 1946, c. 298 (C. 32:9-17, 32:9-18).

Chapter 9A. (new) DISPOSITION OF EXCESS PROPERTY.

Disposal of excess property by Commission, authorized, 1952, c. 219 (C. 32:9A-1).

Chapter 10. BRIDGE POLICE; OFFENSES ON BRIDGES.

R. S. 32:10-2 amended 1945, c. 198.

Chapter 11A. BRIDGE ACROSS DELAWARE RIVER AT OR NEAR YARDLEY.

R. S. 32:11A-1 to 32:11A-8 repealed 1947, c. 283, ss. 4, 5.

Chapter 11AA. (new) COMPACT AUTHORIZING DELAWARE RIVER BRIDGE BY PENNSYLVANIA AND NEW JERSEY TURNPIKES.

Compact with Pennsylvania authorizing Pennsylvania and New Jersey Turnpike Authorities to make agreements as to Delaware River Bridge, 1951, c. 285 (C. 32:11AA-1 to 32:11AA-10).

Subtitle 4A. (new) DELAWARE-NEW JERSEY CROSSING.

Chapter 11B. (new) DELAWARE—NEW JERSEY CROSSING.

Delaware–New Jersey Crossing, consent to construction and operation as toll crossing by State of Delaware, provision of eastern approach to and exemption from taxation, provided for, 1946, c. 18 (C. 32:11B–1 to 32:11B–8).

Delaware river crossing bonds, issued by State of Delaware, legal investments, 1948, c. 179 (C. 32:11B–9, 32:11B–10).

Subtitle 4B. (new) INTERSTATE CROSSING COMMISSIONS, ETC.

Chapter 11C. (new) DELAWARE RIVER CROSSINGS.

Interstate Vehicular Crossings Commission, power to enter, use, etc., highways and take property by condemnation, provided for, 1952, c. 40 (C. 32:11C–1 to 32:11C–5).

Subtitle 5. COUNTY INTERSTATE BRIDGES AND TUNNELS.

Chapter 12. CONSTRUCTION OF BRIDGE OR TUNNEL BY THREE OR MORE COUNTIES.

R. S. 32:12–16 amended 1953, c. 31, s. 11.

Chapter 13A. GLOUCESTER COUNTY TUNNEL.

R. S. 32:13A–4 amended 1947, c. 388.

R. S. 32:13A–14 " 1939, c. 84, s. 1; 1939, c. 158, s. 1.

R. S. 32:13A–15 " 1939, c. 84, s. 2; 1939, c. 158, s. 2; 1953, c. 31, s. 12.

Additional Legislation.

Contract with Delaware County-Pennsylvania Authority for construction, operation and maintenance of tunnel and issuance of bonds, authorized, 1938, c. 379 (C. 32:13A–2.1).

Subtitle 6. PALISADES INTERSTATE PARK.

Note: For exemption of lands of Palisades Interstate Park Commission, compensation to municipalities for loss of tax revenue therefrom, provided for, see 1947, c. 73 (T. 54, c. 4A).

Chapter 14. GENERAL PROVISIONS.

R. S. 32:14–1 amended 1939, c. 191, s. 1.

R. S. 32:14–2 repealed 1939, c. 191, s. 2.

R. S. 32:14–3 amended 1939, c. 191, s. 3.

R. S. 32:14–4 " 1939, c. 191, s. 4.

R. S. 32:14–5	amended	1939, c. 191, s. 5.
R. S. 32:14–6	"	1939, c. 191, s. 6.
R. S. 32:14–7	"	1939, c. 191, s. 7.
R. S. 32:14–8	"	1939, c. 191, s. 8.
R. S. 32:14–9	"	1939, c. 191, s. 9.
R. S. 32:14–10	"	1939, c. 191, s. 10.
R. S. 32:14–12	"	1939, c. 191, s. 11.
R. S. 32:14–13	"	1939, c. 191, s. 12.
R. S. 32:14–13.1	"	1939, c. 191, s. 13; repealed 1952, c. 259, s. 3.
R. S. 32:14–13.2	"	1939, c. 191, s. 14; repealed 1952, c. 259, s. 3.
R. S. 32:14–14	"	1939, c. 191, s. 15.
R. S. 32:14–15	"	1939, c. 191, s. 16.
R. S. 32:14–16	"	1939, c. 191, s. 17.
R. S. 32:14–17	"	1939, c. 191, s. 18.
R. S. 32:14–18	"	1939, c. 191, s. 19.
R. S. 32:14–19	repealed	1939, c. 191, s. 20.
R. S. 32:14–20	amended	1939, c. 191, s. 21; 1952, c. 259, s. 1.
R. S. 32:14–21	"	1939, c. 191, s. 22.
R. S. 32:14–23	"	1939, c. 191, s. 23; 1952, c. 259, s. 2; 1953, c. 31, s. 13.
R. S. 32:14–24	"	1953, c. 31, s. 14.
R. S. 32:14–25	"	1939, c. 191, s. 24; 1953, c. 31, s. 15.
R. S. 32:14–26	"	1939, c. 191, s. 25; 1953, c. 31, s. 16.
R. S. 32:14–27	"	1939, c. 191, s. 26.
R. S. 32:14–28	"	1939, c. 191, s. 27.
R. S. 32:14–29	"	1939, c. 191, s. 28.
R. S. 32:14–30	"	1939, c. 191, s. 29.

Chapter 15. HENRY HUDSON DRIVE.

R. S. 32:15–1	amended	1939, c. 191, s. 30.
R. S. 32:15–2	"	1939, c. 191, s. 31.
R. S. 32:15–3	"	1939, c. 191, s. 32.
R. S. 32:15–4	"	1939, c. 191, s. 33.

Chapter 16. PALISADES PARKWAY.

R. S. 32:16-1 amended 1939, c. 191, s. 34.
R. S. 32:16-2 " 1939, c. 191, s. 35.
R. S. 32:16-3 " 1939, c. 191, s. 36.
R. S. 32:16-4 " 1939, c. 191, s. 37.
R. S. 32:16-5 " 1939, c. 191, s. 38; 1953, c. 31, s. 17.
R. S. 32:16-6 " 1939, c. 191, s. 39; 1953, c. 31, s. 18.
R. S. 32:16-7 " 1939, c. 191, s. 40.

Subtitle 7. INTERSTATE SANITATION COMMISSION.

Chapter 19. THE COMMISSION.

R. S. 32:19-4 amended 1953, c. 31, s. 19.

Subtitle 8. (new) INTERSTATE CO-OPERATION FOR CONSERVATION AND PROTECTION OF WATER RESOURCES.

Chapter 20. (new) INTERSTATE CO-OPERATION OF WATER RESOURCES IN DELAWARE RIVER BASIN.

Interstate compact with New York and Pennsylvania for co-operation for conservation and protection of water resources in Delaware River basin, provided for, 1939, c. 146 (NJSA 58:17-1 to 58:17-6; RSCS 32:20-1 to 32:20-10).

Compact with New York, Pennsylvania and Delaware, creating Delaware River Basin Water Commission, authorized, powers, duties, functions, etc., provided for, 1951, c. 283 (C. 32:20-11 to 32:20-33).

Subtitle 9. (new) ATLANTIC STATES MARINE FISHERIES COMMISSION.

Chapter 21. (new) THE COMPACT AND COMMISSION.

Atlantic States Marine Fisheries Compact Law (1941), 1941, c. 169 (C. 32:21-1 to 32:21-6).

Supplemental compact, joint regulation of fisheries by States, provided for, 1950, c. 275 (C. 32:21-8 to 32:21-11).

Subtitle 10. (new) METROPOLITAN RAPID TRANSIT.

Chapter 22. (new) METROPOLITAN RAPID TRANSIT COMMISSION.

Metropolitan Rapid Transit Commission, appointment, powers, report, provided for, 1952, c. 194 (C. 32:22-1 to 32:22-10).

Subtitle 11. (new) WATERFRONT COMMISSION OF NEW YORK HARBOR.

Chapter 23. (new) WATERFRONT COMMISSION ACT.

Waterfront Commisson Act, 1953, c. 202 (C. 32:23-1 to C. 32:23-94).

Sec. 5 of above amended 1953, c. 203, ss. 1, 3 (C. 32:23-87).

Sec. 12 " " " 1953, c. 203, ss. 2, 3 (C. 32:23-94).

Title 33. INTOXICATING LIQUORS.

Chapter 1. ALCOHOLIC BEVERAGE LAW.

Note: For Department of Alcoholic Beverage Control continued as the Division of Alocholic Beverage Control in the Department of Law and Public Safety, see 1948, c. 439 (T. 52, c. 17B).

R. S. 33:1-1	amended	1953, c. 32, s. 1; see 1948, c. 439, s. 51 (C. 52:17B-51).
A. S. 33:1-2	"	1938, c. 79.
R. S. 33:1-4	"	1942, c. 155; 1944, c. 216; 1945, c. 229.
R. S. 33:1-5	"	1942, c. 143.
R. S. 33:1-10	"	1938, c. 30; 1938, c. 296; 1938, c. 429; 1939, c. 235; 1940, c. 83; 1942, c. 154; 1949, c. 276; 1950, c. 340.
R. S. 33:1-11	"	1942, c. 158.
R. S. 33:1-12	"	1942, c. 156; 1946, c. 272; 1951, c. 163.
R. S. 33:1-12.1	"	1941, c. 230; repealed 1943, c. 47.
R. S. 33:1-21	"	1938, c. 209; repealed 1942, c. 159.
R. S. 33:1-21.1	repealed	1942, c. 159.
R. S. 33:1-21.2	"	1942, c. 159.
R. S. 33:1-22	amended	1946, c. 316.
R. S. 33:1-25	"	1941, c. 97; 1942, c. 249; 1943, c. 46.
R. S. 33:1-26	"	1938, c. 297; 1941, c. 295; 1941, c. 405; 1943, c. 152.
R. S. 33:1-27	"	1951, c. 74; 1952, c. 126.
R. S. 33:1-28	"	1942, c. 157.
R. S. 33:1-31.2	"	1938, c. 350.
R. S. 33:1-35	"	1943, c. 37; 1953, c. 32, s. 2.
R. S. 33:1-39	"	1943, c. 154.
R. S. 33:1-43	"	1938, c. 147; 1939, c. 225; 1940, c. 234.
R. S. 33:1-44	"	1948, c. 20, s. 1; 1949, c. 296, s. 1.
R. S. 33:1-45	"	1948, c. 20, s. 2; 1949, c. 296, s. 2.
R. S. 33:1-46	"	1948, c. 20, s. 3; 1949, c. 296, s. 3.
R. S. 33:1-47	"	1948, c. 20, s. 4; 1949, c. 296, s. 4.

R. S. 33:1-47.1 amended 1945, c. 259; 1948, c. 20, s. 5; 1949, c. 296, s. 5.

R. S. 33:1-66 " 1953, c. 32, s. 3.

R. S. 33:1-77 " 1939, c. 228.

R. S. 33:1-81 " 1946, c. 246; 1953, c. 32, s. 4.

Additional Legislation.

Municipal excise commissions; establishment, powers, etc., certain municipalities, suppl., 1940, c. 63 (C. 33:1-5.1 to 33:1-5.3).

Secretaries to municipal boards of alcoholic beverage control, authorized, suppl., 1947, c. 269 (C. 33:1-5.4).

Licensees, Class A and B, sales, etc., to voluntary army and navy organizations, authorized, suppl., 1941, c. 326 (C. 33:1-11.1).
Sec. 1 of above amended 1950, c. 26 (C. 33:1-11.1).

New plenary retail consumption, seasonal retail consumption, plenary retail distribution, licenses, limitation of number in municipalities, provided for, suppl., 1946, c. 147 (C. 33:1-12.2 to 33:1-12.12).

Retail consumption licenses, limitation on number of new, certain cases, suppl., 1947, c. 94 (C. 33:1-12.13 to 33:1-12.22).

Retail licenses to sell alcoholic beverages in lieu of expiring licenses, issuance to veterans in certain cases, authorized, suppl., 1950, c. 145 (C. 33:1-12.22a, 33:1-12.22b).

Off premises sales by retail consumption licensees, certain cases, regulated, suppl., 1948, c. 98 (C. 33:1-12.23 to 33:1-12.25).

Renewal of expired or expiring license, defined, issuance of new limited retail distribution licenses and renewal or transfer of such licenses, regulated, suppl., 1952, c. 284 (C. 33:1-12.26 to 33:1-12.29).

Fair trade agreements as to dealings in alcoholic beverages, enforcement of by Commissioner, suppl., 1938, c. 208 (C. 33:1-23.1).

Club licenses, issuance in certain municipalities authorized, suppl., 1949, c. 255 (C. 33:1-45.1).

Club licenses, issuance, certain cases, provided for, suppl., 1945, c. 55 (C. 33:1-46.1 to 33:1-46.3).

Sec. 1 of above amended 1953, c. 367 (C. 33:1-46.1).

Alcohol, sale and possession of, regulated, suppl., 1939, c. 173 (NJSA 33:1-85 to 33:1-87; RSCS 33:1-2.1 to 33:1-2.3).

Illicit beverages, presumption, suppl., 1939, c. 177 (NJSA 33:1–88; RSCS 33:1–1.2).

Discrimination in sale to retailers of alcoholic beverages other than malt beverages, prohibited, suppl., 1939, c. 87 (NJSA 33:1–89 to 33:1–93; RSCS 33:1–85 to 33:1–89).

Discrimination in sales of certain alcoholic liquors to wholesalers, prohibited, suppl., 1942, c. 264 (C. 33:1–93.1 to 33:1–93.5).

Licenses effective on expiration of licenses previously issued, renewals, suppl., 1939, c. 281 (NJSA 33:1–96; RSCS 33:1–26.1).
Sec. 1 of above amended 1944, c. 187 (C. 33:1–96).

Chapter 2. STILLS AND DISTILLING APPARATUS.

R. S. 33:2–6 amended 1953, c. 32, s. 5.

Chapter 3. OTHER LAWS RELATING TO INTOXICATING LIQUORS.

R. S. 33:3–1 to 33:3–8 repealed 1938, c. 285.

R. S. 33:3–10 amended 1953, c. 32, s. 6.

Chapter 4. (new) COMMISSION ON ALCOHOLISM AND PROMOTION OF TEMPERANCE.

Commission constituted, functions, powers, duties, etc., 1945, c. 94 (C. 33:4–1).

Title 34. LABOR AND WORKMEN'S COMPENSATION.

Note: For use or permitting use of mercury or certain of its compounds in treating substances used in manufacture of hats prohibited, see N. J. S. 2A:170-16; for acceptance of honorable discharges from armed services in lieu of birth certificates by employers provided for, see 1942, c. 243 (T. 26, c. 8); for discrimination, on account of race, creed or color, against persons to be employed on war or defense work prohibited, see 1942, c. 114 (T. 10, c. 1), amended 1945, c. 174; for certain discriminatory practices in employment and otherwise, prohibited and Division Against Discrimination in the State Department of Education, established, see 1945, c. 169 (T. 18, c. 25), amended 1947, c. 155, 1949, c. 11, 1951, c. 64, 1953, c. 18; for transfer of functions to Department of Labor and Industry, see 1948, c. 446, s. 6 (T. 34, c. 1A).

For transfer of functions, powers and duties of the Unemployment Compensation Commission to the Division of Employment Security in the Department of Labor and Industry, see 1948, c. 446, s. 14 (T. 34, c. 1A).

Chapter 1. ORGANIZATION OF DEPARTMENT OF LABOR.

Note: For Deputy Commissioner of Compensation, civil service status, see 1939, c. 111 (T. 11, c. 4); for regulation of issuance of injunctions in labor disputes, see N. J. S. 2A:15-51 to 2A:15-58.

For transfer of functions, powers and duties of the Department and Commissioner of Labor to the Department of Labor and Industry, see 1948, c. 446, s. 6 (T. 34, c. 1A).

Article 1. Matters Relating to the Department Generally.

R. S. 34:1-1 see 1948, c. 446, s. 32 (C. 34:1A-32).

R. S. 34:1-23 amended 1942, c. 234; 1950, c. 39.

Article 2. Bureaus; Organization, Duties and Powers in General.

Note: For qualifications of Director and Deputy Director of Division of Workmen's Compensation and of Referee, Formal Hearings and certain powers of latter, provided for, see 1952, c. 269 (T. 34, c. 15).

R. S. 34:1-38 amended 1946, c. 249, s. 1.

R. S. 34:1-40 " 1946, c. 249, s. 2.

R. S. 34:1-57 " 1945, c. 74, ss. 1, 2.

Additional Legislation.

Directorship of Workmen's Compensation Bureau, first encumbent provided for, suppl., 1945, c. 74, ss. 1, 3 (C. 34:1-57.2).

Division of deaf; creation, powers, duties, etc., suppl., 1941, c. 197 (C. 34:1-69.1 to 34:1-69.6).

Article 3. Procedure for Recovery of Penalties.

R. S. 34:1-70 amended 1953, c. 33, s. 1.

Chapter 1A. (new) DEPARTMENT OF LABOR AND INDUSTRY.

Department of Labor and Industry Act of 1948, 1948, c. 446 (C. 34:1A-1 to 34:1A-35).

Sec. 12 of above amended 1950, c. 54 (C. 34:1A-12).

Director and deputies, qualifications, suppl., 1952, c. 269, ss. 5, 8 (C. 34:1A-12.1).

Referee, Formal Hearings, qualifications, suppl., 1952, c. 269, ss. 6, 8 (C. 34:1A-12.2).

State Apprenticeship Council, establishment, functions, powers and duties, provided for, 1953, c. 198 (C. 34:1A-36 to 34:1A-44).

Chapter 2. CHILD AND FEMALE LABOR; MERCANTILE ESTABLISHMENTS.

Note: For transfer of functions, powers and duties to Division of Labor in the Department of Labor and Industry, see 1948, c. 446, s. 7 (T. 34, c. 1A).

R. S. 34:2-2 to 34:2-23 repealed 1940, c. 153, s. 21.

R. S. 34:2-28 amended 1938, c. 98; 1941, c. 372.

Additional Legislation.

Child labor regulated, 1940, c. 153 (NJSA 34:2-21.1 to 34:2-21.22; RSCS 34:2-2 to 34:2-21).

Sec. 3 of above amended 1941, c. 139, s. 1 (C. 34:2-21.3).

Sec. 17 " " " 1941, c. 139, s. 2 (C. 34:2-21.17).

State Commission on Student Service established, powers, etc., suppl., 1942, c. 23 (C. 34:2-21.23 to 34:2-21.51).

Sec. 2 of above amended 1943, c. 195, s. 1 (C. 34:2-21.24).

Sec. 3 " " " 1943, c. 195, s. 2 (C. 34:2-21.25).

Sec. 23 " " " 1943, c. 44 (C. 34:2-21.45).

Certificates of merit for service, suppl., 1943, c. 78 (C 34:2-21.52).

Special dispensation for minors to work over hours, provided for, 1943, c. 146 (C. 34:2-21.53 to 34:2-21.56).

Chapter 3. COMPRESSED AIR.

Note: For transfer of functions, powers and duties to Division of Labor in the Department of Labor and Industry, see 1948, c. 446, s. 7 (T. 34, c. 1A).

R. S. 34:3–21 repealed 1953, c. 33, s. 2.

R. S. 34:3–22 " 1953, c. 33, s. 3.

Chapter 3A. (new) FILLING AND SERVICE STATIONS.

Note: For transfer of functions, powers and duties to Division of Labor in the Department of Labor and Industry, see 1948, c. 446, s. 7 (T. 34, c. 1A).

Pumps, containers, etc., of inflammable liquids, operation except by employees and experienced operators, prohibited, 1949, c. 274 (C. 34:3A–1 to 34:3A–3).

Sec. 3 of above amended 1953, c. 33, s. 4 (C. 34:3A–3).

Chapter 4. PASSENGER ELEVATORS.

Note: For transfer of functions, powers and duties to Division of Labor in the Department of Labor and Industry, see 1948, c. 446, s. 7 (T. 34, c. 1A).

R. S. 34:4–5 amended 1953, c. 33, s. 5.

R. S. 34:4–6 " 1953, c. 33, s. 6.

R. S. 34:4–7 repealed 1953, c. 33, s. 7.

R. S. 34:4–8 " 1953, c. 33, s. 8.

Chapter 5. SAFETY CODE FOR WORKERS IN CONSTRUCTION INDUSTRY.

Note: For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

For transfer of functions, powers and duties to Division of Labor in the Department of Labor and Industry, see 1948, c. 446, s. 7 (T. 34, c. 1A).

R. S. 34:5–162 amended 1953, c. 33, s. 9.

R. S. 34:5–163 repealed 1953, c. 33, s. 10.

Chapter 6. INSPECTION AND REGULATION OF FACTORIES, MINES, WORKSHOPS AND OTHER INDUSTRIES.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

For transfer of functions, powers and duties to Division of Labor in the Department of Labor and Industry, see 1948, c. 446, s. 7 (T. 34, c. 1A).

Article 1. Fire Escapes and Fire Protection.

D1. (new) Reports of Fires.

Additional Legislation.

Fires in industrial establishments, reports by municipal fire chiefs to Department of Labor and Industry, required, 1950, c. 51 (C. 34:6-21.1 to 34:6-21.3).

Article 3A. (new) High-voltage Lines.

High-voltage lines, precautions in proximity to, etc., required 1948, c. 249 (C. 34:6-47.1 to 34:6-47.9).

Article 4. Occupational Diseases.

R. S. 34:6-56 repealed 1953, c. 33, s. 11.

R. S. 34:6-57 " 1953, c. 33, s. 12.

Article 7. Meal Times.

R. S. 34:6-63 amended 1942, c. 31.

Article 9. Mines and Quarries.

R. S. 34:6-77 amended 1949, c. 253.

Article 11. Bakeries and Confectioneries.

R. S. 34:6-117 repealed 1953, c. 33, s. 13.

R. S. 34:6-118 " 1953, c. 33, s. 14.

R. S. 34:6-119 amended 1953, c. 33, s. 15.

Article 12. Home Work and Sweatshops.

R. S. 34:6-136 amended 1953, c. 33, s. 16.

Additional Legislation.

Daily records of home work in hand knitting industry to be kept by employers and employees; payments therefor regulated, suppl., 1940, c. 98 (C. 34:6-130.1, 34:6-130.2).

Title of above amended 1941, c. 264.

Industrial Homework Control and Licensing Law, 1941, c. 308 (C. 34:6-136.1 to 34:6-136.23).

Sec. 2 of above amended 1942, c. 307 (C. 34:6-136.2).

Sec. 16 " " " 1950, c. 42 (C. 34:6-136.16).

Sec. 18 " " " 1953, c. 33, s. 17 (C. 34:6-136.18).

Chapter 7. ENGINEERS' AND FIREMEN'S LICENSES; BOILERS, PRESSURE VESSELS AND REFRIGERATION PLANTS.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

For transfer of functions, powers and duties to Division of Labor in the Department of Labor and Industry, see 1948, c. 446, s. 7 (T. 34, c. 1A).

R. S. 34:7-1	amended	1946, c. 249, s. 3.
R. S. 34:7-2	"	1946, c. 249, s. 4.
R. S. 34:7-3	"	1946, c. 249, s. 5.
R. S. 34:7-5	"	1946, c. 249, s. 6.
R. S. 34:7-6	"	1946, c. 249, s. 7.
R. S. 34:7-7	"	1953, c. 33, s. 18.
R. S. 34:7-8	"	1953, c. 33, s. 19.
R. S. 34:7-9	"	1953, c. 33, s. 20.
R. S. 34:7-10	repealed	1953, c. 33, s. 21.
R. S. 34:7-11	"	1953, c. 33, s. 22.
R. S. 34:7-12	amended	1953, c. 33, s. 23.
R. S. 34:7-13	repealed	1953, c. 33, s. 24.
R. S. 34:7-14	amended	1946, c. 92, s. 1.
R. S. 34:7-15	"	1946, c. 92. s. 2.
R. S. 34:7-16	"	1946, c. 92, s. 3.
R. S. 34:7-19	"	1946, c. 92, s. 4.
R. S. 34:7-24	"	1946, c. 92, s. 5.
R. S. 34:7-26	"	1946, c. 92, s. 6; 1953, c. 33, s. 25.

Chapter 8. EMPLOYMENT AGENCIES.

Note: For transfer of functions, powers and duties to Division of Labor in the Department of Labor and Industry, see 1948, c. 446, s. 7 (T. 34, c. 1A).

R. S. 34:8-1	see	1951, c. 337, s. 17 (C. 34:8-40).
R. S. 34:8-2	amended	1944, c. 203; see 1951, c. 337, s. 17 (C. 34:8-40).
R. S. 34:8-3 to 34:8-18	see	1951, c. 337, s. 17 (C. 34:8-4).

R. S. 34:8-19 amended 1953, c. 33, s. 26; see 1951, c. 337, s. 17 (C. 34:8-40).

R. S. 34:8-20 " 1953, c. 33, s. 27; see 1951, c. 337, s. 17 (C. 34:8-40).

R. S. 34:8-21 to 34:8-23 repealed 1953, c. 33, ss. 28-30.

Additional Legislation.

Employment agencies and employees thereof, licensing and regulation, provided for, suppl., 1951, c. 337 (C. 34:8-24 to 34:8-42).

Sec. 2 of above amended 1953, c. 379, s. 1 (C. 34:8-25).

Sec. 10 " " " 1953, c. 379, s. 2 (C. 34:8-33).

Chapter 9A. (new) MIGRANT LABOR.

Note: For migrant labor, examinations for venereal diseases, provided for, see 1945, c. 102 (T. 26, c. 4).

For transfer of functions, powers and duties to Bureau of Migrant Labor in the Division of Labor in the Department of Labor and Industry, see 1948, c. 446, s. 9 (T. 34, c. 1A).

Migrant labor act (1945), 1945, c. 71 (C. 34:9A-1 to 34:9A-36).

Chapter 10. HOURS OF LABOR.

Note: For transfer of functions, powers and duties to Division of Labor in the Department of Labor and Industry, see 1948, c. 446, s. 7 (T. 34. c. 1A).

Chapter 11. WAGES.

Note: For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

For transfer of functions, powers and duties to Division of Labor in the Department of Labor and Industry, see 1948, c. 446, s. 7 (T. 34, c. 1A).

Article 1. Regulations in General.

R. S. 34:11-4 amended 1941, c. 415, s. 1 (title amended 1942, c. 6).

R. S. 34:11-6 " 1941, c. 415, s. 2 (title amended 1942, c. 6).

R. S. 34:11-7 " 1953, c. 33, s. 31.

R. S. 34:11-8 repealed 1953, c. 33, s. 32.

R. S. 34:11-9 " 1953, c. 33, s. 33.

R. S. 34:11-11 to 34:11-13 " 1953, c. 33, s. 34-36.

R. S. 34:11-33 amended 1953, c. 33, s. 37.

Article 2. Minimum Wage Standards.

R. S. 34:11-34 amended 1941, c. 321, s. 1.
R. S. 34:11-41 " 1953, c. 33, s. 38.
R. S. 34:11-47 " 1941, c. 321, s. 2.
R. S. 34:11-49 repealed 1941, c. 321, s. 5.
R. S. 34:11-50 " 1941, c. 321, s. 5.
R. S. 34:11-51 amended 1941, c. 321, s. 3.
R. S. 34:11-52 " 1941, c. 321, s. 4.
R. S. 34:11-53 " 1953, c. 33, s. 39.

Additional Legislation.

Cost of medical examinations of employees or prospective employees made at request or direction of employer to be paid for by employer, suppl., 1952, c. 147 (C. 34:11-24.1 to 34:11-24.3).

Article 2A. (new) Discrimination in Wages.

Additional Legislation.

Discrimination in wages because of sex, prohibited, penalties, etc., 1952, c. 9 (C. 34:11-56.1 to 34:11-56.11).

Article 3. Wage Collection Division.

R. S. 34:11-58 amended 1953, c. 33, s. 40.
R. S. 34:11-63 " 1953, c. 33, s. 41.
R. S. 34:11-64 " 1953, c. 33, s. 42.
R. S. 34:11-66 " 1953, c. 33, s. 43.
R. S. 34:11-67 " 1953, c. 33, s. 44.

Chapter 13. ARBITRATION OF LABOR DISPUTES.

R. S. 34:13-4 amended 1953, c. 33, s. 45.

Chapter 13A. (new) NEW JERSEY LABOR MEDIATION ACT.

Note: For transfer of New Jersey State Board of Mediation and its functions, powers and duties to Department of Labor and Industry, see 1948, c. 446, s. 6 (T. 34, c. 1A).

Mediation of labor disputes, regulated, 1941, c. 100 (C. 34:13A-1 to 34:13A-13).

Sec. 3 of above amended 1941, c. 299 (C. 34:13A-3).
Sec. 4 " " " 1945, c. 32, s. 1 (C. 34:13A-4).
Sec. 9 " " " 1945, c. 32, s. 2 (C. 34:13A-9).

State Board of Mediation, qualification of members prescribed, suppl., 1945, c. 32, s. 3 (C. 34:13A-10.1).

Chapter 13B. (new) LABOR DISPUTES IN PUBLIC UTILITIES.

Collective bargaining and settlement of labor disputes in public utilities, and seizure and operation of public utilities by the State in certain cases, provided for, 1946, c. 38 (C. 34:13B-1 to 34:13B-17).

Title of above amended 1947, c. 47, s. 1; 1947, c. 75, s. 1.

Sec. 1 " " " 1947, c. 75, s. 3 (C. 34:13B-1).

Sec. 8 of above repealed 1950, c. 14, s. 3 (C. 34:13B-8).

Sec. 9 " " " 1950, c. 14, s. 3 (C. 34:13B-9).

Sec. 10 " " " 1950, c. 14, s. 3 (C. 34:13B-10).

Sec. 11 " " " 1950, c. 14, s. 3 (C. 34:13B-11).

Sec. 12 " " " 1950, c. 14, s. 3 (C. 34:13B-12).

Sec. 13 " " amended 1950, c. 14, s. 1 (C. 34:13B-13).

Sec. 15 " " " 1947, c. 75, s. 9 (C. 34:13B-15).

Sec. 17 " " " 1947, c. 75, s. 10 (C. 34:13B-17).

Labor disputes in public utilities, compulsory arbitration, provided for, suppl., 1947, c. 47 (C. 34:13B-18 to 34:13B-25).

Title of above amended 1947, c. 75, s. 2.

Sec. 3 " " " 1947, c. 75, s. 4 (C. 34:13B-19).

Sec. 4 " " " 1947, c. 75, s. 5 (C. 34:13B-20).

Sec. 5 " " " 1947, c. 75, s. 6; 1953, c. 33, s. 46 (C. 34:13B-21).

Sec. 6 " " repealed 1949, c. 308, s. 2 (C. 34:13B-22).

Sec. 7 " " amended 1947, c. 75, s. 7; 1953, c. 33, s. 47 (C. 34:13B-23).

Sec. 8 " " " 1947, c. 75, s. 8; 1950, c. 14, s. 2 (C. 34:13B-24).

Sec. 9 " " " 1947, c. 75, s. 12 (C. 34:13B-25).

Injunction to prohibit violation of, Chancery may issue on application by Attorney General, suppl., 1947, c. 75, s. 11 (C. 34:13B-26).

Sec. 11 of above amended 1953, c. 33, s. 48 (C. 34:13B-26).

Findings of fact, decision and order, standards for determination of dispute, provided for, suppl., 1949, c. 308 (C. 34:13B-27 to 34:13B-29).

Sec. 3 of above repealed 1950, c. 14, s. 4 (C. 34:13B-29).

Chapter 15. WORKMEN'S COMPENSATION.

Note: For right to examine hospital records in compensation cases and actions for damages, provided for, see 1945, c. 286 (T. 2, c. 101A).

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

For transfer of functions, powers and duties to Division of Workmen's Compensation in the Department of Labor and Industry, see 1948, c. 446, s. 11 (T. 34, c. 1A).

For qualifications of Director and Deputy Director of Division of Workmen's Compensation and of Referee, Formal Hearings, provided for, see 1952, c. 269 (T. 34, c. 15).

Article 1. Actions at Law.

R. S. 34:15-4	amended	1953, c. 33, s. 49.
R. S. 34:15-6	"	1953, c. 33, s. 50.

Article 2. Elective Compensation.

R. S. 34:15-10	amended	1940, c. 176; 1945, c. 74, ss. 4, 1.
R. S. 34:15-12	"	1939, c. 287; 1942, c. 97; 1945, c. 74, ss. 5, 1, 20; 1950, c. 175; 1951, c. 105.
R. S. 34:15-13	"	1938, c. 36; 1945, c. 74, ss. 6, 1, 20; 1953, c. 159.
R. S. 34:15-14	"	1945, c. 74, ss. 7, 1.
R. S. 34:15-16	"	1945, c. 74, ss. 8, 1.
R. S. 34:15-22	"	1945, c. 74, ss. 9, 1; 1952, c. 269, ss. 1, 8.
R. S. 34:15-25	"	1953, c. 33, s. 51.
R. S. 34:15-26	"	1945, c. 74, ss. 10, 1; 1953, c. 33, s. 52.
R. S. 34:15-27	"	1952, c. 269, ss. 2, 8.
R. S. 34:15-30	"	1949, c. 29, ss. 1, 4.

R. S. 34:15-31 amended 1938, c. 419; 1945, c. 53; 1949, c. 29, ss. 2, 4.

R. S. 34:15-33 " 1948, c. 468, ss. 1, 3, 4.

R. S. 34:15-34 " 1948, c. 468, ss. 2, 3, 4.

Additional Legislation.

Rate of compensation, in certain cases, of veterans employed in on-the-job-training, provided for, suppl., 1947, c. 364 (C. 34:15-12.1 to 34:15-12.6).

Sec. 1 of above amended 1953, c. 223 (C. 34:15-12.1).

Sec. 3 " " " 1950, c. 342 (C. 34:15-12.3).

Refund of medical, etc., services expenses paid on behalf of petitioner, not by employer, inclusion in award, etc., provided for, suppl., 1953, c. 207 (C. 34:15-15.1).

Article 3. Definitions and General Provisions.

R. S. 34:15-36 amended 1945, c. 74, ss. 11, 1, 20.

R. S. 34:15-37 " 1945, c. 74, ss. 12, 1, 20.

R. S. 34:15-38 " 1945, c. 74, ss. 13, 1.

R. S. 34:15-40 " 1951, c. 169.

R. S. 34:15-43 " 1946, c. 300, s. 1; 1948, c. 269; 1948, c. 430, ss. 1, 3; 1951, c. 211; 1952, c. 317; 1953, c. 414.

R. S. 34:15-45 " 1953, c. 33, s. 53.

R. S. 34:15-46 " 1953, c. 33, s. 54.

R. S. 34:15-48 " 1947, c. 31.

Additional Legislation.

Limitation for filing petitions and instituting proceedings, certain cases, extended, suppl., 1943, c. 72 (C. 34:15-41.1).

Article 4. Claims and Determination Thereof.

R. S. 34:15-49 amended 1941, c. 194.

R. S. 34:15-53 " 1945, c. 74, ss. 14, 1.

R. S. 34:15-54 " 1947, c. 267.

R. S. 34:15-55.1 " 1945, c. 74, ss. 15, 1.

R. S. 34:15-57 " 1952, c. 269, ss. 3, 8.

R. S. 34:15-58 " 1952, c. 269, ss. 4, 8.

R. S. 34:15–60	amended	1939, c. 291; 1953, c. 33, s. 55.
R. S. 34:15–63	"	1941, c. 167.
R. S. 34:15–64	"	1945, c. 74, ss. 16, 1; 1952, c. 318.
R. S. 34:15–65	"	1953, c. 33, s. 56.
R. S. 34:15–66	"	1945, c. 74, ss. 17, 1; 1953, c. 33, s. 57.
R. S. 34:15–66.1	"	1953, c. 33, s. 58.
R. S. 34:15–67	"	1945, c. 97; repealed 1953, c. 33, s. 59.
R. S. 34:15–69	"	1953, c. 33, s. 60.

Additional Legislation.

Referee, Formal Hearings, power to dismiss, reinstate and approve discontinuances of, formal petitions, provided for, suppl., 1952, c. 269, ss. 7, 8 (C. 34:15–54.1).

Compensation for temporary disability awarded under Workmen's Compensation and Temporary Disability Benefits Laws for same disability and period, reimbursement of Division of Employment Security of New Jersey, Department of Labor and Industry, by employer or insurance carrier, provided for and regulated, suppl., 1950, c. 174 (C. 34:15–57.1 to 34:15–57.3).

Article 5. Compulsory Insurance.

Note: For compliance with workmen's compensation compulsory insurance provisions, made condition of municipal license to operate theatres or other amusement businesses, see 1947, c. 296 (T. 40, c. 52), amended 1948, c. 234.

R. S. 34:15–74	amended	1940, c. 108; 1946, c. 300, s. 2; 1948, c. 430, ss. 2, 3; 1952, c. 316, s. 1; 1953, c. 340, s. 1.
R. S. 34:15–75	"	1945, c. 74, ss. 18, 1, 20; 1951, c. 276; 1952, c. 316, s. 2; 1953, c. 340, s. 2.
R. S. 34:15–76	"	1952, c. 316, s. 3; 1953, c. 340, s. 3.
R. S. 34:15–79	"	1938, c. 130.
R. S. 34:15–81	"	1948, c. 58.
R. S. 34:15–84	"	1953, c. 33, s. 61.
R. S. 34:15–87	"	1939, c. 68.
R. S. 34:15–94	"	1938, c. 198, s. 1; 1945, c. 10, s. 1; 1950, c. 89, s. 1; 1952, c. 80.
R. S. 34:15–95	"	1938, c. 198, s. 2; 1940, c. 133, ss. 1, 3; 1945, c. 10, s. 2; 1945, c. 74, ss. 19, 1; 1950, c. 89, s. 2.

Additional Legislation.

Application for benefits, hearing, decision, review, suppl., 1938, c. 198, s. 3, amended 1940, c. 133, s. 2 (C. 34:15–95.1, 34:15–95.2).

Article 7. Insolvent Insurance Carriers; Security Funds

R. S. 34:15–115 amended 1941, c. 85.

Article 8. (new) Destruction of Records.

Additional Legislation.

Records, certain, of Division of Workmen's Compensation, destruction, etc., provided for, 1953, c. 94 (C. 34:15–121 to 34:15–127).

Chapter 16. REHABILITATION.

Note: For transfer of the commission and its functions, powers and duties to the Department of Labor and Industry, see 1948, c. 446, s. 6 (T. 34, c. 1A).

R. S. 34:16–6 amended 1946, c. 263.

Additional Legislation.

Vocational examiners, additional, appointment, etc., 1941, c. 155 (C. 34:16–7.1).

Chapter 18. (new) DEPOSITS BY EMPLOYEES WITH EMPLOYER.

Deposits of moneys, etc., by employee with employer to insure performance of duties, trust funds, regulated, remedies, etc., 1939, c. 117 (NJSA 34:18–1 to 34:18–5; RSCS 34:10A–1 to 34:10A–5).

Title 35. LEGAL ADVERTISEMENTS.

Chapter 1. LEGAL NEWSPAPERS.

R. S. 35:1-2.1 amended 1938, c. 328; 1941, c. 147, s. 1; 1941, c. 409, s. 1; 1953, c. 411, s. 1.

R. S. 35:1-2.2 " 1938, c. 328; 1941, c. 147, s. 2; 1941, c. 409, s. 2; 1953, c. 342; 1953, c. 411, s. 2.

Additional Legislation.

Suspension of publication, war time, certain cases, provided for, 1943, c. 105 (C. 35:1-2.4).

Chapter 2. OFFICIAL ADVERTISING.

R. S. 35:2-1 amended 1944, c. 156; 1952, c. 250.

Additional Legislation.

County and municipal advertising in newspaper published outside of county or municipality, authorized, suppl., 1944, c. 83 (C. 35:2-3.1, 35:2-3.2).

Title 36. LEGAL HOLIDAYS.

Chapter 1. LEGAL HOLIDAYS AND EFFECT THEREOF.

R. S. 36:1-1 amended 1938, c. 115; 1940, c. 85; 1942, c. 123; 1946, c. 55; 1947, c. 10.

Additional Legislation.

Saturday holidays during July and August for public offices of the State, counties and municipalities, provided for, suppl., 1946, c. 129 (C. 36:1-1.1).

Mother's Day and Father's Day, provided for, 1944, c. 116 (C. 36:1-5, 36:1-6).

Chapter 2. (new) COMMEMORATIVE DAYS.

Crispus Attucks Day designated, 1949, c. 49 (C. 36:2-1).

Title 37. MARRIAGES AND MARRIED PERSONS.

Chapter 1. MARRIAGES.

Article 2. Marriage Licenses.

R. S. 37:1-4	amended	1946, c. 185, s. 1; 1953, c. 34, s. 1.
R. S. 37:1-5	"	1946, c. 185, s. 2.
R. S. 37:1-6	"	1946, c. 185, s. 3; 1953, c. 34, s. 2.
R. S. 37:1-7	"	1941, c. 354.
R. S. 37:1-8	"	1946, c. 185, s. 4.
R. S. 37:1-10	"	1939, c. 227.
R. S. 37:1-12	"	1948, c. 285, s. 3.

Article 3. Solemnization of Marriages.

R. S. 37:1-13	amended	1948, c. 334, ss. 1, 2; 1949, c. 7, s. 1; 1953, c. 34, s. 3.
R. S. 37:1-15	"	1948, c. 127.

Additional Legislation.

Marriages solemnized by municipal magistrates or magistrate of municipal courts, validated, 1949, c. 7, s. 2 (C. 37:1-13.1).

Article 4. (new) Blood Tests.

Additional Legislation.

Test for syphilis before marriage license issued, 1938, c. 126 (C. 37:1-20 to 37:1-27).

Sec. 1 of above	amended	1953, c. 416, s. 1	(C. 37:1-20).
Sec. 2 "	"	"	1953, c. 416, s. 2 (C. 37:1-21).
Sec. 3 "	"	"	1953, c. 416, s. 3 (C. 37:1-22).
Sec. 4 "	"	"	1953, c. 416, s. 4 (C. 37:1-23).
Sec. 5 "	"	"	1953, c. 416, s. 5 (C. 37:1-24).
Sec. 6 "	"	"	1953, c. 416, s. 6 (C. 37:1-25).
Sec. 7 "	"	"	1941, c. 427 (C. 37:1-26).

Chapter 2. MARRIED PERSONS.

Note: For mortgage to husband and wife, unless otherwise provided, held fully as joint tenants, words of survivorship not required, see 1947, c. 206 (T. 46, c. 2D), amended 1951, c. 314; for property rights and property transactions of parties after divorce from bed and board, regulated, see 1949, c. 272 (T. 2, c. 50).

R. S. 37:2-9	amended	1953, c. 34, s. 4.
R. S. 37:2-11	"	1953, c. 34, s. 5.
R. S. 37:2-16	"	1953, c. 34, s. 6.
R. S. 37:2-18	"	1947, c. 408; 1950, c. 221; 1953, c. 34, s. 9.
R. S. 37:2-21	"	1953, c. 34, s. 10.
R. S. 37:2-22	"	1953, c. 34, s. 11.
R. S. 37:2-23	"	1953, c. 34, s. 12.
R. S. 37:2-24	"	1953, c. 34, s. 13.
R. S. 37:2-25	"	1953, c. 34, s. 14.
R. S. 37:2-26	"	1953, c. 34, s. 15.
R. S. 37:2-27	"	1953, c. 34, s. 16.
R. S. 37:2-28	"	1953, c. 34, s. 17.
R. S. 37:2-29	"	1953, c. 34, s. 18.

Additional Legislation.

Partnership contracts between husband and wife and others, authorized, and previous contracts validated, suppl., 1945, c. 130 (C. 37:2-16.1, 37:2-16.2).

Sec. 1 of above amended 1953, c. 34, s. 7 (C. 37:2-16.1).

Sec. 2 " " " 1953, c. 34, s. 8 (C. 37:2-16.2).

Relinquishment or release of dower and curtesy, to spouse, separately by deed, provided for, suppl., 1953, c. 352 (C. 37:2-18.1).

Title 38. MILITIA—SOLDIERS, SAILORS AND MARINES.

Subtitle 1. MILITIA.

Chapter 1. CLASSIFICATION OF MILITIA.

R. S. 38:1–1 amended 1941, c. 109, s. 1; 1942, c. 344; 1947, c. 108, s. 1.

Chapter 2. DEPARTMENTS.

Article 1. Governor and Staff.

R. S. 38:2–2 amended 1941, c. 109, s. 2; 1947, c. 105, s. 1; 1950, c. 239, s. 1.

Article 2. Adjutant-General.

Note: For consolidation of the Adjutant-General's Department and the Quartermaster-General's Department to constitute the State Department of Defense, see 1948, c. 82, s. 2 (T. 38, c. 14B).

R. S. 38:2–8 amended 1941, c. 109, s. 3.

R. S. 38:2–10 " 1947, c. 105, s. 2.

Article 3. Quartermaster-General.

Note: For consolidation of the Adjutant-General's Department and the Quartermaster-General's Department to constitute the State Department of Defense, see 1948, c. 82, s. 2 (T. 38, c. 14B).

R. S. 38:2–15 amended 1941, c. 109, s. 4.

R. S. 38:2–17 " 1947, c. 105, s. 3.

R. S. 38:2–21 " 1952, c. 41.

Chapter 3. NATIONAL GUARD.

R. S. 38:3–1 amended 1950, c. 239, s. 2.

R. S. 38:3–2 " 1950, c. 239, s. 3.

R. S. 38:3–3 " 1939, c. 95, s. 1; 1950, c. 239, s. 4.

R. S. 38:3–4 " 1939, c. 95, s. 2; 1950, c. 239, s. 5.

R. S. 38:3–5 " 1950, c. 239, s. 6.

R. S. 38:3–8 " 1950, c. 239, s. 7.

R. S. 38:3–9 " 1950, c. 239, s. 8.

R. S. 38:3–11 " 1950, c. 239, s. 9.

R. S. 38:3–12 " 1939, c. 95, s. 3; repealed 1950, c. 239, s. 29

R. S. 38:3–13 repealed 1950, c. 239, s. 29.

R. S. 38:3–14 " 1950, c. 239, s. 29.

R. S. 38:3-15	repealed	1950, c. 239, s. 29.
R. S. 38:3-16	amended	1950, c. 239, s. 10.
R. S. 38:3-17	"	1950, c. 239, s. 11.
R. S. 38:3-18	"	1950, c. 239, s. 12.
R. S. 38:3-19	"	1950, c. 239, s. 13.
R. S. 38:3-20	repealed	1950, c. 239, s. 29.
R. S. 38:3-21	amended	1950, c. 239, s. 14.
R. S. 38:3-22	"	1950, c. 239, s. 15.
R. S. 38:3-23	"	1939, c. 95, s. 4; 1950, c. 239, s. 16.
R. S. 38:3-24	"	1950, c. 239, s. 17.
R. S. 38:3-30	"	1939, c. 95, s. 5; 1947, c. 108, s. 2.
R. S. 38:3-36	"	1939, c. 95, s. 6; 1946, c. 224.

Additional Legislation.

Retirement of enlisted men for age; assignment to duty, suppl., 1939, c. 95, s. 9 (NJSA 38:3-23.1; RSCS 38:3-35.1).

Chapter 4. NAVAL MILITIA.

R. S. 38:4-5	amended	1950, c. 239, s. 18.
R. S. 38:4-6	"	1950, c. 239, s. 19.
R. S. 38:4-8	"	1950, c. 239, s. 20.
R. S. 38:4-9	repealed	1950, c. 239, s. 29.
R. S. 38:4-10	"	1950, c. 239, s. 29.
R. S. 38:4-11	"	1950, c. 239, s. 29.
R. S. 38:4-12	amended	1950, c. 239, s. 21.
R. S. 38:4-14	"	1950, c. 239, s. 22.
R. S. 38:4-15	repealed	1950, c. 239, s. 29.
R. S. 38:4-16	amended	1950, c. 239, s. 23.
R. S. 38:4-17	"	1950, c. 239, s. 24.
R. S. 38:4-18	"	1950, c. 239, s. 25.
R. S. 38:4-19	"	1950, c. 239, s. 26.
R. S. 38:4-31	"	1950, c. 239, s. 27.

Chapter 5. NEW JERSEY GUARD.

R. S. 38:5-1 amended 1941, c. 109, s. 5.
R. S. 38:5-2 " 1941, c. 109, s. 6.
R. S. 38:5-3 " 1941, c. 109, s. 7.
R. S. 38:5-4 " 1941, c. 109, s. 8.
R. S. 38:5-5 " 1941, c. 109, s. 9.
R. S. 38:5-6 " 1941, c. 109, s. 10.
R. S. 38:5-7 " 1941, c. 109, s. 11.
R. S. 38:5-8 " 1941, c. 109, s. 12.

Additional Legislation.

Exemption of members from posse comitatus and jury duty, suppl., 1941, c. 109, s. 16 (C. 38:5-4.1).

Commissioned and warrant officers, pay and allowances, regulated, suppl., 1941, c. 109, s. 13 (C. 38:5-5.1).

Enlisted men, pay and allowances; regulated, suppl., 1941, c. 109, s. 14 (C. 38:5-6.1).

Limitation of service, suppl., 1941, c. 109, s. 15 (C. 38:5-7.1).

Facilities which may be made available by State, counties, municipalities, etc., suppl., 1941, c. 109, s. 17 (C. 38:5-7.2).

Chapter 7. STATE MILITARY BOARD.

Note: For transfer of functions, powers, duties, records and property to the State Department of Defense, see 1948, c. 82, s. 2 (T. 38, c. 14B).

R. S. 38:7-1 amended 1941, c. 109, s. 18; 1946, c. 234.

Chapter 8. ARMORIES.

R. S. 38:8-8 amended 1948, c. 112.
R. S. 38:8-22 " 1950, c. 17.

Chapter 9. FUNDS AND PUBLIC PROPERTY.

R. S. 38:9-7 amended 1953, c. 35, s. 1.
R. S. 38:9-8 repealed 1953, c. 35, s. 2.
R. S. 38:9-9 " 1953, c. 35, s. 3.
R. S. 38:9-11 amended 1953, c. 35, s. 4.
R. S. 38:9-12 " 1953, c. 35, s. 5.

Chapter 11. COMPENSATION FOR INJURIES.

R. S. 38:11-1 amended 1941, c. 109, s. 19.
R. S. 38:11-4 " 1941, c. 109, s. 20.
R. S. 38:11-5 " 1941, c. 109, s. 21.

Chapter 12. PRIVILEGES AND IMMUNITIES.

R. S. 38:12-2 amended 1941, c. 109, s. 22.

R. S. 38:12-4 " 1941, c. 109, s. 23.

R. S. 38:12-5 " 1953, c. 82, s. 1; see 1952, c. 82, s. 2 (C. 38:12-5.1).

R. S. 38:12-8 " 1939, c. 95, s. 7.

Chapter 13. PROHIBITIONS AND PENALTIES.

R. S. 38:13-1 amended 1939, c. 95, s. 8.

R. S. 38:13-3 " 1941, c. 109, s. 24.

R. S. 38:13-4 " 1941, c. 109, s. 25.

R. S. 38:13-5 " 1941, c. 109, s. 26.

Chapter 14. GENERAL PROVISIONS.

R. S. 38:14-6 amended 1941, c. 109, s. 27; 1950, c. 239, s. 28.

Chapter 14A. (new) MILITARY FORCES FRESH PURSUIT ACT (1941).

Military Forces Fresh Pursuit Act (1941), 1941, c. 115 (C. 38:14A-1 to 38:14A-5).

Chapter 14B. (new) STATE DEPARTMENT OF DEFENSE.

Article 1. (new) State Department of Defense Act of 1948 with Supplements, etc.

"State Department of Defense Act of 1948", 1948, c. 82 (C. 38:14B-1 to 38:14B-15).

Chapter 14C. (new) INTERSTATE COMMUNICATION FACILITIES—EMERGENCY PROTECTION.

Agreements with other States for protection of interstate facilities in cases of emergency, provided for, suppl., 1950, c. 68 (C. 38:14c-1, 38:14c-2).

Chapter 14D. (new) INTERSTATE COMPACTS FOR MILITARY AID, ETC.

Note: For civil defense forces of other States, powers, etc., within this State, defined and provided for, see 1953, c. 117 (T. App. A, c. 9).

Compacts for mutual military aid, assistance, etc., with other States, authorized, 1951, c. 1 (C. 38:14D-1 to 38:14D-4).

Interstate compacts for mutual military aid and assistance, in emergency, between New Jersey, New York and other States, 1951, c. 2 (C. 38:14D-5, 38:14D-6).

Compact for interstate civil defense and disaster, 1951, c. 8 (C. 38:14D-7 to 38:14D-9).

Subtitle 2. SOLDIERS, SAILORS AND MARINES.

Note: For sales, etc., of alcoholic beverages to voluntary army and navy organizations, authorized, see 1941, c. 326 (T. 33, c. 1), amended 1950, c. 26; for exemption of same from taxation, see 1941, c. 327 (T. 54, c. 43), amended 1951, c. 68.

Chapter 15. BONUS.

Note: For annual reports to Secretary of State by veterans' organizations provided for, see 1946, c. 226 (T. 15, c. 17), amended 1953, c. 15.

Chapter 16. TENURE OF OFFICE.

Note: For civil service status of persons having tenure under this chapter, see 1941, c. 91 (T. 11, c. 4); for definition of public service in connection with rights, privileges and benefits of honorably discharged veterans, see 1945, c. 175 (T. 38, c. 23A).

R. S. 38:16–1 amended 1942, c. 83.

Additional Legislation.

Tenure of employees, etc., of joint municipal commissions in war service, provided for, 1944, c. 249 (C. 38:16–4, 38:16–5).

Policemen, firemen and motor vehicle inspectors, time spent in war service to be counted in determining seniority, etc., 1944, c. 86 (C. 38:16–6).

Chapter 17. BURIAL OF DECEASED SOLDIERS, SAILORS, MARINES AND NURSES.

Note: For monthly record of burials of deceased veterans required to be furnished by State Department of Health to Superintendents of Soldiers' Burials or Boards of Chosen Freeholders, see 1945, c. 202 (T. 26, c. 6); amended 1946, c. 232, 1953, c. 26, 1953, c. 316.

R. S. 38:17–1 amended 1945, c. 302; 1947, c. 175, s. 1; 1951, c. 136.

R. S. 38:17–2 " 1942, c. 196; 1946, c. 229; 1947, c. 237; 1948, c. 166; 1950, c. 150.

R. S. 38:17–7 " 1939, c. 24, s. 1.

R. S. 38:17–8 " 1939, c. 24, s. 2.

R. S. 38:17–9 " 1946, c. 230.

Additional Legislation.

Records of veterans' graves, maintenance, etc., provided for, suppl., 1945, c. 201 (C. 38:17–12).

Sec. 1 of above amended 1946,c. 233 (C. 38:17–12).

Chapter 18. COMPENSATION FOR BLIND SOLDIERS, SAILORS AND MARINES.

R. S. 38:18–1 amended 1945, c. 106, s. 1; 1946, c. 85, s. 1; 1951, c. 17.

R. S. 38:18–2 " 1945, c. 106, s. 2; 1946, c. 85, s. 2.

R. S. 38:18–3 " 1945, c. 106, s. 3; 1946, c. 85, s. 3.

Chapter 18A. (new) COMPENSATION FOR VETERANS SUFFERING FROM PARAPLEGIA.

Veterans suffering from paraplegia traumatically contracted in active military or naval service, compensation, provided for, 1947, c. 263 (C. 38:18A–1 to 38:18A–3).

Title of above amended 1948, c. 138.

Sec. 1 of above amended 1949, c. 192, s. 1; 1951, c. 16 (C. 38:18A-1).
Sec. 2 " " " 1949, c. 192, s. 2; 1950, c. 196, s. 1; 1951, c. 331, s. 1 (C. 38:18A-2).
Sec. 3 " " " 1949, c. 192, s. 3; 1950, c. 196, s. 2; 1951, c. 331, s. 2 (C. 38:18A-3).

Chapter 20. EDUCATION OF WAR ORPHANS.

R. S. 38:20-1 amended 1944, c. 197; 1951, c. 65.
R. S. 38:20-2 " 1952, c. 49, s. 1.
R. S. 38:20-3 " 1945, c. 105; 1952, c. 49, s. 2.

Chapter 22. DISCRIMINATION.

Additional Legislation.

Qualification for public employment forbidding joining or maintaining membership in National Guard, Naval Militia or United States Armed Forces Reserve, invalidated, 1949, c. 99 (C. 38:22-2).

Chapter 23. LEAVE OF ABSENCE FROM PUBLIC EMPLOYMENT

Note: For public service in connection with rights, privileges and benefits of honorably discharged veterans, defined, see 1945, c. 175 (T. 38, c. 23A).

R. S. 38:23-1 amended 1953, c. 351.
R. S. 38:23-2 " 1940, c. 25; 1945, c. 176; 1947, c. 271; 1948, c. 404, ss. 1, 2; 1951, c. 219; 1952, c. 207.

Additional Legislation.

Leave of absence for ad interim or temporary State, county or municipal employees for field training, provided for, suppl., 1953, c. 350, ss. 1-2 (C. 38:23-1.1, 38:23-1.2).

Leave of absence of State, county, municipal, school district, etc., employees for military service, made obligatory, 1941, c. 119 (C. 38:23-4).
Title of above amended 1942, c. 327, s. 1.
Sec. 1 " " " 1942, c. 327, s. 2 (C. 38:23-4).

"Emergency" defined, suppl., 1951, c. 18 (C. 38:23-4.1).

Pension and retirement fund rights of State, county, municipal, school district, etc., employees in military or naval service, saved, etc., suppl., 1942, c. 252 (C. 38:23-5, 38:23-6).
Title of above amended 1942, c. 326, s. 1; 1951, c. 21, s. 1.
Sec. 1 " " " 1942, c. 326, s. 2; 1944, c. 87; 1948, c. 457; 1951, c. 21, s. 2 (C. 38:23-5).
Sec. 2 " " " 1942, c. 326, s. 3 (C. 38:23-6).

Chapter 23A. (new) SPECIAL PRIVILEGES AND EXEMPTIONS OF PERSONS IN MILITARY AND NAVAL SERVICE.

Note: For establishment and maintenance of veterans' education and training program, see 1946, c. 64 (T. 18, c. 14A); amended 1947, c. 141, 1948, c. 147, 1949, c. 101.

Oaths, affidavits, acknowledgments, proofs, etc., by persons in military service, taking before commissioned officers, authorized, 1941, c. 333 (C. 38:23A–1).

Title of above amended 1945, c. 234, s. 1.

Sec. 1 " " " 1943, c. 156; 1945, c. 234, s. 2; 1951, c. 92 (C. 38:23A–1).

Time of war service not to be counted in determining maximum age limits for appointment or election to State, county, municipal or school district, office, position, etc., 1944, c. 98 (C. 38:23A–2).

Sec. 1 of above amended 1946, c. 206 (C. 38:23A–2).

Definition of public service in connection with rights, privileges and benefits of honorably discharged veterans, suppl., 1945, c. 175 (C. 38:23A–3).

Renewal or reinstatement of certain licenses, registration certificates or permits to practice profession or engage in occupation, for veterans, provided for, 1946, c. 51 (C. 38:23A–4 to 38:23A–6).

Sec. 1 of above amended 1952, c. 116 (C. 38:23A–4).

Apprentice and on the job training programs for veterans in State Departments and counties and municipalities, provided for, 1946, c. 162 (C. 38:23A–7).

Title of above amended 1952, c. 232, s. 1.

Sec. 1 " " " 1952, c. 232, s. 2 (C. 38:23A–7).

Chapter 23B. (new) VETERANS' LOANS.

Note: For exemption from taxation of certain veterans' loans held by savings banks, see 1945, c. 80 (T. 54, c. 4).

For transfer of, and continuation as, Veterans Loan Authority in Department of Conservation and Economic Development, see 1948, c. 448, s. 19 (T. 13, c. 1B).

Article 1. (new) Veterans' Loan Act (1944).

Veterans' Loan Act (1944) 1944, c. 126 (C. 38:23B–1 to 38:23B–22) (short title amended as above, 1946, c. 121, s. 18).

Title of above amended 1946, c. 121, s. 1.

Sec. 1 " " " 1946, c. 121, s. 3 (C. 38:23B–1).

Sec. 4 " " see 1946, c. 121, s. 3 (C. 38:23B–4).

Sec. 5 " " amended 1945, c. 185, s. 1; 1946, c. 121, s. 5 (C. 38:23B–5).

Sec. 6 " " " 1945, c. 185, s. 2 (C. 38:23B–6).

Sec. 7 of above amended 1951, c. 89, s. 1 (C. 38:23B-7).

Sec. 8 " " " 1945, c. 185, s. 3; 1946, c. 121, s. 6; 1950, c. 216, s. 1; 1951, c. 89, s. 2 (C. 38:23B-8).

Sec. 9 " " " 1945, c. 185, s. 4; 1946, c. 121, s. 7 (C. 38:23B-9).

Sec. 12 " " " 1945, c. 185, s. 5; 1946, c. 121, s. 9; 1947, c. 190, s. 1 (C. 38:23B-12).

Sec. 13 " " " 1946, c. 121, s. 11 (C. 38:23B-13).

Sec. 14 " " " 1945, c. 185, s. 6; 1946, c. 121, s. 12 (C. 38:23B-14).

Sec. 15 " " repealed 1945, c. 185, s. 14 (C. 38:23B-15).

Sec. 16 " " amended 1945, c. 185, s. 13 (C. 38:23B-16).

Sec. 17 " " " 1947, c. 190, s. 3 (C. 38:23B-17).

Sec. 18 " " " 1946, c. 121, s. 16; 1947, c. 190, s. 4 (C. 38:23B-18).

Sec. 19 " " " 1946, c. 121, s. 17 (C. 38:23B-19).

Sec. 21 " " " 1946, c. 121, s. 18 (C. 38:23B-21).

Applications for loans for purchase of household furnishings or appliances, submission and approval, provided for, 1946, c. 121, s. 8 (C. 38:23B-9.1).

Loans for purchase of household furnishings and appliances, terms and security, provided for, 1946, c. 121, s. 10 (C. 38:23B-12.1).

Sec. 10 of above amended 1947, c. 190, s. 2 (C. 38:23-12.1).

Veterans' loans, guarantee and insurance by authority, reserves, defaults, etc., provided for, suppl., 1945, c. 185, ss. 7-12 (C. 38:23B-14.1 to 38:23B-14.7).

Title of above amended 1946, c. 121, s. 2.

Sec. 11 " " " 1946, c. 121, s. 15 (C. 38:23B-14.5).

Suppl., 1946, c. 121, ss. 13, 14 (C. 38:23B-14.2a, 38:23B-14.4a).

Additional loans permitted certain veterans of World War II and of current emergency, suppl., 1951, c. 89, s. 3 (C. 38:23B-19.1).

Additional powers of authority, suppl., 1950, c. 216, s. 2 (C. 38:23B-22.1).

Transfer of powers, duties and functions and records, etc., of authority to State Department of Law and Public Safety, for liquidation, on June 30, 1955, provided for, suppl., 1950, c. 216, s. 3 (C. 38:23B-22.2).

Capitalization of authority, increase of, provided for, 1946, c. 121, s. 4 (NJSA, RSCS 38:23B-1 note).

Article 2. (new) Veterans' Loans in General.

Contracts, obligations, pledges, mortgages and conveyances, made by minors over eighteen years of age in connection with certain veterans' loans, made valid and enforceable, 1946, c. 134 (C. 38:23B-23).

Title of above amended 1947, c. 189, s. 1.

Sec. 1 " " " 1947, c. 189, s. 2 (C. 38:23B-23).

Chapter 24. STATE SERVICE OFFICER.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85 (T. 52, c. 27c); amended 1945, c. 128; for records of veterans' graves, maintenance, etc., see 1945, c. 201 (T. 38, c. 17); amended 1946, c. 233.

For transfer of functions, powers and duties of Division of Veterans Services of Department of Economic Development to Department of Conservation and Economic Development, see 1948, c. 448, s. 18 (T. 13, c. 1B).

R. S. 38:24-1 repealed 1944, c. 85, s. 52.

R. S. 38:24-2 " 1944, c. 85, s. 52.

Chapter 25. WAR HISTORIES AND RECORDS.

R. S. 38:25-5 amended 1948, c. 153.

Chapter 25A. (new) SOUVENIRS, INSIGNIA AND EMBLEMS.

Designation of State souvenir of deceased veterans of the World War; sales regulated, 1938, c. 207 (C. 38:25A-1 to 38:25A-7).

Sec. 3 of above amended 1943, c. 85 (C. 38:25A-3).

Designation of State souvenir of Disabled American Veterans of the World War; sales regulated, 1939, c. 135 (NJSA 38:25A-8 to 38:25A-13; RSCS 38:25B-1 to 38:25B-6).

The daisy, official souvenir of Italian-American World War Veterans, recognized, use regulated, 1951, c. 263 (C. 38:25A-14 to 38:25A-16).

Subtitle 4. (new) INDUCTION INTO ARMED FORCES OF UNITED STATES.

Chapter 28. (new) INMATES OF PENAL AND CORRECTIONAL INSTITUTIONS.

Release of inmates from penal and correctional institutions for induction into armed forces of the United States, provided for, 1945, c. 54 (C. 38:28-1, 38:28-2).

Title 39. MOTOR VEHICLES AND TRAFFIC REGULATION.

Note: For regulation of traffic on turnpike projects, see 1951, c. 264 (T. 27, c. 23).

For copies, reports of motor vehicle accidents, etc., to be furnished by State Police, see 1952, c. 117 (T. 53, c. 2).

Subtitle 1. MOTOR VEHICLE AND TRAFFIC LAWS.

Chapter 1. DEFINITIONS.

R. S. 39:1-1 amended 1951, c. 25; 1953, c. 36, s. 1; see 1948, c. 439, s. 51 (C. 52:178-51).

Chapter 2. DEPARTMENT OF MOTOR VEHICLES.

Note: For time spent in war service by motor vehicle inspectors, to be counted in determining seniority, etc., see 1944, c. 86 (T. 38, c. 16); for Department of Motor Vehicles continued as the Division of Motor Vehicles in the Department of Law and Public Safety, see 1948, c. 439, s. 19 (T. 52, c. 17B).

R. S. 39:2-2 amended 1944, c. 44; 1953, c. 36, s. 2.

R. S. 39:2-4 " 1953, c. 36, s. 3.

R. S. 39:2-6 " 1941, c. 178.

Additional Legislation.

Motor vehicle inspectors, tenure, pension and retirement rights upon transfer or promotion, protected, 1950, c. 201 (C. 39:2-7.1).

Chapter 3. MOTOR VEHICLES.

Note: For Department of Motor Vehicles continued as Division of Motor Vehicles, and Commissioner of Motor Vehicles continued as Director of said Division, in the Department of Law and Public Safety, see 1948, c. 439, s. 19 (T. 52, c. 17B); for storing, handling, transporting, utilizing and odorization of liquefied petroleum gas, regulated, see 1950, c. 139 (T. 21, c. 1B), amended 1953, c. 21.

Article 2. Registration and Licensing.

R. S. 39:3-4 amended 1938, c. 66, s. 1; 1940, c. 246, s. 1; 1944, c. 5 (see 1946, c. 45, infra); 1949, c. 275; 1952, c. 45.

R. S. 39:3-8 " 1953, c. 256.

R. S. 39:3-9 " 1938, c. 66, s. 2; 1940, c. 246, s. 2.

R. S. 39:3-10 " 1938, c. 66, s. 3; 1953, c. 72.

R. S. 39:3–10.1 amended 1938, c. 49; 1938, c. 66, s. 4; 1951, c. 218; 1953, c. 66.

R. S. 39:3–11 " 1953, c. 73.

R. S. 39:3–13 " 1947, c. 247.

R. S. 39:3–15 " 1938, c. 66, s. 5; 1938, c. 332; 1939, c. 79, s. 1.

R. S. 39:3–16 " 1939, c. 79, s. 2.

R. S. 39:3–17 " 1939, c. 79, s. 3.

R. S. 39:3–18 " 1951, c. 4.

R. S. 39:3–19 " 1951, c. 5.

R. S. 39:3–20 " 1946, c. 46, ss. 1, 2; 1950, c. 142, ss. 1, 8

R. S. 39:3–22 " 1938, c. 66, s. 6.

R. S. 39:3–23 " 1942, c. 227, s. 1.

R. S. 39:3–24 " 1938, c. 66, s. 7; 1947, c. 317.

R. S. 39:3–26 " 1938, c. 66, s. 8; 1945, c. 265.

R. S. 39:3–27 " 1951, c. 217; 1952, c. 226.

R. S. 39:3–28 " 1950, c. 165; 1952, c. 59; 1953, c. 295.

R. S. 39:3–32 " 1951, c. 61, s. 1; 1952, c. 46, s. 1.

R. S. 39:3–33 " 1943, c. 173; 1952, c. 46, s. 2; see 1946, c. 45, infra.

R. S. 39:3–34 " 1942, c. 313; 1945, c. 222, s. 1.

R. S. 39:3–40 " 1941, c. 344; 1945, c. 222, s. 2; 1947, c. 25.

R. S. 39:3–41 " 1941, c. 341.

Additional Legislation.

Special licenses to certain minors to drive motor vehicles, in certain agricultural pursuits, provided for, suppl., 1942, c. 324 (C. 39:3–11.1 to 39:3–11.4).

Sec. 4 of above repealed 1953, c. 127 (C. 39:3–11.4).

Driving privileges, licensed drivers in war service, extended, certain cases, suppl., 1943, c. 98 (C. 39:3–11.5).

Sec. 1 of above amended 1944, c. 38; 1946, c. 3; 1953, c. 106 (C. 39:3–11.5).

Special learner's permits for behind-the-wheel automobile driving education pupils, provided for, suppl., 1950, c. 127 (C. 39:3–13.1 to 39:3–13.4).

Sec. 1 of above amended 1951, c. 7, s. 1 (C. 39:3–13.1).

Sec. 4 " " " 1951, c. 7, s. 2 (C. 39:3–13.4).

Registry fee refund to persons in war service, certain cases, provided for, suppl., 1944, c. 228 (C. 39:3-22.1, 39:3-22.2).

Approval of types of nonrubber tires by Commissioner, authorized, suppl., 1942, c. 227, s. 3 (C. 39:3-23.1).

Farm machinery or implements, special licenses to transport, suppl., 1941, c. 31 (C. 39:3-24.1).

Sec. 1 of above amended 1953, c. 412 (C. 39:3-24.1).

Registration of motor vehicles, without fee, of certain veterans, provided for, suppl., 1948, c. 28 (C. 39:3-27.1).

Sec. 1 of above amended 1951, c. 13; 1952, c. 73; 1953, c. 59 (C. 39:3-27.1).

Temporary identification markers, use by veterans on certain motor vehicles, permitted, suppl., 1946, c. 45 (C. 39:3-33.1).

Article 3. Equipment.

Note: For television with screen visible to driver of motor vehicle, prohibited, see 1951, c. 134 (T. 39, c. 3A).

R. S. 39:3-50 amended 1951, c. 24.

R. S. 39:3-59 " 1941, c. 342.

R. S. 39:3-61 " 1953, c. 257.

R. S. 39:3-64 " 1947, c. 82, ss. 1, 2.

R. S. 39:3-75 " 1949, c. 258.

Additional Legislation.

Turn signals, requirement on certain motor vehicles, provided for, suppl., 1953, c. 188 (C. 39:3-66.1, 39:3-66.2).

Use of "Press" sign, etc., on motor vehicles, restricted, suppl., 1943, c. 101 (C. 39:3-76.1).

Protectors or flaps on rear wheels of certain busses and commercial vehicles to prevent dirt, etc., throwing, required, suppl., 1952, c. 343 (C. 39:3-79.1 to 39:3-79.3).

Article 4. Tires and Loads.

R. S. 39:3-80 amended 1942, c. 227, s. 2.

R. S. 39:3-83 repealed 1950, c. 142, ss. 4, 8.

Article 5. Dimensions and Weight.

R. S. 39:3-84 amended 1942, c. 268; 1950, c. 142, ss. 2, 8.

R. S. 39:3-85 repealed 1950, c. 142, ss. 4, 8.

Additional Legislation.

Limitations, size and weight of vehicles, when applicable to vehicles, enforcement, penalties, etc., provided for, suppl., 1950, c. 142, ss. 3-7, 8 (C. 39:3-84.1 to 39:3-84.5).

Sec. 5 of above amended 1951, c. 356 (C. 39:3-84.3).

Article 6. (new) Reports of Theft, Etc.

Additional Legislation.

Report of theft of motor vehicle or registration plates and of recovery of same, required, suppl., 1938, c. 352 (NJSA 39:5-48 to 39:5-50; RSCS 39:3-85.1 to 39:3-85.4).

Article 7. (new) General Penalties.

Additional Legislation.

Penalty for violations of chapter for which no specific penalty prescribed, suppl., 1941, c. 343 (C. 39:3-86).

Chapter 3A. (new) ADDITIONAL EQUIPMENT REGULATIONS.

Television with screen visible to driver of motor vehicle, prohibited, penalty, 1951, c. 134 (C. 39:3A-1 and 39:3A-2).

Chapter 4. TRAFFIC REGULATION.

Note: For report of injury to certain animals required, see 1939, c. 315 (T. 4, c. 22), amended 1953, c. 5; for school busses, warning lights, markings, etc., required, 1948, c. 133 (T. 18, c. 14).

For Department of Motor Vehicles continued as Division of Motor Vehicles, and Commissioner of Motor Vehicles continued as Director of said Division, in the Department of Law and Public Safety, see 1948, c. 439, s. 19 (T. 52, c. 17B).

Article 1. Construction of Chapter.

R. S. 39:4-1 amended 1950, c. 15; 1951, c. 23, s. 1.

Article 2. General Powers and Duties of Commissioner.

R. S. 39:4-2 amended 1951, c. 23, s. 2.

R. S. 39:4-3 " 1951, c. 23, s. 3.

R. S. 39:4-4 " 1951, c. 23, s. 4.

R. S. 39:4-5 " 1951, c. 23, s. 5.

R. S. 39:4-6 " 1951, c. 23, s. 6.

R. S. 39:4-7 " 1951, c. 23, s. 7.

R. S. 39:4-8 " 1951, c. 23, s. 8.

R. S. 39:4-9 " 1951, c. 23, s. 9.

Additional Legislation.

Exchange of information between States concerning certain violations by nonresidents, 1938, c. 360 (NJSA 39:4-9.1; RSCS 39:4-6.1).

Sec. 1 of above amended 1951, c. 23, s. 10 (C. 39:4-9.1).

Article 3. Bicycles and Roller Skates.

R. S. 39:4-10 amended 1951, c. 23, s. 11.

R. S. 39:4-11 " 1951, c. 23, s. 12.

R. S. 39:4-12 " 1951, c. 23, s. 13.

R. S. 39:4-13 repealed 1951, c. 23, s. 119.

R. S. 39:4-14 amended 1951, c. 23, s. 14.

Additional Legislation.

Bicycle, brake equipment required, suppl., 1951, c. 23, s. 15 (C. 39:4-11.1).

Bicycle riders subject to same law and regulations as vehicle drivers, exceptions, suppl., 1951, c. 23, s. 16 (C. 39:4-14.1).

Bicycle riders, position on roadways, etc., regulated, suppl., 1951, c. 23, s. 17 (C. 39:4-14.2).

Article 4. Horse and Horse-Drawn Vehicles.

R. S. 39:4-25 amended 1951, c. 23, s. 18.

Additional Legislation.

Riders of animals or drivers of animal-drawn vehicles subject to same law and regulations as motor vehicle drivers. exceptions, suppl., 1951, c. 23, s. 19 (C. 39:4-25.1).

Article 5. Machinery, Vehicles or Apparatus of Unusual Size or Weight.

R. S. 39:4-26 amended 1941, c. 260, s. 1; 1951, c. 23, s. 20; 1952, c. 149, s. 1.

R. S. 39:4-27 " 1941, c. 260, s. 2; 1952, c. 149, s. 2.

R. S. 39:4-30 " 1941, c. 257; 1949, c. 250; 1951, c. 23, s. 21.

R. S. 39:4-31 " 1953, c. 36, s. 4.

Article 6. Pedestrians

R. S. 39:4–32 amended 1951, c. 23, s. 22.

R. S. 39:4–33 " 1951, c. 23, s. 23.

R. S. 39:4–34 " 1951, c. 23, s. 25.

R. S. 39:4–36 " 1951, c. 23, s. 26.

R. S. 39:4–37 " 1951, c. 23, s. 27.

Additional Legislation.

Pedestrian crossing where tunnel or bridge provided, right-of-way, suppl., 1951, c. 23, s. 24 (C. 39:4–36.1).

Right-of-way of blind persons crossing highway or intersection, 1939, c. 274 (NJSA 39:4–37.1; RSCS 39:4–32.1).

Sec. 1 of above amended 1946, c. 208 (C. 39:4–37.1).

Article 7. Street Cars.

R. S. 39:4–38 amended 1951, c. 23, s. 28.

Article 8. Display of Name and Place of Owner of Commercial Vehicle.

R. S. 39:4–47 amended 1951, c. 23, s. 29.

Article 9. Operation of or Acts Affecting Operation of Vehicles and Street Cars.

R. S. 39:4–50 amended 1952, c. 286.

R. S. 39:4–51 " 1951, c. 23, s. 31.

R. S. 39:4–54 " 1951, c. 23, s. 32.

R. S. 39:4–57 " 1951, c. 23, s. 33.

R. S. 39:4–59 " 1951, c. 23, s. 34.

R. S. 39:4–60 " 1951, c. 23, s. 35.

R. S. 39:4–69 " 1951, c. 23, s. 36.

Additional Legislation.

Presumptions as result of chemical analysis of blood, urine, breath, etc., in determining intoxication of driver, suppl., 1951, c. 23, s. 30 (C. 39:4–50.1).

Driver crossing sidewalk at private road, right-of-way, suppl., 1951, c. 23, s. 48 (C. 39:4–66.1).

Article 10. Load and Loading of Vehicles.

Note: For limitation of weight and size of commercial vehicles, see 1950, c. 142 (R. S. 39:3-20).

R. S. 39:4-73 repealed 1950, c. 142, ss. 4, 8.

R. S. 39:4-76 amended 1951, c. 23, s. 37.

R. S. 39:4-77 " 1951, c. 23, s. 38.

R. S. 39:4-79 " 1951, c. 23, s. 39.

Article 11. Law of Road and Right-of-Way.

R. S. 39:4-81 amended 1951, c. 23, s. 40.

R. S. 39:4-82 " 1951, c. 23, s. 43.

R. S. 39:4-83 " 1951, c. 23, s. 44.

R. S. 39:4-85 " 1951, c. 23, s. 45.

R. S. 39:4-86 " 1948, c. 170, s. 3; 1951, c. 23, s. 46.

R. S. 39:4-88 " 1951, c. 23, s. 47.

R. S. 39:4-91 " 1951, c. 23, s. 49.

R. S. 39:4-92 " 1951, c. 23, s. 50.

R. S. 39:4-93 " 1951, c. 23, s. 53.

Additional Legislation.

Divided highways driving upon regulated, suppl., 1951, c. 23, s. 41 (C. 39:4-82.1).

One-way traffic regulation authorized, suppl., 1951, c. 23, s. 42 (C. 39:4-85.1).

Limited-access highways, entrance and exit regulated, suppl., 1951, c. 23, s. 51 (C. 39:4-90.1).

Limited-access highways, restriction of use authorized, suppl., 1951, c. 23, s. 52 (C. 39:4-94.1).

Article 12. Speed.

R. S. 39:4-97 amended 1951, c. 23, s. 54.

R. S. 39:4-98 " 1939, c. 211; 1942, c. 325 (1942, c. 325 repealed 1946, c. 8); 1951, c. 23, s. 55.

R. S. 39:4-99 " 1951, c. 23, s. 56.

R. S. 39:4-103 " 1951, c. 23, s. 57.

Article 13. Traffic Signals.

R. S. 39:4–110	amended	1948, c. 422, s. 1.
R. S. 39:4–112	"	1948, c. 422, s. 2.
R. S. 39:4–116	"	1951, c. 23, s. 58.
R. S. 39:4–117	"	1951, c. 23, s. 59.
R. S. 39:4–118	"	1951, c. 23, s. 60.
R. S. 39:4–120	"	1951, c. 23, s. 61.
R. S. 39:4–121	"	1951, c. 23, s. 63.
R. S. 39:4–121.1	"	1951, c. 23, s. 64.

Additional Legislation.

Traffic control signals, location regulated, suppl., 1951, c. 23, s. 62 (C. 39:4–120.1).

Article 14. Turns, Hand Signals, Starting and Stopping.

R. S. 39:4–123	amended	1951, c. 23, s. 65.
R. S. 39:4–124	"	1951, c. 23, s. 66.
R. S. 39:4–126	"	1951, c. 23, s. 67.
R. S. 39:4–128	"	1938, c. 164, s. 1; 1941, c. 260, s. 3; 1951, c. 23, ss. 70 (1951, c. 23, s. 70 repealed 1953, c. 294, s. 2); 1952, c. 68 (1952, c. 68 repealed 1953, c. 294, s. 3); 1953, c. 294, s. 1.

Additional Legislation.

Railroad crossings, stopping, etc., regulated, passing or driving through gate or barrier, prohibited, suppl., 1951, c. 23, s. 68 (C. 39:4–127.1).

Bridges, crossing regulated, suppl., 1951, c. 23, s. 69 (C. 39:4–127.2).

School buses, right-of-way and starting, suppl., 1942, c. 192 (C. 39:4–128.1).

Sec. 1 of above amended 1948, c. 132; 1949, c. 102, s. 1; 1951, c. 23, s. 71 (C. 39:4–128.1).

School buses, signs required when not used to transport school children, suppl., 1949, c. 102, s. 2 (C. 39:4–128.2).

Article 15. Accidents and Reports.

R. S. 39:4–129	amended	1940, c. 147.
R. S. 39:4–130	"	1951, c. 23, s. 72; 1953, c. 187.
R. S. 39:4–131	"	1951, c. 23, s. 73; 1952, c. 177.
R. S. 39:4–134	"	1951, c. 23, s. 74.

Article 16. Parking.

R. S. 39:4-135 amended 1951, c. 23, s. 75.

R. S. 39:4-136 " 1951, c. 23, s. 76.

R. S. 39:4-138 " 1948, c. 342, s. 2; 1951, c. 23, s. 77.

"No parking" zones, establishment, etc., by State Highway Commissioner, authorized, suppl., 1948, c. 342, ss. 1, 3 (C. 39:4-138.1, 39:4-138.2).

Sec. 1 of above amended 1951, c. 23, s. 78 (C. 39:4-138.1).

Article 17. Through Streets.

R. S. 39:4-140 amended 1951, c. 23, s. 79.

R. S. 39:4-141 " 1941, c. 345, s. 1; 1951, c. 23, s. 80.

R. S. 39:4-142 repealed 1951, c. 23, s. 119.

R. S. 39:4-143 amended 1951, c. 23, s. 81.

Article 18. Signs.

Note: For highway and traffic signs, regulation of, see 1941, c. 345, Art. 18A, infra.

R. S. 39:4-146 to 39:4-183 repealed 1941, c. 345, s. 26.

Article 18A. (new) Highway and Traffic Signs.

Additional Legislation.

Highway and traffic signs, regulation of, suppl., 1941, c. 345 (C. 39:4-183.1 to 39:4-183.25).

Sec. 7 of above amended 1951, c. 23, s. 82 (C. 39:4-183.6).

Sec. 8 " " " 1951, c. 23, s. 83 (C. 39:4-183.7).

Sec. 9 " " " 1951, c. 23, s. 84 (C. 39:4-183.8).

Sec. 10 " " " 1951, c. 23, s. 85 (C. 39:4-183.9).

Sec. 11 " " " 1951, c. 23, s. 86 (C. 39:4-183.10).

Sec. 12 " " " 1951, c. 23, s. 87 (C. 39:4-183.11).

Sec. 13 " " " 1951, c. 23, s. 88 (C. 39:4-183.12).

Sec. 15 of above amended 1951, c. 23, s. 89 (C. 39:4-183.14).

Sec. 17 " " " 1951, c. 23, s. 90 (C. 39:4-183.16).

Sec. 18 " " " 1951, c. 23, s. 91 (C. 39:4-183.17).

Sec. 19 " " " 1951, c. 23, s. 92 (C. 39;4-183.18).

Sec. 20 " " " 1951, c. 23, s. 93 (C. 39:4-183.19).

Sec. 21 " " repealed 1951, c. 23, s. 123 (C. 39:4-183.20).

Sec. 22 " " amended 1951, c. 23, s. 94 (C. 39:4-183.21).

Sec. 23 " " " 1951, c. 23, s. 95 (C. 39:4-183.22).

Sec. 24 " " " 1951, c. 23, s. 97 (C. 39:4-183.23).

Sec. 25 " " " 1951, c. 23, s. 98 (C. 39:4-183.24).

Construction warning signs, specifications, suppl., 1951, c. 23, s. 96 (C. 39:4-183.22a).

Guide signs, design and location provided, suppl., 1951, c. 23, s. 99 (C. 39:4-183.26).

Article 19. Curb and Pavement Markings.

R. S. 39:4-184 to 39:4-188 repealed 1951, c. 23, s. 120.

R. S. 39:4-189 " 1951, c. 23, s. 120.

R. S. 39:4-190 " 1951, c. 23, s. 120.

R. S. 39:4-191 " 1951, c. 23, s. 120.

Article 19A. (new) Markings.

Additional Legislation.

Authorization to place, uniformity required, suppl., 1951, c. 23, s. 100 (C. 39:4-191.1).

Types specified, suppl., 1951, c. 23, s. 101 (C. 39:4-191.2).

Materials specified, suppl., 1951, c. 23, s. 102 (C. 39:4-191.3).

Colors specified, suppl., 1951, c. 23, s. 103 (C. 39:4-191.4).

Striping specified, suppl., 1951, c. 23, s. 104 (C. 39:4–191.5).

Reflectorization and illumination of markings and obstructions, regulated, suppl., 1951, c. 23, s. 105 (C. 39:4–191.6).

Word markings limited, suppl., 1951, c. 23, s. 106 (C. 39:4–191.7).

Article 20. Safety Zones.

R. S. 39:4–192 to 39:4–196 repealed 1951, c. 23, s. 121.

Article 20A. (new) Safety Zones and Traffic Islands.

Note: For truck routes, establishment, etc., provided for, see 1953, c. 354 (T. 40, c. 67).

Additional Legislation.

Authorization to establish, purposes enumerated, suppl., 1951, c. 23, s. 107 (C. 39:4–196.1).

Types specified, suppl., 1951, c. 23, s. 108 (C. 39:4–196.2).

Location, design, protection, conformity to specifications, required, 1951, c. 23, s. 109 (C. 39:4–196.3).

Article 21. Powers of Municipalities, Counties and State Highway Commissioner.

R. S. 39:4–197 amended 1951, c. 23, s. 110.

R. S. 39:4–198 " 1951, c. 23, s. 112.

R. S. 39:4–200 repealed 1951, c. 23, s. 119.

R. S. 39:4–201 amended 1951, c. 23, s. 113.

R. S. 39:4–202 " 1951, c. 23, s. 116.

Additional Legislation.

Prohibition by municipalities of normal traffic on county and State highways, regulated, suppl., 1951, c. 23, s. 111 (C. 39:4–197.1).

Traffic signs at traffic islands, safety zones and grade separations, authorized, suppl., 1951, c. 23, s. 118 (C. 39:4–199.1).

"No passing" zones, authorized, suppl., 1951, c. 23, s. 114 (C. 39:4–201.1).

Copies of State highway regulations as evidence, regulated, suppl., 1951, c. 23, s. 115 (C. 39:4–201.2).

Article 22. General Penalty.

R. S. 39:4–203 amended 1951, c. 23, s. 117.

Article 23. (new) Special Privileges.

Additional Legislation.

Amputees, special identification cards for special parking privileges, authorized, suppl., 1949, c. 280 (C. 39:4–204 to 39:4–207).

Sec. 1 of above amended 1950, c. 191 (C. 39:4–204).

Article 24. (new) Regulation of Traffic and Parking on State Property.

Additional Legislation.

Regulation of traffic and parking of motor vehicles, penalties provided for, suppl., 1950, c. 16 (C. 39:4–208 to 39:4–212).

Article 25. (new) Emergency Traffic Control.

Additional Legislation.

Detouring, rerouting or diverting traffic under emergency conditions, provided for, 1950, c. 70 (C. 39:4–213 to 39:4–215).

Chapter 5. ENFORCEMENT AND PROCEDURE.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94, N. J. S. 2A, chapters 6 and 8.

For Department of Motor Vehicles continued as Division of Motor Vehicles, and Commissioner of Motor Vehicles continued as Director of said Division, in the Department of Law and Public Safety, see 1948, c. 439, s. 19 (T. 52, c. 17B).

R. S. 39:5–1	amended	1938, c. 164, s. 2.
R. S. 39:5–2	"	1939, c. 216, s. 1; 1953, c. 36, s. 5.
R. S. 39:5–3	"	1940, c. 212; 1942, c. 334, s. 1; 1951, c. 251; 1953, c. 36, s. 6.
R. S. 39:5–4	repealed	1953, c. 36, s. 7.
R. S. 39:5–5	amended	1953, c. 36, s. 8.
R. S. 39:5–6	"	1952, c. 288.
R. S. 39:5–7	"	1953, c. 36, s. 9.
R. S. 39:5–8	"	1950, c. 289; repealed 1953, c. 36, s. 10.
R. S. 39:5–9	"	1942, c. 334, s. 2; 1953, c. 36, s. 11.
R. S. 39:5–10	repealed	1953, c. 36, s. 12.
R. S. 39:5–11	amended	1953, c. 36, s. 13.
R. S. 39:5–12	repealed	1953, c. 36, s. 14.

R. S. 39:5–13	repealed	1953, c. 36, s. 15.
R. S. 39:5–14	"	1953, c. 36, s. 16.
R. S. 39:5–15	amended	1942, c. 334, s. 3; repealed 1953, c. 36, s. 17.
R. S. 39:5–16	repealed	1953, c. 36, s. 18.
R. S. 39:5–17	amended	1942, c. 334, s. 4; repealed 1953, c. 36, s. 19.
R. S. 39:5–18	repealed	1953, c. 36, s. 20.
R. S. 39:5–19	"	1953, c. 36, s. 21.
R. S. 39:5–20	amended	1953, c. 36, s. 22.
R. S. 39:5–21	"	1942, c. 334, s. 5; repealed 1953, c. 36, s. 23.
R. S. 39:5–22	"	1953, c. 36, s. 24.
R. S. 39:5–23	repealed	1953, c. 36, s. 25.
R. S. 39:5–25	"	1940, c. 139; 1953, c. 36, s. 26.
R. S. 39:5–26	repealed	1953, c. 36, s. 27.
R. S. 39:5–28	amended	1953, c. 36, s. 28.
R. S. 39:5–29	"	1942, c. 334, s. 6; repealed 1953, c. 36, s. 29.
R. S. 39:5–30	"	1939, c. 216, s. 2; 1945, c. 256.
R. S. 39:5–31	"	1953, c. 36, s. 30.
R. S. 39:5–36	"	1942, c. 334, s. 7.
R. S. 39:5–37	repealed	1953, c. 36, s. 31.
R. S. 39:5–38	"	1953, c. 36, s. 32.
R. S. 39:5–40	amended	1938, c. 75, s. 1; 1942, c. 334, s. 8.
R. S. 39:5–41	"	1938, c. 75, s. 2; 1942, c. 334, s. 9.
R. S. 39:5–42	"	1941, c. 60; 1942, c. 334, s. 10.
R. S. 39:5–44	"	1942, c. 334, s. 11; 1953, c. 36, s. 33.
R. S. 39:5–45	"	1942, c. 334, s. 12.

Additional Legislation.

Revocation or suspension of drivers' license by reason of conviction in another state, period of revocation, provided for, suppl., 1953, c. 429 (C. 39:5–30.1).

Chapter 5A. (new) APPLICATION OF SUBTITLE TO HIGHWAYS OWNED BY PUBLIC OR SEMIPUBLIC CORPORATIONS.

Motor vehicle and traffic laws, when applicable on highways of public or semipublic, nonprofit institutions or corporations, suppl., 1945, c. 284 (C. 39:5A–1 to 39:5A–3).

Motor vehicle and traffic laws, when applicable to parks open to public, suppl., 1953, c. 400 (C. 39:5A–4).

Chapter 5B. (new) TRANSPORTATION OF DANGEROUS ARTICLES ON HIGHWAYS.

Dangerous articles, transportation of, regulated, 1950, c. 128 (C. 39:5B–1 to 39:5B–17).

Subtitle 2. OTHER LAWS REGULATING MOTOR VEHICLES.

Note: For insurance of financed motor vehicles, policy-forms, etc., see 1939, c. 74 (T. 17, c. 28), amended 1950, c. 157.

Chapter 6. FINANCIAL RESPONSIBILITY.

Note: For Department of Motor Vehicles continued as Division of Motor Vehicles, and Commissioner of Motor Vehicles continued as Director of said Division, in the Department of Law and Public Safety, see 1948, c. 439, s. 19 (T. 52, c. 17B).

R. S. 39:6–1 to 39:6–22 repealed 1952, c. 173, ss. 34, 35.

The following sections of the foregoing were amended prior to being repealed as aforesaid:

R. S. 39:6–1 amended 1941, c. 296, s. 1.
R. S. 39:6–5 " 1941, c. 296, s. 2; 1949, c. 60, s. 1.
R. S. 39:6–6 " 1949, c. 60, s. 2.
R. S. 39:6–20 " 1945, c. 189.

Additional Legislation.

Motor Vehicle Security Responsibility Law, 1952, c. 173 (C. 39:6–23 to 39:6–57).

Apportionment of cost of administration of Motor Vehicle Security Responsibility Law among certain insurers, 1952, c. 176 (C. 39:6–58 to 39:6–60).

Unsatisfied Claim and Judgment Fund Law, 1952, c. 174 (C. 39:6–61 to 39:6–91).

Motor Vehicle Liability Security Fund Act, 1952, c. 175 (C. 39:6–92 to 39:6–104).

Sec. 7 of above amended 1953, c. 114 (C. 39:6–98).

Chapter 7. SERVICE OF PROCESS UPON NONRESIDENTS.

Note: For Department of Motor Vehicles continued as Division of Motor Vehicles, and Commissioner of Motor Vehicles continued as Director of said Division, in the Department of Law and Public Safety, see 1948, c. 439, s. 19 (T. 52, c. 17B).

For powers of attorney to accept service of process on common and contract interstate carriers filed with Public Utility Commission, authorized, see 1950, c. 168 (T. 48, c. 6A).

R. S. 39:7–2 amended 1941, c. 262; 1949, c. 190, s. 1; 1950, c. 251.

R. S. 39:7–3 " 1949, c. 190, s. 2; 1953, c. 36, s. 34.

R. S. 39:7-5 amended 1949, c. 190, s. 3.

R. S. 39:7-6 " 1949, c. 190, s. 4.

R. S. 39:7-7 " 1949, c. 190, s. 5.

Chapter 8. INSPECTION OF MOTOR VEHICLES.

Note: For Department of Motor Vehicles continued as Division of Motor Vehicles, and Commissioner of Motor Vehicles continued as Director of said Division, in the Department of Law and Public Safety, see 1948, c. 439, s. 19 (T. 52, c. 17B).

Additional Legislation.

Inspectors of motor vehicles, provision of uniform for, authorized, suppl., 1949, c. 221 (C. 39:8-2.1).

Chapter 9. HOURS OF DUTY OF OPERATORS OF CERTAIN MOTOR VEHICLES.

Note: For Department of Motor Vehicles continued as Division of Motor Vehicles, and Commissioner of Motor Vehicles continued as Director of said Division, in the Department of Law and Public Safety, see 1948, c. 439, s. 19 (T. 52, c. 17B).

Chapter 10. PURCHASE, SALE AND TRANSFER OF MOTOR VEHICLES.

Note: For Department of Motor Vehicles continued as Division of Motor Vehicles, and Commissioner of Motor Vehicles continued as Director of said Division, in the Department of Law and Public Safety, see 1948, c. 439, s. 19 (T. 52, c. 17B).

R. S. 39:10-1 amended 1946, c. 136, s. 1.

R. S. 39:10-2 " 1946, c. 136, s. 2; 1949, c. 235, s. 1.

R. S. 39:10-6 " 1946, c. 136, s. 3.

R. S. 39:10-7 " 1949, c. 235, s. 2.

R. S. 39:10-8 " 1946, c. 136, s. 4; 1949, c. 235, s. 3.

R. S. 39:10-9 " 1946, c. 136, s. 5.

R. S. 39:10-10 " 1939, c. 270, s. 1; 1946, c. 136, s. 6; 1951, c. 295, s. 1.

R. S. 39:10-11 amended 1939, c. 270, s. 2; 1946, c. 136, s. 7; 1951, c. 334, ss. 1, 3.

R. S. 39:10-12 " 1946, c. 136, s. 8; 1951, c. 295, s. 2.

R. S. 39:10-13 " 1946, c. 136, s. 9.

R. S. 39:10-14 " 1946, c. 136, s. 10; 1951, c. 334, ss. 2, 3.

R. S. 39:10-15 " 1946, c. 136, s. 11.

R. S. 39:10-16 " 1946, c. 136, s. 12; 1949, c. 235, s. 4.

R. S. 39:10-17 repealed 1946, c. 136, s. 13.

R. S. 39:10–18 amended 1946, c. 136, s. 14.

R. S. 39:10–19 " 1940, c. 75; 1946, c. 136, s. 15

R. S. 39:10–20 " 1946, c. 136, s. 16; 1953, c. 36, s. 35.

R. S. 39:10–21 " 1946, c. 136, s. 17.

R. S. 39:10–22 " 1946, c. 136, s. 18.

R. S. 39:10–23 " 1946, c. 136, s. 19.

R. S. 39:10–24 " 1946, c. 136, s. 20.

R. S. 39:10–25 " 1946, c. 136, s. 21.

Chapter 11. JUNK YARDS.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For Department of Motor Vehicles continued as Division of Motor Vehicles, and Commissioner of Motor Vehicles continued as Director of said Division, in the Department of Law and Public Safety, see 1948, c. 439, s. 19 (T. 52, c. 17B).

R. S. 39:11–10 amended 1953, c. 36, s. 36.

Chapter 12. (new) DRIVING SCHOOLS.

Additional Legislation.

Driving schools regulated, licenses, etc., suppl., 1951, c. 216, ss. 1-14 (C. 39:12–1 to 39:12–14).

Sec. 2 of above amended 1952, c. 196 (C. 39:12–2).

Sec. 5 " " " 1952, c. 296, s. 1 (C. 39:12–5).

Sec. 6 " " " 1952, c. 296, s. 2 (C. 39:12–6).

Title 40. MUNICIPALITIES AND COUNTIES.

Subtitle 1. COUNTIES AND MUNICIPALITIES, GENERALLY.

Note: For definition of public service in connection with rights, privileges and benefits of honorably discharged veterans, see 1945, c. 175 (T. 38, c. 23A); for acts regulating internal affairs of municipalities or counties, authorized and provided for, see 1948, c. 199, (T. 1, c. 6).

Chapter 1. BONDS AND OTHER OBLIGATIONS.

Note: For Federal advances or grants toward financing preparation of plans for public projects, acceptance and repayment, by appropriation or bond issue, provided for, see 1946, c. 101 (T. 40, c. 48).

For transfer of the Division of Local Government, the Local Government Board of said Division, and the Director of said Division in the State Department of Taxation and Finance to, and the continuation thereof in, the Division of Local Government in the Department of the Treasury, see 1948, c. 92, ss. 20-23 (T. 52, c. 18A).

Article 1. Local Bond Law.

Note: For exception to R. S. 40:1-14 and R. S. 40:1-15 to provide funds to relieve loss, etc., from conflagration, see 1941, c. 48 (T. 40, c. 5).

R. S. 40:1-7	amended	1953, c. 343.
R. S. 40:1-11	"	1940, c. 159.
R. S. 40:1-12	"	1940, c. 190.
R. S. 40:1-13	"	1952, c. 50, s. 1.
R. S. 40:1-16	"	1938, c. 383; 1940, c. 16; 1940, c. 262, s. 1; 1947, c. 110, ss. 1, 9; 1953, c. 320.
R. S. 40:1-16.1 (added)	Computation of borrowing power defined under	R. S. 40:1-16d, 1940, c. 262, s. 2; amended 1952, c. 252, ss. 12, 13, 14; 1953, c. 428, s. 9.
R. S. 40:1-18	amended	1952, c. 50, s. 2.
R. S. 40:1-29	"	1941, c. 304, s. 1.
R. S. 40:1-34	"	1950, c. 83; 1951, c. 190; 1953, c. 176.
R. S. 40:1-43	"	1941, c. 90.
R. S. 40:1-53	"	1945, c. 221.
R. S. 40:1-57	"	1939, c. 4; 1939, c. 310, s. 1; 1941, c. 304, s. 2; 1947, c. 194.
R. S. 40:1-57.1	repealed	1939, c. 310, s. 2.
R. S. 40:1-59	amended	1947, c. 110, ss. 2, 9.
R. S. 40:1-60	"	1947, c. 110, ss. 3, 9.
R. S. 40:1-63	"	1940, c. 250; 1942, c. 205; 1943, c. 53, s. 1; 1945, c. 26; 1948, c. 149.
R. S. 40:1-67	"	1947, c. 110, ss. 4, 9.
R. S. 40:1-69	"	1947, c. 110, ss. 5, 9.

R. S. 40:1-71 amended 1944, c. 235.
R. S. 40:1-74 " 1947, c. 110, ss. 6, 9.
R. S. 40:1-75 " 1947, c. 110, ss. 7, 9.
R. S. 40:1-76 " 1939, c. 334.
R. S. 40:1-77 " 1939, c. 333; 1946, c. 260, ss. 6, 9.
R. S. 40:1-79 " 1938, c. 404.
R. S. 40:1-81 " 1943, c. 53, s. 2.
R. S. 40:1-83 " 1947, c. 110, ss. 8, 9.
R. S. 40:1-85 " 1953, c. 312.

Additional Legislation.

Municipal bond ordinance for acquisition, etc., self-liquidating privately-owned sewer system; exception to R. S. 40:1-12, suppl., 1940, c. 51 (NJSA 40:1-12.1; RSCS 40:1-12.2).

Municipal bond ordinance to finance acquisition of lands for airport, exception to R. S. 40:1-15, suppl., 1941, c. 8 (C. 40:1-15.2).

Variances from limits on maturities or on amounts of annual installments of bonds fixed in R. S. 40:1-25, provided for, suppl., 1945, c. 220 (C. 40:1-25.1).

Sec. 1 of above amended 1947, c. 111, ss. 1, 2 (C. 40:1-25.1).

Combined issues of bonds, provided for, suppl., 1952, c. 345 (C. 40:1-25.2).

Purchase and retirement of bonds by counties and municipalities authorized, 1940, c. 240 (NJSA 40:1-60.1; RSCS 40:1-7.1).

Title of above amended 1944, c. 137, s. 1.

Sec. 1 " " " 1944, c. 137, s. 2; 1947, c. 112, ss. 1, 2 (C. 40:1-60.1).

Reserve fund for future payment of bonds may be established, approval of Division of Local Government required, suppl., 1947, c. 195 (C. 40:1-60.3).

Bond resolution or ordinance; contents, supplementing R. S. 40:1-61 to 40:1-74, 1939, c. 373 (NJSA 40:1-62.1); (RSCS 40:1-64.1).

Sec. 1 of above amended 1942, c. 48 (C. 40:1-62.1).

Bonds, etc., for financing, acquisition by municipalities of lands for self-liquidating, redevelopment housing projects deductible from gross municipal debt, suppl., 1946, c. 53 (C. 40:1-77.1).

Article 3. Covenants in Certain Sewer Bonds.

R. S. 40:1-90 amended 1939, c. 176; 1943, c. 199; 1951, c. 143.

Chapter 2. COUNTY AND MUNICIPAL BUDGETS.

Note: For separate budgets in cities operating radio broadcasting stations and municipal convention halls, see 1939, c. 304 (T. 40, c. 62); for penalty for exceeding appropriations or limits of expenditures, see 1939, c. 387, s. 2; for municipal airports, operation, etc., as public utility, authorized, see 1946, c. 12 (T. 40, c. 8); for Federal advances or grants toward financing preparation of plans for public projects, acceptance and repayment, by appropriation or bond issue, provided for, see 1946, c. 101 (T. 40, c. 48).

For transfer of the Division of Local Government, the Local Government Board of said Division, and the Director of said Division in the State Department of Taxation and Finance to, and the continuation thereof in, the Division of Local Government in the Department of the Treasury, see 1948, c. 92, ss. 20-23 (T. 52, c. 18A).

For franchise tax on domestic life insurance companies, treatment in 1950 budgets, etc., regulated, see 1950, c. 103(*).

For civil defense mutual aid agreements between municipalities, see 1951, c. 146 (T. App. A., c. 10).

Article 1. General Provisions; Application and Construction.

R. S. 40:2–2 amended 1938, c. 128, s. 1; 1947, c. 113, ss. 1, 16; 1950, c. 93, ss. 1, 5.

Article 2. Adoption; Effect.

R. S. 40:2–6 amended 1939, c. 396, s. 1; 1950, c. 93, ss. 2, 5.

R. S. 40:2–7 " 1939, c. 396, s. 2; 1941, c. 237; 1947, c. 113, ss. 2, 16; 1950, c. 93, ss. 3, 5.

R. S. 40:2–8 " 1939, c. 396, s. 3; 1947, c. 113, ss. 3, 16.

R. S. 40:2–9 " 1947, c. 113, ss. 4, 16.

R. S. 40:2–10 " 1939, c. 396, s. 4; 1947, c. 113, ss. 5, 16; 1950, c. 93, ss. 4, 5.

R. S. 40:2–12 " 1939, c. 1.

Additional Legislation.

Budget filed out of time, receipt by Division of Local Government, Department of the Treasury, certain cases, authorized, 1949, c. 121 (C. 40:2–10.1).

Temporary budget for payment county employees, authorization to adopt when board of chosen freeholders fails to elect director, certain cases, and payment of employees authorized and provided for, 1949, c. 140 (C. 40:2–10.2 to 40:2–10.4).

Debt service for school indebtedness deducted from municipal and added to school budget; certain municipalities, suppl., 1939, c. 32 (C. 40:2–11.1).

Sec. 1 of above amended 1947, c. 16 (C. 40:2–11.1).

Failure to certify budget or taxing ordinance or resolution, etc., to county board of taxation, procedure to provide budget, provided for, suppl., 1953, c. 376 (C. 40:2–11.2 to 40:2–11.5).

Emergency appropriations after beginning of fiscal year and before date for budget adoption, authorized, form and content regulated, suppl., 1951, c. 96 (C. 40:2–12.1, 40:2–12.2).

Article 3. Form and Content.

R. S. 40:2–14	amended	1947, c. 113, ss. 6, 16; repealed 1953, c. 232.
R. S. 40:2–16	"	1942, c. 203; 1947, c. 113, ss. 7, 16.
R. S. 40:2–17	"	1941, c. 10; 1942, c. 317; 1947, c. 113, ss. 8, 16.
R. S. 40:2–18	"	1939, c. 396, s. 5; 1947, c. 113, ss. 9, 16.
R. S. 40:2–21	"	1938, c. 128, s. 2.
R. S. 40:2–22	"	1938, c. 128, s. 3; 1939, c. 28; 1939, c. 33; 1947, c. 113, ss. 10, 16.
R. S. 40:2–23	"	1938, c. 23; repealed 1947, c. 113, ss. 15, 16.
R. S. 40:2–25	"	1939, c. 7.
R. S. 40:2–28	see	1939, c. 7, s. 2 (NJSA 40:2–28.1; RSCS 40:2–25.1) (1939, c. 7, s. 2 amended 1947, c. 115 (NJSA, RSCS 40:2–28.1)).

Additional Legislation.

Cash surpluses, use of as anticipated miscellaneous revenue in budget, 1938, c. 25 (NJSA 40:2–17.1; RSCS 40:3–3.1).

Sec. 1 of above amended 1947, c. 149, ss. 1, 2 (C. 40:2–17.1).

Municipal budgets, application of certain utility moneys as miscellaneous revenue, upon certain conditions, authorized, suppl., 1947, c. 341 (C. 40:2–17.2).

Anticipated, dedicated revenues not capable of accurate estimate, how included in budget and availability for expenditure, suppl., 1942, c. 5 (C. 40:2–18.1 to 40:2–18.3).

Sec. 3 of above amended 1947, c. 114, ss. 1, 2 (C. 40:2–18.3).

Public Works Reserve appropriation, inclusion in budget, availability for expenditure, etc., suppl., 1942, c. 187 (C. 40:2–21.1).

Public Works Reserve, appropriation, when available for postwar capital purposes, 1945, c. 14 (C. 40:2–21.2).

Budgets in certain municipalities on Atlantic Ocean, reserve for uncollected taxes, waived, certain cases, 1943, c. 184 (C. 40:2–26.1 to 40:2–26.7).

Sec. 1 of above amended 1943, c. 210, s. 1 (C. 40:2–26.1).

Sec. 5 " " repealed 1943, c. 210, s. 2 (C. 40:2–26.5).

Article 4. Operation Under Budget.

R. S. 40:2–29 amended 1945, c. 155.

R. S. 40:2–30 " 1939, c. 36; 1942, c. 202; 1943, c. 130.

R. S. 40:2–31 " 1938, c. 128, s. 4; 1939, c. 23; 1946, c. 14; 1947, c. 113, ss. 11, 16; 1953, c. 344.

Additional Legislation.

Projects abandoned by Federal agency; transfer of municipal or county appropriations to complete and completion of, authorized, suppl., 1941, c. 330 (C. 40:2–30.1).

Article 5. Borrowing.

Note: For budgets, correction, etc., in certain cases; "Special Aid Notes" issuance authorized, see 1948, c. 159 (T. 40, c. 2).

R. S. 40:2–47 repealed 1947, c. 113, ss. 15, 16.

Additional Legislation.

Miscellaneous revenue notes by municipalities in anticipation of franchise and gross receipts taxes, authorized, 1940, c. 245 (NJSA 40:2–51.1 to 40:2–51.6; RSCS 40:1–104 to 40:1–109).

Article 6. Action by State Auditor.

R. S. 40:2–52 amended 1938, c. 128, s. 6; 1947, c. 113, ss. 12, 16.

R. S. 40:2–53 " 1938, c. 128, s. 7; 1939, c. 396, s. 6; 1947, c. 113, ss. 13, 16.

R. S. 40:2–54 " 1938, c. 128, s. 8; repealed 1947, c. 113, ss 15, 16.

R. S. 40:2–55 " 1938, c. 128, s. 9; 1947, c. 113, ss. 14, 16; 1953, c. 37, s. 1.

Additional Legislation.

Budgets, correction, etc., in certain cases; "Special aid notes" issuance authorized, suppl., 1948, c. 159 (C. 40:2–52.1 to 40:2–52.5).

Article 8. (new) Modification of Budgets.

R. S. 40:2–60 (added) Alteration of county and municipal budgets, suppl. 1938, c. 2.

Title of above amended 1938, c. 6, s. 1.

Sec. 1 " " " 1938, c. 6, s. 2.

Article 9. (new) Capital Budgets.

Additional Legislation.

Capital budgets, suppl., 1938, c. 128, s. 5 (NJSA 40:2–61; RSCS 40:2–28.1).

Sec. 5 of above amended 1947, c. 116 (C. 40:2–61).

Chapter 3. SINKING FUNDS AND SINKING FUND COMMISSIONERS, IN COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS.

Note: For shares of building and loan associations insured under "National Housing Act"; legal investments, see 1940, c. 60 (T. 17, c. 2).

For transfer of the Division of Local Government, the Local Government Board of said Division, and the Director of said Division in the State Department of Taxation and Finance to, and the continuation thereof in, the Division of Local Government in the Department of the Treasury, see 1948, c. 92, ss. 20-23 (T. 52, c. 18A).

R. S. 40:3–3 amended 1947, c. 117, ss. 1, 19.

R. S. 40:3–9 " 1947, c. 117, ss. 2, 19.

R. S. 40:3–10 " 1943, c. 48.

R. S. 40:3–17 " 1947, c. 117, ss. 3, 19; 1948, c. 129.

R. S. 40:3–20 " 1947, c. 117, ss. 4, 19.

R. S. 40:3–23 " 1947, c. 117, ss. 5, 19.

R. S. 40:3–24 " 1947, c. 117, ss. 6, 19.

Chapter 4. AUDITS AND AUDITORS.

Note: For transfer of the Division of Local Government, the Local Government Board of said Division, and the Director of said Division in the State Department of Taxation and Finance to, and the continuation thereof in, the Division of Local Government in the Department of the Treasury, see 1948, c 92, ss. 20-23 (T. 52, c. 18A).

R. S. 40:4–1 amended 1942, c. 81.

R. S. 40:4–4 " 1947, c. 117, ss. 7, 19.

R. S. 40:4–8 " 1947, c. 117, ss. 8, 19.

R. S. 40:4–9 " 1947, c. 117, ss. 9, 19; 1953, c. 37, s. 2.

R. S. 40:4–12 " 1947, c. 117, ss. 10, 19.

R. S. 40:4–13 " 1947, c. 117, ss. 11, 19.

R. S. 40:4–14 " 1947, c. 117, ss. 12, 19.

R. S. 40:4–15 " 1947, c. 117, ss. 13, 19.

Chapter 5. PUBLIC MONEYS AND FINANCIAL STATEMENTS.

Note: For transfer of the Division of Local Government, the Local Government Board of said Division, and the Director of said Division in the State Department of Taxation and Finance to, and the continuation thereof in, the Division of Local Government in the Department of the Treasury, see 1948, c 92, ss. 20-23 (T. 52, c. 18A).

R. S. 40:5–2 amended 1941, c. 236; 1951, c. 298, s. 1.

R. S. 40:5–8 " 1947, c. 117, ss. 14, 19.

R. S. 40:5–9 " 1947, c. 117, ss. 15, 19.

R. S. 40:5–12 " 1947, c. 117, ss. 16, 19.

R. S. 40:5–13 " 1944, c. 56; 1947, c. 117, ss. 17, 19.

Additional Legislation.

Appropriations for loss by conflagration, by counties, municipalities, etc., notes, etc., 1941, c. 48 (C. 40:5–2.1 to 40:5–2.8).

Mental health program for children, establishment and maintenance by counties and municipalities, appropriation, etc., provided for, 1952, c. 120 (C. 40:5–2.9, 40:5–2.10).

Parking meter revenues appropriation by county or municipality for off-street parking facilities, certain cases, authorized, suppl., 1952, c. 195 (C. 40:5–2.11).

Investment of funds of counties, municipalities and school districts in ther own or Federal obligations, authorized and regulated, 1953, c. 328 (C. 40:5–7.1 to 40:5–7.3).

Chapter 6. INVESTIGATION OF MUNICIPAL AND COUNTY EXPENDITURES.

R. S. 40:6–1 amended 1953, c. 37, s. 3.

R. S. 40:6–2 " 1953, c. 37, s. 4.

R. S. 40:6–3 " 1953, c. 37, s. 5.

R. S. 40:6–6 " 1953, c. 37, s. 6.

Chapter 8. AIRPORTS.

Note: For public airports, use of funds under "Federal Airport Act," approval of State Department of Aviation, State Treasurer to be State Agency for such Federal funds, provided for, see 1947, c. 315 (T. 6, c. 3).

R. S. 40:8–2 amended 1947, c. 85.

Additional Legislation.

Municipal airports, operation, etc., as public utility, authorized, 1946, c. 12 (C. 40:8–2.1).

Chapter 9. LANDS AND BUILDINGS.

Note: For authorization of maintenance of stands in public buildings by blind, see 1938, c. 349 (T. 30, c. 6).

Chapter 11. OFFICERS AND EMPLOYEES.

Note: For additional legislation dealing with discrimination against applicants for employment, for age, see 1938, c. 295 (T. 10, c. 3); for leave of absence for county and municipal employees for military service, see 1941, c. 119 (T. 38, c. 23), amended 1942, c. 327; for apprentice and on the job training programs for veterans in counties and municipalities, provided for, see 1946, c. 162 (T. 38, c. 23A), amended 1952, c. 232.

R. S. 40:11–1	amended	1953, c. 37, s. 7.
R. S. 40:11–2	"	1953, c. 37, s. 8.
R. S. 40:11–3	repealed	1953, c. 37, s. 9.
R. S. 40:11–4	amended	1938, c. 336; 1951, c. 62, s. 1.
R. S. 40:11–12	"	1942, c. 52, s. 1.
R. S. 40:11–13	"	1938, c. 80; 1942, c. 52, s. 2.
R. S. 40:11–15	"	1947, c. 231, s. 1.
R. S. 40:11–16	"	1949, c. 166, s. 1.
R. S. 40:11–17	"	1947, c. 363, s. 1; 1948, c. 45, s. 1.

Additional Legislation.

Police and fire departments, delay in qualifying of members by reason of military service, not to affect rights, benefits, etc., provided for, 1946, c. 87 (C. 40:11–13.1).

Uniformed municipal traffic and park police, certain, hours of employment, referendum, provided for, 1948, c. 341 (C. 40:11–13.2 to 40:11–13.7).

Group insurance, payment of premiums on, by certain counties, authorized, suppl., 1947, c. 231, s. 2 (C. 40:11–16.1).

Group insurance policy premiums, payment of part by municipality, authorized, suppl., 1949, c. 166, s. 2 (C. 40:11–16.2).

Effect of 1940 census and reclassification of counties on salaries, number of employees, pensions, etc., 1940, c. 181 (C. 40:11–17.1).

Sec. 1 of above amended 1947, c. 363, s. 2; 1948, c. 45, s. 2 (C. 40:11–17.1).

Effect of 1950 census and reclassification of counties on salaries, number of employees, pensions, etc., 1952, c. 1 (C. 40:11–17.2 to 40:11–17.4).

Sec. 2 of above amended 1953, c. 371 (C. 40:11–17.3).

Sec. 3 " " " 1952, c. 359 (C. 40:11–17.4).

Promotion of policemen, prohibited, until after three years' service, certain cases, 1940, c. 20 (C. 40:11-18).

Legal aid to police officers and firemen in suits arising from incidents in line of duty, provided for, 1946, c. 67 (C. 40:11-19).

Title of above amended 1947, c. 103, s. 1.

Sec. 1 " " " 1947, c. 103, s. 2 (C. 40:11-19).

Police and firemen, municipal, and county and county park police, except in first- and second-class counties, minimum salaries provided for, 1949, c. 283 (C. 40:11-20, 40:11-21).

Chapter 11A. (new) PARKING AUTHORITIES.

Note: For State lands, certain, leased to municipalities or park authorities for public parking purposes, terms, etc., authorized and provided for, see 1949, c. 132 (C. 52:18A).

Parking Authority Law, 1948, c. 198 (C. 40:11A-1 to 40:11A-25).

Sec. 4 of above amended 1953, c. 153, s. 1 (C. 40:11A-4).

Sec. 7 " " " 1953, c. 153, s. 2 (C. 40:11A-7).

Sec. 13 " " " 1953, c. 37, s. 10 (C. 40:11A-13).

Annual audit, making and filing, certified copy of bond resolutions and proceedings, filing required, suppl., 1952, c. 303 (C. 40:11A-6.1, 40:11A-6.2).

Chapter 12. PARKS AND PLAYGROUNDS.

R. S. 40:12-1 amended 1949, c. 138.

R. S. 40:12-9 " 1948, c. 61.

Chapter 14A. (new) COUNTY AND MUNICIPAL SEWERAGE AUTHORITIES.

Note: For Sanitary Sewer District Authorities, first- and second-class counties, establishment, powers, duties, etc., see 1946, c. 123 (T. 40, c. 36A), amended 1949, c. 136, 1949, c. 145, 1950, c. 20, 1951, c. 265, 1953, c. 326.

Sewerage Authorities Law (1946), suppl., 1946, c. 138 (C. 40:14A-1 to 40:14A-37).

Title of above amended 1953, c. 177, s. 1

Sec. 2 " " " 1951, c. 127, s. 1; 1953, c. 177, s. 2 (C. 40:14A-2).

Sec. 3 of above amended 1951, c. 127, s. 2; 1953, c. 177, s. 3 (C. 40:14A-3).

Sec. 4 " " " 1947, c. 391; 1951, c. 127, s. 3; 1952, c. 277, s. 1. (C. 40:14A-4).

Sec. 5 " " " 1951, c. 127, s. 4; 1952, c. 277, s. 2 (C. 40:14A-5).

Sec. 6 " " " 1951, c. 127, s. 5; 1953, c. 177, s. 4 (C. 40:14A-6).

Sec. 14 " " " 1951, c. 127, s. 6 (C. 40:14A-14).

Sec. 17 " " " 1953, c. 37, s. 11 (C. 40:14A-17).

Sec. 20 " " " 1951, c. 127, s. 7; 1953, c. 177, s. 5 (C. 40:14A-20).

Sec. 23 " " " 1951, c. 127, s. 8; 1952, c. 277, s. 3 (C. 40:14A-23).

Sec. 24 " " " 1951, c. 127, s. 9 (C. 40:14A-24).

Sec. 25 " " " 1951, c. 127, s. 10 (C. 40:14A-25).

Sec. 28 " " " 1953, c. 37, s. 12 (C. 40:14A-28).

Annual audit, making and filing, certified copy of bond resolutions and proceedings, filing required, suppl., 1952, c. 301 (C. 40:14A-7.1, 40:14A-7.2).

Subtitle 2. COUNTIES.

Part 1. COUNTIES, GENERALLY.

Note: For time of war service not to be counted in determining maximum age limits for appointment or election to State, county, municipal or school district, office, position, etc., see 1944, c. 98 (T. 38, c. 23A), amended 1946, c. 206; for standard plumbing code, establishment, etc., in certain counties, provided for, see 1946, c. 255 (T. 26, c. 3C), amended 1947, c. 125.

Chapter 17. CLASSIFICATION.

R. S. 40:17-2 amended 1939, c. 150.

Chapter 18. INCORPORATION; BOUNDARIES; ANNEXATION.

R. S. 40:18-6 amended 1953, c. 37, s. 13.

R. S. 40:18-7 " 1953, c. 37, s. 14.

R. S. 40:18-9 " 1953, c. 37, s. 15.

R. S. 40:18–12 amended 1953, c. 37, s. 16.
R. S. 40:18–14 " 1953, c. 37, s. 17.
R. S. 40:18–19 " 1953, c. 37, s. 18.
R. S. 40:18–20 " 1953, c. 37, s. 19.
R. S. 40:18–30 " 1953, c. 37, s. 20.
R. S. 40:18–32 " 1953, c. 37, s. 21.

Additional Legislation.

Boundary between Camden, Atlantic and Gloucester counties fixed, 1938, c. 176 (C. 40:18–4.1).

Boundary between Monmouth and Middlesex County changed, 1939, c. 244 (C. 40:18–4.2, 40:18–4.3).

Chapter 19. COUNTY SEAT.

R. S. 40:19–8 amended 1953, c. 37, s. 22.

Chapter 20. BOARDS OF CHOSEN FREEHOLDERS.

Note: For establishment and administration of ration banks, accounts, etc., see 1943, c. 142 (T. 52, c. 14).

R. S. 40:20–4 amended 1945, c. 121.
R. S. 40:20–10 " 1953, c. 37, s. 23.
R. S. 40:20–16 " 1948, c. 5, s. 1.
R. S. 40:20–18 " 1948, c. 5, s. 2.
R. S. 40:20–20 " 1952, c. 55.
R. S. 40:20–24 " 1942, c. 299.
R. S. 40:20–43 " 1953, c. 37, s. 24.
R. S. 40:20–72 " 1944, c. 63; 1947, c. 302, s. 1.
R. S. 40:20–73 " 1945, c. 152; 1947, c. 302, s. 2.
R. S. 40:20–74 " 1947, c. 302, s. 3.
R. S. 40:20–75 " 1953, c. 37, s. 25.
R. S. 40:20–83 " 1953, c. 37, s. 26.

Additional Legislation.

Compensation of boards of freeholders in certain counties, procedure in respect to fixing, prescribed, suppl., 1947, c. 302, ss. 4-9 (C. 40:20–74.1 to 40:20–74.6).

Salaries of members of boards of freeholders, counties, 5th class less than 100,000 inhabitants, increase, provided for, suppl., 1953, c. 281 (C. 40:20–74.7).

Chapter 21. OFFICERS AND EMPLOYEES.

Note: For legislation dealing with discrimination against applicants for employment, for age, see 1938, c. 295 (T. 10, c. 3); 1938, c. 336 (R. S. 40:11-4), amended 1951, c. 62; for deductions from salaries, etc., of employees, provided for, see 1943, c. 69; 1943, c. 102 (T. 52, c. 14); for deductions for group, accident and sickness insurance premiums from compensation of county officers, employees, etc., authorized, see 1946, c. 7 (T. 52, c. 14), amended 1947, c. 143; for apprentice and on the job training programs for veterans in counties, provided for, see 1946, c. 162 (T. 38, c. 23A), amended 1952, c. 232; for guards, keepers, etc., jails, houses of detention and penitentiaries, first-class counties exceeding 800,000 inhabitants, compensation fixed by board of chosen freeholders, see 1949, c. 34 (T. 30, c. 8); for qualification for public employment forbidding joining or maintaining membership in National Guard, Naval Militia or United States Armed Forces Reserve, invalidated, see 1949, c. 99 (T. 38, c. 22).

For tenure for certain county road supervisors in certain second-class counties, see 1951, c. 247 (T. 27, c. 14).

For leave of absence for field training of ad interim or temporary State, county or municipal employees, see 1953, c. 350 (T. 38, c. 23).

Article 1. Counties Generally.

A. GENERAL PROVISIONS.

R. S. 40:21-7 amended 1953, c. 37, s. 27.

B. OATHS AND BONDS.

R. S. 40:21-9 amended 1952, c. 51.

R. S. 40:21-12 " 1953, c. 37, s. 28.

C-1. (new) COUNTY OFFICERS GENERALLY.

Additional Legislation.

Resignations, county officers to be in writing sent to Governor and filed with Secretary of State, suppl., 1953, c. 37, s. 38 (C. 40:21-17.1).

D. SPECIFIC OFFICERS.

R. S. 40:21-24 amended 1948, c. 78, s. 1; 1953, c. 37, s. 29.

R. S. 40:21-25 " 1953, c. 37, s. 30.

R. S. 40:21-28 " 1953, c. 37, s. 31.

R. S. 40:21-32 " 1953, c. 37, s. 33.

R. S. 40:21-33 " 1953, c. 37, s. 34.

Additional Legislation.

County auditor, appointment regulated, suppl., 1944, c. 125 (C. 40:21-20.1 to 40:21-20.3).

Transfer and civil service status, certain employees, counties of the second class, provided for, 1948, c. 400 (C. 40:21-21.1).

Assistant county physician, deputy, appointment, compensation, suppl., 1948, c. 78, s. 2 (C. 40:21-23.1).

Notice of death to, and powers and duties of, county physicians thereupon, failures to report deaths, disturbance of bodies, etc., made misdemeanors, suppl., 1947, c. 403 (C. 40:21-26.6 to 40:21-26.11).

Sec. 2 of above amended 1951, c. 309, s. 1 (C. 40:21-26.7).

Chief medical examiners, coroners, morgue keepers, second-class counties, appointment, powers, duties, etc., regulated, 1944, c. 182 (C. 40:21-30.1 to 40:21-30.19).

Sec. 11 of above amended 1953, c. 37, s. 32 (C. 40:21-30.11).

Tenure of office for superintendents, child welfare, 1939, c. 224 (C. 40:21-47.1).

Article 2. Counties of the First Class.

R. S. 40:21-52 amended 1953, c. 37, s. 35.

R. S. 40:21-53 repealed 1953, c. 37, s. 36.

R. S. 40:21-57 amended 1944, c. 61.

R. S. 40:21-60 " 1938, c. 268.

R. S. 40:21-61 " 1942, c. 51, s. 1.

R. S. 40:21-63 " 1942, c. 51, s. 2.

R. S. 40:21-71 " 1953, c. 37, s. 37.

R. S. 40:21-73 " 1942, c. 80.

R. S. 40:21-77 " 1942, c. 51, s. 3.

Chapter 22. FIRE AND POLICE.

Note: For promotion of policemen, prohibited, until after three years' service; certain cases, see 1940, c. 20 (T. 40, c. 11); for uniformed municipal, traffic and park police, certain, hours of employment, referendum, provided for, see 1948, c. 341 (T. 40, c. 11); for police and firemen, municipal and county and county park police, except in first and second-class counties, minimum salaries provided for, see 1949, c. 283 (T. 40, c. 11); for qualification for public employment forbidding joining or maintaining membership in National Guard, Naval Militia or United States Armed Forces Reserve, invalidated, see 1949, c. 99 (T. 38, c. 22).

R. S. 40:22-5 amended 1953, c. 37, s. 39.

R. S. 40:22-16 " 1941, c. 127.

Additional Legislation.

Award of damages to traffic police officers for permanent injury received while on duty by board of chosen freeholders, authorized and regulated, 1952, c. 350 (C. 40:22-3.1, 40:22-3.2).

Acting fire marshal, appointment, powers, etc.; in counties of the second, third, and fifth class, suppl., 1940, c. 157 (C. 40:22-16.1).

Chapter 23. GENERAL POWERS.

Note: For completion of projects abandoned by Federal agency by county alone; authorized, see 1941, c. 330 (T. 40, C. 2); for standard building code, preparation and interpretation by Department of Economic Development, adoption by counties, provided for, see 1946, c. 120 (T. 52, c. 27C).

For appropriation for expense of psycniatric diagnosis and treatment of indigent residents of county having no mental or psychiatric hospital or clinic, authorized and regulated, see 1952, c. 119 (T. 44, c. 5).

For parking meter revenues appropriation by counties for off-street parking facilities, certain cases, authorized, see 1952, c. 195 (T. 40, c. 5).

For transcripts and certain expenses of appeals for impecunious defendants in capital cases provided, see 1952, c. 212 (T. 2A, c. 152).

Article 1. General Provisions.

R. S. 40:23–2 amended 1946, c. 24.

R. S. 40:23–6 " 1947, c. 214; 1951, c. 106.

R. S. 40:23–6.1 " 1938, c. 33.

Additional Legislation.

Acceptance of gifts, etc., for specific purposes, provided for, 1943, c. 138 (C. 40:23–4.1).

Children's summer camps; establishment and maintenance, suppl., 1940, c. 24 (C. 40:23–6.2 to 40:23–6.16).

Veterans, certain, care and treatment in county hospitals, provided for, suppl., 1946, c. 73 (C. 40:23–6.17 to 40:23–6.19).

Fees for building permits for county buildings, certain second-class counties, not required, suppl., 1948, c. 413 (C. 40:23–6.20).

Facilities for legal aid associations or societies furnished by county, authorized, 1950, c. 194 (C. 40:23–6.21).

Article 2. Money and Finance.

Note: For investment of funds of counties, municipalities and school districts in their own or Federal obligations, authorized and regulated, see 1953, c. 328 (T. 40, c. 5).

R. S. 40:23–11 amended 1953, c. 37, s. 40.

R. S. 40:23–12 repealed 1953, c. 290.

Additional Legislation.

Appropriations by certain counties for junior colleges authorized and validated, 1941, c. 43 (C. 40:23–8.2).

Title of above amended 1947, c. 30, s. 1.

Sec. 1 " " " 1947, c. 30, s. 2 (C. 40:23–8.2).

Appropriations for protection of roads from erosion by tidewater, sixth-class counties, 1942, c. 198 (C. 40:23-8.3).

Blood banks, etc., contribution of funds for, by counties, authorized, suppl., 1946, c. 22 (C. 40:23-8.4 to 40:23-8.7).

Appropriations for duly incorporated children's home, etc., authorized, 1948, c. 258 (C. 40:23-8.8).

Volunteer fire companies, appropriation by board of chosen freeholders in aid of, authorized, 1949, c. 79 (C. 40:23-8.9).

Article 4. Joint County and Municipal Action.

Note: For mental health program for children, establishment and maintenance jointly by counties and municipalities, appropriation, etc., provided for, see 1952, c. 120 (T. 40, c. 5).

Article 6. Sale or Other Disposition of Personal Property.

R. S. 40:23-27 amended 1947, c. 106.

Additional Legislation.

Leasing of unused road machinery or equipment, in certain cases, authorized, suppl., 1942, c. 320 (C. 40:23-27.1, 40:23-27.2).

Chapter 24. ORDINANCES AND RESOLUTIONS.

R. S. 24:4-4 amended 1953, c. 37, s. 41.

R. S. 40:24-5 " 1953, c. 37, s. 42.

R. S. 40:24-6 " 1953, c. 37, s. 43.

R. S. 40:24-7 " 1953, c. 37, s. 44.

R. S. 40:24-9 " 1953, c. 37, s. 45.

Additional Legislation.

Vote required for adoption of resolutions in absence of member of governing body in active military or naval service of the United States or of this State, 1942, c. 301 (C. 40:24-1.1).

Chapter 25. CONTRACTS.

R. S. 40:25-2 amended 1938, c. 167.

R. S. 40:25-19 " 1953, c. 37, s. 46.

Additional Legislation.

Two-year contracts for fuel, authorized, suppl., 1953, c. 395 (C. 40:25-1.1).

Purchases from United States Government by counties, special provisions relating to, suppl., 1945, c. 111 (C. 40:25-4.1 to 40:25-4.4).

Chapter 26A. (new) MONEYS UNCLAIMED IN CERTAIN OFFICES.

Unclaimed moneys in certain county offices, disposition of, provided for, 1948, c. 456 (C. 40:26A-1 to 40:26A-11).

Sec. 5 of above amended 1953, c. 37, s. 47 (C. 40:26A-5).

Sec. 6 " " repealed 1953, c. 37, s. 48 (C. 40:26A-6).

Sec. 7 " " amended 1953, c. 37, s. 49 (C. 40:26A-7).

Sec. 8 " " " 1953, c. 37, s. 50 (C. 40:26A-8).

Sec. 9 " " " 1953, c. 37, s. 51 (C. 40:26A-9).

Sec. 10 " " repealed 1953, c. 37, s. 52 (C. 40:26A-10).

Sec. 11 " " amended 1950, c. 67, s. 6 (C. 40:26A-11).

Chapter 27. COUNTY PLANNING.

R. S. 40:27-6 amended 1953, c. 37, s. 53.

Additional Legislation.

Maps, disapproval of certain, provided for, suppl., 1948, c. 412 (C. 40:27-12).

Title of above amended 1950, c. 274, s. 1; 1952, c. 326, s. 1.

Sec. 1 " " " 1950, c. 274, s. 2; 1952, c. 326, s. 2 (C. 40:27-12).

Chapter 30. DRAINAGE.

R. S. 40:30-1 amended 1953, c. 37, s. 54.

R. S. 40:30-2 " 1953, c. 37, s. 55.

R. S. 40:30-3 " 1953, c. 37, s. 56.

R. S. 40:30-7 " 1953, c. 37, s. 57.

R. S. 40:30-10 " 1953, c. 37, s. 58.

R. S. 40:30-16 " 1953, c. 37, s. 59.

Additional Legislation.

Drainage of lands by counties, provided for, suppl., 1945, c. 112 (C. 40:30-18 to 40:30-21).

Chapter 32. LANDS AND BUILDINGS.

Note: For authorization of maintenance of stands in public buildings by blind, **see 1938, c. 349 (T. 30, c. 6).**

For acquisition of State lands by county bridge commissions, see 1953, c. 399 (T. 27, c. 19).

Article 1. Acquisition.

R. S. 40:32–4 amended 1953, c. 37, s. 60.

Additional Legislation.

Acquisition, improvement, etc., of lands by counties for park, public welfare and hospital purposes, provided for, 1940, c. 33 (NJSA 40:32–2.1 to 40:32–2.5; RSCS 40:32–7.1 to 40:32–7.5).

Article 2. Sale or Other Disposition.

R. S. 40:32–8 amended 1950, c. 50.

R. S. 40:32–10 " 1953, c. 119.

Additional Legislation.

Sale of lands acquired by gift, grant or devise and disposition of proceeds thereof, provided for, 1942, c. 262 (C. 40:32–9.1, 40:32–9.2).

Article 3. (new) Acquisition and Disposition.

Lands improved by or with assistance of Federal Government, use, etc., 1951, c. 116 (C. 40:32–14 to 40:32–19).

Chapter 33. LIBRARIES.

R. S. 40:33–6 amended 1950, c. 189, s. 1.

R. S. 40:33–7 " 1950, c. 189, s. 2.

R. S. 40:33–8 " 1950, c. 189, s. 3.

R. S. 40:33–12 " 1950, c. 189, s. 4.

R. S. 40:33–13 " 1950, c. 189, s. 5.

R. S. 40:33–14 " 1953, c. 37, s. 61.

Additional Legislation.

Contract between municipalities within county library system, for additional library service, provided for, suppl., 1951, c. 101, s. 2 (C. 40:33–13.1, 40:33–13.2).

Chapter 36A. (new) COUNTY SEWERAGE AUTHORITIES.

Note: For Sewerage Authorities Law (1946), see 1946, c. 138 (T. 40, c. 14A); amended 1947, c. 391, 1951, c. 127, 1952, c. 277, 1953, c. 177.

Sanitary Sewer District Authorities, first- and second-class counties, establishment, powers, duties, etc., 1946, c. 123 (C. 40:36A–1 to 40:36A–63).

Sec. 2 of above amended 1949, c. 88, s. 1; 1951, c. 265, s. 1 (C. 40:36A–2).

Sec. 7 " " " 1953, c. 326 (C. 40:36A–7).

Sec. 8 " " " 1949, c. 145 (C. 40:36A–8).

Sec. 12 " " " 1949, c. 88, s. 2 (C. 40:36A–12).

Sec. 36 " " " 1950, c. 20, s. 1 (C. 40:36A–36).

Sec. 39 " " " 1950, c. 20, s. 2 (C. 40:36A–39).

Sec. 45 " " " 1949, c. 88, s. 3 (C. 40:36A–45).

Sec. 54 " " " 1948, c. 136; 1949, c. 88, s. 4; 1951, c. 265, s. 2 (C. 40:36A–54).

Sec. 55 " " " 1949, c. 88, s. 5 (C. 40:36A–55).

Sec. 56 " " " 1949, c. 88, s. 6 (C. 40:36A–56).

Sec. 58 " " " 1953, c. 37, s. 62 (C. 40:36A–58).

Discharge of sewage, etc., into streams within district and tributaries prohibited, enforcement of violations, provided for, suppl., 1953, c. 389 (C. 40:36A–23.1, 40:36A–23.2).

Chapter 37. COUNTY PARKS.

Note: For acquisition, improvement, etc., of lands by counties for park purposes, see 1940, c. 33 (T. 40, c. 32); for uniformed municipal, traffic and park police, certain, hours of employment, referendum, provided for, see 1948, c. 341 (T. 40, c. 11); for police and firemen, municipal, and county and county park police, except in first- and second-class counties, minimum salaries provided for, see 1949, c. 283 (T. 40, c. 11).

Article 1. Shade Tree Commission.

R. S. 40:37–7 amended 1953, c. 37, s. 63.

R. S. 40:37–8 " 1953, c. 37, s. 64.

Article 1A. (new) County Park Commissions in General.

Additional Legislation.

Leasing, etc., of real estate to United States Government, etc., terms, etc., provided for, 1943, c. 20 (C. 40:37–11.1).

Sec. 1 of above amended 1951, c. 71 (C. 40:37–11.1).

Contracts by Park Commissions, certain counties, with municipalities, for temporary use of park lands for emergency housing, etc., for veterans, etc., authorized, suppl., 1946, c. 279 (C. 40:37–11.2).

Title of above amended 1946, c. 320, s. 1.

Sec. 1 " " " 1946, c. 320, s. 2; 1947, c. 26 (C. 40:37–11.2).

Article 2. Moneys for Maintenance of Park System.

Additional Legislation.

Amounts required for maintenance of parks and roads, fixing, regulated, suppl., 1951, c. 191 (C. 40:37–15.1).

Sec. 1 of above amended 1952, c. 193 (C. 40:37–15.1).

Article 3. Use of Lands in Other Counties for Parks.

R. S. 40:37–18 amended 1953, c. 37, s. 65.

Article 4. Commission to Consider Advisability of Parks.

R. S. 40:37–21 amended 1953, c. 37, s. 66.

R. S. 40:37–22 " 1953, c. 37, s. 67.

Article 5. County Parks Established By Referendum.

A. ALL COUNTIES; COMMISSIONERS ELECTED AT LARGE IN THE COUNTY.

R. S. 40:37–41 amended 1953, c. 37, s. 68.

R. S. 40:37–42 " 1953, c. 37, s. 69.

R. S. 40:37–45 " 1953, c. 37, s. 70.

R. S. 40:37–46 " 1953, c. 37, s. 71.

R. S. 40:37–48 " 1953, c. 37, s. 72.

R. S. 40:37–49 " 1953, c. 37, s. 73.

R. S. 40:37–50 " 1953, c. 37, s. 74; 1953, c. 428, s. 2.

R. S. 40:37–65 " 1953, c. 37, s. 75.

B. ALL COUNTIES; COMMISSIONERS APPOINTED BY BOARD OF CHOSEN FREEHOLDERS.

R. S. 40:37–83 amended 1953, c. 37, s. 76.

R. S. 40:37–85 " 1953, c. 37, s. 77.

Additional Legislation.

County Park Commissions, establishment, powers and duties, referendum, provided for, suppl., 1946, c. 276 (C. 40:37–95.1 to 40:37–95.25).

Sec. 9 of above amended 1949, c. 256, s. 1; 1950, c. 336, s. 1 (C. 40:37–95.9).

Sec. 10 " " " 1949, c. 256, s. 2; 1950, c. 336, s. 2 (C. 40:37–95.10).

Sec. 21 " " " 1953, c. 37, s. 78 (C. 40:37–95.21).

C. COUNTIES OF MORE THAN 200,000; COMMISSIONERS APPOINTED BY SUPREME COURT JUSTICE.

R. S. 40:37–97 amended 1953, c. 37, s. 79.

R. S. 40:37–98 " 1953, c. 37, s. 80.

R. S. 40:37–109 " 1953, c. 37, s. 82.

R. S. 40:37–110 " 1953, c. 37, s. 83.

R. S. 40:37–113 " 1953, c. 37, s. 84.

R. S. 40:37–116 " 1953, c. 37, s. 85.

R. S. 40:37–117 " 1953, c. 37, s. 86.

R. S. 40:37–118 " 1953, c. 37, s. 87.

R. S. 40:37–145 " 1940, c. 50; 1952, c. 89.

R. S. 40:37–153 " 1953, c. 37, s. 88.

R. S. 40:37–155 " 1953, c. 37, s. 89.

R. S. 40:37–156 " 1946, c. 27.

R. S. 40:37–156A (added) Appeal from conviction for violations by members of county police force or police departments not under civil service, 1939, c. 44; amended 1953, c. 37, s. 90.

R. S. 40:37–159 amended 1951, c. 324, s. 2.

R. S. 40:37–160 " 1951, c. 324, s. 3.

R. S. 40:37–161 " 1951, c. 324, s. 4.

R. S. 40:37–173 " 1953, c. 37, s. 91.

R. S. 40:37–174 " 1953, c. 37, s. 92.

Additional Legislation.

Appropriations for county parks by board of freeholders, 1939, c. 133 (NJSA 40:37–101.1 to 40:37–101.3; RSCS 40:37–16.1 to 40:37–16.3).

Sec. 1 of above amended 1953, c. 37, s. 81 (C. 40:37–101.1).

Compensation to municipalities for loss of tax revenue, where lands taken for park purposes, in certain cases, provided for, suppl., 1947, c. 382 (C. 40:37–101.4 to 40:37–101.6).

Title of above amended 1948, c. 271, s. 1.

Sec. 1 " " " 1948, c. 271, s. 2 (C. 40:37–101.4).

Sec. 2 " " " 1948, c. 271, s. 3 (C. 40:37–101.5).

Sec. 3 " " " 1948, c. 271, s. 4 (C. 40:37–101.6).

Bond issues by County Park Commissions, provided for, suppl., 1946, c. 267 (C. 40:37–130.1).

Sale of real estate at private sale, provided for, suppl., 1950, c. 241 (C. 40:37–146.1).

Policemen in war service, appointment, etc., substitutes for, provided for, suppl., 1943, c. 55 (C. 40:37–154.1).

County Park Commission employees, deductions and contributions for group insurance, authorized, suppl., 1945, c. 241 (C. 40:37–168.1, 40:37–168.2).

Closing park police pension or retirement fund to new members, authorized, suppl., 1951, c. 324, s. 1 (C. 40:37–168.3).

E. COUNTIES BETWEEN 175,000 AND 200,000; COMMISSIONERS APPOINTED BY BOARD OF CHOSEN FREEHOLDERS.

R. S. 40:37–201.1 (added) Franchises, facilities, etc., regulations as to use, suppl., 1939, c. 360.

R. S. 40:37–211 amended 1953, c. 37, s. 93.

R. S. 40:37–212 " 1953, c. 37, s. 94.

R. S. 40:37–215 " 1953, c. 37, s. 95.

R. S. 40:37–240 " 1953, c. 37, s. 96.

R. S. 40:37–247 " 1953, c. 37, s. 97.

Additional Legislation.

Hours of duty or salaries of county park police, when fixed by referendum, suppl., 1951, c. 209 (C. 40:37–202.1).

Article 6. Federal Aid Parks and Recreation Places.

R. S. 40:37-260 amended 1951, c. 329.

Part 2. ELECTIVE COUNTY OFFICERS.

Note: For effect of 1940 census and reclassification of counties on salaries, number of employees, pensions, etc., see 1940, c. 181 (T. 40, c. 11), amended 1947, c. 363; 1948, c. 45.

Chapter 38. COUNTY CLERKS.

R. S. 40:38-1	amended	1943, c. 21; 1953, c. 37, s. 98.
R. S. 40:38-2	"	1953, c. 37, s. 99.
R. S. 40:38-4	"	1953, c. 37, s. 100.
R. S. 40:38-5	"	1944, c. 68; 1947, c. 198.
R. S. 40:38-7	"	1953, c. 37, s. 101.
R. S. 40:38-8	"	1953, c. 37, s. 102.
R. S. 40:38-10	"	1953, c. 37, s. 103.
R. S. 40:38-11	"	1953, c. 37, s. 104.
R. S. 40:38-16	"	1953, c. 37, s. 105.
R. S. 40:38-17	"	1953, c. 37, s. 106.
R. S. 40:38-18	repealed	1953, c. 37, s. 107.
R. S. 40:38-22	"	1953, c. 37, s. 108.
R. S. 40:38-23	amended	1953, c. 37, s. 109.
R. S. 40:38-24	"	1953, c. 37, s. 110.
R. S. 40:38-25	"	1953, c. 37, s. 111.
R. S. 40:38-27	"	1953, c. 37, s. 112.
R. S. 40:38-28	"	1948, c. 278.

Additional Legislation.

County Clerks' salaries, certain counties, fixed, suppl., 1945, c. 62 (C. 40:38-6.1).

County Clerks, salaries, counties between 20,000 and 40,000 inhabitants, not on Atlantic Ocean, fixed, suppl., 1946, c. 197 (C. 40:38-6.2).

Sec. 1 of above amended 1953, c. 61 (C. 40:38-6.2).

County Clerks, salaries, certain fourth-class counties, suppl., 1948, c. 303 (C. 40:38-6.3).

County clerks' salaries, certain third-class counties, increases authorized, 1951, c. 244, s. 1 (C. 40:38-6.4).

County clerks' salaries, sixth-class counties, increases authorized, suppl., 1951, c. 242 (C. 40:38–6.5).

County clerks, salaries, first-class counties, increases authorized, suppl., 1952, c. 88 (C. 40:38–6.6, 40:38–6.7).

County clerks, salaries, third-class counties between 48,000 and 73,000 inhabitants, increases authorized, suppl., 1952, c. 98 (C. 40:38–6.8, 40:38–6.9).

County clerks, counties between 95,000 and 125,000 inhabitants increases, provided for, suppl., 1953, c. 179 (C. 40:38–6.10).

Vacancies, County Clerks, filling, term, etc., provided for suppl., 1948, c. 208 (C. 40:38–8.1).

Sec. 1 of above amended 1951, c. 122 (C. 40:38-8.1).

Tenure of office of deputy county clerks and deputy surrogates; second-class counties, 1939, c. 223 (NJSA 40:38–25.1; RSCS 40:38A–1).

Court division and registry division, county clerk's office, certain counties, each under deputy county clerk, establishment and maintenance authorized, suppl., 1952, c. 96 (C. 40:38–25.2 to 40:38–25.5).

Employees of County Clerk assigned for service in county courts, salaries fixed, certain second-class counties, suppl., 1944, c. 252 (C. 40:38–29 to 40:38–31).

Court clerks, salaries fixed, certain second-class counties. suppl., 1948, c. 314 (C. 40:38–32 to 40:38–34).

Sec. 1 of above amended 1951, c. 256; 1952, c. 178 (C. 40:38–32).

Chapter 39. REGISTERS OF DEEDS AND MORTGAGES.

R. S. 40:39–2 amended 1943, c. 92.

R. S. 40:39–8 " 1953, c. 37, s. 113.

R. S. 40:39–10 " 1953, c. 37, s. 114.

R. S. 40:39–14 " 1953, c. 37, s. 115.

R. S. 40:39–15 " 1953, c. 37, s. 116.

R. S. 40:39–16 " 1953, c. 37, s. 117.

R. S. 40:39–18 " 1953, c. 37, s. 118.

R. S. 40:39–21 " 1948, c. 277.

Additional Legislation.

Registers of deeds and mortgages, salaries, first-class counties, increases authorized, suppl., 1952, c. 87 (C. 40:39–12.1, 40:39–12.2).

Chapter 40. CORONERS.

R. S. 40:40–5	repealed	1953, c. 37, s. 119.
R. S. 40:40–6	amended	1953, c. 37, s. 120.
R. S. 40:40–7	"	1953, c. 37, s. 121.
R. S. 40:40–8	"	1953, c. 37, s. 122.
R. S. 40:40–9	"	1953, c. 37, s. 123.
R. S. 40:40–10	"	1953, c. 37, s. 124.
R. S. 40:40–11	"	1953, c. 37, s. 125.
R. S. 40:40–12	"	1953, c. 37, s. 126.
R. S. 40:40–13	"	1953, c. 37, s. 127.
R. S. 40:40–14	"	1953, c. 37, s. 128.
R. S. 40:40–15	"	1953, c. 37, s. 129.
R. S. 40:40–16	"	1953, c. 37, s. 130.
R. S. 40:40–17	"	1953, c. 37, s. 131.
R. S. 40:40–19	"	1953, c. 37, s. 132.
R. S. 40:40–21	"	1953, c. 37, s. 133.

Additional Legislation.

Notice of death to, and powers and duties of, coroners, where no medical examiner or county physician, failures to report deaths, disturbance of bodies, etc., made misdemeanors, suppl., 1947, c. 404 (C. 40:40–28.5 to 40:40–28.9)

Chapter 41. SHERIFFS AND CONSTABLES.

Note: For reports of information as to criminal proceedings, etc., see 1939, c. 78 (T. 53, c. 1).

Article 1. Sheriffs.

R. S. 40:41–2	amended	1943, c. 22, s. 1; 1953, c. 37, s. 134.
R. S. 40:41–3	"	1943, c. 22, s. 2; 1953, c. 37, s. 135.
R. S. 40:41–4	"	1953, c. 37, s. 137.
R. S. 40:41–5	"	1953, c. 37, s. 138.
R. S. 40:41–6	"	1944, c. 69; 1947, c. 197.
R. S. 40:41–14	"	1948, c. 206; 1951, c. 120; 1953, c. 37, s. 139.
R. S. 40:41–15	"	1953, c. 37, s. 140.
R. S. 40:41–16	"	1952, c. 141.

R. S. 40:41-21 amended 1953, c. 37, s. 141.

R. S. 40:41-25 " 1953, c. 37, s. 142.

R. S. 40:41-27 " 1953, c. 37, s. 143.

R. S. 40:41-28 " 1953, c. 37, s. 144.

Additional Legislation.

Sheriffs' salaries, certain counties, fixed, suppl., 1945, c. 63 (C. 40:41-7.1).

Sheriffs' salaries, certain fourth-class counties, suppl., 1948, c. 302 (C. 40:41-7.2).

Sec. 1 of above amended 1948, c. 399 (C. 40:41-7.2).

Sheriffs' salaries, certain third-class counties, increases authorized, 1951, c. 244, s. 3 (C. 40:41-7.3).

Sheriffs' salaries, sixth-class counties, increases authorized, suppl., 1951, c. 240 (C. 40:41-7.4).

Sheriffs, salaries, first-class counties, increases authorized, suppl., 1952, c. 85 (C. 40:41-7.5, 40:41-7.6).

Sheriffs, salaries, third-class counties between 48,000 and 73,000 inhabitants, increases authorized, suppl., 1952, c. 99 (C. 40:41-7.7, 40:41-7.8).

Sheriffs, salaries, counties between 95,000 and 125,000 inhabitants, increases provided for, suppl., 1953, c. 180 (C. 40:41-7.9).

Sheriffs' offices, employees of identification bureau, salaries fixed, certain counties, 1943, c. 191 (C. 40:41-33.1 to 40:41-33.15).

Sec. 1 of above amended 1947, c. 256, ss. 1, 10; 1950, c. 277, ss. 1, 5, 6; 1953, c. 341, ss. 1, 6 (C. 40:41-33.1).

Sec. 2 " " " 1947, c. 256, ss. 2, 10; 1950, c. 277, ss. 2, 5, 6; 1953, c. 341, ss. 2, 6 (C. 40:41-33.2).

Sec. 3 " " " 1950, c. 277, ss. 3, 5, 6; 1953, c. 341, ss. 3, 6 (C. 40:41-33.3).

Sec. 5 " " " 1947, c. 256, ss. 3, 10; 1950, c. 277, ss. 4-6; 1953, c. 341, ss. 4, 6 (C. 40:41-33.5).

Sec. 6 " " " 1947, c. 256, ss. 4, 10; 1953, c. 341, ss. 5, 6 (C. 40:41-33.6).

Sec. 9 of above amended 1947, c. 256, ss. 5, 10 (C. 40:41-33.9).

Sec. 10 " " " 1947, c. 256, ss. 6, 10 (C. 40:41-33.10).

Certain positions reclassified, suppl., 1947, c. 256, ss. 7-10 (C. 40:41-33.16 to 40:41-33.19).

Criminal identification bureaus in sheriff's office in counties exceeding 800,000 inhabitants, compensation of supervisors, identification officers and clerks, to be fixed by board of chosen freeholders, 1949, c. 35 (C. 40:41-33.20 to 40:41-33.22).

Article 2. Constables.

Note: For vesting of powers of constable in sergeants-at-arms, see 1950, c. 96 (T. 2, c. 8).

R. S. 40:41-35 amended 1943, c. 68; 1949, c. 76

R. S. 40:41-42 " 1953, c. 37, s. 145.

R. S. 40:41-43 " 1953, c. 37, s. 146.

R. S. 40:41-44 " 1953, c. 37, s. 147.

R. S. 40:41-45 repealed 1953, c. 37, s. 148.

R. S. 40:41-46 amended 1953, c. 37, s. 149.

R. S. 40:41-47 repealed 1953, c. 37, s. 150.

Subtitle 3. MUNICIPALITIES GENERALLY.

Note: For tenure of employees, etc., of joint municipal commissions in war service, provided for, see 1944, c. 249 (T. 38, c. 16); for time of war service not to be counted in determining maximum age limits for appointment or election to State, county, municipal or school district, office, position, etc., see 1944, c. 98 (T. 38, c. 23A), amended 1946, c. 206; for standard plumbing code, establishment, etc., in certain municipalities, provided for, see 1946, c. 255 (T. 26, c. 3C), amended 1947, c. 125.

Chapter 43. INCORPORATION; NEWLY CREATED MUNICIPALITIES; ANNEXATION; CONSOLIDATION; BOUNDARIES.

Article 3A. (new) Adoption of Forms of Government or Municipal Charter.

Additional Legislation.

Petition or referendum for adoption of new or different municipal form or charter of government not to be filed or held while similar proceedings pending, suppl., 1950, c. 212, s. 2 (C. 40:43-9.1).

Article 4. Newly-Created Municipalities.

R. S. 40:43-20 amended 1953, c. 37, s. 151.

R. S. 40:43-21 " 1953, c. 37, s. 152.

R. S. 40:43-23 " 1953, c. 37, s. 153.

Additional Legislation.

Adoption of ordinances of constituent municipality by consolidated, etc., municipality provided for, suppl., 1951, c. 299, ss. 1, 2 (C. 40:43-25.1, 40:43-25.2).

Article 5. Annexation.

R. S. 40:43-35 amended 1953, c. 37, s. 154.

R. S. 40:43-36 " 1953, c. 37, s. 155.

Article 6. Consolidation of Municipalities.

R. S. 40:43-40 to 40:43-64 repealed 1939, c. 343, s. 39.

R. S. 40:43-66 1923, c. 117, repealed 1939, c. 343, s. 39.
1925, c. 10, " 1939, c. 343, s. 39.
1925, c. 60, " 1939, c. 343, s. 39.
1930, c. 129, " 1939, c. 343, s. 39.
1935, c. 98, " 1939, c. 343, s. 39.

Additional Legislation.

Annexation of part of boundary street, suppl., 1939, c. 46 (C. 40:43-39.1, 40:43-39.2).

Consolidation of borough under Local Government Board with township, terms and effect, provided for, 1945, c. 268 (C. 40:43-64.1, 40:43-64.2).

Local Units Permissive Consolidation Act, 1939, c. 343 (NJSA 40:43-66.1 to 40:43-66.34; RSCS 40:43-74 to 40:43-107).

Sec. 3 of above amended 1953, c. 37, s. 156 (C. 40:43-66.3).

Sec. 6 " " " 1953, c. 201, s. 1 (C. 40:43-66.6).

Sec. 8 " " " 1953, c. 37, s. 157 (C. 40:43-66.8).

Sec. 20 " " " 1953, c. 201, s. 2 (C. 40:43-66.20).

Sec. 27 " " " 1953, c. 37, s. 158 (C. 40:43-66.22).

Sec. 33 " " " 1953, c. 37, s. 159 (C. 40:43-66.28).

Tax levy for debt, apportionment, provided for, suppl., 1953, c. 201, s. 3 (C. 40:43-66.24a).

Article 7. Boundaries.

R. S. 40:43-67 amended 1953, c. 37, s. 160.

R. S. 40:43-70 " 1953, c. 37, s. 161.

R. S. 40:43-71 " 1953, c. 37, s. 162.

Chapter 44. WARDS.

R. S. 40:44-2 amended 1953, c. 37, s. 163.

Chapter 45. ELECTIONS.

R. S. 40:45-2 amended 1950, c. 212, s. 1.

Chapter 46. OFFICERS AND EMPLOYEES.

Note: For legislation dealing with discrimination against applicant for employment, for age, see 1938, c. 295 (T. 10, c. 3); 1938, c. 336 (R. S. 40:11-4), amended 1951, c. 62; for effect of 1940 census and reclassification of counties on salaries, number of employees, pensions, etc., see 1940, c. 181 (T. 40, c. 11), amended 1947, c. 363; 1948, c. 45; for collectors, etc., of taxes, bonds, verification of accounts and safeguarding of funds, tax bill receipting machines, official tax receiving agencies, relief of sureties on bonds, etc., see 1940, c. 257 (T. 54, c. 4), amended 1947, c. 118; for adoption of ordinance or resolution by governing body; number of members required when absentee in armed forces, see 1942, c. 231 (T. 40, c. 49); for deductions from salaries, etc., of employees, provided for, see 1943, c. 69; 1943, c. 102 (T. 52, c. 14); for deductions for group, accident and sickness insurance premiums from compensation of municipal officers, employees, etc., authorized, see 1946, c. 7 (T. 52, c. 14), amended 1947, c. 143; for apprentice and on the job training programs for veterans in municipalities, provided for, see 1946, c. 162 (T. 38, c. 23A) amended 1952, c. 232; for qualification for public employment forbidding joining or maintaining membership in National Guard, Naval Militia or United States Armed Forces Reserve, invalidated, see 1949, c. 99 (T. 38, c. 22).

For effect of 1950 census and reclassification of municipalities on salaries, number of employees, pensions, etc., see 1952, c. 1 (T. 40, c. 11), amended 1952, c. 359, 1953, c. 371.

For leave of absence for field training of ad interim or temporary State, county or municipal employees, see 1953, c. 350 (T. 38, c. 23).

Article 1A. (new) Specific Officers and Employees.

Additional Legislation.

Deputy municipal clerk, creation, appointment, powers and duties, 1953, c. 322 (C. 40:46-2.1).

Article 2. Eligibility to Office.

R. S. 40:46-5 amended 1938, c. 149 (title amended 1941, c. 265); 1948, c. 46.

Article 3. Terms and Tenure of Office.

R. S. 40:46-6 amended 1953, c. 37, s. 164.

R. S. 40:46-6.1 " 1945, c. 138.

Additional Legislation.

Term of office of tax assessors, 1938, c. 386 (C. 40:46–6.2, 40:46–6.3).

Tax assessor and assistants in certain cities of second class when provided by resolution of governing body subject to referendum, terms of fixed, suppl., 1947, c. 192 (C. 40:46–6.13).

Collectors of taxes, municipalities, grant of tenure in certain cases by referendum, provided for, 1947, c. 350 (C. 40:46–6.14 to 40:46–6.22).

Sec. 1 of above amended 1951, c. 173 (C. 40:46–6.14).

Sec. 4 " " " 1953, c. 37, s. 165 (C. 40:46–6.17).

Article 4. Vacancies.

R. S. 40:46–14 amended 1949, c. 62.

Article 5. Oaths and Bonds.

R. S. 40:46–20 amended 1940, c. 257, s. 14; 1952, c. 52.

R. S. 40:46–22 " 1953, c. 37, s. 166.

Article 6. Salaries and Other Compensation.

Note: For salaries of mayor and members of governing body, fixing amount, referendum, provided for, see 1953, c. 355 (T. 40, c. 88).

R. S. 40:46–23 amended 1947, c. 166, s. 1; 1948, c. 282, s. 1.

R. S. 40:46–26 " 1942, c. 53, s. 1; 1944, c. 99, s. 1; 1947, c. 33; 1947, c. 166, s. 2; 1948, c. 282, s. 2; 1949, c. 271; 1952, c. 281.

R. S. 40:46–27 " 1941, c. 144.

R. S. 40:46–34 " 1948, c. 163; 1948, c. 395.

Additional Legislation.

Salaries of members of governing body other than the mayor in certain second-class cities having more than 20,000 population, increase by ordinance authorized, 1951, c. 339 (C. 40:46–27.1).

Salaries of persons holding municipal offices fixed by referendum, increase by ordinance, authorized, 1945, c. 277 (C. 40:46–28.1).

Salaries of officers fixed by referendum, referendum to authorize governing body to fix, provided for, suppl., 1951, c. 327, ss. 1, 2 (C. 40:46–28.2, 40:46–28.3).

Method of fixing compensation of employees; certain municipalities, 1939, c. 286 (NJSA 40:46–34.1; RSCS 40:46–23.1).

Article 8. (new) Hospital Service Plan; Salary Deductions, Etc.

Additional Legislation.

Deductions from salaries of municipal employees adopting group hospital plan authorized and validated, suppl., 1941, c. 133 (C. 40:46-37, 40:46-38).

Article 9. (new) Qualifications for Key Employees.

Additional Legislation.

Optional Municipal Key Positions Law (1950), 1950, c. 211 (C. 40:46-39 to 40:46-53).

Chapter 47. FIRE AND POLICE.

Note: For time spent in war service by policemen and firemen to be counted in determining seniority, etc., see 1944, c. 86 (T. 38, c. 16); for delay in qualifying of members of police and fire departments by reason of military service not to affect rights, benefits, etc., see 1946, c. 87 (T. 40, c. 11); for qualification for public employment forbidding joining or maintaining membership in National Guard, Naval Militia or United States Armed Forces Reserve, invalidated, see 1949, c. 99 (T. 38, c. 22); for police and firemen, municipal, and county and county park police, except in first- and second-class counties, minimum salaries provided for, see 1949, c. 283 (T. 40, c. 11); for reports of fires in industrial establishments by municipal fire chiefs, required, see 1950, c. 51 (T. 34, c. 6).

For inclusion of bonus in base pay of firemen and policemen in certain municipalities, see 1952, c. 155(*).

For establishment, etc., Watershed Police in certain municipalities, see 1952, c. 355 (T. 58, c. 5A).

Article 1. Fire and Police Departments.

R. S. 40:47-3	amended	1945, c. 218.
R. S. 40:47-4	"	1939, c. 318; 1945, c. 219; 1948, c. 161; 1953, c. 299, s. 1.
R. S. 40:47-6	"	1947, c. 292, s. 1.
R. S. 40:47-8	"	1947, c. 292, s. 2.
R. S. 40:47-9	"	1953, c. 37, s. 167.
R. S. 40:47-10	"	1953, c. 37, s. 168; see 1938, c. 298 (NJSA, RSCS 40:47-10).

Additional Legislation.

Police forces, officers or members, qualifications of residents, in municipalities having less than 2,500 inhabitants, provided for, suppl., 1946, c. 25 (C. 40:47-3.1).

Title of above amended 1953, c. 107, s. 1.

Sec. 1 " " " 1953, c. 107, s. 2 (C. 40:47-3.1).

Policemen and firemen, residence without municipality, municipalities under 30,000 inhabitants in first-class counties of over 800,000 inhabitants, provided for and regulated, suppl., 1953, c. 107, s. 3 (C. 40:47–3.2).

Filling vacancies, designation of vacancy filled, temporary appointment for members on military leave of absence, provided for, 1943, c. 163 (C. 40:47–4.2 to 40:47–4.5).

Appeal for members, police and fire departments, not under civil service, convicted of violation of rules and regulations, provided for, suppl., 1938, c. 298 (NJSA, RSCS 40:47–10).

Assistance by municipal police or fire department to other municipalities, in emergency, authorized; members' pension and compensation rights saved, suppl., 1941, c. 277 (C. 40:47–12.1).

Police and firemen permanently disabled in performance of duty, award of damages to, authorized, 1948, c. 304 (C. 40:47–12.10, 40:47–12.11).

Article 2. Police Departments Only.

Note: For promotion of policemen, prohibited, until after three years' service, certain cases, see 1940, c. 20 (T. 40, c. 11); for qualifications of residents for officers or members of police force in municipalities having less than 2,500 inhabitants, provided for, see 1946, c. 25 (T. 40, c. 47); for uniformed municipal, traffic and park police, certain, hours of employment, referendum, provided for, see 1948, c. 341 (T. 40, c. 11).

R. S. 40:47–16 amended 1941, c. 340.

R. S. 40:47–19 " 1953, c. 228.

Additional Legislation.

Awards for heroic, etc., service, record of, wearing indicia of, authorized, suppl., 1948, c. 104 (C. 40:47–20.1, 40:47–20.2).

Article 3. Fire Departments Only.

A. GENERAL PROVISIONS.

R. S. 40:47–23 amended 1953, c. 37, s. 169.

R. S. 40:47–24 " 1953, c. 37, s. 170.

Additional Legislation.

Gifts to municipalities of property of fire patrol or protective associations; municipal employment of personnel, authorized and regulated, 1951, c. 170 (C. 40:47–25.1 to 40:47–25.7).

B. VOLUNTEER COMPANIES.

Note: For appointments to paid fire departments from volunteer departments, see 1938, c. 131 (T. 40, c. 47).

R. S. 40:47–27 amended 1941, c. 140; 1945, c. 126; 1951, c. 77.

R. S. 40:47–28 " 1953, c. 323.

R. S. 40:47–29 " 1938, c. 257.

Additional Legislation.

Insurance protection for volunteer firemen by municipality or fire district, authorized, 1945, c. 47 (C. 40:47–30.1 to 40:47–30.5).

C. PAID DEPARTMENTS.

R. S. 40:47–40 amended 1938, c. 276.

Additional Legislation.

Appointments to paid fire departments from membership volunteer fire departments, 1938, c. 131 (C. 40:47–37.1 to 40:47–37.5).

Hours of duty, cities of the first class, referendum, ordinance, provided for, suppl., 1948, c. 73 (C. 40:47–47.2 to 40:47–47.4).

Title of above amended 1949, c. 100, s. 1.

Sec. 1 " " " 1949, c. 100, s. 2 (C. 40:47–47.2).

Sec. 2 " " " 1949, c. 100, s. 3 (C. 40:47–47.3).

Sec. 3. " " " 1949, c. 100, s. 4 (C. 40:47–47.4).

D. EXEMPT FIREMEN CERTIFICATES.

R. S. 40:47–53 amended 1944, c. 246; 1952, c. 167.

E. EXEMPT FIREMEN.

Additional Legislation.

Tenure of office of exempt firemen, 1938, c. 385 (NJSA 40:47–63 to 40:47–67; RSCS 40:47–60.1 to 40:47–60.5).

F. (new) JOINT FIRE SERVICE BY MUNICIPALITIES.

Additional Legislation.

Contract for mutual emergency aid in extinguishing fires; two or more municipalities, 1938, c. 260 (NJSA 40:47–68 to 40:47–72; RSCS 40:47–63 to 40:47–67).

Joint fire departments, adjoining municipalities, establishment and maintenance, provided for, 1943, c. 206 (C. 40:47-73 to 40:47-75).

Chapter 48. GENERAL POWERS.

Note: For regulation retail trade, etc., in alcoholic liquors, see Title 33, chapter 1, supra; for completion of projects abandoned by Federal agency by municipality alone; authorized, see 1941, c. 330 (T. 40, c. 2); for establishment and administration of ration bank accounts, etc., see 1943, c. 142 (T. 52, c. 14); for acquisition, use and disposition of property, to extinguish exemption from local taxation, provided for, see 1944, c. 206 (T. 40, c. 60); for standard building code, preparation and interpretation by Department of Economic Development, adoption by municipality, provided for, see 1946, c. 120 (T. 52, c. 27C); for public airports, use of funds under "Federal Airport Act," approval of State Department of Aviation, State Treasurer to be State Agency for such Federal funds, provided for, see 1947, c. 315 (T. 6, c. 3); for fees for building permits for county buildings, certain second-class counties, not required, see 1948, c. 413 (T. 40, c. 23); for storing, handling, transporting, utilizing and odorization of liquefied petroleum gas, regulated, see 1950, c. 139 (T. 21, c. 1B), amended 1953, c. 21.

For adoption by reference by newly-formed municipalities of ordinances of municipality of which it was a part, see 1951, c. 299 (T. 40, c. 43).

For mental health program for children, establishment and maintenance by municipalities, appropriation, etc., provided for, see 1952, c. 120 (T. 40, c. 5).

For parking meter revenues appropriation by municipalities for off-street parking facilities, certain cases, authorized, see 1952, c. 195 (T. 40, c. 5).

For establishment of truck routes, etc., see 1953, c. 354 (T. 40, c. 67).

Article 1. General and Regulatory Powers.

Additional Legislation.

Ordinances regulating opening and closing of beauty parlors, authorized, 1938, c. 249 (C. 40:48-2.1, 40:48-2.2).

Repair, closing and demolition of dwellings unfit for human habitation, provided for, 1942, c. 112 (C. 40:48-2.3 to 40:48-2.12).

Sec. 3 of above amended 1953, c. 37, s. 171 (C. 40:48-2.5).

Sec. 6 " " " 1953, c. 37, s. 172; 1953, c. 428, s. 5 (C. 40:48-2.8).

Brush, trash, garbage, etc., removal, etc., provided for, suppl., 1943, c. 71 (C. 40:48-2.13, 40:48-2.14).

Municipal and joint municipal Veterans' Service Bureau, establishment, maintenance, etc., authorized, suppl., 1945, c. 266 (C. 40:48-2.15).

Sec. 1 of above amended 1946, c. 39 (C. 40:48-2.15).

War Memorials, World War II, by municipalities, authorized, suppl., 1947, c. 335 (C. 40:48–2.16, 40:48–2.17).

Sec. 1 of above amended 1949, c. 78 (C. 40:48–2.16).

Theatre ticket reselling business, licensing and regulation of, authorized, suppl., 1947, c. 385 (C. 40:48–2.18 to 40:48–2.25).

Cutting of brush, hedges and plant life adjoining roadway by owner or tenant of lands or municipality, liens for cost, ordinance requiring, authorized, suppl., 1949, c. 152 (C. 40:48–2.26, 40:48–2.27).

Article 4. Taxation and Finance.

Note: For investment of funds of counties, municipalities and school districts in their own or Federal obligations, see 1953, c. 328 (T. 40, c. 5).

R. S. 40:48–12 amended 1947, c. 117, ss. 18, 19.

Additional Legislation.

Municipal sales tax, imposition by ordinance, certain seaside cities, authorized, suppl., 1945, c. 156 (C. 40:48–8.1 to 40:48–8.14).

Retail sales and services taxes, cities of the fourth class, authorized, subject to referendum, 1947, c. 71 (C. 40:48–8.15 to 40:48–8.28).

Appropriation for expenses of rationing boards, etc., provided for, 1943, c. 183 (C. 40:48–9.1).

Appropriations to military service, etc., organizations, authorized, suppl., 1945, c. 45 (C. 40:48–9.2, 40:48–9.3).

Transfers to boards of education of certain surplus revenues or anticipated receipts, unappropriated, authorized, 1941, c. 14, ss. 1, 2 (C. 40:48–17.1, 40:48–17.2).

Transfer of funds to board of education, regulated, 1942, c. 221 (C. 40:48–17.3).

Federal advances or grants toward financing preparation of plans for public projects, acceptance and repayment, by appropriation or bond issue, provided for, 1946, c. 101 (C. 40:48–17.4 to 40:48–17.6).

Article 7. Municipal Investigations.

R. S. 40:48–26 amended 1953, c. 37, s. 173.

R. S. 40:48–27 repealed 1953, c. 37, s. 174.

Chapter 48A. (new) POWERS OF MUNICIPALITIES IN OTHER MUNICIPALITIES OR QUASI-MUNICIPALITIES LOCATED THEREIN.

Roads and water mains, construction and maintenance within property of camp meeting association by municipality, authorized, suppl., 1951, c. 141 (C. 40:48A–1).

Chapter 48B. (new) CONSOLIDATED AND JOINT SERVICE PROJECTS.

Consolidated Municipal Service Act of 1952, 1952, c. 72 (C. 40:48B–1 to 40:48B–11).

Chapter 49. ORDINANCES AND RESOLUTIONS.

Note: For storing, handling, transporting, utilizing and odorization of liquefied petroleum gas, regulated, see 1950, c. 139 (T. 21, c. 1B), amended 1953, c. 21.

Article 2. Ordinances Generally.

R. S. 40:49–4 amended 1950, c. 232.

R. S. 40:49–5 " 1953, c. 37, s. 175.

Article 2A. (new) Ordinances Enacting Building Codes.

Additional Legislation.

Ordinances enacting, amending or supplementing, by reference, provided for, 1946, c. 21 (C. 40:49–5.1 to 40:49–5.3).

Sec. 1 of above amended 1948, c. 276 (C. 40:49–5.1).

Article 3. Ordinances for Improvements Generally.

R. S. 40:49–6 amended 1945, c. 292.

R. S. 40:49–8 " 1953, c. 37, s. 176.

Article 4. Ordinances Relating to Street Improvements.

R. S. 40:49–25 amended 1953, c. 37, s. 177.

Article 4A. (new) Ordinances and Resolutions.

Additional Legislation.

Adoption of ordinance or resolution by governing body; number of members required when absentee in armed forces; 1942, c. 231 (C. 40:49–27.1, 40:49–27.2).

Chapter 50. CONTRACTS.

R. S. 40:50–6 amended 1941, c. 189.

Additional Legislation.

Contracts with United States Government or agency, without public advertisement, certain cases, authorized, 1943, c. 198 (C. 40:50–5.1 to 40:50–5.4).

Contracts for supplies of fuel for term exceeding fiscal year, authorized, suppl., 1945, c. 158 (C. 40:50–5.5).

Contracts for snow removal for term exceeding fiscal year, authorized, suppl., 1945, c. 160 (C. 40:50–5.6).

Navigation, flood control or beach erosion, Federal projects, indemnifying agreements authorized, 1949, c. 67 (C. 40:50-8).

Chapter 51. INSURANCE.

R. S. 40:51-3 amended 1951, c. 307, s. 1; 1952, c. 180.

Chapter 52. LICENSES.

Note: For licenses to sell, etc., alcoholic liquors, see Title 33, chapter 1, supra; for regulation of business of public scavengers, licenses, etc., villages in first-class counties, provided for, see 1946, c. 76 (T. 40, c. 162A); for licenses to use or maintain premises as barber shop from State Board of Barbers required, see 1946, c. 133, ss. 1-9, 11, 12 (T. 45, c. 4), amended 1953, c. 186; for theatre ticket reselling business, licensing and regulation of, authorized, see 1947, c. 385 (T. 40, c. 48).

R. S. 40:52-1 amended 1941, c. 92; 1944, c. 245; 1948, c. 425.

R. S. 40:52-3 repealed 1939, c. 258.

R. S. 40:52-5 " 1941, c. 151, s. 28.

R. S. 40:52-6 " 1941, c. 151, s. 28.

Additional Legislation.

Compliance with workmen's compensation compulsory insurance provisions, made condition of municipal license to operate theatres or other amusement businesses, suppl., 1947, c. 296 (C. 40:52-1.1).

Sec. 1 of above amended 1948, c. 234 (C. 40:52-1.1).

Chapter 52A. (new) MOVING PERMITS.

Moving permits for tangible personal property for collection of certain tax assessed against owner, ordinance requiring, provided for, 1949, c. 267 (C. 40:52A-1 to 40:52A-11).

Chapter 54. LIBRARIES AND READING ROOMS.

Note: For power to contract with municipalities within county library system for library service, see 1951, c. 101 (T. 40, c. 33).

R. S. 40:54-8 amended 1944, c. 49.

R. S. 40:54-9 " 1952, c. 240.

R. S. 40:54-12 " 1949, c. 98.

R. S. 40:54-35 " 1938, c. 68; 1941, c. 199; 1943, c. 24; 1947, c. 219.

Additional Legislation.

Free public libraries, investment of funds in "tax anticipation notes" of municipality, authorized, suppl., 1941, c. 67 (C. 40:54-19.1 and 40:54-19.2).

Sec. 1 of above amended 1942, c. 139, s. 1 (C. 40:54-19.1).

Sec. 2 " " " 1942, c. 139, s. 2 (C. 40:54-19.2).

Suppl., 1942, c. 139, ss. 3-5 (C. 40:54-19.3 to 40:54-19.5).

Contracts between municipalities for library service, authorized, financing regulated, suppl., 1951, c. 102, ss. 1, 2 (C. 40:54-29.1, 40:54-29.2).

Chapter 55. PLANNING, BUILDING LINES AND ZONING.

Article 1. Planning.

R. S. 40:55-1 to 40:55-19 repealed 1953, c. 433, s. 28.

R. S. 40:55-20 " 1953, c. 37, s. 178.

R. S. 40:55-21 " 1953, c. 433, s. 28.

The following sections of the foregoing were amended prior to being repealed as aforesaid:

R. S. 40:55-1 amended 1948, c. 464, s. 1.
R. S. 40:55-7 " 1948, c.464, s. 2; 1949, c. 157.
R. S. 40:55-12 " 1948, c. 464, s. 3.
R. S. 40:55-13 " 1948, c. 464, s. 4.
R. S. 40:55-14 " 1948, c. 464, s. 5.
R. S. 40:55-15 " 1948, c. 464, s. 6; 1950, c. 67, s. 8; 1951, c. 213; 1953, c. 377, s. 1.
R. S. 40:55-19 " 1948, c. 464, s. 7.

Additional Legislation.

Municipal Planning Act (1953), 1953, c. 433 (C. 40:55-1.1 to 40:55-1.29).

Official Map and Building Permit Act (1953), 1953, c. 434 (C. 40:55-1.30 to 40:55-1.42).

Waiver of approval of subdivision certain cases, provided for, suppl., 1953, c. 377, s. 2 (C. 40:55-14.1).

Article 1A. (new) Blighted Areas.

Note: For determination of blighted areas and authorization by governing body of municipality undertaking redevelopment project, see 1949, c. 300 (T. 55, c. 14A), amended 1950, c. 262, 1951, c. 86.

Additional Legislation.

Determination of blighted areas, clearance, planning, development and redevelopment thereof by municipalities authorized, 1949, c. 187 (C. 40:55-21.1 to 40:55-21.14).

Sec. 1 of above amended 1951, c. 248, s. 1 (C. 40:55-21.1).

Article 3. Zoning.

R. S. 40:55–30	amended	1948, c. 305, s. 1.
R. S. 40:55–31	"	1948, c. 305, s. 2.
R. S. 40:55–33	"	1948, c. 305, s. 3.
R. S. 40:55–35	"	1948, c. 305, s. 4.
R. S. 40:55–36	"	1948, c. 305, s. 5.
R. S. 40:55–37	"	1953, c. 37, s. 179.
R. S. 40:55–39	"	1948, c. 305, s. 6; 1949, c. 242, ss. 1, 3; 1953, c. 288.
R. S. 40:55–43	"	1953, c. 37, s. 180.
R. S. 40:55–44	"	1952, c. 118.
R. S. 40:55–46	repealed	1953, c. 37, s. 181.
R. S. 40:55–47	amended	1949, c. 242, ss. 2, 3.

Article 4. Filing of Plans and Specifications.

R. S. 40:55–52	amended	1948, c. 294.

Chapter 55C. (new) REDEVELOPMENT AND REGIONAL DEVELOPMENT AGENCIES.

Redevelopment Agencies Law (1949), 1949, c. 306 (C. 40:55C–1 to 40:55C–29).

Sec. 11 of above amended 1951, c. 301, s. 1 (C. 40:55C–11).

Sec. 25 " " " 1951, c. 87 (C. 40:55C–25).

Chapter 56. LOCAL AND OTHER IMPROVEMENTS; CONDEMNATION; ASSESSMENTS, DAMAGES AND APPEALS.

R. S. 40:56–1	amended	1938, c. 229; 1951, c. 175, s. 1.
R. S. 40:56–3	"	1941, c. 242.
R. S. 40:56–9	"	1953, c. 37, s. 182.
R. S. 40:56–10	"	1953, c. 37, s. 183.
R. S. 40:56–20	"	1953, c. 37, s. 184.
R. S. 40:56–20.1	"	1953, c. 37, s. 185.
R. S. 40:56–29	"	1953, c. 37, s. 186.
R. S. 40:56–40	"	1953, c. 37, s. 187.
R. S. 40:56–45	"	1953, c. 37, s. 188.
R. S. 40:56–46	"	1953, c. 37, s. 189.

R. S. 40:56-47 amended 1953, c. 37, s. 190.
R. S. 40:56-54 " 1953, c. 37, s. 191.
R. S. 40:56-55 " 1953, c. 37, s. 192.
R. S. 40:56-56 " 1953, c. 37, s. 193.
R. S. 40:56-57 " 1953, c. 37, s. 194.
R. S. 40:56-58 " 1953, c. 37, s. 195.
R. S. 40:56-59 " 1953, c. 37, s. 196.
R. S. 40:56-60 " 1953, c. 37, s. 197.
R. S. 40:56-61 " 1953, c. 37, s. 198.
R. S. 40:56-62 " 1953, c. 37, s. 199.
R. S. 40:56-63 " 1953, c. 37, s. 200.
R. S. 40:56-64 " 1953, c. 37, s. 201.

Additional Legislation.

Motor vehicles parking facilities, provision by municipalities, authorized, suppl., 1949, c. 261 (C. 40:56-1.1 to 40:56-1.3).

Chapter 60. PUBLIC LANDS AND BUILDINGS.

Note: For maintenance of stands by blind in public buildings, see 1938, c. 349 (T. 30, c. 6); for conveyance of certain lands acquired by municipality under "Tax Sale Law" to State for forest park reservations and exemption from taxation, see 1940, c. 73 (T. 54, c. 5); for Municipal Housing Law (1946), see 1946, c. 79, amended 1948, c. 10, 1949, c. 4, see 1947, c. 242 (T. 55, c. 14F); for motor vehicles parking facilities, provision by municipalities, authorized, see 1949, c. 261 (T. 40, c. 56).

For acquisition of State lands by county bridge commissions, see 1953, c. 399 (T. 27, c. 19).

Article 1. Acquisition.

R. S. 40:60-3 amended 1940, c. 140; 1943, c. 39.
R. S. 40:60-25 " 1941, c. 33.

Additional Legislation.

Parking yards establishment and operation by municipalities, suppl., 1942, c. 138 (C. 40:60-25.1 to 40:60-25.6).

Acquisition, use and disposition of property, to extinguish exemption from local taxation, provided for, 1944, c. 206 (C. 40:60-25.7 to 40:60-25.17).

Plant management commissions for management and disposal of industrial plants acquired by certain municipalities, establishment, organization and powers, provided for, 1946, c. 245 (C. 40:60-25.18 to 40:60-25.26).

Sec. 1 of above amended 1947, c. 361 (C. 40:60-25.18).

Autobus terminals, construction, equipment, maintenance, policing, etc., provided for, 1946, c. 302 (C. 40:60–25.27 to 40:60–25.32).

Burial grounds, etc., acquisition for municipal or school purposes, provided for, 1948, c. 80 (C. 40:60–25.33 to 40:60–25.46).

Sec. 5 of above amended 1953, c. 37, s. 202 (C. 40:60–25.37).

Sec. 6 " " repealed 1953, c. 37, s. 203 (C. 40:60–25.38).

Sec. 7 " " amended 1953, c. 37, s. 204 (C. 40:60–25.39).

Sec. 8 " " " 1953, c. 37, s. 205 (C. 40:60–25.40).

Sec. 10 " " " 1953, c. 37, s. 206 (C. 40:60–25.42).

Sec. 12 " " " 1953, c. 37, s. 207 (C. 40:60–25.44).

Sec. 13 " " " 1953, c. 37, s. 208 (C. 40:60–25.45).

Article 2. Sale or Other Disposition.

R. S. 40:60–26 amended 1938, c. 300; 1939, c. 66; 1939, c. 344; 1944, c. 160; 1946, c. 106; 1947, c. 417; 1948, c. 245.

R. S. 40:60–32 " 1944, c. 199; 1949, c. 268.

R. S. 40:60–39 " 1947, c. 305; 1950, c. 3, s. 1.

R. S. 40:60–40 " 1950, c. 3,s. 2.

Additional Legislation.

Lands conveyed, insufficient title or outstanding interest, conveyance of after acquired title or interest authorized, suppl., 1949, c. 153 (C. 40:60–27.3).

Reconveyancing of lands conveyed to municipalities for educational or park purposes, authorized, 1950, c. 7 (C. 40:60–27.4).

Municipal riparian lands, certain, not needed for public use and purportedly dedicated as a public street, sale of, provided for, 1947, c. 322 (C. 40:60–28.1).

Park or beach-front lands; retention, change of use or reconveyance, etc.; referendum, suppl., 1940, c. 156 (NJSA 40:60–36.1; RSCS 40:60–9.1).

Restricted lands, referendum as to retention, conveyance, waiver of restrictions, etc.; authorized, suppl., 1941, c. 104 (C. 40:60–36.2 to 40:60–36.4).

Sale of certain municipal lands to veterans organizations, authorized, 1947, c. 87 (C. 40:60–40.1).

Sale of certain municipal lands for erection of houses for paraplegic veterans, authorized, 1948, c. 246 (C. 40:60–40.2, 40:60–40.3).

Title of above amended 1949, c. 61, s. 1.

Sec. 1 " " " 1949, c. 61, s. 2 (C. 40:60–40.2).

Conveyance, lands acquired under 1948, c. 246 to certain paraplegic veterans, authorized, suppl., 1949, c. 61, s. 3 (C. 40:60–40.4).

Lease of lands, etc., to associations of exempt firemen, 1940, c. 145 (NJSA 40:60–45.1; RSCS 40:60–43.1).

Leasing of certain municipal real estate to rescue squads, authorized, suppl., 1947, c. 316 (C. 40:60–45.2).

Leasing of municipal lands to certain boys' clubs, authorized, suppl., 1950, c. 184 (C. 40:60–45.3).

Title of above amended 1951, c. 132, s. 1.

Sec. 1 " " " 1951, c. 132, s. 2 (C. 40:60–45.3).

Exchange of lands and rights and interests therein, authorized, 1942, c. 199 (C. 40:60–51.1).

Sec. 1 of above amended 1946, c. 157 (C. 40:60–51.1).

Building covenants, conditions and limitations on lands sold by municipality, waiver provided for, suppl., 1943, c. 33 (C. 40:60–51.2).

Title of above amended 1946, c. 140, s. 1.

Sec. 1 " " " 1946, c. 140, s. 2; 1950, c. 136; 1951, c. 142 (C. 40:60–51.2).

Lands, etc., not needed for public use, exchange of, provided for, 1944, c. 77 (C. 40:60–51.3, 40:60–51.4).

Waver of notification of conditions or limitations as to erection of buildings or other use of lands by municipality, authorized, suppl., 1953, c. 403 (C. 40:60–51.5).

Article 3. (new) Reconveyance of Lands Limited as to Use or Changing Use.

Additional Legislation.

Conveyance and reacquisition of lands to create restrictions on use; municipalities; sixth class counties, 1939, c. 110 (C. 40:60–52 to 40:60–57).

Chapter 61. PUBLIC PARKS AND PLAYGROUNDS.

Note: For limitation of time to assert private rights in certain park lands, vacated, provided for, see N. J. S. 2A:14-12.

R. S. 40:61-13 amended 1953, c. 37, s. 209.

Additional Legislation.

Sale or lease of park lands; certain municipalities, 1938, c. 87 (C. 40:61-22.2 to 40:61-22.5).

Title of above amended 1938, c. 203, s. 1.

Sec. 1 " " " 1938, c. 203, s. 2 (C. 40:61-22.2).

Public golf courses and recreational, etc., facilities, establishment, maintenance and operation, provided for, 1945, c. 282 (C. 40:61-22.6 to 40:61-22.14).

Leasing of public golf course and buildings for recreational or entertainment purposes, authorized, suppl., 1952, c. 320 (C. 40:61-22.15 to 40:61-22.17).

Chapter 62. PUBLIC UTILITIES MUNICIPALLY OWNED.

Note: For licensees to operate water systems; under tenure, see 1941, c. 234 (T. 58, c. 11). For municipal authority to lay and maintain water mains in property of camp meeting associations, see 1951, c. 141 (T. 40, c. 48A).

For establishment, etc., Watershed Police in certain municipalities, see 1952, c. 355 (T. 58, c. 5A).

Article 1. General Provisions.

R. S. 40:62-3 amended 1948, c. 232, s. 1; 1948, c. 397.

R. S. 40:62-6 " 1941, c. 412.

Article 5. Power, Heat and Light Plants.

R. S. 40:62-12 amended 1953, c. 37, s. 210.

Article 6. Radio Stations.

R. S. 40:62-28 amended 1939, c. 253, s. 1.

R. S. 40:62-31 " 1939, c. 253, s. 2.

R. S. 40:62-33 " 1939, c. 38, s. 1; 1941, c. 6.

R. S. 40:62-34 " 1939, c. 38, s. 2.

Additional Legislation.

Separate budgets for convention halls and broadcasting stations, suppl., 1939, c. 304 (C. 40:62-34.1 to 40:62-34.8).

Article 8. Water Supply.

A. BY A SINGLE MUNICIPALITY.

R. S. 40:62–48 amended 1953, c. 37, s. 211.

R. S. 40:62–54 " 1938, c. 377.

R. S. 40:62–60 repealed 1951, c. 175, s. 2.

R. S. 40:62–61 " 1951, c. 175, s. 2.

R. S. 40:62–65 amended 1953, c. 37, s. 212.

R. S. 40:62–73 " 1953, c. 37, s. 213.

R. S. 40:62–102 " 1938, c. 253.

Additional Legislation.

Water service, extension to schools or municipal buildings, certain cases, provided for, suppl., 1945, c. 37 (C. 40:62–61.1).

Discontinuance of water or sewerage service by municipality furnishing same to inhabitants of another municipality for nonpayment of rents or charges, authorized, suppl., 1952, c. 324 (C. 40:62–83.1).

Rates for supply of water by certain second class cities to consumers in other municipalities subject to control, etc., of Board of Public Utility Commissioners, provided for, suppl., 1947, c. 295 (C. 40:62–85.1).

Water commissioners in townships, election, powers, appropriations, bonds, finances, etc., 1951, c. 280 (C. 40:62–105.1 to 40:62–105.45).

B. BY TWO OR MORE MUNICIPALITIES.

R. S. 40:62–109 amended 1953, c. 37, s. 214.

R. S. 40:62–110 " 1953, c. 37, s. 215.

R. S. 40:62–111 " 1953, c. 37, s. 216.

R. S. 40:62–114 " 1953, c. 37, s. 217.

R. S. 40:62–115 " 1953, c. 37, s. 218.

R. S. 40:62–119 " 1953, c. 37, s. 219.

R. S. 40:62–120 " 1953, c. 37, s. 220.

R. S. 40:62–122.1 1936, c. 38, s. 2, amended 1941, c. 173.

R. S. 40:62–126 amended 1940, c. 179.

R. S. 40:62–134 " 1949, c. 160.

Additional Legislation.

Employees of water commissions, certain, in classified service. civil service, 1949, c. 289 (C. 40:62-150.1, 40:62-150.2).

C. (new) BY ONE OR MORE MUNICIPALITIES.

Additional Legislation.

Stand-by or ready-to-serve charge, establishment and collection from lot owner to whom water main service available, certain cases, authorized, 1949, c. 194 (C. 40:62-151).

Chapter 63. SEWERS, DRAINS AND DISPOSAL PLANTS.

Note: For licensees to operate sewage disposal or treatment plants under tenure, see 1941, c. 234 (T. 58, c. 11); for Sewerage Authorities Law (1946), see 1946, c. 138 (T. 40, c. 14A), amended 1947, c. 391, 1951, c. 127; 1952, c. 277, 1953, c. 37, 1953, c. 177.

For discontinuance of water or sewerage service by municipality furnishing same to inhabitants of another municipality for nonpayment of rents or charges, authorized, see 1952, c. 324 (T. 40, c. 62).

R. S. 40:63-11	amended	1953, c. 37, s. 221.
R. S. 40:63-12	"	1953, c. 37, s. 222.
R. S. 40:63-19	"	1946, c. 65.
R. S. 40:63-31	"	1948, c. 232, s. 2.
R. S. 40:63-65	"	1953, c. 37, s. 223.
R. S. 40:63-67	"	1953, c. 37, s. 224.
R. S. 40:63-93	"	1953, c. 37, s. 225.
R. S. 40:63-102	"	1953, c. 37, s. 226.
R. S. 40:63-117	"	1953, c. 37, s. 227.
R. S. 40:63-119	"	1953, c. 37, s. 228.
R. S. 40:63-122	"	1953, c. 37, s. 229.
R. S. 40:63-123	"	1953, c. 37, s. 230.
R. S. 40:63-139	repealed	1953, c. 37, s. 231.
R. S. 40:63-140 to 40:63-167	"	1946, c. 138, s. 34.

Chapter 65. SIDEWALKS.

Additional Legislation.

Sidewalks, repair or reconstruction at public expense, conditions prescribed, suppl., 1941, c. 207 (C. 40:65-9.1 to 40:65-9.3).

Curbs, repair or reconstruction at public expense, conditions prescribed, suppl., 1941, c. 208 (C. 40:65-9.4 to 40:65-9.6).

Chapter 66. STREET CLEANING AND DISPOSAL OF REFUSE.

R. S. 40:66-4	amended	1942, c. 133.

Chapter 66A. (new) GARBAGE AND GARBAGE DISPOSAL.

Incinerator Authorities Law, suppl., 1948, c. 348 (C. 40:66A–1 to 40:66A–30).

Sec. 4(b) of above amended 1950, c. 265 (C. 40:66A–4).

Sec. 14 " " " 1953, c. 37, s. 232 (C. 40:66A–14).

Sec. 15 " " " 1953, c. 37, s. 233 (C. 40:66A–15).

Annual audit, making and filing, certified copy of bond resolutions and proceedings, filing required, suppl., 1952, c. 304 (C. 40:66A–7.1, 40:66A–7.2).

Chapter 67. STREETS, TUNNELS, BRIDGES AND VIADUCTS.

Note: For municipal authority to build and maintain roads and streets in camp meeting association property, see 1951, c. 141 (T. 40, c. 48A).

Article 1. Streets.

Note: For "no passing" zones, establishment, etc., by State Highway Commissioner, authorized, see 1948, c. 170 (T. 39, c. 4); for limitation of time for action, as to vacation, extinction, etc., of public rights in roads or public places, provided for, see N. J. S. 2A:14–12.

R. S. 40:67–1 amended 1947, c. 365.

R. S. 40:67–2 " 1950, c. 10.

R. S. 40:67–12.2 " 1953, c. 37, s. 234.

Additional Legislation.

Conduits under streets, etc., permission to United States Government to lay, provided for, 1943, c. 209 (C. 40:67–6.1, 40:67–6.2).

Truck routes, establishment, etc., provided for, 1953, c. 354 (C. 40:67–16.1 to 40:67–16.6).

Article 4. (new) Canals and Canal Beds.

Additional Legislation.

Vacation, etc., of public rights in certain canals or canal beds by municipalities, authorized, 1949, c. 288 (C. 40:67–47, 40:67–48).

Chapter 68. WATER FRONT IMPROVEMENTS.

Note: For reclamation of lowlands as local improvement, see 1938, c. 229 (R. S. 40:56–1), amended 1951, c. 175.

Article 1. Improvements in General.

R. S. 40:68–15 amended 1953, c. 37, s. 235.

Article 3. (new) Harbor Commission.

Additional Legislation.

Local harbor and water-front commission; creation, powers, etc., suppl., 1940, c. 161 (NJSA 40:68-22 to 40:68-24; RSCS 40:68-9.1 to 40:68-9.3).

Chapter 68A. (new) PORT FACILITIES.

Port Authorities Law, suppl., 1948, c. 349 (C. 40:68A-1 to 40:68A-28).

Sec. 15 of above amended 1953, c. 37, s. 236 (C. 40:68A-15).

Annual audit, making and filing, certified copy of bond resolutions and proceedings, filing required, suppl., 1952, c. 305 (C. 40:68A-7.1, 40:68A-7.2).

Chapter 69. WATERS AND WATERCOURSES.

Note: For plant management commissions for management and disposal of industrial plants acquired by certain municipalities, establishment, organization and powers, provided for, see 1946, c. 245 (T. 40, c. 60), amended 1947, c. 361.

Additional Legislation.

Water and water power rights and property, acquisition, operation, disposal, etc., of, authorized, 1944, c. 207 (C. 40:69-4.1 to 40:69-4.12).

Joint municipal flood commissions, establishment, powers, etc., suppl., 1948, c. 239 (C. 40:69-5 to 40:69-10).

Subtitle 3A. (new) OPTIONAL MUNICIPAL CHARTERS.

Chapter 69A. (new) FORMS OF MUNICIPAL GOVERNMENT: ADOPTION AND EFFECT.

Optional Municipal Charter Law (1950), 1950, c. 210 (C. 40:69A-1 to 40:69A-210).

Sec. 1-1 of above amended 1953, c. 254, s. 1 (C. 40:69A-1).

Sec. 1-10 " " " 1953, c. 254, s. 2 (C. 40:69A-10).

Sec. 1-11 " " " 1953, c. 254, s. 3 (C. 40:69A-11).

Sec. 1-12 " " " 1953, c. 254, s. 4 (C. 40:69A-12).

Sec. 1-13 " " " 1953, c. 254, s. 5 (C. 40:69A-13).

Sec. 1-14 of above amended 1953, c. 254, s. 6 (C. 40:69A–14).

Sec. 1-15 " " " 1953, c. 254, s. 7 (C. 40:69A–15).

Sec. 1-17 " " " 1953, c. 254, s. 8 (C. 40:69A–17).

Sec. 1-18 " " " 1953, c. 254, s. 9 (C. 40:69A–18).

Sec. 1-19 " " " 1953, c. 254, s. 10 (C. 40:69A–19).

Sec. 1-21 " " " 1953, c. 254, s. 11 (C. 40:69A–21).

Sec. 1-24 " " " 1953, c. 254, s. 12 (C. 40:69A–24).

Sec. 17-4 " " " 1953, c. 254, s. 14 (C. 40:69A–153).

Sec. 17-35 " " " 1951, c. 306, s. 1 (C. 40:69A–184).

Sec. 17-36 " " " 1951, c. 306, s. 2 (C. 40:69A–185).

Sec. 17-56 " " " 1953, c. 254, s. 15 (C. 40:69A–205).

Council-Manager Plan E, provided for, suppl., 1953, c. 254, s. 13 (C. 40:69A–114.1 to 40:69A–114.5).

Subtitle 4. COMMISSION FORM OF GOVERNMENT.

Part 1. MUNICIPALITIES GOVERNED BY COMMISSION GOVERNMENT, GENERALLY.

Chapter 70. DEFINITIONS; CONSTRUCTION AND APPLICATION.

R. S. 40:70–2 amended 1948, c. 21, s. 1.

Chapter 71. ADOPTION.

R. S. 40:71–9 amended 1953, c. 37, s. 237.

R. S. 40:71–10 " 1953, c. 37, s. 238.

Additional Legislation.

Fire districts commissioners, reinstatement by township committee in townships adopting commisson government, authorized, actions validated, 1952, c. 313 (C. 40:71–9.1).

Chapter 72. COMMISSIONERS.

R. S. 40:72–1	amended	1941, c. 359; 1948, c. 21, s. 2; 1953, c. 365, s. 1.
R. S. 40:72–1.1	"	1953, c. 365, s. 2.
R. S. 40:72–1.2	"	1953, c. 365, s. 3.
R. S. 40:72–7	"	1953, c. 37, s. 239.
R. S. 40:72–21	"	1942, c. 28; 1949, c. 252; 1952, c. 273; 1952, c. 310.

Additional Legislation.

Commissioner as acting recorder, certain cases, provided for, suppl., 1944, c. 236 (C. 40:72–20.1, 40:72–20.2).

Sec. 1 of above repealed 1953, c. 37, s. 240 (C. 40:72–20.1).

Salaries of mayor and commissioners, fourth-class cities, fixed, and increases provided for, suppl., 1950, c. 319 (C. 40:72–24.1).

Salaries; mayor and commissioners, fourth-class cities 60,000 inhabitants and over, fixed, suppl., 1953, c. 386 (C. 40:72–24.1a).

Salaries of mayor and commissioners, municipalities other than fourth-class cities, having from 500 to 1,000 inhabitants, fixing and increasing, suppl., 1950, c. 318 (C. 40:72–24.2).

Salaries, mayor and commissioners, townships over 15,000 inhabitants fixed, suppl., 1953, c. 384 (C. 40:72–24.3).

Chapter 75. ELECTION OF COMMISSIONERS.

Article 1. Provisions Applicable to All Municipalities.

R. S. 40:75–3	amended	1941, c. 29; 1942, c. 19, s. 1; 1945, c. 8; 1947, c. 406; 1948, c. 177; 1953, c. 366, s. 1.
R. S. 40:75–4	"	1953, c. 366, s. 2.
R. S. 40:75–8	"	1942, c. 19, s. 2; 1949, c. 281.
R. S. 40:75–9	"	1938, c. 287; 1945, c. 230, s. 1.
R. S. 40:75–13	repealed	1942, c. 20.

Additional Legislation.

Municipal election ballots other than military service ballots when to be printed, suppl., 1945, c. 29 (C. 40:75–11.1).

Registration day for municipal election; certain commission governed municipalities, suppl., 1940, c. 44 (C. 40:75–12.1)

Article 2. Provisions Applicable to All Municipalities Except Cities of the First Class and Cities of the Second Class Having a Population in Excess of 15,000.

R. S. 40:75–19 amended 1953, c. 37, s. 241.

Article 3. Provisions Applicable Only to Cities of the First-Class and Cities of the Second-Class Having a Population in Excess of 115,000.

R. S. 40:75–22 amended 1945, c. 230, s. 2; 1948, c. 21, s. 3.

Article 3A. (new) Election to Fill Vacancies.

Additional Legislation.

Vacancies in office of Commissioner, certain municipalities, election to fill, authorized and provided for, suppl., 1949, c. 1 (C. 40:75–24.1 to 40:75–24.10).

Sec. 1 of above amended 1949, c. 15 (C. 40:75–24.1).

Article 4. Elections for Recall of Commissioners.

R. S. 40:75–27 amended 1950, c. 65, s. 1.

R. S. 40:75–39 " 1953, c. 37, s. 242.

R. S. 40:75–44 " 1953, c. 37, s. 243.

R. S. 40:75–45 " 1953, c. 37, s. 244.

Chapter 76. ABANDONMENT OF COMMISSION GOVERNMENT AND REVERSION TO CHARTER.

R. S. 40:76–7 amended 1953, c. 37, s. 245.

R. S. 40:76–8 " 1953, c. 37, s. 246.

R. S. 40:76–11 " 1953, c. 37, s. 247.

R. S. 40:76–12 " 1953, c. 37, s. 248.

R. S. 40:76–24 " 1953, c. 37, s. 249.

Subtitle 5. MUNICIPALITIES GOVERNED BY MUNICIPAL COUNCIL AND MUNICIPAL MANAGER.

Chapter 80. ADOPTION.

R. S. 40:80–1 amended 1950, c. 65, s. 2.

R. S. 40:80–5 " 1948, c. 6.

R. S. 40:80–12 " 1953, c. 37, s. 250.

Chapter 81. MUNICIPAL COUNCIL.

R. S. 40:81–1 amended 1940, c. 223; 1952, c. 139.

R. S. 40:81–2 " 1940, c. 224; 1945, c. 48.

R. S. 40:81–11 " 1942, c. 254; 1953, c. 378.

R. S. 40:81–12 repealed 1953, c. 37, s. 251.

Chapter 82. MUNICIPAL MANAGER.

R. S. 40:82–2 amended 1947, c. 218.

R. S. 40:82–3 " 1948, c. 202.

Chapter 83. OFFICERS AND EMPLOYEES.

Additional Legislation.

City engineer, tenure, certain cases, provided for, suppl., 1943, c. 190 (C. 40:83–6, 40:83–7).

Assessors in certain cities operating under municipal manager form of government, tenure after fifteen consecutive years of service, provided for, 1947, c. 362 (C. 40:83–8, 40:83–9).

Chapter 84. ELECTIONS.

R. S. 40:84–5 amended 1942, c. 283; 1945, c. 9; 1947, c. 407.

Additional Legislation.

Municipal election ballots other than military service ballots, when to be printed, suppl., 1945, c. 28 (C. 40:84–11.1).

Chapter 85. ABANDONMENT OF MUNICIPAL MANAGER FORM OF GOVERNMENT.

R. S. 40:85–1 amended 1945, c. 2.

Subtitle 6. BOROUGHS.

Chapter 87. OFFICERS.

R. S. 40:87–1 amended 1953, c. 37, s. 252.

R. S. 40:87–14 " 1948, c. 7.

R. S. 40:87–15 " 1952, c. 29; 1953, c. 60.

R. S. 40:87–32 " 1941, c. 414, s. 1; repealed 1953, c. 37, s. 253.

R. S. 40:87–33 " 1941, c. 414, s. 2; repealed 1953, c. 37, s. 254.

R. S. 40:87–34 " 1941, c. 414, s. 3; repealed 1953, c. 37, s. 255.

R. S. 40:87–35 " 1941, c. 414, s. 4; repealed 1953, c. 37, s. 256.

R. S. 40:87–36 " 1941, c. 414, s. 5; repealed 1953, c. 37, s. 257.

R. S. 40:87–37 to 40:87–45 repealed 1953, c. 37, ss. 258-266.

R. S. 40:87–56 amended 1953, c. 37, s. 267.

R. S. 40:87–57 " 1953, c. 37, s. 268.

R. S. 40:87–60 " 1942, c. 53, s. 2; 1944, c. 99, s. 2; 1953, c. 195.

Additional Legislation.

Mayor's term of office, increase and subsequent decrease of, by referendum, provided for, suppl., 1952, c. 148 (C. 40:87–9.1 to 40:87–9.3).

Marshals under civil service and members police department; certain boroughs, 1939, c. 285 (C. 40:87–30.1).

Superintendent of public works, boroughs, second-class counties, certain, tenure, provided for 1953, c. 424 (C. 40:87–30.2 to 40:87–30.4).

Chief of police to take complaints, issue process and hold to bail, 1939, c. 306 (NJSA 40:87–57.1; RSCS 40:87–45.1).

Sec. 1 of above repealed 1953, c. 37, s. 269 (C. 40:87–57.1).

Chapter 88. BOROUGH COUNCIL.

Article 1. Organization, Officers, and Meetings.

R. S. 40:88–1 amended 1950, c. 5.

R. S. 40:88–3 " 1942, c. 134.

Article 1A. (new) Compensation.

Additional Legislation.

Salaries of mayor and members of governing body, fixing amount, referendum, provided for, suppl., 1953, c. 355 (C. 40:88–3.1 to 40:88–3.3).

Article 2. Powers in General.

Additional Legislation.

Removal of snow, ice and other obstructions from roads and streets, not dedicated, provided for, suppl., 1944, c. 35 (C. 40:88–10.1).

Chapter 89. BOARD OF PUBLIC WORKS.

R. S. 40:89–2 amended 1950, c. 161.

Chapter 92. WATER FRONT IMPROVEMENTS.

Additional Legislation.

Control, etc., of beach-front parks and facilities, boardwalks, etc., by municipalities, provided for, suppl., 1950, c. 324 (C. 40:92–7.1).

Subtitle 7. CAMP MEETING AND SEASIDE ASSOCIATIONS AND RESORTS.

Part 1. CAMP MEETING ASSOCIATIONS AND SEASIDE RESORTS.

Chapter 95. LICENSING AND REGULATORY POWERS.

R. S. 40:95-2 amended 1953, c. 37, s. 270.

R. S. 40:95-3 " 1953, c. 37, s. 271.

R. S. 40:95-5 " 1953, c. 37, s. 272.

Chapter 96. SEWERS AND DRAINS.

R. S. 40:96-10 amended 1953, c. 37, s. 273.

Part 2. CAMP MEETING ASSOCIATIONS.

Chapter 97. GENERAL POWERS.

Note: For building and maintaining streets and roads and laying water mains by municipalities, see 1951, c. 141 (T. 40, c. 48A).

R. S. 40:97-4 amended 1953, c. 37, s. 274.

R. S. 40:97-8 " 1953, c. 37, s. 275.

Additional Legislation.

Limitation of action against persons claiming certain rights, etc., in lands in highways vacated by associations, 1939, c. 182 (NJSA 40:97-9; RSCS 40:97-1.1).

Chapter 99. PEACE OFFICERS.

R. S. 40:99-1 amended 1953, c. 37, s. 276.

R. S. 40:99-2 repealed 1953, c. 37, s. 277.

R. S. 40:99-3 amended 1953, c. 37, s. 278.

R. S. 40:99-4 repealed 1953, c. 37, s. 279.

Chapter 101. FIRE DISTRICTS.

R. S. 40:101-6 amended 1939, c. 181.

Subtitle 8. CITY REFERENDUM CHARTER ACTS.

Chapter 108. CITIES WITH LESS THAN 12,000 INHABITANTS.

R. S. 40:108-1 1897, c. 30, s. 2, amended 1942, c. 146, s. 1.

1897, c. 30, s. 3, " 1942, c. 146, s. 2; 1943, c. 70, s. 2.

1897, c. 30, s. 7, " 1942, c. 146, s. 3; 1943, c. 70, s. 1.

1897, c. 30, s. 12, " 1942, c. 146, s. 4.

1897, c. 30, s. 75, " 1946, c. 271.

Governing body to be known as "council" instead of "common council," suppl., 1953, c. 304.

Chapter 109. ADDITIONAL ACTS AFFECTING CITIES HAVING A POPULATION OF LESS THAN 12,000 INHABITANTS.

R. S. 40:109–3 1899, c. 52, s. 3, amended 1938, c. 302; 1939, c. 389.

Subtitle 9. MUNICIPALITIES GOVERNED BY BOARDS OF COMMISSIONERS OR IMPROVEMENT COMMISSIONERS.

Part 1. MUNICIPALITIES GOVERNED BY BOARDS OF COMMISSIONERS OR IMPROVEMENT COMMISSIONERS, GENERALLY.

Chapter 114. COMMISSIONERS AND OTHER OFFICERS.

R. S. 40:114–8 amended 1953, c. 37, s. 280.

Subtitle 10. TOWNS.

Part 1. REFERENDUM ACT FOR INCORPORATION OF TOWNS (1895).

Chapter 124. ELECTIONS.

R. S. 40:124–1 amended 1948, c. 22, s. 1.

Chapter 125. OFFICERS.

R. S. 40:125–1 amended 1953, c. 37, s. 281.

R. S. 40:125–11 " 1953, c. 37, s. 282.

R. S. 40:125–19 " 1948, c. 22, s. 2.

Part 2. LEGISLATION RELATING TO ALL TOWNS PASSED SUBSEQUENT TO 1895.

Chapter 132. OFFICERS.

Additional Legislation.

Salaries or compensation of members of governing body of certain towns over 20,000, fixing by ordinance authorized, suppl., 1951, c. 43, s. 1 (C. 40:132–1.1).

Subtitle 11. TOWNSHIPS.

Note: For preparation and use of tax maps in townships authorized, see 1939, c. 167 (T. 40, c. 146).

Chapter 143. ELECTIONS.

R. S. 40:143–1 amended 1948, c. 8, s. 1.

Chapter 144. WARDS.

R. S. 40:144–1 amended 1947, c. 251, s. 1.

R. S. 40:144–2 " 1948, c. 8, s. 2.

R. S. 40:144–7 amended 1953, c. 37, s. 283.

R. S. 40:144–11 " 1947, c. 251, s. 2.

R. S. 40:144–12 " 1948, c. 8, s. 3.

Additional Legislation.

Rescission of action dividing township into wards, procedure, referendum, etc., provided for, suppl., 1948, c. 437 (C. 40:144–16 to 40:144–26).

Chapter 145. OFFICERS.

R. S. 40:145–1 amended 1953, c. 37, s. 284.

R. S. 40:145–5 repealed 1941, c. 226.

R. S. 40:145–11 amended 1952, c. 150.

R. S. 40:145–13 " 1942, c. 149; 1944, c. 155; 1946, c. 282; 1949, c. 282.

Additional Legislation.

Township engineers, certain, tenure of office, provided for, 1950, c. 23 (C. 40:145–13.1, 40:145–13.2).

Tenure in office, certain township treasurers and custodians of school moneys, provided for, 1947, c. 331 (C. 40:145–14.1 to 40:145–14.4).

Township treasurers, certain, tenure in office, provided for, suppl., 1952, c. 325 (C. 40:145–14.5, 40:145–14.6).

Deputy clerk, certain townships, office, duties and compensation, provided for, 1948, c. 309 (C. 40:145–32).

Chapter 146. TOWNSHIP COMMITTEE.

Note: For fire districts commissioners, reinstatement by township committee in townships adopting commission, government, authorized, actions validated, see 1952, c. 313 (T. 40, c. 71).

R. S. 40:146–8 amended 1938, c. 344.

R. S. 40:146–14 " 1945, c. 297; 1953, c. 314.

R. S. 40:146–15 " 1943, c. 143.

R. S. 40:146–16 " 1943, c. 166, s. 1.

R. S. 40:146–17 to 40:146–19 repealed 1943, c. 166, s. 2.

Additional Legislation.

Election of chairman, quorum, annual meeting, 1938, c. 65 (NJSA 40:146–13.1; RSCS 40:146–13).

Sec. 1 of above amended 1950, c. 4; 1952, c. 319 (C. 40:146–13.1).

Township Committee members, salaries, in sixth-class townships on Atlantic Ocean, provided for, 1946, c. 201 (C. 40:146-16.1).

Sec. 1 of above amended 1951, c. 207 (C. 40:146-16.1).

Preparation and use of tax maps, 1939, c. 167 (NJSA 40:146-27 to 40:146-29; RSCS 54:1-15.1 to 54:1-15.3).

Chapter 147. ORDINANCES.

R. S. 40:147-2 amended 1953, c. 37, s. 285.

Chapter 148. FINANCES.

Note: For transfers of certain surplus revenues or anticipated receipts to boards of education; authorized, see 1941, c. 14 (T. 40, c. 48).

R. S. 40:148-4 repealed 1941, c. 14, s. 2.

R. S. 40:148-5 amended 1945, c. 309.

Chapter 149. FIRE AND POLICE.

R. S. 40:149-1 amended 1953, c. 37, s. 286.

R. S. 40:149-3 repealed 1953, c. 37, s. 287.

Chapter 150. STREETS AND HIGHWAYS.

R. S. 40:150-1 amended 1945, c. 35.

Chapter 151. FIRE DISTRICTS.

Note: For insurance protection for volunteer firemen by municipality or fire district, see 1945, c. 47 (T. 40, c. 47).

For fire districts commissioners, reinstatement by township committee in townships adopting commission, government, authorized, actions validated, see 1952, c. 313 (T. 40, c. 71).

R. S. 40:151-25 amended 1942, c. 183; 1943, c. 81.

R. S. 40:151-35 " 1953, c. 356.

R. S. 40:151-53 " 1953, c. 37, s. 288.

Additional Legislation.

Firemen, work week fixing by resolution, referendum, provided for, suppl., 1951, c. 297, ss. 1-3 (C. 40:151-27.1 to 40:151-27.3).

Chapter 153. ROAD DISTRICTS.

R. S. 40:153-17 amended 1953, c. 37, s. 289.

R. S. 40:153-22 " 1953, c. 37, s. 290.

R. S. 40:153-23 " 1953, c. 37, s. 291.

Additional Legislation.

Township road districts, commissioners, funds, provided for, suppl., 1947, c. 49 (C. 40:153-36 to 40:153-43).

Chapter 154. SEWERAGE DISTRICTS.

R. S. 40:154-1 1909, c. 269.

Sec. 1 of above amended 1940, c. 46, s. 1; 1951, c. 336, s. 1.

Sec. 2 " " " 1940, c. 46, s. 2; 1951, c. 336, s. 2.

Sec. 3 " " " 1940, c. 46, s. 3; 1951, c. 336, s. 3; 1952, c. 297, s. 1.

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Sec. 5 " " " 1940, c. 46, s. 5; 1951, c. 336, s. 5; 1952, c. 297, s. 2.

Sec. 8 " " " 1940, c. 46, s. 6.

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Sec. 12 " " " 1951, c. 336, s. 8.

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Sec. 14 " " " 1940, c. 46, s. 12; 1951, c. 336, s. 10.

Sec. 16 " " " 1940, c. 46, s. 13.

Supplemented 1940, c. 46, ss. 8, 11, 14, 15, 16, 17; 1951, c. 336, s. 11.

Chapter 155. STREET LIGHTING DISTRICTS.

R. S. 40:155-3 amended 1946, c. 68, s. 1.

R. S. 40:155-4 " 1946, c. 68, s. 2; 1948, c. 103.

R. S. 40:155-5 " 1946, c. 68, s. 3.

R. S. 40:155-6 " 1943, c. 83; 1946, c. 68, s. 4.

R. S. 40:155-7 " 1946, c. 68, s. 5.

Chapter 156A. (new) TOWNSHIPS CONTAINING POLITICAL SUBDIVISIONS.

Township-Service Areas Act (1941), 1941, c. 332 (C. 40:156A-1 to 40:156A-47).

Sec. 13 of above amended 1953, c. 37, s. 292 (C. 40:156A-13).

Sec. 17 " " " 1953, c. 37, s. 293 (C. 40:156A-17).

Sec. 30 " " " 1953, c. 37, s. 294 (C. 40:156A-30).

Subtitle 12. VILLAGES.

Part 1. REFERENDUM ACT FOR INCORPORATION OF VILLAGES (1891).

Chapter 157. INCORPORATION AND APPLICATION.

R. S. 40:157-2 amended 1953, c. 37, s. 295.

R. S. 40:157-17 " 1953, c. 37, s. 296.

Chapter 158. OFFICERS.

R. S. 40:158-1 amended 1948, c. 9.

Part 2. ACTS RELATING TO ALL VILLAGES.

Chapter 161. ELECTIONS.

R. S. 40:161-6 amended 1953, c. 317, s. 1.

Additional Legislation.

Nomination of candidates and holding of elections in certain villages, provided for, suppl., 1953, c. 317, ss. 2-21 (C. 40:161-7 to 40:161-26).

Chapter 162A. (new) GENERAL POWERS.

Ashes, garbage, etc., collection, removal, etc., of, and regulation of business of public scavengers, licenses, etc., villages in first-class counties, provided for, 1946, c. 76 (C. 40:162A-1, 40:162A-2).

Chapter 164. PUBLIC PARKS.

Additional Legislation.

Park lands, sale of part of, by certain municipalities, in first-class counties, in certain cases, authorized, 1948, c. 114 (C. 40:164-2).

Subtitle 13. CITIES.

Chapter 171. OFFICERS.

Article 1. Cities Generally.

R. S. 40:171-39 1910, c. 196, s. 1, amended 1948, c. 23, s. 1.

R. S. 40:171-71 1889, c. 296, s. 2, amended 1941, c. 395.

R. S. 40:171-106A (added) Commissioner of Assessment, leave of absence while candidate for elective office, reinstatement, acting commissioner, suppl., 1939, c. 358.

Additional Legislation.

Mayor, powers of, certain cases, extended, 1944, c. 90 (C 40:171-24.1).

Secretaries of boards of public safety, appointment, civil service status, provided for, suppl., 1947, c. 332 (C. 40:171-109.1).

Title of above amended 1948, c. 137.

Article 3. Cities of Second Class.

R. S. 40:171-174 1889, c. 102, s. 1; amended 1938, c. 324.

Additional Legislation.

Boards of tax assessors may be replaced by Tax Assessor and assistants in certain second-class cities, procedure, provided for, suppl., 1947, c. 193 (C. 40:171-180.1 to 40:171-180.8).

Secretary to mayor, cities of the second class, authorized, 1947, c. 270 (C. 40:171-188.3).

Article 4. Cities of Third Class.

Additional Legislation.

Mayor and members of governing body, certain cities, salaries to be fixed by ordinance, limitation of amounts provided for, 1949, c. 270 (C. 40:171-190.1).

Article 4A. (new) Cities of Third and Fourth Classes.

Additional Legislation.

Councilmen-at-large, certain third-class and fourth-class cities in fifth-class counties, term of office increased, 1952, c. 162 (C. 40:171-221.1, 40:171-221.2).

Article 5. Cities of Fourth Class.

Mayors of certain fourth-class cities in fifth-class counties, term of office, fixed, 1950, c. 55 (C. 40:171-234, 40:171-235).

Title of above amended 1951, c. 76, s. 1.

Sec. 1 " " " 1951, c. 76, s. 2 (C. 40:171-234).

Not to extend term of mayors in office, suppl., 1951, c. 76, s. 3 (C. 40:171-234.1).

Chapter 173. GENERAL POWERS.

Additional Legislation.

Inspector, certain, in second-class cities with board of fire and police commissioners, designated as electrical engineer, provided for, suppl., 1953, c. 69 (C. 40:173-3.1, 40:173-3.2).

Chapter 174. FIRE AND POLICE.

R. S. 40:174-86 1901, c. 22 repealed 1946, c. 254.

R. S. 40:174-147A (added) Promotion from any rank to next higher rank; police departments; first-class cities, 1938, c. 410.

Chapter 175. PUBLIC IMPROVEMENTS GENERALLY.

R. S. 40:175-34 1913, c. 326, s. 13, amended 1948, c. 281, s. 1.

R. S. 40:175-37 1931, c. 134, s. 2, " 1948, c. 187, s. 1.

R. S. 40:175-38 1931, c. 134, s. 3, " 1948, c. 187, s. 2.

R. S. 40:175-39 1931, c. 134, s. 4, " 1950, c. 66.

R. S. 40:175-41 1931, c. 134, s. 6, " 1948, c. 187, s. 3.

Additional Legislation.

Board of water commissioners in cities of the second class, members, appointment by the county judges, provided for, suppl., 1948, c. 386 (C. 40:175-22.1 to 40:175-22.3).

Chapter 178. STREETS AND PUBLIC PLACES.

R. S. 40:178-19 1916, c. 161, s. 17, amended 1948, c. 24, s. 1.

R. S. 40:178-27 1929, c. 142, s. 1, " 1947, c. 348, s. 1.

R. S. 40:178-28 1929, c. 142, s. 2, " 1947, c. 348, s. 2.

R. S. 40:178-29 1929, c. 142, s. 3, " 1947, c. 348, s. 3.

Additional Legislation.

Subsurface traffic location centers, use of certain public lands for, authorized, 1947, c. 311 (C. 40:178-30.1).

Chapter 184. PUBLIC PARKS AND PLAYGROUNDS.

R. S. 40:184–27 1920, c. 81, s. 2, amended 1942, c. 271.

Chapter 186. FINANCES.

R. S. 40:186–15 1919, c. 14, s. 1, amended 1941, c. 25 (title amended 1942, c. 232, s. 1); 1942, c. 232, s. 2.

Chapter 190. INDUSTRIAL COMMISSION.

1936, c. 184, title amended 1939, c. 236, s. 1.

R. S. 40:190–1 1936, c. 184, s. 1, " 1939, c. 236, s. 2.

R. S. 40:190–2 1936, c. 184, s. 2, " 1939, c. 236, s. 3.

R. S. 40:190–3 1936, c. 184, s. 3, " 1939, c. 236, s. 4.

R. S. 40:190–4 1936, c. 184, s. 4, " 1939, c. 236, s. 5.

R. S. 40:190–7 1936, c. 184, s. 7, " 1939, c. 236, s. 6.

Title 41. OATHS AND AFFIDAVITS.

Chapter 1. FORMS, SOLEMNITIES AND REQUISITES OF OATHS AND AFFIDAVITS.

R. S. 41:1-1 amended 1949, c. 21; see 1951, c. 350 and c. 351.

R. S. 41:1-3 " 1949, c. 22.

Chapter 2. WHO MAY ADMINISTER OATHS OR TAKE AFFIDAVITS.

Note: For oaths, etc., in school matters taken by secretary or district clerk of board of education, see 1939, c. 148 (T. 18, c. 5); for oaths, affirmations, affidavits and proofs of instruments by persons in military or naval service; taking before commissioned officer, authorized, see 1941, c. 333 (T. 38, c. 23A), amended 1943, c. 156, 1945, c. 234, 1951, c. 92.

R. S. 41:2-1 amended 1951, c. 302, s. 1; 1953, c. 39, s. 1; 1953, c. 428, s. 3.

R. S. 41:2-4 " 1944, c. 59, s. 1.

R. S. 41:2-5 " 1944, c. 59, s. 2; 1953, c. 39, s. 3.

R. S. 41:2-6 " 1953, c. 39, s. 4.

R. S. 41:2-7 " 1953, c. 39, s. 5.

R. S. 41:2-9 repealed 1948, c. 335, s. 5.

R. S. 41:2-10 amended 1953, c. 39, s. 6.

R. S. 41:2-11 " 1944, c. 59, s. 3; 1948, c. 145; 1953, c. 39, s. 7.

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R. S. 41:2-15 " 1944, c. 59, s. 4; 1953, c. 39, s. 11.

R. S. 41:2-16 repealed 1953, c. 39, s. 12.

Additional Legislation.

Certain oaths in criminal matters authorized to be taken by county detectives and prosecutors investigators, suppl., 1939, c. 276 (NJSA 41:2-3.1; RSCS 41:2-1.1).

Sec. 1 of above amended 1953, c. 39, s. 2 (C. 41:2-3.1).

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Sec. 1 of above amended 1951, c. 350 (C. 41:2A–1).

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Sec. 3 " " amended 1953, c. 39, s. 14 (C. 41:2A–3).

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Title 42. PARTNERSHIPS AND PARTNERSHIP ASSOCIATIONS.

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R. S. 42:1–31 amended 1953, c. 40, s. 1.

R. S. 42:1–32 " 1953, c. 40, s. 2.

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R. S. 42:2–14 amended 1953, c. 40, s. 3.

R. S. 42:2–29 " 1953, c. 40, s. 4.

Chapter 3. LIMITED PARTNERSHIP ASSOCIATIONS.

R. S. 42:3–6 amended 1953, c. 40, s. 5.

R. S. 42:3–9 " 1953, c. 40, s. 6.

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R. S. 42:6-3 repealed 1953, c. 40, s. 37.
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Additional Legislation.

Transfer, certain former employees of school districts to retirement system or pension fund of municipality or county, provided for, 1949, c. 149 (C. 43:2-4 to 43:2-6).

Transfer, certain Superior Court Judges, law secretary or secretary stenographer, from County Retirement System to State Employees Retirement System, provided for, 1952, c. 183 (C. 43:2-7).

Chapter 3. PENSIONERS IN PUBLIC EMPLOYMENT.

R. S. 43:3-1 amended 1951, c. 208.

R. S. 43:3-5 " 1939, c. 220; 1946, c. 142; 1949, c. 154; 1950, c. 73; 1953, c. 173.

Additional Legislation.

Payment of pension or subsidy by State, municipality or school district to person confined in penal institution under conviction of crime involving moral turpitude, prohibited, suppl., 1938, c. 221 (NJSA, RSCS 43:1-2).

Chapter 3A. (new) PROOF OR PRESUMPTION OF DEATH.

Pensions, payment to dependents of persons presumed to be dead, certain cases, provided for, 1952, c. 215 (C. 43:3A-1 to 43:3A-3).

Chapter 4. VETERANS.

R. S. 43:4-1 amended 1944, c. 211.

R. S. 43:4-2 " 1943, c. 87; 1944, c. 191; 1947, c. 279.

Subtitle 2. STATE PENSIONS AND RETIREMENT.

Chapter 6. COURT OFFICERS AND EMPLOYEES.

Article 1. Judicial Officers.

A. GENERALLY.

Additional Legislation.

Pensions, certain retired Vice-Chancellors, provided for, 1948, c. 392 (C. 43:6–6.1 to 43:6–6.3).

Pensions to Supreme Court Justices, Superior Court judges, and their widows in certain cases, provided for, 1948, c. 391 (C. 43:6–6.4 to 43:6–6.10).

Certain standing Advisory Chancery Masters, pension provided for, 1949, c. 260 (C. 43:6–6.11).

C. (new) JUDGE OF COURT OF ERRORS AND APPEALS; FIFTEEN YEARS SERVICE.

Additional Legislation.

Retirement on pension of certain Judges of Court of Errors and Appeals, provided for, suppl., 1946, c. 6 (C. 43:6–7.1).

D. (new) JUDGES OF COURT OF ERRORS AND APPEALS.

Additional Legislation.

Pensions, Judges of the Court of Errors and Appeals, certain, provided for, 1948, c. 393 (C. 43:6–7.2, 43:6–7.3).

Article 2. Sergeants-at-Arms of Chancery Court.

Additional Legislation.

Retirement on pension of sergeant-at-arms, of Court of Chancery, physically unfit for service, 1939, c. 156 (C. 43:6–8.1, 43:6–8.2).

Article 3. Stenographic Reporters.

R. S. 43:6–10 amended 1948, c. 402, s. 1.

R. S. 43:6–11 " 1948, c. 402, s. 2.

Chapter 7. OFFICERS AND EMPLOYEES OF PENAL INSTITUTIONS.

Note: For transfer of Prison Officers Pension Commission to Division of Budget and Accounting in the Department of the Treasury and to Division of Investment in the Department of the Treasury, see 1948, c. 92, s. 14 (T. 52, c. 18A); 1950, c. 270 (T. 52, c. 18A), amended 1952, c. 272, 1953, c. 115.

Additional Legislation.

Officers and employees of State penal institutions; pensions and prison officers pension fund, 1941, c. 220 (C. 43:7–7 to 43:7–26).

Title of above amended 1943, c. 193, s. 1.

Sec. 2 " " " 1943, c. 193, s. 2 (C. 43:7–8).

Sec. 12 " " see 1950, c. 270 (C. 52:18A–79 to C. 52:18A–94).

Sec. 19 " " amended 1943, c. 186 (C. 43:7–25).

Prison officers' pension fund, withdrawal of veterans from, provided for, suppl., 1946, c. 80 (C. 43:7–15.1 to 43:7–15.3).

Chapter 8A. (new) ALCOHOLIC BEVERAGE CONTROL OFFICERS.

Alcoholic Beverage Control Law Enforcement Officers Pension Fund, establishment, etc., 1953, c. 423 (C. 43:8A–1 to 43:8A–25).

Subtitle 3. COUNTY PENSIONS AND RETIREMENT.

Chapter 9. PENSIONS PAYABLE FROM PUBLIC FUNDS.

Article 1. County Employees Generally.

B. RETIREMENT FOR SERVICE AND DISABILITY.

Additional Legislation.

Certain wardens or keepers of county jails, pension on retirement for disability provided for, 1949, c. 228 (C. 43:9–5.1).

Sec. 1 of above amended 1951, c. 202 (C. 43:9–5.1).

County employees, 75 years of age with 45 years service, additional pension authorized, 1951, c. 262 (C. 43:9–5.2).

C. (new) WITHDRAWAL FROM RETIREMENT SYSTEM.

Additional Legislation.

Withdrawal of veteran county employees from retirement system, suppl., 1941, c. 399 (C. 43:9–6.1).

Article 3. (new) Employees of Surrogates.

Additional Legislation.

Retirement on pension of deputy or special deputy surrogate, 1938, c. 142 (C. 43:9–9, 43:9–10).

Article 4. (new) Widow of Bookbinder of Second-class Counties.

Additional Legislation.

Pension to bookbinder's widow, second-class counties, 1941, c. 214 (C. 43:9–11, 43:9–12).

Article 5. (new) Widows of Employees of County Clerk's Office; Second-class Counties.

Additional Legislation.

Pension to widow of certain county clerk's employee, second-class counties, 1941, c. 368 (C. 43:9–13 to 43:9–16).

Article 6. (new) Secretaries of County Board of Taxation; Third-class Counties.

Additional Legislation.

Pension to former secretary of county tax board, certain third-class counties, 1941, c. 369 (C. 43:9–17, 43:9–18).

Article 7. (new) County Clerk.

Additional Legislation.

Retirement on pension, certain cases, 1943, c. 194 (C. 43:9–19 to 43:9–21).

Article 8. (new) County Lunatic Asylums or Hospitals for Mental Diseases.

Additional Legislation.

Retirement on pension, superintendents of county mental institutions, in certain cases, authorized, 1947, c. 216 (C. 43:9–22, 43:9–23).

Article 9. (new) County Judges.

Additional Legislation.

Common Pleas Judges, first-class counties, certain, retired, pension fixed, 1949, c. 181 (C. 43:9–24).

District Court Judges, certain, retirement on pension provided for, 1949, c. 178 (C. 43:9–25 to 43:9–27).

Article 10. (new) County District Court Employees.

Additional Legislation.

Deputy clerks of county district courts, retirement on pension, certain cases, provided for, 1952, c. 283 (C. 43:9–28, 43:9–29).

Clerk or deputy clerk of county district courts, retirement on pension, certain cases, provided for, 1953, c. 301 (C. 43:9–30, 43:9–31).

Sergeant-at-arms of county district court, certain, retirement on pension, provided for, 1953, c. 308 (C. 43:9–32).

Clerks of county district courts, certain, retirement on pension, provided for, 1953, c. 309 (C. 43:9–33); 1953, c. 362 (C. 43:9–34, 43:9–35).

Chapter 9A. (new) PENSIONS PAYABLE FROM PUBLIC FUNDS WITH CONTRIBUTIONS.

Pensions on retirement of certain Clerks and Deputy Clerks of certain District Courts, provided for, suppl., 1945, c. 281 (C. 43:9A–1 to 43:9A–8).

Title of above amended 1950, c. 296, s. 1.

Sec. 1 " " " 1950, c. 296, s. 2 (C. 43:9A–1).

Sec. 2 " " " 1950, c. 296, s. 3 (C. 43:9A–2).

Sec. 3 " " " 1950, c. 296, s. 4 (C. 43:9A–3).

Sec. 4 " " " 1950, c. 296, s. 5 (C. 43:9A–4).

Chapter 10. PENSION FUNDS.

Article 1. Employees of County of the First Class Generally.

R. S. 43:10–1 amended 1939, c. 206; 1939, c. 394, s. 1; status of employees made eligible, suppl., 1939, c. 394, s. 2.

R. S. 43:10–4 amended 1947, c. 129.

Additional Legislation.

Certain employees made eligible as members, 1940, c. 174 (C. 43:10–1.2).

Certain employees made eligible to join, payment of arrearages regulated, suppl., 1951, c. 271 (C. 43:10–1.3).

Article 1A. (new) Employees of Counties of Over 800,000 Inhabitants.

Additional Legislation.

Pension fund system established and regulated, 1943, c. 160 (C. 43:10–18.1 to 43:10–18.25).

Sec. 6 of above amended 1947, c. 400, s. 1 (C. 43:10–18.6).

Sec. 7 " " " 1944, c. 48 (C. 43:10–18.7).

Sec. 15 " " " 1949, c. 169 (C. 43:10–18.15).

Sec. 16 " " " 1947, c. 400, s. 2 (C. 43:10–18.16).

Sec. 19 " " " 1944, c. 158 (C. 43:10–18.19).

Sec. 20 " " " 1945, c. 214 (C. 43:10–18.20).

Court attendants, jail and penitentiary guards, in certain counties, compulsory retirement or retention, in certain cases, authorized, suppl., 1947, c. 367, ss. 1, 2 (C. 43:10–18.26, 43:10–18.27).

Article 1B. (new) Employees of Counties of 300,000 to 350,000 Inhabitants.

Additional Legislation.

Pension fund system, counties between 300,000 and 350,000 population, established and regulated, 1948, c. 310 (C. 43:10–18.50 to 43:10–18.74).

Sec. 6 of above amended 1953, c. 194 (C. 43:10–18.55).

Article 2. County Detectives in Counties of the First, Second, Third and Fifth Classes.

R. S. 43:10–20 amended 1939, c. 186.

Additional Legislation.

County detectives, article inapplicable in certain cases, resolution required; existing rights and funds unaffected, suppl., 1947, c. 173 (C. 43:10–29.1, 43:10–29.2).

County detectives, in certain second-class counties, may join pension fund, on certain conditions, suppl., 1947, c. 396 (C. 43:10–29.3).

Article 4. Police of Counties of 200,000 to 400,000 Inhabitants.

Additional Legislation.

Article not applicable to certain members of police departments, suppl., 1945, c. 244 (C. 43:10–36.1).

Article 5. Probation Officers of Counties of Over 83,000 Inhabitants.

R. S. 43:10–46 amended 1953, c. 41, s. 1.

R. S. 43:10–48 " 1953, c. 41, s. 2.

R. S. 43:10–50 " 1953, c. 41, s. 3.

R. S. 43:10–51 " 1953, c. 41, s. 4.

R. S. 43:10–57 " 1944, c. 234.

Additional Legislation.

Probation officers in counties between 275,000 and 400,000 inhabitants, admission to pension fund, provided for, suppl., 1946, c. 215 (C. 43:10–57.1).

County probation officers, article inapplicable in certain cases, resolution required; existing rights and funds unaffected, suppl., 1947, c. 170 (C. 43:10–59.1, 43:10–59.2).

Article 6. Sheriff's Employees in Counties of the First and Second Classes.

Additional Legislation.

Sheriff's employees pension funds, certain counties, membership extended, 1944, c. 229 (C. 43:10–72.1).

Sec. 1 of above amended 1946, c. 216 (C. 43:10–72.1).

Sheriffs' employees, article inapplicable in certain cases, resolution required; existing rights and funds unaffected, suppl., 1947, c. 172 (C. 43:10–72.2, 43:10–72.3).

Article 7. Sergeants-at-Arms and Court Criers in Counties of the First Class.

R. S. 43:10–73 amended 1953, c. 41, s. 5.

Article 9. (new) Court Interpreters.

Additional Legislation.

Retirement on pension of court interpreter; second-class counties, 1938, c. 330 (C. 43:10–93 to 43:10–105).

Sec. 1 of above amended 1953, c. 41, s. 6 (C. 43:10–93).

Sec. 2 " " " 1953, c. 41, s. 7 (C. 43:10–94).

Sec. 4 " " " 1953, c. 41, s. 8 (C. 43:10–96).

Sec. 6 " " " 1953, c. 41, s. 9 (C. 43:10–98).

County court interpreters, article inapplicable in certain cases, resolution required; existing rights and funds unaffected, suppl., 1947, c. 174 (C. 43:10–105.2, 43:10–105.3).

Article 10. (new) County Departments of Weights and Measures.

Additional Legislation.

Retirement on pension of county superintendent or assistant superintendent of weights and measures, 1938, c. 397 (NJSA 43:10–106 to 43:10–111; RSCS 43:10–107 to 43:10–112).

County superintendent or assistant superintendents of weights and measures, article inapplicable in certain cases, resolution required; existing rights and funds unaffected, suppl., 1947, c. 171 (C. 43:10–113, 43:10–114).

Subtitle 4. MUNICIPAL PENSIONS.

Chapter 11. GENERAL PROVISIONS.

Additional Legislation.

Retention of membership in municipal retirement system or pension fund notwithstanding transfer of member to another branch of municipal service, provided for, 1941, c. 335 (C. 43:11-4 to 43:11-6).

Chapter 11A. (new) PENSION AND RETIREMENT OF EMPLOYEES TRANSFERRING FROM MUNICIPAL SERVICE.

Retirement on pension, municipal employees transferring to Port of New York Authority service, provided for, 1948, c. 250 (C. 43:11A-1 to 43:11A-4).

Chapter 12. PENSIONS PAYABLE FROM PUBLIC FUNDS.

Note: For pensions on retirement of certain Clerks and Deputy Clerks of certain District Courts, see 1945, c. 281 (T. 43, c. 9A), 1950, c. 296.

Article 1. City Employees Generally.

R. S. 43:12-1 amended 1939, c. 218; 1947, c. 160; 1952, c. 109.

Additional Legislation.

Retirement on pension, certain officials; fourth-class cities; sixth-class counties, 1948, c. 119 (C. 43:12-1.1 to 43:12-1.3).

Retirement on pension, certain clerks of recorder's courts, second-class cities, counties of the first class, authorized, suppl., 1948, c. 254 (C. 43:12-1.4).

Sec. 1 of above amended 1953, c. 41, s. 10 (C. 43:12-1.4).

Retirement on pension; certain directors of public health laboratories; cities of the second class, authorized, 1948, c. 224 (C. 43:12-1.5, 43:12-1.6).

Clerks of municipal courts in second-class cities, retirement on pension, provided for, suppl., 1952, c. 353 (C. 43:12-1.7 to 43:12-1.11).

Article 6. Librarian; Cities of the First Class.

R. S. 43:12-32 amended 1947, c. 309.

Article 8. Police.

D1. (new) MUNICIPALITIES.

Additional Legislation.

Municipal police officers, certain municipalities, retirement on pension provided for, 1949, c. 293 (C. 43:12-46.1 to 43:12-46.5).

Article 9. Recorder; Any Municipality.

R. S. 43:12-50 amended 1938, c. 310; 1939, c. 226, s. 1; 1941, c. 221, s. 1.

R. S. 43:12-51 " 1939, c. 226, s. 2; 1941, c. 221, s. 2.

Article 11. (new) Township Employees.

Additional Legislation.

Retirement on pension; certain assessors of taxes in townships, 1940, c. 36 (C. 43:12-56).

Sec. 1 of above amended 1945, c. 271 (C. 43:12-56).

Collector of taxes, certain cases, 1944, c. 154 (C. 43:12-57).

Retirement on pension of certain health officers in townships, authorized, suppl., 1945, c. 287 (C. 43:12-57.1 to 43:12-57.3).

Township treasurers may be retired on pension, in certain cases, 1947, c. 221 (C. 43:12-57.4).

Retirement on pension of certain township clerks, authorized, 1947, c. 285 (C. 43:12-57.5).

Sec. 1 of above amended 1948, c. 471 (C. 43:12-57.5).

Retirement on pension, certain employees, of townships in second-class counties, 70 years of age with 25 years service, authorized, 1951, c. 223 (C. 43:12-57.6 to 43:12-57.11).

Article 12. (new) Borough Employees.

Additional Legislation.

Superintendent of public works, certain cases, 1944, c. 223 (C. 43:12-58 to 43:12-60).

Borough officers, employees, etc., certain, retirement on pension provided for, 1949, c. 262 (C. 43:12-63, 43:12-64).

Sec. 1 of above amended 1953, c. 393 (C. 43:12-63).

Chapter 13. PENSION FUNDS.

Article 2. Employees of Cities of the First Class.

R. S. 43:13-2 amended 1947, c. 387.

Additional Legislation.

Membership continued, certain cases, on transfer to certain school districts, suppl., 1948, c. 428 (C. 43:13-21.1).

Employees, certain, membership in retirement fund, provided for, suppl., 1948, c. 465 (C. 43:13-22.1).

Certain employees made eligible to join, payment of arrearages regulated, suppl., 1951, c. 272 (C. 43:13-22.2).

Article 4A. (new) Employees of Towns.

Additional Legislation.

Pension funds for employees of certain towns in first-class counties, established and regulated, suppl., 1943, c. 189 (C. 43:13-37.1 to 43:13-37.18).

Article 5. Employees of Villages in Counties of the First Class.

R. S. 43:13-38 amended 1949, c. 119, s. 1.

R. S. 43:13-39 " 1949, c. 119, s. 2.

R. S. 43:13-43 " 1949, c. 119, s. 3.

R. S. 43:13-44 " 1945, c. 213, s. 1.

R. S. 43:13-45 " 1945, c. 213, s. 2.

R. S. 43:13-46 " 1945, c. 213, s. 3.

R. S. 43:13-48 " 1945, c. 213, s. 4.

R. S. 43:13-50 " 1945, c. 213, s. 5.

Additional Legislation.

"Salary" and "half pay" defined, suppl., 1945, c. 213, s. 6 (C. 43:13-38.1).

Subtitle 5. STATE, COUNTY AND MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM.

Chapter 14. STATE SYSTEM.

Note: For membership in system of employees of State University of New Jersey authorized, see 1945, c. 49 (T. 18, c. 22); for State employees paid by a county or municipality, under chapter fifteen of Title 43, to receive same benefits as county or municipal employees, also thereunder, provided for, see 1947, c. 286 (T. 43, c. 15); for transfer of Prison Officers Pension Commission to Division of Budget and Accounting in the Department of the Treasury and to Division of Investment in the Department of the Treasury, see 1948, c. 92, s. 14 (T. 52, c. 18A); 1950, c. 270 (T. 52, c. 18A), amended 1952, c. 272, 1953, c. 115.

R. S. 43:14-1 amended 1943, c. 119; 1944, c. 201, s. 1; 1945, c. 272; 1949, c. 28, ss. 1, 6; 1949, c. 299, ss. 1, 3; 1950, c. 334.

R. S. 43:14-1.1 " 1940, c. 141; repealed 1953, c. 157, ss. 1, 36.

R. S. 43:14-2 " 1953, c. 157, ss. 3, 36.

R. S. 43:14-2.1 repealed 1953, c. 157, ss. 4, 36.

R. S. 43:14-2.2 amended 1953, c. 157, ss. 5, 36.

R. S. 43:14-2.3 repealed 1953, c. 157, ss. 6, 36.

R. S. 43:14-2.4 amended 1938, c. 230.

R. S. 43:14-2.5 repealed 1953, c. 157, ss. 6, 36.

R. S. 43:14-3 amended 1953, c. 157, ss. 13, 36.

R. S. 43:14-4 " 1938, c. 215; 1947, c. 209.

R. S. 43:14-5 " 1953, c. 157, ss. 14, 36.

R. S. 43:14-6	amended	1953, c. 157, ss. 15, 36.
R. S. 43:14-7	"	1939, c. 144; 1942, c. 145; 1950, c. 129; see 1950, c. 270 (C. 52:18A-79 to C. 52:18A-94).
R. S. 43:14-8	"	1939, c. 142.
R. S. 43:14-9	"	1953, c. 157, ss. 16, 36.
R. S. 43:14-12	"	1953, c. 157, ss. 17, 36.
R. S. 43:14-14	"	1947, c. 411.
R. S. 43:14-15	repealed	1953, c. 157, ss. 18, 36.
R. S. 43:14-16	amended	1949, c. 28, ss. 2, 6; 1953, c. 157, ss. 19, 36.
R. S. 43:14-17	"	1944, c. 201, s. 2; 1946, c. 309; 1953, c. 157, ss. 20, 36.
R. S. 43:14-18	"	1953, c. 157, ss. 21, 36.
R. S. 43:14-19	"	1953, c. 157, ss. 22, 36.
R. S. 43:14-22	"	1942, c. 188; 1953, c. 157, ss. 23, 36; see 1947, c. 308 (C. 17:2-9.3, 17:2-9.4).
R. S. 43:14-22.1	"	1938, c. 116; 1942, c. 189; 1949, c. 130.
R. S. 43:14-26	"	1953, c. 157, ss. 24, 36.
R. S. 43:14-27	"	1947, c. 289; 1953, c. 157, ss. 25, 36.
R. S. 43:14-29	"	1942, c. 286; 1944, c. 201, s. 3; 1945, c. 288; 1946, c. 236; 1947, c. 276; 1949, c. 28, ss. 3, 6; 1953, c. 157, ss. 26, 36.
R. S. 43:14-31	"	1939, c. 297.
R. S. 43:14-32	"	1944, c. 193; 1953, c. 157, ss. 27, 36.
R. S. 43:14-33	"	1953, c. 157, ss. 28, 36.
R. S. 43:14-35	"	1939, c. 99; 1939, c. 292; 1947, c. 210; 1953, c. 157, ss. 29, 36.
R. S. 43:14-36	"	1953, c. 157, ss. 30, 36.
R. S. 43:14-37	"	1939, c. 149.
R. S. 43:14-39	repealed	1953, c. 157, ss. 31, 36.
R. S. 43:14-43	amended	1949, c. 28, ss. 4, 6.
R. S. 43:14-44	"	1949, c. 28, ss. 5, 6; repealed 1953, c. 157, ss. 33, 36.
R. S. 43:14-48	repealed	1953, c. 157, ss. 34, 36.

Additional Legislation.

Notification to members and increase of pension and annuity allowances by payment to take advantage of act, suppl., 1949, c. 299, ss. 2, 3 (C. 43:14–1.2, 43:14–1.3).

Sec. 2 of above repealed 1953, c. 157, ss. 2, 36 (C. 43:14–1.2).

Certain former State employee members, status on re-employment, suppl., 1941, c. 154 (C. 43:14–2.6).

1941, c. 154 repealed 1953, c. 157, ss. 7, 36.

New members, heretofore or hereafter enrolled, payment of arrearages to obtain additional benefits, provided for, suppl., 1943, c. 116 (C. 43:14–2.7).

1943, c. 116 repealed 1953, c. 157, ss. 8, 36.

Membership, application for, etc., after induction in military, etc., service, provided for, suppl., 1943, c. 118 (C. 43:14–2.8).

Membership credits may be obtained by permanent employees on basis of prior temporary employment, suppl., 1947, c. 211 (C. 43:14–2.9).

Prior service credits, how obtained in certain cases, suppl., 1947, c. 255 (C. 43:14–2.10).

1947, c. 255 repealed 1953, c. 157, s. 9.

Credit for prior service, certain employees now in permanent classified service to receive, in certain cases, upon compliance with conditions, suppl., 1947, c. 280 (C. 43:14–2.11).

1947, c. 280 repealed 1953, c. 157, ss. 10, 36.

Restoration of retirement rights of certain employees loaned to Federal government, lapsed or lost during Federal service during World War II emergency, provided for, suppl., 1947, c. 301 (C. 43:14–2.12).

Benefits for time in Federal service to certain employees in State service, conditions under which obtainable, provided for, suppl., 1947, c. 320 (C. 43:14–2.13, 43:14–2.14).

1947, c. 320 repealed 1953, c. 157, ss. 11, 12, 36.

Secretaries, of system, certain, pension element fixed, 1946, c. 200 (C. 43:14–40.1).

1946, c. 200 repealed 1953, c. 157, ss. 32, 36.

Classification of members; definition of benefits payable thereunder, suppl., 1939, c. 50 (C. 43:14-49 to 43:14-56).

Sec. 4 of above amended 1940, c. 142, s. 1 (C. 43:14-52).

Sec. 5 " " " 1940, c. 142, s. 2 (C. 43:14-53).

1939, c. 50 repealed 1953, c. 157, ss. 35, 36.

South Jersey Port Commission employees eligible to participate in State Employees' Retirement System, 1940, c. 228 (C. 43:14-57 to 43:14-61).

1940, c. 228 repealed 1953, c. 226.

Employees of public agencies or organizations operating public works, membership in retirement system, provided for, suppl., 1946, c. 280 (C. 43:14-62 to 43:14-69).

Sec. 8 of above amended 1947, c. 147; 1947, c. 176 (C. 43:14-69).

Deduction from retirement allowance for payment premiums hospital or medical service plans, authorized, suppl., 1949, c. 63 (C. 43:14-70).

Palisades Interstate Park, Interstate Sanitation Commission and Delaware River Joint Toll Bridge Commission, certain employees eligible for membership in system, suppl., 1953, c. 397 (C. 43:14-71).

Chapter 15. COUNTY AND MUNICIPAL SYSTEM.

R. S. 43:15-1 amended 1946, c. 90; 1949, c. 195.

R. S. 43:15-2 " 1939, c. 143; 1941, c. 238; 1945, c. 246; 1947, c. 339; 1949, c. 90; 1950, c. 63; 1951, c. 33, s. 1; 1952, c. 321.

Additional Legislation.

Membership, application for, etc., after induction in military, etc., service, provided for, suppl., 1943, c. 117 (C. 43:15-2.1).

Employees of certain school districts, membership in pension system, provided for, 1946, c. 135 (C. 43:15-2.2).

Title of above amended 1949, c. 45, s. 1.

Sec. 1 " " " 1949, c. 45, s. 2; 1950, c. 36 (C. 43:15-2.2).

County attendance officers, membership in State Employees' Retirement System, provided for, 1946, c. 191 (C. 43:15-2.3).

State employees paid by a county or municipality, under chapter fifteen of Title 43, to receive same benefits as county or municipal employees, also thereunder, provided for, suppl., 1947, c. 286 (C. 43:15-2.4).

Subtitle 6. PENSION FUND FOR POLICEMEN AND FIREMEN; TRAFFIC OFFICERS ON COUNTY ROADS.

Note: For pension rights of firemen and policemen injured when rendering assistance to another municipality, saved, see 1941, c. 277 (T. 40, c. 47).

Chapter 16. ESTABLISHMENT OF FUND BY REFERENDUM.

R. S. 43:16-1 amended 1938, c. 104; 1944, c. 253, s. 1; 1947, c. 234, s. 1; 1952, c. 358, ss. 1, 9.

R. S. 43:16-2 " 1944, c. 253, s. 2; 1946, c. 284, s. 1; 1947, c. 234, s. 2; 1952, c. 358, ss. 2, 9.

R. S. 43:16-3 " 1944, c. 253, s. 3; 1945, c. 150; 1946, c. 284, s. 2; 1947, c. 234, s. 3; 1948, c. 313, s. 1.

R. S. 43:16-4 " 1944, c. 253, s. 4; 1946, c. 284, s. 3; 1948, c. 313, s. 2; 1948, c. 449.

R. S. 43:16-5 " 1941, c. 78; 1943, c. 27; 1944, c. 253, s. 6; 1947, c. 234, s. 4; 1952, c. 358, ss. 3, 9.

R. S. 43:16-6 " 1944, c. 253, s. 7; repealed 1952, c. 358, ss. 4, 9.

R. S. 43:16-7 " 1941, c. 86; 1943, c. 77; 1944, c. 253, s. 8; 1952, c. 358, ss. 6, 9.

R. S. 43:16-11 " 1941, c. 145; repealed 1944, c. 253, s. 9.

R. S. 43:16-13 (added) Members, twenty years service, not to lose pension for violation of rules or regulations, 1938, c. 252.

Additional Legislation.

Executive officer, retention in service of, after eligible for retirement, until attaining seventy years of age, provided for, suppl., 1947, c. 395 (C. 43:16-1.1).

Sec. 1 of above amended 1949, c. 218 (C. 43:16-1.1).

Consolidated Police and Firemen's Pension Fund Commission, establishment, appointment and election, meetings, powers, duties, etc., provided for, suppl., 1952, c. 358, ss. 5, 7, 8, 9 (C. 43:16-6.1, 43:16-6.2, 43:16-7.1, 43:16-7.2).

Definitions and additional provisions, suppl., 1944, c. 253, ss. 5, 10 to 14 (C. 43:16-4.1, C. 43:16-14 to 43:16-18).

Sec. 10 of above repealed 1950, c. 295 (C. 43:16-14).

Sec. 12 of above amended 1946, c. 284, s. 4; 1947, c. 234, s. 5 (C. 43:16-17).

Assistant police and fire surgeons, first-class cities, membership in pension fund, authorized, 1947, c. 165 (C. 43:16-17.1).

Chapter 16A. (new) POLICE AND FIREMEN'S RETIREMENT SYSTEM.

Note: For transfer of Prison Officers Pension Commission to Division of Budget and Accounting in the Department of the Treasury and to Division of Investment in the Department of the Treasury, see 1948, c. 92, s. 14 (T. 52, c. 18A); 1950, c. 270 (T. 52, c. 18A), amended 1952, c. 272, 1953, c. 115; for municipal police officers, certain municipalities, retirement on pension provided for, see 1949, c. 293 (T. 43, c. 12).

Municipal, county, etc., police and firemen's retirement system, established and regulated, 1944, c. 255 (C. 43:16A-1 to 43:16A-25).

Sec. 1 of above amended 1945, c. 148, s. 1; 1951, c. 267 (C. 43:16A-1).

Sec. 3 of above amended 1945, c. 148, s. 2; 1948, c. 424; 1952, c. 124 (C. 43:16A-3).

Sec. 4 " " " 1945, c. 148, s. 3 (C. 43:16A-4).

Sec. 5 " " " 1953, c. 266, s. 1 (C. 43:16A-5).

Sec. 6 " " " 1953, c. 266, s. 2 (C. 43:16A-6).

Sec. 7 " " " 1950, c. 325, s. 1; 1953, c. 266, s. 3 (C. 43:16A-7).

Sec. 9 " " " 1945, c. 148, s. 4; 1951, c. 320, ss. 1, 2 (see 1952, c. 47); 1953, c. 266, s. 4 (C. 43:16A-9).

Sec. 10 " " " 1945, c. 148, s. 5; 1948, c. 450, s. 1; 1950, c. 325, s. 2 (C. 43:16A-10).

Sec. 13 " " see 1950, c. 270 (C. 52:18A-79 to C. 52:18A-94).

Sec. 15 " " amended 1945, c. 148, s. 6 (C. 43:16A-15).

Sec. 16 " " " 1945, c. 148, s. 7 (C. 43:16A-16).

Sec. 20 " " " 1945, c. 148, s. 8 (C. 43:16A-20).

Sec. 21 " " " 1949, c. 220; repealed 1950, c. 294 (C. 43:16A-21).

Sec. 23 " " " 1945, c. 148, s. 9 (C. 43:16A-23).

Additional death benefits, provided for, suppl., 1953, c. 266, ss. 5-6 (C. 43:16A-9.1, 43:16A-9.2).

Deputy State Treasurer may be authorized to sit as member of board, in place of State Treasurer, suppl., 1947, c. 217 (C. 43:16A-13.1).

Adoption by referendum, effect of, and persons eligible to membership upon, suppl., 1945, c. 148, ss. 10-16 (C. 43:16A-26 to 43:16A-32).

Membership of members of county police department in system provided for, suppl., 1946, c. 192 (C. 43:16A-33 to 43:16A-38).

Park police, certain counties, admission to system, authorized, suppl., 1948, c. 442 (C. 43:16A-39).

Sec. 1 of above amended 1951, c. 185 (C. 43:16A-39).

Police and firemen, certain, admission to system, authorized, suppl., 1953, c. 299, s. 2 (C. 43:16A-49).

Park police, certain counties, admission to system, provided for, 1948, c. 441 (C. 43:16A–40 to 43:16A–45).

County or municipal employees, certain, transfer from State Employees' Retirement System to Police and Firemen's Retirement System, provided for, 1949, c. 273 (C. 43:16A–46 to 43:16A–48).

Subtitle 7. CORPORATIONS AND ASSOCIATIONS FOR PENSION, RETIREMENT AND RELIEF.

Chapter 17. FIREMEN'S RELIEF ASSOCIATIONS.

R. S. 43:17–33 amended 1953, c. 75.

Chapter 18. EMPLOYEES AND CERTAIN OFFICERS OF CITY BOARDS OF HEALTH.

Additional Legislation.

Eligibility of certain widows, of members, for pension, suppl., 1938, c. 327 (C. 43:18–15.1).

Chapter 19. STREET AND WATER DEPARTMENT EMPLOYEES.

R. S. 43:19–9 amended 1938, c. 53.

Subtitle 9. SOCIAL SECURITY.

Chapter 21. UNEMPLOYMENT COMPENSATION.

Note: For transfer of functions, powers and duties of Unemployment Compensation Commission and the Executive Director thereof to the Division of Employment Security of the Department of Labor and Industry and to the Director of said Division, see 1948, c. 446, s. 14 (T. 34, c. 1A); for compensation for temporary disability awarded under Workmen's Compensation and Temporary Disability Benefits Laws for same disability and period, reimbursement of Division of Employment Security of New Jersey Department of Labor and Industry by employer or insurance carrier, provided for and regulated, see 1950, c. 174 (T. 34, c. 15); for transfer of Board of Trustees of the State Disability Benefits Fund to Division of Investment in Department of the Treasury, see 1950, c. 270 (T. 52, c. 18A), amended 1952, c. 272, 1953, c. 115.

R. S. 43:21–3 amended 1938, c. 396; 1939, c. 94, s. 1; 1940, c. 247, ss. 1, 4 (see 1941, c. 114, s. 2 (C. 43:21–19.2)); 1945, c. 72; 1948, c. 110, s. 19; 1950, c. 172, ss. 1, 5; 1952, c. 187, ss. 1, 9.

R. S. 43:21–4 " 1940, c. 247, ss. 2, 4; 1941, c. 114, ss. 1, 2; 1947, c. 35, s. 1; 1948, c. 110, s. 20; 1950, c. 172, ss. 2, 5; 1952, c. 187, ss. 2, 9.

R. S. 43:21–5 " 1939, c. 94, s. 2; 1945, c. 73, s. 1; 1945, c. 308, s. 1; see 1948, c. 182 (C. 43:21–12.8); 1950, c. 172, ss. 3, 5.

R. S. 43:21–6 " 1945, c. 308, s. 2; 1950, c. 167, ss. 1, 3; 1951, c. 338, ss. 1, 2; 1952, c. 187, ss. 3, 9.

R. S. 43:21-7	amended	1938, c. 58; 1939, c. 289; 1941, c. 388; 1947, c. 35, s. 2; 1948, c. 109, ss. 1, 2; 1950, c. 172, ss. 4, 5; 1951, c. 249; 1952, c. 187, ss. 4, 9; 1953, c. 219.
R. S. 43:21-8	"	1945, c. 73, s. 2; 1953, c. 220.
R. S. 43:21-9	"	1939, c. 94, s. 3; 1948, c. 79, s. 1.
R. S. 43:21-10	"	1940, c. 252, s. 1; 1945, c. 203 (1945, c. 203, repealed 1948, c. 184); 1945, c. 308, s. 3; 1948, c. 184, s. 1 (see 1948, c. 446, s. 32 (C. 34:1A-32)).
R. S. 43:21-11	"	1939, c. 94, s. 4; 1940, c. 252, s. 2 (see 1948, c. 446, ss. 14-32 (C. 34:1A-14 to C. 34:1A-32)); 1952, c. 187, ss. 5, 9.
R. S. 43:21-12	"	1939, c. 94, s. 5 (see 1948, c. 446, s. 32 (C. 34:1A-32)).
R. S. 43:21-13	"	1939, c. 94, s. 6; 1941, c. 225; 1948, c. 79, s. 2; 1950, c. 170 (C. 43:21-14.2); 1952, c. 187, ss. 6, 9; 1952, c. 337.
R. S. 43:21-14	"	1938, c. 59; 1939, c. 309; 1940, c. 97; 1944, c. 80; 1945, c. 307; 1948, c. 79, s. 3 (see 1950, c. 170 (C. 43:21-14.2)); 1952, c. 187, ss. 6, 9; 1952, c. 337; 1953, c. 380.
R. S. 43:21-16	"	1945, c. 308, s. 4; 1948, c. 79, s. 4; 1950, c. 167, ss. 2, 3; 1950, c. 225, ss. 2, 3; 1951, c. 210; 1952, c. 187, ss. 7, 9.
R. S. 43:21-19	"	1938, c. 312; 1938, c. 314; 1939, c. 94, s. 6A; 1940, c. 247, ss. 3, 4 (see 1941, c. 114, s. 2 (C. 43:21-19.2)); 1941, c. 374; 1941, c. 385; 1942, c. 2; 1945, c. 73, s. 3; 1946, c. 37; 1946, c. 278, s. 1; 1947, c. 35, s. 4; 1948, c. 318 (see 1948, c. 446, s. 32 (C. 34:1A-32)); 1950, c. 304, s. 1 (see 1950, c. 304, s. 2 (C. 43:21-19.3)); 1951, c. 212; 1952, c. 187, ss. 8, 9; 1953, c. 218.
R. S. 43:21-20	repealed	1945, c. 308, s. 5.
R. S. 43:21-21	amended	1939, c. 94, s. 7; 1945, c. 73, s. 4; 1945, c. 308, s. 6; 1949, c. 213; 1952, c. 189.

Additional Legislation.

Benefit rights saved to persons in military or naval service or in organization affiliated therewith, 1940, c. 193 (NJSA 43:21-5.1; RSCS 43:21-4.1).

Taking over of Employment Service Division of Commission by Federal agencies, authorized, suppl., 1941, c. 386 (C. 43:21-12.1, 43:21-12.2).

Civil service and pension rights of employees transferred, saved, suppl., 1943, c. 171 (C. 43:21–12.3).

Civil service classification study, salary adjustment, employees remitted to State service, suppl., 1948, c. 68 (C. 43:21–12.5 to 43:21–12.7).

Agreements, etc., with United States agencies, etc., for veterans placement, payment of veterans' benefits, etc., provided for, suppl., 1944, c. 232 (C. 43:21–12.4).

Agreements, etc., with United States agencies, etc., for placement, payment of benefits, etc., for certain additional classes of veterans, provided for, suppl., 1953, c. 217 (C. 43:21–12.4a, 43:21–12.4b).

Seamen, reconversion unemployment benefits, Federal and State, provided for, suppl., 1948, c. 182 (C. 43:21–12.8).

Refunds of contributions, certain cases, provided for, suppl., 1944, c. 81 (C. 43:21–14.1).

Sec. 1 of above amended 1947, c. 35, s. 3 (C. 43:21–14.1).

Liens under R. S. 43:21–14 for contributions, penalties and interest, limitation of, provided for, suppl., 1950, c. 170 (C. 43:21–14.2).

Retroactive effect of statute, 1950, c. 304, s. 2 (C. 43:21–19.3).

"Employment" not to include part-time work by certain minors, suppl., 1938, c. 111 (NJSA 43:21–24; RSCS 43:21–19.1).

Benefits for part-time workers, defined, suppl., 1952, c. 282 (C. 43:21–20.1, 43:21–20.2).

"Temporary Disability Benefits Law," suppl., 1948, c. 110 (C. 43:21–25 to 43:21–56).

Sec. 3 of above amended 1950, c. 173, ss. 1, 10; 1952, c. 188, ss. 1, 6; 1953, c. 221, ss. 1, 2 (C. 43:21–27).

Sec. 6 " " " 1952, c. 190 (C. 43:21–30).

Sec. 8 " " " 1950, c. 173, ss. 2, 10; 1953, c. 426 (C. 43:21–32).

Sec. 9 " " " 1950, c. 173, ss. 3, 10 (C. 43:21–33).

Sec. 11 " " " 1952, c. 188, ss. 2, 6 (C. 43:21–35).

Sec. 14 " " " 1951, c. 54; 1952, c. 188, ss. 3, 6 (C. 43:21–38).

Sec. 16 " " " 1950, c. 173, ss. 4, 10; 1952, c. 188, ss. 4, 6 (C. 43:21–40).

Sec. 17 of above amended 1950, c. 173, ss. 5, 10; 1952, c. 188, ss. 5, 6 (C. 43:21-41).

Sec. 18 " " " 1950, c. 260 (C. 43:21-42).

Sec. 22 " " " 1951, c. 355 (C. 43:21-46), see 1950, c. 270 (C. 52:18A-79 to 52:18A-94).

Sec. 24 " " " 1950, c. 173, ss. 6, 10; 1951, c. 282 (C. 43:21-48).

Sec. 25 " " " 1950, c. 173, ss. 7, 10; 1951, c. 60 (C. 43:21-49).

Sec. 26 " " " 1953, c. 41, s. 11 (C. 43:21-50).

Sec. 29 " " " 1950, c. 173, ss. 8, 10 (C. 43:21-53).

Sec. 31 " " " 1950, c. 173, ss. 9, 10 (C. 43:21-55).

Disability benefits, while under care of, dentist, provided for, suppl., 1948, c. 469 (C. 43:21-29.1).

Sec. 1 of above amended 1950, c. 177 (C. 43:21-29.1).

Chapter 22. (new) OLD AGE AND SURVIVORS INSURANCE FOR PUBLIC EMPLOYEES.

Additional Legislation.

Agreement with Federal Security Administrator to obtain benefits of Federal Old Age and Survivors Insurance System, contributions, etc., authorized and regulated, 1951, c. 253 (C. 43:22-1 to 43:22-10).

Sec. 2 of above amended 1952, c. 25 (C. 43:22-2).

Sec. 3 " " " 1953, c. 131 (C. 43:22-3).

Title 44. POOR.

Note: For settlement, recipients of emergency relief, unchanged during emergency, see 1938, c. 28 (App. A:c. 2); for issuance of bonds for relief by municipalities, see 1939, c. 332 (App. A:c. 2), amended 1939, c. 395, 1940, c. 185, 1941, c. 107; for acquisition, improvement, etc., of land by counties for public welfare purposes, see 1940, c. 33 (T. 40, c. 32).

Chapter 1. SETTLEMENT AND RELIEF OF POOR; MUNICIPAL, COUNTY OR JOINT COUNTY RELIEF.

R. S. 44:1–55	amended	1953, c. 42, s. 2.
R. S. 44:1–80	"	1953, c. 42, s. 3.
R. S. 44:1–86	"	1953, c. 42, s. 4.
R. S. 44:1–95	"	1953, c. 42, s. 5.
R. S. 44:1–102 to 44:1–120	see	1941, c. 357, s. 48 (C. 44:8A–48).
R. S. 44:1–121	amended	1953, c. 42, s. 6; see 1941, c. 357, s. 48 (C. 44:8A–48).
R. S. 44:1–122	"	1953, c. 42, s. 7; see 1941, c. 357, s. 48 (C. 44:8A–48).
R. S. 44:1–123	"	1953, c. 42, s. 8; see 1941, c. 357, s. 48 (C. 44:8A–48).
R. S. 44:1–124 to 44:1–127	see	1941, c. 357, s. 48 (C. 44:8A–48).
R. S. 44:1–129	amended	1953, c. 42, s. 9.
R. S. 44:1–141	"	1940, c. 55; 1953, c. 42, s. 10.
R. S. 44:1–143	"	1953, c. 42, s. 11.
R. S. 44:1–144	"	1953, c. 42, s. 12.
R. S. 44:1–145	repealed	1953, c. 42, s. 13.
R. S. 44:1–146	amended	1953, c. 42, s. 14.
R. S. 44:1–147	"	1953, c. 42, s. 15.
R. S. 44:1–148	"	1953, c. 42, s. 16.
R. S. 44:1–149	repealed	1953, c. 42, s. 17.
R. S. 44:1–150	"	1953, c. 42, s. 18.
R. S. 44:1–151	"	1953, c. 42, s. 19.

Additional Legislation.

County welfare houses, admission, reimbursement agreement, liens, etc., suppl., 1940, c. 119 (NJSA 44:1–30.1 to 44:1–30.3; RSCS 44:1–3.1 to 44:1–3.3).

Sec. 3 of above amended 1953, c. 42, s. 1 (C. 44:1–30.3).

Overseers and deputy overseers of the poor abolished, transfer of functions, powers, duties, etc., to Director of Welfare, existing officers saved, suppl., 1946, c. 110 (C. 44:1–73.1 to 44:1–73.7).

Chapter 2. COUNTY ALMSHOUSES.

Note: For hospitals for communicable diseases, first-class counties, use in connection with almshouse, authorized, see 1950, c. 242 (T. 30, c. 9).

Chapter 3. MUNICIPAL ALMSHOUSES.

R. S. 44:3–1 amended 1947, c. 184.

Chapter 4. SETTLEMENT AND RELIEF OF POOR; COUNTY REFERENDUM LAW.

R. S. 44:4–1	amended	1947, c. 373.
R. S. 44:4–20	"	1938, c. 194, s. 1.
R. S. 44:4–23	"	1938, c. 194, s. 2.
R. S. 44:4–28	"	1938, c. 194, s. 3; 1943, c. 112.
R. S. 44:4–33	"	1938, c. 194, s. 4; 1940, c. 187.
R. S. 44:4–40	"	1953, c. 42, s. 20.
R. S. 44:4–57 to 44:4–81	see	1941, c. 357, s. 48 (C. 44:8A–48).
R. S. 44:4–93	amended	1941, c. 130; 1946, c. 297.
R. S. 44:4–102	"	1940, c. 56; 1953, c. 42, s. 23.
R. S. 44:4–104	"	1953, c. 42, s. 24.
R. S. 44:4–105	"	1953, c. 42, s. 25.
R. S. 44:4–106	repealed	1953, c. 42, s. 26.
R. S. 44:4–107	amended	1953, c. 42, s. 27.
R. S. 44:4–108	"	1953, c. 42, s. 28.
R. S. 44:4–109	"	1953, c. 42, s. 29.
R. S. 44:4–110	repealed	1953, c. 42, s. 30.
R. S. 44:4–111	"	1953, c. 42, s. 31.

Additional Legislation.

Agreement to reimburse to be taken as prerequisite to relief, suppl., 1939, c. 263 (NJSA 44:4-94.1; RSCS 44:4-25.1).

Liens for cost of care and maintenance at county welfare house or of permanent outdoor support against recipient and his estate, creation, record and enforcement, provided for, suppl., 1946, c. 175 (C. 44:4-91.2, 44:4-91.3).

Sec. 1 of above amended 1953, c. 42, s. 21 (C. 44:4-91.2).

Sec. 2 " " " 1953, c. 42, s. 22 (C. 44:4-91.3).

Chapter 5. MEDICAL CARE AND HOSPITALIZATION OF POOR IN GENERAL.

Note: For reimbursement by certain municipalities to hospitals for care of indigent persons, see 1950, c. 303 (T. 44, c. 8).

R. S. 44:5-2 amended 1948, c. 53, ss. 1, 2,; 1949, c. 227, ss. 1, 2; 1950, c. 291.

R. S. 44:5-11 " 1948, c. 222.

R. S. 44:5-16 " 1939, c. 230; 1947, c. 336.

Additional Legislation.

Psychiatric diagnosis and treatment of indigent residents, appropriation for by certain counties, authorized and regulated, 1952, c. 119 (C. 44:5-18.1).

Chapter 6. FREE DENTAL CLINICS.

Additional Legislation.

Appropriations by counties for dental clinics for indigent children, provided for, suppl., 1944, c. 224 (C. 44:6-5).

Sec. 1 of above amended 1950, c. 137 (C. 44:6-5).

Chapter 7. OLD AGE AND PERMANENT DISABILITY ASSISTANCE.

Note: For administration of Old Age Assistance functions by Division of Welfare in Department of Institutions and Agencies, see 1950, c. 166 (T. 30, c. 4B).

Article 2. Administration.

R. S. 44:7-1 amended 1953, c. 213, ss. 1, 7.

R. S. 44:7-3 " 1938, c. 361, s. 1; 1943, c. 164, s. 2; 1952, c. 24, ss. 1, 7.

R. S. 44:7-5 " 1938, c. 361, s. 2; 1942, c. 173, s. 1; 1943, c. 164, s. 3; 1944, c. 84, s. 1; 1952, c. 24, ss. 2, 7; 1953, c. 213, ss. 2, 7.

R. S. 44:7–6	amended	1938, c. 361, s. 3; 1940, c. 186, ss. 1, 5.
R. S. 44:7–7	"	1938, c. 361, s. 4.
R. S. 44:7–9	"	1938, c. 361, s. 5; 1940, c. 186, ss. 2, 5; 1942, c. 173, s. 2.
R. S. 44:7–10	"	1938, c. 361, s. 6.
R. S. 44:7–11	"	1938, c. 361, s. 7; 1938, c. 382; 1939, c. 311; (1939, c. 311, repealed 1940, c. 186, ss. 4, 5); 1940, c. 186, ss. 3, 5.
R. S. 44:7–12	"	1938, c. 361, s. 8; 1939, c. 338; 1943, c. 164, s. 4; 1944, c. 84, s. 2; 1953, c. 213, ss. 3, 7.
R. S. 44:7–13	"	1938, c. 361, s. 9; 1949, c. 247, ss. 1, 4; 1953, c. 213, ss. 4, 7.
R. S. 44:7–14	"	1938, c. 361, s. 10; 1943, c. 164, s. 5; 1945, c. 273, s. 1; 1953, c. 42, s. 32.
R. S. 44:7–15	"	1938, c. 361, s. 11; 1945, c. 273, s. 2; 1947, c. 370; 1949, c. 247, ss. 2, 4; 1953, c. 42, s. 33.
R. S. 44:7–16	"	1953, c. 42, s. 34.
R. S. 44:7–18	"	1938, c. 361, s. 12; 1943, c. 164, s. 6; 1944, c. 84, s. 3; 1953, c. 213, ss. 5, 7.
R. S. 44:7–19	"	1938, c. 361, s. 13; 1940, c. 57; 1943, c. 164, s. 7; 1953, c. 42, s. 35.
R. S. 44:7–20	"	1938, c. 361, s. 14; 1953, c. 42, s. 36.
R. S. 44:7–21	"	1943, c. 164, s. 8.
R. S. 44:7–24	"	1938, c. 361, s. 15.
R. S. 44:7–25	"	1943, c. 164, s. 9; 1949, c. 247, ss. 3, 4; 1952, c. 24, ss. 3, 7; 1953, c. 213, ss. 6, 7.
R. S. 44:7–27	"	1938, c. 361, s. 16.
R. S. 44:7–29	"	1938, c. 361, s. 17.
R. S. 44:7–30	"	1938, c. 361, s. 18; 1943, c. 164, s. 10.
R. S. 44:7–31	"	1938, c. 361, s. 19.
R. S. 44:7–32	"	1943, c. 164, s. 11.

Additional Legislation.

Appropriations, for maintenance in municipal welfare home, by first-class counties over 800,000 inhabitants, provided for, suppl., 1950, c. 218 (C. 44:7–36 and C. 44:7–37).

Article 3. (new) Permanent, Total Disability Assistance.

Additional Legislation.

Assistance for permanently and totally disabled provided for, payment of State and Federal aid regulated, suppl., 1951, c. 139 (C. 44:7-38 to 44:7-42).

Sec. 1 of above amended 1952, c. 24, ss. 4, 7 (C. 44:7-38).

Sec. 2 " " " 1952, c. 24, ss. 5, 7 (C. 44:7-39).

Sec. 3 " " " 1952, c. 24, ss. 6, 7 (C. 44:7-40).

Chapter 8. FINANCIAL ASSISTANCE TO CERTAIN NEEDY PERSONS.

Note: For use of political influence, etc., in administration of relief, prohibited, see N. J. S. 2A:135-13; for prohibition of obtaining money, etc., from private or charitable organizations, the State, counties, municipalities or agencies thereof by false statements, see N. J. S. 2A:170-43.

For transfer of functions, powers and duties of Department of Economic Development under "General Public Assistance Law" to Department of Conservation and Economic Development and to Division of Welfare in Department of Institutions and Agencies, see 1948, c. 448, s. 6 (T. 13, c. 1B); 1950, c. 166, s. 5 (T. 30, c. 4B).

For financial assistance to permanently and totally disabled, see 1951, c. 139 (T. 44, c. 7), amended 1952, c. 24.

R. S. 44:8-1 to 44:8-31 repealed 1940, c. 183, s. 5.

The following sections of the foregoing were amended prior to being repealed as aforesaid:

R. S. 44:8-1 amended 1938, c. 123, s. 1.
R. S. 44:8-5 " 1938, c. 123, s. 2.
R. S. 44:8-6 " 1938, c. 123, s. 3.
R. S. 44:8-7 " 1938, c. 123, s. 4.
R. S. 44:8-8 " 1938, c. 123, s. 5.
R. S. 44:8-9 " 1938, c. 123, s. 6.
R. S. 44:8-10 " 1938, c. 123, s. 7.
R. S. 44:8-11 " 1938, c. 123, s. 8.
R. S. 44:8-12 " 1938, c. 123, s. 9.
R. S. 44:8-13 " 1938, c. 123, s. 10.
R. S. 44:8-14 " 1938, c. 123, s. 11.
R. S. 44:8-17 " 1938, c. 123, s. 12.
R. S. 44:8-19 " 1938, c. 123, s. 13.
R. S. 44:8-23 " 1938, c. 123, s. 14.
R. S. 44:8-25 " 1938, c. 123, s. 15.
R. S. 44:8-30 " 1938, c. 46.

Additional Legislation.

"General Public Assistance Law," State aid to certain counties and municipalities (Revision), 1947, c. 156 (C. 44:8-107 to 44:8-145).

Sec. 35 of above repealed 1953, c. 42, s. 37 (C. 44:8-141).

Reimbursement by municipalities in counties of first class to hospitals for care and assistance to indigent persons, suppl., 1950, c. 303 (C. 44:8-146 to 44:8-152).

P. L. 1941, c. 34 superseded, see P. L. 1947, c. 156, s. 26.

Chapter 8A. (new) LEGAL SETTLEMENT OF NEEDY PERSONS.

Note: For transfer of functions, powers and duties of Department of Economic Development under "General Public Assistance Law" to Department of Conservation and Economic Development and to Division of Welfare in Department of Institutions and Agencies, see 1948, c. 448, s. 6 (T. 13, c. 1B); 1950, c. 166, s. 5 (T. 30, c. 4B).

Article 1. (new) Legal Settlement for Emergency Relief and Outdoor Poor Relief.

Legal settlement law relating to public assistance (1941), 1941, c. 357 (C. 44:8A-1 to 44:8A-48).

Sec. 1 of above amended 1947, c. 120, s. 1 (C. 44:8A-1).

Sec. 20 " " " 1947, c. 120, s. 2 (C. 44:8A-20).

Sec. 21 " " " 1947, c. 120, s. 3 (C. 44:8A-21).

Sec. 23 " " " 1947, c. 120, s. 4 (C. 44:5A-23).

Sec. 24 " " " 1947, c. 120, s. 5 (C. 44:8A-24).

Sec. 25 " " " 1947, c. 120, s. 6 (C. 44:8A-25).

Sec. 26 " " " 1947, c. 120, s. 7 (C. 44:8A-26).

Sec. 27 " " " 1947, c. 120, s. 8 (C. 44:8A-27).

Sec. 28 " " " 1947, c. 120, s. 9; 1953, c. 42, s. 38 (C. 44:8A-28).

Sec. 31 " " " 1953, c. 42, s. 39 (C. 44:8A-31).

Sec. 35 " " " 1947, c. 120, s. 10; 1953, c. 42, s. 40 (C. 44:8A-35).

Sec. 37 " " " 1947, c. 120, s. 11 (C. 44:8A-37).

Sec. 38 " " " 1947, c. 120, s. 12 (C. 44:8A-38).

Sec. 39 " " " 1947, c. 120, s. 13 (C. 44:8A-39).

Sec. 40 " " " 1947, c. 120, s. 14 (C. 44:8A-40).

Sec. 41 " " " 1947, c. 120, s. 15 (C. 44:8A-41).

Sec. 46 " " " 1947, c. 120, s. 16 (C. 44:8A-46).

Title 45. PROFESSIONS AND OCCUPATIONS.

Note: For business of selling, etc., motor fuels, etc., at retail, regulated, see 1938, c. 163 (T. 56, c. 6), amended 1938, c. 204, 1938, c. 401, 1939, c. 62, 1942, c. 260, 1953, c. 53, s. 509 added 1939, c. 63; for business of selling, trading in, receiving, installing or repairing condemned, rebuilt or used weighing machines, regulated, see 1938, c. 182 (T. 51, c. 1) amended 1953, c. 48; for licenses to superintendents, operators, etc., of water purification, treatment and supply plants, etc., and sewerage plants, see 1938, c. 206 (T. 58, c. 11); for stands maintained in public buildings by blind, regulated, see 1938, c. 349 (T. 30, c. 6); for sales at retail at less than cost, prohibited, see 1938, c. 394 (T. 56, c. 4) amended 1953, c. 53; for tourist and trailer camps and overnight lodging places regulated, see 1939, c. 254 (T. 29, c. 4); for liens for repairs to jewelry, watches, etc., see N. J. S. 2A:44-174 to 2A:44-177; for regulation of business of selling, trading-in, receiving, installing or repairing condemned, rebuilt or used weighing or measuring devices, see 1938, c. 182 (T. 51, c. 1) amended 1953, c. 48; for business of dealing in poultry regulated and licensing of dealers and brokers provided for, see 1942, c. 248 (T. 4, c. 11) amended 1953, c. 5; for renewal or reinstatement of certain licenses, registration certificates or permits to practice profession or engage in occupation, for veterans, provided for, see 1946, c. 51 (T. 38, c. 23A), amended 1952, c. 116.

For practice of Ophthalmic Dispensing regulated, and licensing of Ophthalmic Dispensers and Ophthalmic Technicians, see 1952, c. 336 (T. 52, c. 17B) amended 1953, c. 49.

Subtitle 1. PROFESSIONS AND OCCUPATIONS REGULATED BY STATE BOARDS OF REGISTRATION AND EXAMINATION.

Chapter 1. GENERAL PROVISIONS.

R. S. 45:1-2 amended 1952, c. 341.

Chapter 2. ACCOUNTANTS, CERTIFIED PUBLIC.

Note: For New Jersey State Board of Public Accountants continued in the Division of Professional Boards in the Department of Law and Public Safety, see 1948, c. 439, s. 29 (T. 52, c. 17B).

Chapter 3. ARCHITECTS.

Note: For New Jersey State Board of Architects continued in the Division of Professional Boards in the Department of Law and Public Safety, see 1948, c. 439, s. 29 (T. 52, c. 17B).

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For license to practice professional engineering, issuance to licensed architects, see 1952, c. 130 (T. 45, c. 8).

For special board to consider charges of illegal practice of architecture by engineers and of engineering by architects, see 1952, c. 307 (T. 52, c. 17B).

R. S. 45:3-1 amended 1938, c. 277, s. 1; 1950, c. 323, s. 1.

R. S. 45:3-2 " 1938, c. 277, s. 2; 1950, c. 323, s. 2.

R. S. 45:3-3	amended	1939, c. 239, s. 1; 1950, c. 249, s. 1; 1952, c. 133, s. 1.
R. S. 45:3-4	"	1939, c. 239, s. 2.
R. S. 45:3-5	"	1939, c. 239, s. 3; 1952, c. 132.
R. S. 45:3-6	"	1939, c. 239, s. 4; 1945, c. 262, s. 1; 1952, c. 133, s. 2.
R. S. 45:3-7	"	1939, c. 239, s. 5; 1952, c. 133, s. 3.
R. S. 45:3-8	"	1943, c. 75, s. 1; 1953, c. 43, s. 1.
R. S. 45:3-9	"	1943, c. 75, s. 2; 1953, c. 43, s. 2.
R. S. 45:3-10	"	1943, c. 75, s. 3; 1945, c. 262, s. 2; 1950, c. 249, s. 2.
R. S. 45:3-11	"	1953, c. 43, s. 3.
R. S. 45:3-12	"	1953, c. 43, s. 4.
R. S. 45:3-13 to 45:3-15	repealed	1953, c. 43, ss. 5-7.

Additional Legislation.

Licenses, issuance to professional engineers, examination, etc., suppl., 1952, c. 131 (C. 45:3-5.1).

Chapter 4. BARBERS.

Note: For State Board of Barber Examiners transferred to State Department of Health, see 1948, c. 444, s. 4 (T. 26, c. 1A), amended 1951, c. 42, s. 2.

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

Additional Legislation.

Regulation of barbering, licensing of barbers and creation of State Board of Barber Examiners, etc., 1938, c. 197 (NJSA 45:4-27 to 45:4-56; RSCS 45:4-1 to 45:4-25.6).

Sec. 1 of above	amended	1946, c. 132, s. 1 (C. 45:4-27).
Sec. 3 "	"	"	1946, c. 132, s. 2 (C. 45:4-29).
Sec. 5 "	"	"	1946, c. 132, s. 3 (C. 45:4-31).
Sec. 9 "	"	repealed	1946, c. 132, s. 4 (C. 45:4-35).

Sec. 10 of above repealed 1946, c. 132, s. 4 (C. 45:4-36).

Sec. 18 " " amended 1953, c. 185, ss. 1, 4 (C. 45:4-44).

Sec. 20 " " " 1944, c. 149 (C. 45:4-46).

Sec. 22 " " " 1947, c. 304, s. 1; 1951, c. 232; 1953, c. 185, ss. 2, 4 (C. 45:4-48).

Sec. 23 " " " 1947, c. 304, s. 2 (C. 45:4-49).

Sec. 26 " " " 1946, c. 133, s. 10 (C. 45:4-52).

Sec. 29 " " " 1953, c. 43, s. 8 (C. 45:4-55).

Apprentice certificate heretofore issued, continuance in effect, provided for, suppl., 1946, c. 132, s. 6 (C. 45:4-29.1).

Notice of holding of examination, failure to appear thereat, etc., effect, provided for, suppl., 1953, c. 185, ss. 3, 4 (C. 45:4-33.1).

Certificates of registration and permits to former holders, upon honorable discharge of applicants from military or naval service of the United States or of this State, provided for, suppl., 1942, c. 322 (C. 45:4-35.1, 45:4-35.2).

Journeyman's permits heretofore issued, continuance in effect, provided for, suppl., 1946, c. 132, s. 5 (C. 45:4-35.3).

Use or maintenance of premises as barber shop without license prohibited, licenses, issuance, etc., provided for, suppl., 1946, c. 133, ss. 1-9, 11, 12 (C. 45:4-50.1 to 45:4-50.11).

Sec. 5 of above amended 1953, c. 186, ss. 1, 2 (C. 45:4-50.5).

Barber shops owned by partnerships, continuation of license on dissolution, or death of partner, provided for, suppl., 1950, c. 187 (C. 45:4-50.12).

Chapter 4A. BEAUTY CULTURE.

Note: For regulation of opening and closing of beauty parlors by municipal ordinance, see 1938, c. 249 (T. 40, c. 48); for Department of Beauty Culture Control and Board of Beauty Culture Control transferred to State Department of Health, see 1948, c. 444, s. 4 (T. 26, c. 1A), amended 1951, c. 42, s. 2.

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

R. S. 45:4A-2	amended	1943, c. 9, s. 8; 1946, c. 60, s. 1; 1949, c. 217; 1951, c. 144, s. 1; 1953, c. 184, ss. 1, 8.
R. S. 45:4A-3	"	1946, c. 60, s. 2.
R. S. 45:4A-5	"	1939, c. 76, s. 1; 1951, c. 144, s. 2.
R. S. 45:4A-6	"	1939, c. 76, s. 2.
R. S. 45:4A-8	"	1938, c. 120, s. 1; 1939, c. 76, s. 3; 1939, c. 376 (title amended 1941, c. 266); 1943, c. 9, s. 9; 1951, c. 144, s. 3; 1952, c. 202, s. 1; 1953, c. 184, ss. 2, 8.
R. S. 45:4A-9	"	1939, c. 76, s. 4.
R. S. 45:4A-10	"	1939, c. 76, s. 5; 1943, c. 9, s. 10.
R. S. 45:4A-11	"	1943, c. 9, s. 11.
R. S. 45:4A-12	"	1939, c. 76, s. 6.
R. S. 45:4A-14	"	1938, c. 120, s. 2; 1943, c. 9, s. 12.
R. S. 45:4A-15	"	1939, c. 76, s. 7; 1943, c. 9, s. 13; 1943, c. 122; 1951, c. 144, s. 4.
R. S. 45:4A-17	"	1953, c. 43, s. 9.
R. S. 45:4A-18	"	1938, c. 120, s. 3; 1939, c. 76, s. 8; 1943, c. 9, s. 14; 1952, c. 202, s. 2; 1953, c. 184, ss. 3, 8.
R. S. 45:4A-21	"	1939, c. 76, s. 9.
R. S. 45:4A-23	"	1943, c. 9, s. 15; 1948, c. 171; 1951, c. 144, s. 5; 1953, c. 184, ss. 4, 8.
R. S. 45:4A-24	"	1938, c. 120, s. 4; 1950, c. 155, s. 1; 1951, c. 42, s. 8; 1953, c. 43, s. 10; 1953, c. 184, ss. 5, 8.
R. S. 45:4A-25 to 45:4A-29	repealed	1938, c. 120, s. 6.
R. S. 45:4A-26.1 (added)	Proof of violation, 1939, c. 76, s. 10.	
R. S. 45:4A-30	amended	1938, c. 120, s. 5; 1950, c. 155, s. 2; 1951, c. 42, s. 9; repealed 1953, c. 43, s. 11.
R. S. 45:4A-31 to 45:4A-34	repealed	1938, c. 120, s. 6.
R. S. 45:4A-35	amended	1938, c. 120, s. 5.

New Jersey State Library

Additional Legislation.

Licenses to practice and practice of beauty culture, regulated, suppl., 1943, c. 9, ss. 1-7 (C. 45:4A-5.1, 45:4A-10.1, 45:4A-11.1 to 45:4A-11.4, 45:4A-23.1).

Sec. 5 of above amended 1951, c. 144, s. 6; 1953, c. 184, ss. 6, 8 (C. 45:4A-23.1).

Beauty schools, supervision and conduct of and applications for licenses, regulated, suppl., 1953, c. 184, ss. 7, 8 (C. 45:4A-10.2).

Beauty shop licenses, effect of dissolution of partnership or death of holder, provided for, suppl., 1953, c. 278 (C. 45:4A-23.2, 45:4A-23.3).

Prevention and restraint of violations by Superior Court, provided for, suppl., 1950, c. 155, s. 3 (C. 45:4A-34.1).

Sec. 3 of above amended 1951, c. 42, s. 10 (C. 45:4A-34.1).

Chapter 5. CHIROPODY.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For State Board of Medical Examiners continued in Division of Professional Boards in the Department of Law and Public Safety, see 1948, c. 439, s. 29 (T. 52, c. 17B).

R. S. 45:5-1	amended	1947, c. 355, ss. 1, 7, 8; 1948, c. 434, s. 1.
R. S. 45:5-3	"	1947, c. 355, ss. 2, 7, 8.
R. S. 45:5-4	"	1947, c. 355, ss. 3, 7, 8.
R. S. 45:5-5	"	1947, c. 355, ss. 4, 7, 8.
R. S. 45:5-7	"	1942, c. 107, s. 1; 1943, c. 95, s. 1; 1947, c. 355, ss. 5, 7, 8; 1948, c. 434, s. 2.
R. S. 45:5-8	"	1942, c. 107, s. 2; 1943, c. 95, s. 2; 1947, c. 355, ss. 6, 7, 8; 1948, c. 434, s. 3.
R. S. 45:5-10	"	1942, c. 107, s. 3; 1943, c. 95, s. 3; 1948, c. 434, s. 4.
R. S. 45:5-11	"	1942, c. 107, s. 4; 1943, c. 95, s. 4; 1948, c. 434, s. 5; 1953, c. 43, s. 12.
R. S. 45:5-12	"	1942, c. 107, s. 5; 1953, c. 43, s. 13.
R. S. 45:5-13	repealed	1953, c. 43, s. 14.

R. S. 45:5–14 repealed 1953, c. 43, s. 15.

R. S. 45:5–15 amended 1942, c. 107, s. 6; 1953, c. 43, s. 16.

R. S. 45:5–16 repealed 1953, c. 43, s. 17.

Additional Legislation.

Payment of penalty deemed equivalent to conviction, suppl., 1948, c. 434, s. 6 (C. 45:5–16.1).

Injunction against unauthorized practitioners, provided for, suppl., 1943, c. 95, ss. 5 to 7 (C. 45:5–17 to 45:5–19).

Sec. 5 of above amended 1953, c. 43, s. 18 (C. 45:5–17).

Chapter 6. DENTISTS.

Note: For State Board of Registration and Examination in Dentistry continued in the Division of Professional Boards in the Department of Law and Public Safety, see 1948, c. 439, s. 29 (T. 52, c. 17B).

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

R. S. 45:6–1 amended 1938, c. 277, s. 3; 1949, c. 52, s. 1.

R. S. 45:6–3 " 1939, c. 108, s. 1.

R. S. 45:6–4 " 1949, c. 52, s. 2.

R. S. 45:6–7 " 1941, c. 316, s. 1; 1945, c. 193, s. 1; 1950, c. 205; 1952, c. 123.

R. S. 45:6–9 repealed 1953, c. 43, s. 19.

R. S. 45:6–10 amended 1939, c. 108, s. 2; 1942, c. 62; 1951, c. 291.

R. S. 45:6–13 " 1950, c. 193.

R. S. 45:6–15 repealed 1951, c. 199, s. 15.

R. S. 45:6–19 amended 1941, c. 316, s. 2; 1942, c. 38.

R. S. 45:6–20 " 1951, c. 341, s. 1.

R. S. 45:6–21 " 1951, c. 341, s. 2.

R. S. 45:6–25 " 1953, c. 43, s. 20.

R. S. 45:6–26 " 1953, c. 43, s. 21.

R. S. 45:6–27 to 45:6–29 repealed 1953, c. 43, ss. 22-24.

Additional Legislation.

Dental clinics, operation regulated, permits required, etc., suppl., 1951, c. 199 (C. 45:6–15.1 to 45:6–15.15).

Injunction to prevent illegal practice, authorized, suppl., 1942, c. 78 (C. 45:6–29.1).

Sec. 1 of above amended 1953, c. 43, s. 25 (C. 45:6–29.1).

Payment of penalty, etc., equivalent to conviction, suppl., 1945, c. 193, s. 2 (C. 45:6–29.2).

Dental hygiene, practice of, regulated, suppl., 1948, c. 34 (C 45:6–33 to 45:6–47).

Sec. 4 of above amended 1949, c. 51 (C. 45:6–36).

Sec. 6 " " " 1951, c. 198 (C. 45:6–38).

Sec. 14 " " " 1953, c. 43, s. 26 (C. 45:6–46).

Chapter 7. EMBALMERS AND FUNERAL DIRECTORS.

Note: For Board of Embalmers and Funeral Directors of the State of New Jersey continued in the Division of Professional Boards in the Department of Law and Public Safety, see 1948, c. 439, s. 29 (T. 52, c. 17B).

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For Mortuary Science Act, see this chapter.

R. S. 45:7–1 amended 1938, c. 277, s. 4.

R. S. 45:7–7 " 1953, c. 43, s. 27.

R. S. 45:7–8 " 1953, c. 43, s. 28.

R. S. 45:7–22 " 1953, c. 43, s. 29.

R. S. 45:7–23 " 1953, c. 43, s. 30.

R. S. 45:7–24 repealed 1953, c. 43, s. 31.

R. S. 45:7–25 " 1953, c. 43, s. 32.

R. S. 45:7–26 amended 1953, c. 43, s. 33.

R. S. 45:7–27 repealed 1953, c. 43, s. 34.

Additional Legislation.

Mortuary Science Act, 1952, c. 340 (C. 45:7–32 to 45:7–81).

Sec. 39 of above amended 1953, c. 43, s. 35 (C. 45:7–70).

Sec. 40 " " " 1953, c. 43, s. 36 (C. 45:7–71).

Chapter 8. ENGINEERS, PROFESSIONAL, AND LAND SURVEYORS.

Note: For State Board of Professional Engineers and Land Surveyors continued in the Division of Professional Boards in the Department of Law and Public Safety, see 1948, c. 439, s. 29 (T. 52, c. 17B).

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For license to practice architecture, issuance to Professional Engineers, see 1952, c. 131 (T. 45, c. 3).

For special board to consider charges of illegal practice of architecture by engineers and of engineering by architects, see 1952, c. 307 (T. 52, c. 17B).

R. S. 45:8-1 to 45:8-26 repealed 1938, c. 342, s. 23.

Additional Legislation.

Practice of professional engineering and land surveying, regulated (Revision, 1938), 1938, c. 342 (NJSA 45:8-27 to 45:8-48; RSCS 45:8-1 to 45:8-23).

Sec. 1 of above amended 1947, c. 60, s. 1; 1950, c. 149, s. 1 (C. 45:8-27).

Sec. 2 " " " 1950, c. 149, s. 2 (C. 45:8-28).

Sec. 3 " " " 1939, c. 339, s. 1; 1950, c. 149, s. 3 (C. 45:8-29).

Sec. 4 " " " 1939, c. 339, s. 2; 1950, c. 149, s. 4 (C. 45:8-30).

Sec. 5 " " " 1939, c. 339, s. 3; 1950, c. 149, s. 5; 1953, c. 43, s. 37; 1953, c. 428, s. 11 (C. 45:8-31).

Sec. 6 " " " 1939, c. 339, s. 4; 1950, c. 149, s. 6 (C. 45:8-32).

Sec. 7 " " " 1939, c. 339, s. 5; 1950, c. 149, s. 7 (C. 45:8-33).

Sec. 8 " " " 1950, c. 149, s. 8 (C. 45:8-34).

Sec. 9 " " " 1950, c. 149, s. 9 (C. 45:8-35).

Sec. 10 " " " 1950, c. 149, s. 10 (C. 45:8-36).

Sec. 11 " " " 1939, c. 339, s. 6; 1950, c. 149, s. 11 (C. 45:8-37).

Sec. 12 " " " 1950, c. 149, s. 12 (C. 45:8-38).

Sec. 13 of above amended 1947, c. 60, s. 2; 1950, c. 149, s. 13; 1952, c. 129; 1953, c. 43, s. 38 ((C. 45:8–39).

Sec. 14 " " " 1950, c. 149, s. 14 (C. 45:8–40).

Sec. 15 " " " 1950, c. 149, s. 15 (C. 45:8–41).

Sec. 16 " " " 1950, c. 149, s. 16 (C. 45:8–42).

Sec. 17 " " " 1950, c. 149, s. 17 (C. 45:8–43).

Sec. 19 " " " 1950, c. 149, s. 18 (C. 45:8–45).

Sec. 20 " " " 1939, c. 302 (NJSA 45:8–46, RSCS 45:8–20).

Licenses, issuance to licensed architects, examination, etc., suppl., 1952, c. 130 (C. 45:8–35.1).

Chapter 8A. (new) LIBRARIANS, LIBRARY ASSISTANTS, ETC.

Librarians and professional library assistants, certification of by State Board of Education; requirement of certificate for appointment of, provided for, 1947, c. 132 (C. 45:8A–1 to 45:8A–4).

Chapter 9. MEDICINE AND SURGERY.

Note: For State Board of Medical Examiners continued in the Division of Professional Boards in the Department of Law and Public Safety, see 1948, c. 439, s. 29 (T. 52, c. 17B).

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For practice of ophthalmic dispensing regulated, and licensing of ophthalmic dispensers and ophthalmic technicians, see 1952, c. 336 (T. 52, c. 17B), amended 1953, c. 49.

Article 1. Practice of Medicine and Surgery in General.

R. S. 45:9–1 amended 1938, c. 277, s. 5; 1939, c. 115, s. 1; 1946, c. 84, s. 1; 1953, c. 233, s. 1; 1953, c. 420, s. 26.

R. S. 45:9–2 " 1939, c. 115, s. 2; 1953, c. 43, s. 39.

R. S. 45:9–3 " 1939, c. 115, s. 3.

R. S. 45:9–5 " 1938, c. 277, s. 6; 1939, c. 115, s. 4; 1946, c. 84, s. 2; 1953, c. 420, s. 27.

R. S. 45:9–5.1 (added)	Additional definitions, suppl., 1939, c. 115, s. 5; amended 1953, c. 233, s. 2.
R. S. 45:9–6	"	1939, c. 115, s. 6.
R. S. 45:9–7	"	1939, c. 115, s. 7.
R. S. 45:9–8	"	1939, c. 115, s. 8; 1941, c. 108; 1942, c. 342; 1944, c. 166, s. 1; 1947, c. 243.
R. S. 45:9–9	"	1939, c. 115, s. 9.
R. S. 45:9–10	"	1939, c. 115, s. 10.
R. S. 45:9–11	"	1939, c. 115, s. 11.
R. S. 45:9–12	"	1939, c. 115, s. 12; 1953, c. 233, s. 15.
R. S. 45:9–13	"	1939, c. 115, s. 13.
R. S. 45:9–14	"	1939, c. 115, s. 14; 1943, c. 17.
R. S. 45:9–14.1	"	1939, c. 115, s. 15.
R. S. 45:9–14.2	repealed	1939, c. 115, s. 16.
R. S. 45:9–14.3 (added)	Osteopathy defined, suppl., 1939, c. 115, s. 17.	
R. S. 45:9–14.4 (added)	Certain licenses to practice osteopathy saved, suppl., 1939, c. 115, s. 18, amended 1939, c. 361.	
R. S. 45:9–14.5 (added)	Chropractic defined, suppl., 1939, c. 115, s. 19; amended 1953, c. 233, s. 3.	
R. S. 45:9–14.6 (added)	Certain licenses to practice chiropractic saved, suppl., 1939, c. 115, s. 20.	
R. S. 45:9–14.7 (added)	Certain chiropractors eligible for examination, suppl., 1939, c. 115, s. 21.	
R. S. 45:9–14.8 (added)	Veterans' licenses, suppl., 1939, c. 115, s. 22.	
R. S. 45:9–14.9 (added)	Qualifications for and examinations; certain cases, suppl., 1939, c. 115, s. 23.	
R. S. 45:9–14.10 (added)	Certain limited licenses saved, suppl., 1939, c. 115, s. 24.	
R. S. 45:9–15	amended	1939, c. 115, s. 25.
R. S. 45:9–16	"	1939, c. 115, s. 26; 1944, c. 166, s. 2; 1952, c. 122; 1953, c. 233, s. 16.
R. S. 45:9–17	"	1939, c. 115, s. 27.
R. S. 45:9–21	"	1939, c. 115, s. 28; 1943, c. 74; 1944, c. 167; 1953, c. 420, s. 28.
R. S. 45:9–22	"	1939, c. 115, s. 29; 1952, c. 300, s. 1; 1953, c. 43, s. 40; 1953, c. 233, s. 17.

R. S. 45:9-23 amended 1939, c. 115, s. 30; 1953, c. 43, s. 41.

R. S. 45:9-24 repealed 1953, c. 43, s. 42.

R. S. 45:9-25 " 1953, c. 43, s. 43.

R. S. 45:9-26 amended 1939, c. 115, s. 31; 1952, c. 300, s. 2; 1953, c. 43, s. 44; 1953, c. 233, s. 18.

R. S. 45:9-27 repealed 1953, c. 43, s. 45.

R. S. 45:9-27.1 (added) Chancery proceedings to prevent certain violations, suppl., 1939, c. 115, s. 32; amended 1953, c. 43, s. 46.

Additional Legislation.

Qualifications for certain applicants for license to practice medicine and surgery, suppl., 1938, c. 121 (NJSA 45:9-8.1; RSCS 45:9-8 (note); 1953, c. 363 (C. 45:9-8.2 to 45:9-8.4); 1953, c. 364 (C. 45:9-8.5, 45:9-8.6).

Osteopathic physicians, certain qualifications for licenses for practice of medicine and surgery, provided for, suppl., 1950, c. 25 (C. 45:9-14.11, 45:9-14.12).

Payment of penalty equivalent to conviction, suppl., 1944, c. 166, s. 3 (C. 45:9-27.4).

Article 2. Limited Licenses.

Note: For types, etc., of licenses which may be issued, see Article 1 of this chapter as amended, etc.

R. S. 45:9-28 to 45:9-37 repealed 1939, c. 115, s. 34.

Article 3. Practice of the Science of Chiropractic.

Note: For types, etc., of licenses which may be issued, see Article 1 of this chapter as amended, etc.

R. S. 45:9-38 to 45:9-41 repealed 1939, c. 115, s. 35.

Additional Legislation.

Practice of chiropractic, regulated, suppl., 1953, c. 233, ss. 4-14, 19, 20 (C. 45:9-41.1 to 45:9-41.13).

Article 3A. (new) Bio-analytical Laboratories.

Additional Legislation.

Bio-analytical Laboratory and Laboratory Directors Act, 1953, 1953, c. 420, ss. 1-25, 29 (C. 45:9-42.1 to 45:9-42.25).

Article 4. Pathological and Anatomical Associations.

R. S. 45:9-51 amended 1953, c. 43, s. 47.

Chapter 10. MIDWIFERY.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For State Board of Medical Examiners continued in Division of Professional Boards in the Department of Law and Public Safety, see 1948, c. 439, s. 29 (T. 52, c. 17B).

R. S. 45:10-10 amended 1953, c. 43, s. 48.

R. S. 45:10-11 " 1953, c. 43, s. 49.

R. S. 45:10-12 repealed 1953, c. 43, s. 50.

R. S. 45:10-13 " 1953, c. 43, s. 51.

R. S. 45:10-14 amended 1953, c. 43, s. 52.

R. S. 45:10-15 repealed 1953, c. 43, s. 53.

Chapter 11. NURSES.

Note: For nursing, teaching and practice regulated and controlled (Revision of 1947), see 1947, c. 262 (T. 45, c. 11), amended 1950, c. 8, 1952, c. 352, 1953, c. 43; for New Jersey State Board of Nursing continued in the Division of Professional Boards in the Department of Law and Public Safety, see 1948, c. 439, s. 29 (T. 52, c. 17B).

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

R. S. 45:11-1 to 45:11-10 repealed 1947, c. 262, s. 22.

R. S. 45:11-11 " 1945, c. 13, s. 2.

R. S. 45:11-12 to 45:11-22 " 1947, c. 262, s. 22.

The following sections of the foregoing were amended prior to being repealed as aforesaid:

R. S. 45:11-7 amended 1942, c. 346, s. 1; 1945, c. 13, s. 1.
R. S. 45:11-10 " 1942, c. 346, s. 2.
R. S. 45:11-12 " 1942, c. 346, s. 3.
R. S. 45:11-19 " 1942, c. 346, s. 4.

Additional Legislation.

Nursing, teaching and practice regulated and controlled (Revision of 1947) 1947, c. 262, ss. 1-22 (C. 45:11-23 to 45:11-44).

Sec. 4 of above amended 1952, c. 352, s. 1 (C. 45:11-26).

Sec. 5 of above			amended	1949, c. 65, s. 1; 1952, c. 352, s. 2 (C. 45:11-27).
Sec. 6	"	"	"	1950, c. 8 (C. 45:11-28).
Sec. 10	"	"	"	1952, c. 352, s. 3; 1953, c. 43, s. 54 (C. 45:11-32).
Sec. 14	"	"	"	1953, c. 43, s. 55 (C. 45:11-36).
Sec. 15	"	"	"	1949, c. 65, s. 2 (C. 45:11-37).
Sec. 16	"	"	"	1953, c. 43, s. 56 (C. 45:11-38).
Sec. 17	"	"	"	1953, c. 43, s. 57 (C. 45:11-39).
Sec. 18	"	"	repealed	1953, c. 43, s. 58 (C. 45:11-40).
Sec. 19	"	"	"	1953, c. 43, s. 59 (C. 45:11-41).
Sec. 20	"	"	"	1953, c. 43, s. 60 (C. 45:11-42).
Sec. 21	"	"	amended	1953, c. 43, s. 61 (C. 45:11-43).

Chapter 12. OPTOMETRY.

Note: For New Jersey State Board of Optometrists continued in the Division of Professional Boards in the Department of Law and Public Safety, see 1948, c. 439, s. 29 (T. 52, c. 17B).

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For practice of ophthalmic dispensing regulated, and licensing of ophthalmic dispensers and ophthalmic technicians, see 1952, c. 336 (T. 52, c. 17B), amended 1953, c. 49.

R. S. 45:12-1	amended	1948, c. 350, ss. 1, 8, 9, 10.
R. S. 45:12-2	"	1938, c. 277, s. 7.
R. S. 45:12-4	"	1952, c. 255, ss. 1, 6.
R. S. 45:12-5	"	1952, c. 255, ss. 2, 6.
R. S. 45:12-6	"	1949, c. 170, s. 1.
R. S. 45:12-7	"	1952, c. 255, ss. 3, 6.
R. S. 45:12-8	"	1948, c. 350, ss. 2, 8, 9, 10.

R. S. 45:12-9	amended	1948, c. 350, ss. 3, 8, 9, 10.
R. S. 45:12-11	"	1948, c. 350, ss. 4, 8, 9, 10; 1952, c. 255, ss. 4, 6.
R. S. 45:12-12	"	1951, c. 103.
R. S. 45:12-14	"	1948, c. 350, ss. 5, 8, 9, 10; 1953, c. 43, s. 62.
R. S. 45:12-17	see	1949, c. 170, s. 2 (C. 45:12-17.1).
R. S. 45:12-18	amended	1938, c. 277, s. 8.
R. S. 45:12-19	"	1948, c. 350, ss. 6, 8, 9, 10.
R. S. 45:12-20	"	1953, c. 43, s. 63.
R. S. 45:12-21	"	1953, c. 43, s. 64.
R. S. 45:12-22 to 45:12-25	repealed	1953, c. 43, ss. 65-68.
R. S. 45:12-26	"	1952, c. 255, ss. 5, 6.

Additional Legislation.

Members of Board, compensation for holding examinations substituted for reimbursement for expenses, suppl., 1949, c. 170, s. 2 (C. 45:12-17.1).

Sec. 2 of above amended 1952, c. 128 (C. 45:12-17.1).

Record of examination, exclusive property of optometrist; unauthorized use of, suppl., 1948, c. 350, ss. 7-10 (C. 45:12-18.1, 45:12-18.2).

Chapter 13. OSTEOPATHY.

Note: For types, etc., of licenses which may be issued, see Article 1 of chapter 9 of this Title as amended, etc.

For State Board of Medical Examiners continued in Division of Professional Boards in the Department of Law and Public Safety, see 1948, c. 439, s. 29 (T. 52, c. 17B).

R. S. 45:13-1 to 45:13-5	repealed	1939, c. 115, s. 33.

Chapter 14. PHARMACY.

Note: For Board of Pharmacy of the State of New Jersey continued in the Division of Professional Boards in the Department of Law and Public Safety, see 1948, c. 439, s. 29 (T. 52, c. 17B).

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

R. S. 45:14-4	see	1952, c. 329 (C. 52:17B-32.1).
R. S. 45:14-6	"	1952, c. 329.

R. S. 45:14–7	amended	1939, c. 85, s. 1; 1951, c. 225.
R. S. 45:14–11	"	1952, c. 138.
R. S. 45:14–12	"	1952, c. 351, s. 1; 1953, c. 43, s. 69.
R. S. 45:14–13	see	1953, c. 329, s. 2 (C. 45:14–16.1).
R. S. 45:14–14	amended	1952, c. 351, s. 2; see 1953, c. 329, s. 2 (C. 45:14–16.1).
R. S. 45:14–15	"	1952, c. 137; see 1953, c. 329, s. 2 (C. 45:14–16.1).
R. S. 45:14–16	"	1953, c. 329, s. 1; see 1953, c. 329, s. 2 (C. 45:14–16.1).
R. S. 45:14–23	"	1952, c. 351, s. 3.
R. S. 45:14–33	"	1938, c. 85, s. 2.
R. S. 45:14–34	"	1939, c. 85, s. 3; 1950, c. 132.
R. S. 45:14–37	"	1952, c. 256, s. 1.
R. S. 45:14–38	"	1952, c. 256, s. 2; 1953, c. 43, s. 71.
R. S. 45:14–39	"	1953, c. 43, s. 72.

Additional Legislation.

Applicants for registered pharmacists examination, certain applicants entitled to credit for military service, provided for, suppl., 1946, c. 177 (C. 45:14–7.2).

Registered assistant pharmacists, qualification as registered pharmacists, provided for, suppl., 1948, c. 50 (C. 45:14–7.3).

Renewal of certificate of registration of holder in war service, provided for, suppl., 1944, c. 132 (C. 45:14–11.1).

Sec. 1 of above amended 1945, c. 177, s. 1; 1952, c. 75. (C. 45:14–11.1).

Violations R. S. 45:14–13, R. S. 45:14–14, R. S. 45:14–15 and R. S. 45:14–16, liability for, regulated, suppl., 1953, c. 329, s. 2 (C. 45:14–16.1).

Drugs to be dispensed only by or on prescription; sale, dispensing or furnishing by or under registered pharmacist; penalties, suppl., 1949, c. 93 (C. 45:14–26.1 to 45:14–26.3).

Prescription departments, minimum requirements, temporary and limited permits, provided for, suppl., 1948, c. 105 (C. 45:14–36.1 to 45:14–36.4).

Sec. 1 of above amended 1952, c. 107 (C. 45:14–36.1).

Sec. 3 " " " 1953, c. 43, s. 70; 1953, c. 279 (C. 45:14–36.3).

Chapter 15. REAL ESTATE BROKERS, SALESMEN AND AUCTIONEERS.

Note: For State Real Estate Commission constituted a division in the Department of Banking and Insurance, see 1948, c. 88, s. 3 (T. 17, c. 1).

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

R. S. 45:15–1	amended	1953, c. 229, s. 1.
R. S. 45:15–3	"	1953, c. 229, s. 2.
R. S. 45:15–5	"	1948, c. 88, ss. 4, 13.
R. S. 45:15–7	"	1948, c. 88, ss. 5, 13.
R. S. 45:15–9	"	1938, c. 227, s. 1; 1953, c. 77, ss. 1, 4 (1953, c. 77, title amended 1953, c. 205); 1953, c. 229, s. 3.
R. S. 45:15–11	"	1953, c. 77, ss. 2, 4 (1953, c. 77, title amended 1953, c. 205).
R. S. 45:15–12	"	1953, c. 229, s. 4.
R. S. 45:15–15	"	1953, c. 77, ss. 3, 4 (1953, c. 77, title amended 1953, c. 205).
R. S. 45:15–17	"	1948, c. 155, s. 2; 1953, c. 229, s. 5; see 1953, c. 229, ss. 6, 7 (C. 45:15–19.1, 45:15–19.2).
R. S. 45:15–18	"	1953, c. 43, s. 73.
R. S. 45:15–20	"	1938, c. 227, s. 2; 1949, c. 214.
R. S. 45:15–23	"	1953, c. 43, s. 74.
R. S. 45:15–24	"	1953, c. 43, s. 75.
R. S. 45:15–25	repealed	1953, c. 43, s. 76.
R. S. 45:15–26	"	1953, c. 43, s. 77.
R. S. 45:15–27	amended	1953, c. 43, s. 78.
R. S. 45:15–28	repealed	1953, c. 43, s. 79.
R. S. 45:15–30	amended	1939, c. 103; 1941, c. 93, s. 1; repealed 1953, c. 229, s. 9.
R. S. 45:15–31	repealed	1953, c. 229, s. 9.
R. S. 45:15–32	"	1953, c. 229, s. 9.
R. S. 45:15–33	amended	1941, c. 93, s. 2; repealed 1953, c. 229, s. 9.

Additional Legislation.

Licenses, issuance to officers of real estate corporations, certain cases, provided for, 1943, c. 60 (C. 45:15–11.1).

Real estate brokers' licenses, issuance to certain persons, authorized, 1945, c. 223 (C. 45:15–11.2).

Licenses, issuance to persons, partnerships or corporations, prohibited, revocations, suspensions, certain cases, provided for, suppl., 1953, c. 229, ss. 8-9 (C. 45:15–12.1, 45:15–12.2).

Promotional sales, property outside State, regulated, suppl., 1948, c. 155, s. 1 (C. 45:15–16.1).

Licenses, suspension and revocation of, upon indictment or conviction of holder, certain offenses, provided for, suppl., 1953, c. 229, ss. 6-7 (C. 45:15–19.1, 45:15–19.2).

Employees, certain rules, etc., proceedings, etc., of commission, continued, etc., 1948, c. 88, ss. 6, 7, 9-11, 13 (C. 45:15–29.1 to 45:15–29.5).

Chapter 15B. (new) SHORTHAND REPORTING.

Note: For State Board of Shorthand Reporting continued in the Division of Professional Boards in the Department of Law and Public Safety, see 1948, c. 439, s. 29 (T. 52, c. 17B).

State Board of Shorthand Reporting; licenses for shorthand reporters, examinations, etc., 1940, c. 175 (NJSA 45:15A-1 to 45:15A–12; RSCS 45:15B–1 to 45:15B–12).

Sec. 10 of above amended 1953, c. 43, s. 80 (NJSA 45:15A–10; RSCS 45:15B–10).

Sec. 12 " " " 1953, c. 43, s. 81 (NJSA 45:15A–12; RSCS 45:15B–12).

Chapter 15C. (new) TREE EXPERTS.

Tree Expert Act, 1940, c. 100 (NJSA 13:1–28 to 13:1–37; RSCS 45:15A–1 to 45:15A–10).

Chapter 16. VETERINARY MEDICINE, SURGERY AND DENTISTRY.

Note: For State Board of Veterinary Medical Examiners continued in the Division of Professional Boards in the Department of Law and Public Safety, see 1948, c. 439, s. 29 (T. 52, c. 17B).

For Veterinary Practice Law, see 1952, c. 198, this chapter.

R. S. 45:16–1 amended 1938, c. 277, s. 9.

R. S. 45:16–6 " 1942, c. 236, s. 1.

R. S. 45:16–7 " 1942, c. 236, s. 2; 1952, c. 198, s. 7.

R. S. 45:16–8 amended 1942, c. 236, s. 3; 1952, c. 198, s. 8.

R. S. 45:16–8.1 (added) Definition of practicing veterinary medicine established, suppl., 1942, c. 236, s. 4; amended 1952, c. 198, s. 9.

R. S. 45:16–9 amended 1942, c. 236, s. 5; 1953, c. 43, s. 82.

R. S. 46:16–10 repealed 1942, c. 236, s. 6.

R. S. 45:16–11 amended 1942, c. 236, s. 7.

Additional Legislation.

Veterinary Practice Law, suppl., 1952, c. 198, ss. 1-6, 10-12 (C. 45:16–9.1 to C. 45:16–9.9).

Licenses, admission to examinations for certain cases, provided for, suppl., 1953, c. 359 (C .45:16–7.1).

Subtitle 2. OCCUPATIONS SUBJECT TO OTHER REGULATION.

Chapter 18. COLLECTION AGENCIES.

R. S. 45:18–3 amended 1946, c. 293.

Chapter 19. DETECTIVES.

R. S. 45:19–1 to 45:19–7 repealed 1939, c. 368.

Additional Legislation.

Private Detective Act of 1939, 1939, c. 369 (NJSA 45:19–8 to 45:19–27; RSCS 45:19–1 to 45:19–20).

Sec. 5 of above amended 1948, c. 152, s. 1 (C. 45:19–12).

Sec. 8 " " " 1948, c. 152, s. 2 (C. 45:19–15).

Sec. 9 " " " 1948, c. 152, s. 3 (C. 45:19–16).

Sec. 12 " " " 1953, c. 404 (C. 45:19–19).

Chapter 21. MOTOR VEHICLES, RENTING AND LEASING OF, TO BE OPERATED BY LESSEE OR BAILEE.

Additional Legislation.

Motor vehicles, renting or leasing, to be driven by others, register required, penalties, 1949, c. 206 (C. 45:21–12, 45:21–13).

Chapter 22. PAWNBROKERS AND DEALERS IN SECONDHAND GOODS.

Additional Legislation.

Sale of used or secondhand watches, regulated, 1939, c. 55 (NJSA 45:22–35 to 45:22–40; RSCS 45:25–1 to 45:25–6).

Chapter 24. TRANSIENT MERCHANTS OR ITINERANT VENDORS; HAWKERS AND PEDDLERS.

R. S. 45:24–9 amended 1943, c. 99; 1950, c. 156; 1952, c. 344, s. 1.

Additional Legislation.

Effect of R. S. 45:24–9 defined, 1952, c. 344, s. 2 (C. 45:24–9.1).

Title 46. PROPERTY.

Note: For contracts, obligations, pledges, mortgages and conveyances, made by minors over eighteen years of age in connection with certain veterans' loans, made valid and enforceable, see 1946, c. 134 (T. 38, c. 23B), amended 1947, c. 189.

For destruction of public records law (1953), see 1953, c. 410 (T. 47, c. 3).

Subtitle 1A. (new) REAL AND PERSONAL PROPERTY.

Chapter 2A. (new) POWERS OF APPOINTMENT.

Releases of and covenants, etc., not to exercise powers, provided for, 1943, c. 57 (C. 46:2A-1 to 46:2A-5).

Sec. 5 of above amended 1953, c. 44, s. 1 (C. 46:2A-5).

Chapter 2B. (new) POWERS OF ATTORNEY.

Powers of attorney by persons in military service, execution, recording, effect, etc., provided, 1943, c. 157 (C. 46:2B-1 to 46:2B-7).

Title of above amended 1945, c. 233, s. 1.

Sec. 1 " " " 1945, c. 223, s. 2; 1951, c. 332, s. 1 (C. 46:2B-1).

Sec. 3 " " " 1945, c. 233, s. 3; 1951, c. 332, s. 2 (C. 46:2B-3).

Sec. 6 " " " 1945, c. 233, s. 4; 1951, c. 332, s. 3 (C. 46:2B-6).

Sec. 7 " " " 1951, c. 332, s. 4 (C. 46:2B-7).

Emergency defined, suppl., 1951, c. 332, s. 5 (C. 46:2B-5.1).

Chapter 2C. (new) TRUST DEEDS.

Note: For alienability of rights of creator of trust, regulated, see N. J. S. 3A:42-1, 3A:42-2.

Trust deeds by persons in military service, execution, recording, effect, etc., provided, 1943, c. 155 (C. 46:2C-1 to 46:2C-5).

Sec. 2 of above amended 1945, c. 110; 1953, c. 44, s. 2 (C. 46:2C-2).

Sec. 5 " " " 1951, c. 28 (C. 46:2C-5).

Chapter 2D. (new) MORTGAGES.

Mortgage to husband and wife, unless otherwise provided, held fully as joint tenants, words of survivorship not required, 1947, c. 206 (C. 46:2D-1).

Title of above amended 1951, c. 314, s. 1.

Sec. 1 " " " 1951, c. 314, s. 2 (C. 46:2D-1).

Subtitle 2. REAL PROPERTY ONLY.

Chapter 3. ESTATES AND INTERESTS IN REAL PROPERTY AND ALIENATION THEREOF IN GENERAL.

R. S. 46:3-18 amended 1943, c. 145.

Additional Legislation.

Joint tenancy in real estate, creation by direct conveyance, authorized, suppl., 1950, c. 71 (C. 46:3-17.1).

Creation, descent, transfer, etc., of estates, rights and interests in areas above surface of ground, suppl., 1938, c. 370 (C. 46:3-19 to 46:3-22).

Chapter 3A. (new) PROPRIETARY SURVEYS.

Proprietary surveys and boundary certificates, effect to be given to, suppl., 1951, c. 352 (C. 46:3A-1 to 46:3A-7).

Chapter 6. INSTRUMENTS EXECUTED PURSUANT TO POWERS OF ATTORNEY.

Additional Legislation.

Letters of attorney, valid until terminated or revoked, termination or revocation, provided for, 1950, c. 306 (C. 46:6-6).

Chapter 7. CORPORATIONS, ASSOCIATIONS, SOCIETIES OR OTHER ORGANIZATIONS.

R. S. 46:7-1 amended 1953, c. 44, s. 3.

Chapter 8. LEASEHOLD ESTATES; LANDLORD AND TENANT.

Additional Legislation.

Holding over after monthly or longer term, by tenant, monthly term created, 1941, c. 317 (C. 46:8-10).

Termination of tenancies and recovery of possession of demised premises, by landlord, limited and regulated, certain cases, 1945, c. 84 (C. 46:8-11 to 46:8-18).

Chapter 9. MORTGAGES.

Note: For penal sum in bonds secured by mortgages, not required to be expressed, see N. J. S. 2A:50-11.

Article 1A. (new) Assumption.

Additional Legislation.

Purchasers of real estate subject to mortgage, liability therefor, when no implied assumption thereof, suppl., 1947, c. 288 (C. 46:9-7.1).

Subtitle 3. SIGNATURES, SEALS, ACKNOWLEDGMENTS AND PROOFS.

Chapter 13. SEALS.

Additional Legislation.

Instruments executed by attorney in fact of Federal instrumentality or agency valid without seal, 1942, c. 147 (C. 46:13-7).

Chapter 14. ACKNOWLEDGMENTS AND PROOFS.

Note: For acknowledgment of deeds, etc., by persons in military or naval service, taking before commissioned officer, authorized, see 1941, c. 333 (T. 38, c. 23A), amended 1943, c. 156, 1945, c. 234, 1951, c. 92.

R. S. 46:14-4	amended	1953, c. 44, s. 4.
R. S. 46:14-5	"	1953, c. 44, s. 5.
R. S. 46:14-6	"	1948, c. 223; 1949, c. 279, s. 1; 1950, c. 278, s. 1.
R. S. 46:14-7	"	1938, c. 170; 1949, c. 279, s. 2; 1950, c. 278, s. 2.
R. S. 46:14-8	"	1939, c. 166; 1949, c. 279, s. 3.

Subtitle 4. RECORDING, REGISTRATION, FILING AND INDEXING OF DEEDS AND OTHER INSTRUMENTS.

Chapter 16. INSTRUMENTS ENTITLED TO RECORD.

Note: For provision for recording of liens for cost of care and maintenance or permanent outdoor support furnished to any person, provided for, see 1946, c. 175 (T. 44, c. 4), amended 1953, c. 42; for letters of attorney, valid until terminated or revoked, termination or revocation, provided for, see 1950, c. 306 (T. 46, c. 6).

R. S. 46:16-1	amended	1945, c. 275, s. 1.
R. S. 46:16-5	"	1953, c. 44, s. 6.
R. S. 46:16-8	"	1948, c. 193 (1948, c. 193 title amended 1950, c. 67, s. 2).
R. S. 46:16-13	"	1953, c. 44, s. 7.
R. S. 46:16-14	"	1953, c. 44, s. 8.

Additional Legislation.

Certified copies of final decrees of Court of Chancery affecting title to real estate, in county clerk's or register of deed's office, recording authorized, 1939, c. 170 (C. 46:16-1.1).

Title of above amended 1949, c. 148, s. 1.

Sec. 1 " " " 1949, c. 148, s. 2 (C. 46:16-1.1).

Records, etc., of bankruptcy proceedings, recording authorized, 1941, c. 389 (C. 46:16-4.1 to 46:16-4.3).

Recording of nontestamentary trust instruments not acknowledged or proved, provided for, suppl., 1943, c. 147 (C. 46:16-5.1).

Chapter 17. REGISTRATION OF MORTGAGES.

R. S. 46:17-1 amended 1947, c. 351, s. 1.

R. S. 46:17-4 " 1947, c. 351, s. 2.

Chapter 18. RECORD OF AND RECORD ENTRIES AS TO INSTRUMENTS AFFECTING MORTGAGES.

R. S. 46:18-8 amended 1945, c. 145; 1947, c. 81.

R. S. 46:18-8.1 " 1939, c. 370.

R. S. 46:18-9 repealed 1953, c. 44, s. 9.

R. S. 46:18-10 " 1953, c. 44, s. 10.

Chapter 19. MECHANICS OF RECORDATION.

R. S. 46:19-1 amended 1945, c. 275, s. 2.

R. S. 46:19-3 " 1944, c. 36.

Chapter 23. MAPS OF LANDS; APPROVAL AND FILING.

Note: For maps, disapproval of certain, certain second-class counties, provided for, see 1948, c. 412 (T. 40, c. 27), amended 1950, c. 274; 1952, c. 326.

R. S. 46:23-1 repealed 1953, c. 358, s. 7.

R. S. 46:23-2 " 1953, c. 358, s. 7.

R. S. 46:23-3 amended 1947, c. 227; repealed 1953, c. 358, s. 7.

R. S. 46:23-4 to 46:23-9 repealed 1953, c. 358, s. 7.

Additional Legislation.

Maps, etc., of lands, approval and filing, provided for, suppl., 1953, c. 358 (C. 46:23-9.1 to 46:23-9.8).

Chapter 24. PUBLIC LAND RECORDS; LOCAL OR BLOCK INDEXES.

R. S. 46:24-1 amended 1953, c. 44, s. 11.

R. S. 46:24-2 " 1953, c. 44, s. 12.

R. S. 46:24-10 " 1953, c. 44, s. 13.

Subtitle 6. PERSONAL PROPERTY ONLY.

Note: For deposit by employee with employer as trust fund; certain cases, see 1939, c. 117 (T. 34, c. 18); for effect of contributory negligence of owner, etc., of special property in goods, etc., in suit for damages to same, see 1939, c. 53 (T. 2, c. 68A).

Chapter 28. CHATTEL MORTGAGES.

R. S. 46:28-4 amended 1953, c. 214, ss. 1, 4.

R. S. 46:28-5 " 1953, c. 214, ss. 2, 4.

R. S. 46:28-10 " 1953, c. 214, ss. 3, 4.

R. S. 46:28-11 " 1953, c. 44, s. 14.

Chapter 32. UNIFORM CONDITIONAL SALES LAW.

R. S. 46:32-17 amended 1945, c. 274.

Chapter 33. CONDITIONAL SALES, LEASES, LOANS OR MORTGAGES OF RAILROAD OR STREET RAILWAY EQUIPMENT AND ROLLING STOCK OR MOTOR VEHICLES OR OTHER VEHICLES OF TRANSPORTATION COMPANIES.

R. S. 46:33-1 amended 1940, c. 10.

Chapter 35. (new) TRUST RECEIPTS.

Uniform Trust Receipts Act, 1938, c. 294 (C. 46:35-1 to 46:35-21).

Sec. 13 of above amended 1947, c. 99 (C. 46:35-13).

Title 47. PUBLIC RECORDS.

Chapter 1. RECORDS AND RECORDING OFFICES GENERALLY.

R. S. 47:1-5 amended 1939, c. 346; 1953, c. 45, s. 1.

R. S. 47:1-6 " 1953, c. 45, s. 2.

R. S. 47:1-8 " 1953, c. 45, s. 3.

Chapter 2. PUBLIC RECORD OFFICE.

Note: For transfer of functions, powers and duties to Division of State Library, Archives and History in the Department of Education, see 1945, c. 50, s. 16 (T. 18, c. 24).

R. S. 47:2-1 repealed 1945, c. 50, s. 22.

R. S. 47:2-2 amended 1941, c. 30; repealed 1945, c. 50, s. 22.

R. S. 47:2-9 repealed 1945, c. 50, s. 22.

Chapter 3. DESTRUCTION AND UNLAWFUL POSSESSION OF PUBLIC RECORDS.

Note: For destruction of certain records of Department of the Treasury authorized, see 1952, c. 208 (T. 52, c. 18A).

R. S. 47:3-1 repealed 1953, c. 410, s. 17.

R. S. 47:3-2 amended 1941, c. 77; 1950, c. 195; repealed 1953, c. 410, s. 17.

R. S. 47:3-3 to 47:3-6 repealed 1953, c. 410, s. 17.

Additional Legislation.

Destruction of cancelled, etc., scrip issued by municipalities and counties, suppl., 1938, c. 329 (NJSA 47:3-7; RSCS 47:3-1.1).

Sec. 1 of above amended 1939, c. 147 (NJSA 47:3-7, RSCS 47:3-1.1).

1938, c. 329 repealed 1953, c. 410, s. 17.

Reports of audits, duplicate copies, destruction of, authorized, suppl., 1952, c. 217 (C. 47:3-8.1, C. 47:3-8.2).

Destruction of certain papers on file in the office of the county clerk or register of deeds, permitted, suppl., 1953, c. 269 (C. 47:3-9 to 47:3-12).

Destruction of certain records pertaining to certain former courts, procedure, 1953, c. 270 (C. 47:3-13, 47:3-14).

Destruction of Public Records Law (1953), 1953, c. 410 (C. 47:3-15 to 47:3-32).

Title 48. PUBLIC UTILITIES.

Note: For permission to United States Government to lay conduits under streets, etc., when approved by Public Utility Commissioners, authorized, see 1943, c. 209 (T. 40, c. 67); for collective bargaining, compulsory arbitration, and settlement of labor disputes in public utilities and seizure and operation of public utilities by the State, in certain cases, provided for, see 1946, c. 38 (T. 34, c. 13B), amended 1947, c. 47, 1947, c. 75, 1950, c. 14; for rates for supply of water by certain second-class cities to consumers in other municipalities subject to control, etc., of Board of Public Utility Commissioners, provided for, see 1947, c. 295 (T. 40, c. 62). For underground storage of gas, petroleum products, etc., regulated, see 1951, c. 80 (T. 58, c. 10).

Chapter 1. ADDITIONAL POWERS OF CORPORATIONS.

Note: For taxes, charges or fees, payment, notwithstanding doubts as to legality of law imposing same, provided for, see 1950, c. 102 (T. 14, c. 17); for contributions, etc., for charitable, educational, scientific, benevolent, patriotic and civic purposes, authorized, see 1950, c. 220 (T. 14, c. 3).

Chapter 2. BOARD OF PUBLIC UTILITY COMMISSIONERS.

Note: For assistance to be rendered by Commissions to the Metropolitan Rapid Transit Commission, see 1952, c. 194 (T. 32, c. 22).

Article 1. Constitution of Board.

R. S. 48:2-1 amended 1948, c. 90, ss. 1, 5.

R. S. 48:2-2 see 1948, c. 90, s. 2.

R. S. 48:2-3 amended 1951, c. 326, s. 1.

Additional Legislation.

"Department of Public Utilities Act of 1948," 1948, c. 90 (R. S. 48:2-1, C. 48:2-1.1 to 48:2-1.4).

Notification of change in location of principal office of board filed, effect, etc., suppl., 1951, c. 326, s. 2 (C. 48:2-3.1).

Article 2. Jurisdiction, Powers and Duties.

R. S. 48:2-13 amended 1946, c. 219; 1947, c. 162; 1952, c. 251, s. 1.

R. S. 48:2-19 supplemented 1939, c. 80 (NJSA 48:2-19 note; RSCS 48:2-19.1).

Additional Legislation.

Legal counsel experts, etc., appointment, payment of compensation by public utilities, provided for, suppl., 1951, c. 357 (C. 48:2-31.1 to 48:2-31.3).

Article 3. Hearings and Investigations.

R. S. 48:2-32.1 amended 1952, c. 10.

Article 7. (new) Fees and Charges.

Additional Legislation.

Fees and charges, filing, copies, etc., provided for, suppl., 1947, c. 97 (C. 48:2-53 to 48:2-55).

Chapter 3. PUBLIC UTILITIES IN GENERAL.

Article 2. Stocks, Bonds and Other Obligations.

R. S. 48:3-9 amended 1946, c. 220, ss. 1-2.

Article 3. Municipal Consent to Use of Streets.

R. S. 48:3-17 amended 1947, c. 199.

Article 3A. (new) Presumption of Consent of Owner From the Use of Highways, etc.

Additional Legislation.

Presumption of consent of owners to placing of certain poles in public places, established after ten years, suppl., 1945, c. 231 (C. 48:3-17.1).

Article 6. General Provisions.

Note: For registration with Board of Public Utility Commissioners of tickers and teleprinters used by telegraph companies, required, see 1952, c. 257 (T. 48, c. 17).

R. S. 48:3-31 amended 1948, c. 286.

R. S. 48:3-38 " 1951, c. 275.

Chapter 4. AUTO BUSES.

R. S. 48:4-1 amended 1946, c. 125; 1947, c. 161; 1952, c. 251, s. 2.

R. S. 48:4-3 " 1946, c. 131.

R. S. 48:4-14 " 1946, c. 130; 1947, c. 230.

R. S. 48:4-29 " 1953, c. 430, s. 1.

R. S. 48:4-36 " 1948, c. 178.

Additional Legislation.

Temporary bus permits to provide emergency transportation facilities, etc., authorized, 1941, c. 390 (NJSA, RSCS 48:4-3 note).

Sec. 5 of above amended 1942, c. 100 (NJSA, RSCS 48:4-3 note).

Suppl., 1942, c. 49 (C. 48:4-2.4 to 48:4-2.17).

Chapter 5. BRIDGE COMPANIES.

R. S. 48:5-18 amended 1947, c. 401.

Chapter 6A. (new) COMMON AND CONTRACT CARRIERS—INTERSTATE.

Powers of attorney to accept service of process on common and contract interstate carriers filed with Public Utility Commission, authorized, 1950, c. 168 (C. 48:6A-1, 48:6A-2).

Chapter 7. ELECTRIC LIGHT, HEAT AND POWER COMPANIES.

Note: For presumption of consent of owners to placing of certain poles in public places, established after ten years, see 1945, c. 231 (T. 48, c. 3).

R. S. 48:7-5 amended 1952, c. 245.

Chapter 9. GAS COMPANIES.

R. S. 48:9-17 amended 1947, c. 66.

Additional Legislation.

Change of character or heating quality of gas, control by commission, suppl., 1941, c. 148 (C. 48:9-25.1).

Natural gas, use, process, transmission, distribution and sale of, by gas companies, authorized, suppl., 1949, c. 107 (C. 48:9-25.2, 48:9-25.3).

Natural gas, construction, maintenance and use of facilities of gas companies for transmission of, authorization and regulation, suppl., 1949, c. 110 (C. 48:9-25.4).

Natural gas, condemnation by gas companies for right-of-way for transmission and distribution facilities for, authorized and regulated, suppl., 1949, c. 233 (C. 48:9-25.5 to 48:9-25.7).

Acquisition of franchses, etc., with acquisition of gas properties and facilities, authorized, suppl., 1952, c. 34 (C. 48:9-25.8 to 48:9-25.10).

Chapter 10. (changed) PIPE LINE UTILITIES.

Additional Legislation.

Natural Gas Safety Act, suppl., 1952, c. 166 (C. 48:10-2 to 48:10-9).

Chapter 12. RAILROADS.

Note: For extension of time for completion of certain railroads, see 1939, c. 15; 1941, c. 3; 1943, c. 4; 1945, c. 3; 1947, c. 89; 1949, c. 224; 1951, c. 231; 1953, c. 99.

For assistance to be rendered by railroads to the Metropolitan Rapid Transit Commission, see 1952, c. 194 (T. 32, c. 22).

Article 3. Directors and Officers.

R. S. 48:12-9 amended 1953, c. 152.

Article 4. General Powers and Duties.

R. S. 48:12-13 amended 1941, c. 411.

R. S. 48:12-15 " 1941, c. 200.

Additional Legislation.

Use, sale, etc., of different levels of railroad property for other than railroad purposes, suppl., 1938, c. 369 (NJSA 48:12-23.1; RSCS 48:12-13.1).

Article 6. Construction of Roads, Branches and Connections.

Additional Legislation.

Branch lines to race tracks, authorized, suppl., 1947, c. 17 (C. 48:12-32.1).

Article 8A. (new) Runaround or Temporary Tracks.

Additional Legislation.

Cautionary boards, installation for, runaround or temporary tracks, required and regulated, suppl., 1952, c. 213 (C. 48:12-40.1, 48:12-40.2).

Article 11. Construction and Protection of Crossings.

R. S. 48:12-57 amended 1948, c. 252.

Article 12. Elimination of Grade Crossings.

R. S. 48:12-62 amended 1947, c. 178, s. 1.

R. S. 48:12-63 " 1939, c. 152.

R. S. 48:12-70 " 1947, c. 178, s. 3.

R. S. 48:12-71 " 1947, c. 178, s. 4.

R. S. 48:12-74 " 1939, c. 153.

R. S. 48:12-77 " 1947, c. 178, s. 5.

Additional Legislation.

Grade crossing elimination program, cost divided State 85%—Railroad 15%, applicable to prior orders for, in certain cases, suppl., 1947, c. 178, s. 2 (C. 48:12-67.1).

Article 15. Spark Arresters.

R. S. 48:12-85 amended 1942, c. 238.

Article 22. Lease, Consolidation or Merger.

R. S. 48:12-126 amended 1948, c. 317, s. 1.

R. S. 48:12-127 " 1948, c. 317, s. 2.

R. S. 48:12-128 " 1948, c. 317, s. 3.

R. S. 48:12-129 " 1948, c. 317, s. 4.

R. S. 48:12-130 amended 1948, c. 317, s. 5.
R. S. 48:12-131 " 1948, c. 317, s. 6.
R. S. 48:12-132 " 1948, c. 317, s. 7.
R. S. 48:12-133 " 1948, c. 317, s. 8.
R. S. 48:12-134 " 1948, c. 317, s. 9.
R. S. 48:12-135 " 1948, c. 317, s. 10.
R. S. 48:12-136 " 1948, c. 317, s. 11.

Article 24. Receivers; Dissolution.

R. S. 48:12-150 amended 1939, c. 49.

Article 27. Penalties.

R. S. 48:12-158 amended 1943, c. 150.
R. S. 48:12-162 repealed 1943, c. 94.

Chapter 13. SEWERAGE COMPANIES.

Additional Legislation.

Abandonment of sewerage system without consent of board of public utility commissioners prohibited; extension of corporate existence of certain sewerage companies, suppl., 1939, c. 138 (C. 48:13-16).

Chapter 15. STREET RAILWAYS.

R. S. 48:15-6 amended 1946, c. 287, s. 1.
R. S. 48:15-13 " 1946, c. 287, s. 2.
R. S. 48:15-41 " 1941, c. 131, s. 1; 1946, c. 71.
R. S. 48:15-42 " 1941, c. 131, s. 2.
R. S. 48:15-43.2 " 1941, c. 131, s. 3.
R. S. 48:15-43.3 " 1941, c. 131, s. 4.

Additional Legislation.

Resumption of operation of street railways heretofore suspended, authorized, suppl., 1942, c. 40 (C. 48:15-43.4, 48:15-43.5).

Autobuses diverted from street made one-way to be authorized to use parallel street in direction opposite to one-way street, provided for, suppl., 1947, c. 383 (C. 48:15-43.6).

Chapter 16. TAXICABS, AUTOCABS AND JITNEYS.

Article 1. Taxicabs.

R. S. 48:16–3 amended 1951, c. 148.

R. S. 48:16–23 " 1952, c. 251, s. 3.

Chapter 17. TELEGRAPH AND TELEPHONE COMPANIES.

Note: For presumption of consent of owners to placing of certain poles in public places, established after ten years, see 1945, c. 231 (T. 48, c. 3).

Additional Legislation.

Registration of tickers and teleprinters used by telegraph companies, required, suppl., 1952, c. 257 (C. 48:17–14.1, C. 48:17–14.2).

Chapter 19. WATER COMPANIES.

R. S. 48:19–1 amended 1953, c. 244.

Chapter 21. SOUTH JERSEY TRANSIT AUTHORITY.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85 (T. 52, c. 27C), amended 1945, c. 128.

R. S. 48:21–1 to 48:21–19 repealed 1944, c. 85, s. 52.

Title 49. SALE OF SECURITIES.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

Chapter 1. NEW JERSEY SECURITIES LAW.

R. S. 49:1–7	amended	1953, c. 46, s. 1.
R. S. 49:1–8	repealed	1953, c. 46, s. 2.
R. S. 49:1–9	"	1953, c. 46, s. 3.
R. S. 49:1–10	amended	1953, c. 46, s. 4.
R. S. 49:1–11	"	1953, c. 46, s. 5.
R. S. 49:1–12	"	1953, c. 46, s. 6.
R. S. 49:1–13	repealed	1953, c. 46, s. 7.
R. S. 49:1–14	"	1953, c. 46, s. 8.
R. S. 49:1–15	amended	1953, c. 46, s. 9.
R. S. 49:1–16	"	1953, c. 46, s. 10.
R. S. 49:1–17	"	1953, c. 46, s. 11.
R. S. 49:1–19	"	1953, c. 46, s. 12.
R. S. 49:1–21	"	1953, c. 46, s. 13.
R. S. 49:1–22	"	1953, c. 46, s. 14.
R. S. 49:1–23	"	1953, c. 46, s. 15.
R. S. 49:1–26	"	1953, c. 46, s. 16.
R. S. 49:1–27	"	1953, c. 46, s. 17.

Chapter 2. (new) SALE OF SECURITIES, ETC., IN GENERAL.

Agents to sell and issue Federal obligations, during emergency, provided for, 1942, c. 125 (C. 49:2–1).

Title 50. SHELLFISH.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

Chapter 1. BOARD OF SHELL FISHERIES.

For transfer of functions, powers and duties to the State Department of Conservation and to the Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A), 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 50:1-1 repealed 1945, c. 22, s. 44.

R. S. 50:1-2 " 1945, c. 22, s. 44.

R. S. 50:1-3 amended 1942, c. 259; repealed 1945, c. 22, s. 44.

R. S. 50:1-4 repealed 1945, c. 22, s. 44.

R. S. 50:1-23 amended 1947, c. 359; 1953, c. 260, s. 1.

Chapter 2. GENERAL REGULATORY PROVISIONS.

R. S. 50:2-2 amended 1950, c. 217; 1951, c. 269.

R. S. 50:2-5 " 1939, c. 242.

R. S. 50:2-10 " 1945, c. 38, s. 1.

Additional Legislation.

Sea clams, dredging for, regulated, licenses, provided for, suppl., 1950, c. 310 (C. 50:2-6.1 to 50:2-6.4).

Chapter 3. REGULATIONS APPLICABLE TO DELAWARE RIVER, DELAWARE BAY AND THEIR TRIBUTARIES; DEPARTMENT OF MAURICE RIVER COVE.

Article 2. Method of Taking Shellfish; Size; Closed Seasons.

R. S. 50:3-6 amended 1945, c. 38, s. 2; 1953, c. 260, s. 2.

R. S. 50:3-13 " 1953, c. 262, s. 1.

R. S. 50:3-14 " 1952, c. 184, s. 1; 1953, c. 261.

R. S. 50:3-15 " 1952, c. 184, s. 2.

R. S. 50:3-16 repealed 1952, c. 184, s. 4.

Additional Legislation.

Oysters, taken or had in possession, minimum size, exceptions provided for, suppl., 1952, c. 184, s. 3 (C. 50:3-15.1).

Article 5. (new) Licensing of Oyster Shuckers, Planters and Dealers.

Additional Legislation.

Licensing of oyster shucking houses, oyster planters and oyster dealers, provided for, suppl., 1945, c. 39 (C. 50:3-20.10 to 50:3-20.26).

Sec. 5 of above amended 1953, c. 263 (C. 50:3-20.14).

Chapter 4. REGULATIONS APPLICABLE TO ATLANTIC COAST; DEPARTMENT OF ATLANTIC COAST.

R. S. 50:4-1	amended	1943, c. 134.
R. S. 50:4-3	"	1953, c. 262, s. 2.

Chapter 5. PENALTIES AND RECOVERY THEREOF; FORFEITURE.

R. S. 50:5-1	amended	1942, c. 99.
R. S. 50:5-2	"	1953, c. 47, s. 1.
R. S. 50:5-4	"	1953, c. 47, s. 2.
R. S. 50:5-5	repealed	1953, c. 47, s. 3.
R. S. 50:5-8	"	1953, c. 47, s. 4.
R. S. 50:5-9	amended	1953, c. 47, s. 5.
R. S. 50:5-10	"	1953, c. 47, s. 6.
R. S. 50:5-14	repealed	1953, c. 47, s. 7.
R. S. 50:5-17	amended	1953, c. 47, s. 8.
R. S. 50:5-18 to 50:5-20	repealed	1953, c. 47, ss. 9-11.

Title 51. STANDARDS, WEIGHTS, MEASURES AND CONTAINERS.

Note: For Department of Weights and Measures continued as the Division of Weights and Measures in the Department of Law and Public Safety, see 1948, c. 439, s. 23 (T. 52, c. 17B).

Chapter 1. WEIGHTS, MEASURES AND CONTAINERS.

Note: For business of dealing in poultry regulated and licensing of dealers and brokers provided for, see 1942, c. 248 (T. 4, c. 11), amended 1953, c. 5.

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

Article 1. Definitions and Constructions.

R. S. 51:1-2 see 1948, c. 439, s. 51 (C. 52:17B-51).

Article 2. Standards.

A. IN GENERAL.

R. S. 51:1-12 amended 1953, c. 48, s. 1.

B. 1. (new) ICE CREAM AND FROZEN PRODUCTS.

Additional Legislation.

Containers for sale of ice cream, sherbets, ices, etc., capacities, markings, etc., regulated, 1941, c. 278 (C. 51:1-31.1 to 51:1-31:10).

C. THREAD.

R. S. 51:1-32 amended 1950, c. 94.

Article 3. Department of Weights and Measures.

Note: For Department of Weights and Measures continued as the Division of Weights and Measures in the Department of Law and Public Safety, see 1948, c. 439, s. 23 (T. 52, c. 17B).

R. S. 51:1-82 amended 1943, c. 135.

R. S. 51:1-87 " 1953, c. 48, s. 2.

Additional Legislation.

Age limits for weighmasters and weighers during war time, provided for, suppl., 1943, c. 8 (C. 51:1-74.1, 51:1-74.2).

Weighmasters within Division of Weights and Measures in Department of Law and Public Safety to operate State-owned scales, appointment, etc., suppl., 1952, c. 112 (C. 51:1-82.1).

Fees, for testing, etc., and certification of weighing or measuring devices, fixed, suppl., 1952, c. 104 (C. 51:1–88.1, 51:1–88.2).

Article 4. Penalties; Evidence; Enforcement.

R. S. 51:1–90 amended 1952, c. 44.

R. S. 51:1–96 " 1953, c. 48, s. 3.

R. S. 51:1–103 " 1939, c. 390, s. 1; 1953, c. 48, s. 4.

R. S. 51:1–104 " 1939, c. 390, s. 2; repealed 1953, c. 48, s. 5.

R. S. 51:1–105 " 1939, c. 390, s. 3; 1953, c. 48, s. 6.

R. S. 51:1–106 " 1939, c. 390, s. 4; 1953, c. 48, s. 7.

R. S. 51:1–107 " 1939, c. 390, s. 5; 1953, c. 48, s. 8.

R. S. 51:1–108 " 1939, c. 390, s. 6; repealed 1953, c. 48, s. 9.

R. S. 51:1–110 " 1953, c. 48, s. 10.

R. S. 51:1–112 repealed 1953, c. 48, s. 11.

Article 5. (new) Secondhand Measuring or Weighing Devices.

Regulation of business of selling, trading-in, receiving, installing or repairing condemned, rebuilt or used weighing or measuring devices, 1938, c. 182 (C. 51:1–113 to 51:1–133).

Sec. 1 of above amended 1953, c. 48, s. 12 (C. 51:1–113).

Sec. 20 " " " 1953, c. 48, s. 13 (C. 51:1–132).

Chapter 3. STANDARD MERIDIAN LINE; LAND DESCRIPTIONS.

Note: For transfer of functions, powers and duties of Department of Conservation and Development to the State Department of Conservation and to the Department of Conservation and Economic Development, see 1945, c. 22 (T. 13, c. 1A), 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 51:3–1 amended 1953, c. 48, s. 14.

Additional Legislation.

New Jersey System of Plane Co-ordinates; continuation of by Department of Conservation and Development, 1938 c. 225 (C. 51:3–11, 51:3–12).

Chapter 4. STANDARDS FOR COMMERCIAL PRODUCTS.

R. S. 51:4–22 amended 1953, c. 48, s. 15.

Chapter 7. ANTHRACITE.

R. S. 51:7-1	see	1948, c. 439, s. 51 (C. 52:17B-51).
R. S. 51:7-2	amended	1938, c. 242, s. 1.
R. S. 51:7-3	"	1952, c. 146, s. 1.
R. S. 51:7-4	"	1938, c. 242, s. 2.
R. S. 51:7-5	"	1938, c. 242, s. 3.
R. S. 51:7-6	"	1938, c. 242, s. 4; 1952, c. 146, s. 2.
R. S. 51:7-7	"	1938, c. 242, s. 5.
R. S. 51:7-9	"	1938, c. 242, s. 6; 1953, c. 48, s. 16.

Chapter 8. SOLID FUEL.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

R. S. 51:8-1	amended	1953, c. 48, s. 17; see 1948, c. 439, s. 51 (C. 52:17B-51).
R. S. 51:8-5	"	1938, s. 44, s. 1; 1939, c. 41.
R. S. 51:8-12	"	1938, c. 44, s. 2.
R. S. 51:8-15	"	1953, c. 48, s. 18.
R. S. 51:8-16	"	1953, c. 48, s. 19.
R. S. 51:8-17	repealed	1953, c. 48, s. 20.
R. S. 51:8-18	"	1953, c. 48, s. 21.
R. S. 51:8-19	amended	1953, c. 48, s. 22.

Chapter 9. LIQUID FUEL.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

R. S. 51:9-1	amended	1938, c. 323; 1953, c. 48, s. 23; see 1948, c. 439, s. 51 (C. 52:17B-51).
R. S. 51:9-11	"	1953, c. 48, s. 24.
R. S. 51:9-12	"	1953, c. 48, s. 25.

R. S. 51:9–13 to 51:9–15 repealed 1953, c. 48, ss. 26-28.

R. S. 51:9–16 amended 1953, c. 48, s. 29.

R. S. 51:9–17 " 1953, c. 48, s. 30.

R. S. 51:9–18 " 1953, c. 48, s. 31.

R. S. 51:9–19 repealed 1953, c. 48, s. 32.

R. S. 51:9–20 amended 1953, c. 48, s. 33.

R. S. 51:9–21 repealed 1953, c. 48, s. 34.

Chapter 10. (new) LIQUEFIED GASES.

Liquefied petroleum gas, sale, delivery, etc., regulated, suppl., 1952, c. 143 (C. 51:10–1 to 51:10–17).

Sec. 1 of above amended 1953, c. 48, s. 35 (C. 51:10–1).

Sec. 14 " " " 1953, c. 48, s. 36 (C. 51:10–14).

Title 52. STATE GOVERNMENT, DEPARTMENTS AND OFFICERS.

Note: For discrimination against applicants for employment, for age, see 1938, c. 295 (T. 10, c. 3); for maintenance of stands by blind in State buildings, see 1938, c. 349 (T. 30, c. 6); for Optional Municipal Key Positions Law (1950), see 1950, c. 211 (T. 40, c. 46).

For public utility counsel experts, etc., appointment, compensation, etc., see 1951, c. 357 (T. 48, c. 2).

Subtitle 1. GENERAL PROVISIONS.

Note: For time of war service not to be counted in determining maximum age limits for appointment or election to State office, position, etc., see 1944, c. 98 (T. 38, c. 23A), amended 1946, c. 206.

Chapter 2. GREAT SEAL.

Note: For unauthorized use of State Seal, prohibited, see N. J. S. 2A:148-23.

Chapter 3. FLAGS.

Additional Legislation.

Display of State flag regulated, 1938, c. 86 (C. 52:3-6).

Historic flags, preservation and repair, 1938, c. 129 (C. 52:3-7).

Chapter 6. COMMISSIONERS OF DEEDS.

R. S. 52:6-12 amended 1947, c. 264, ss. 1, 2.

Chapter 7. NOTARIES PUBLIC.

Additional Legislation.

Appointments, fees for commissions and filing of statements required by R. S. 52:7-8, provided for, 1944, c. 243 (C. 52:7-1.1, 52:7-1.2).

Sec. 1 of above amended 1951, c. 67 (C. 52:7-1.1).

Nonresidents, appointment, authorized and regulated, suppl., 1949, c. 19 (C. 52:7-1.3).

Chapter 8. 1837 SURPLUS REVENUE FUND.

R. S. 52:8-6 amended 1946, c. 62.

Chapter 9. STATE DIRECTOR OF UNITED RAILROAD AND CANAL COMPANY.

Note: For transfer of functions, powers and duties of the office of State Director of United New Jersey Railroad and Canal Company to State Treasurer, see 1948, c. 92, s. 28 (T. 52, c. 18A).

Chapter 9C. NEW JERSEY COUNCIL.

Note: For transfer of powers and duties to Department of Economic Development and to Department of Conservation and Economic Development, see 1944, c. 85, s. 5 (T. 52, c. 27C); 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 52:9C–1 to 52:9C–4 repealed 1944, c. 85, s. 52.

The following section of the foregoing was amended prior to being repealed as aforesaid:

R. S. 52:9C–2 amended 1939, c. 393; 1943, c. 111.

Chapter 9F. (new) COMMISSION ON URBAN COLORED POPULATION.

Commission established, powers, etc., 1941, c. 192 (C. 52:9F–1 to 52:9F–4).

Chapter 9G. (new) STATE COMMISSION ON POST-WAR ECONOMIC WELFARE.

Commission created, powers and duties, provided for, 1943, c. 192 (C. 52:9G–1 to 52:9G–6).

Sec. 1 of above amended 1944, c. 94, s. 1 (C. 52:9G–1).

Sec. 2 " " " 1944, c. 94, s. 2 (C. 52:9G–2).

Sec. 3 " " " 1944, c. 94, s. 3 (C. 52:9G–3).

Chapter 9H. (new) STATE FINANCES.

General State Fund to be sole State Fund; single budget and one general appropriation law, provided for, 1945, c. 33 (C. 52:9H–1 to 52:9H–4).

Chapter 9I. (new) COMMISSION ON STATE TAX POLICY.

Constitution, powers, duties, etc., suppl., 1945, c. 157, ss. 1-6 (C. 52:9I–1 to 52:9I–6).

Sec. 1 of above amended 1949, c. 6 (C. 52:9I–1).

Chapter 9J. (new) STATE BEACH EROSION COMMISSION.

Commission, appointment, duties, etc., 1949, c. 14 (C. 52:9J–1 to 52:9J–7).

Subtitle 2. LEGISLATURE.

Note: For requirement of submission of bills for appropriation, apportionment or payment of State funds to Emergency State Commission on State Fiscal Affairs, see 1943, c. 2 (T. 52, c. 20A).

Chapter 10. APPORTIONMENT AND ELECTION OF MEMBERS OF GENERAL ASSEMBLY.

R. S. 52:10–1 amended 1941, c. 310.

Chapter 10A. (new) SALARIES OF MEMBERS OF THE LEGISLATURE.

Members of Senate and General Assembly, annual compensation fixed, 1948, c. 16 (C. 52:10A-1).

Chapter 12. LEGISLATIVE MANUAL.

R. S. 52:12-2 amended 1953, c. 49, s. 1.

Chapter 13. LEGISLATIVE INVESTIGATIONS.

R. S. 52:13-12 amended 1953, c. 49, s. 2.

Chapter 13A. (new) IMPEACHMENT PROCEEDINGS.

Impeachments, procedure, payment of expenses, etc., provided for, suppl., 1951, c. 353 (C. 52:13A-1 to 52:13A-6).

Subtitle 3. EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS, OFFICERS AND EMPLOYEES.

Chapter 14. GENERAL PROVISIONS.

Note: For leave of absence for State employees for military service, see 1941, c. 119 (T. 38, c. 23), amended 1942, c. 327; for time of war service not to be counted in determining maximum age limits for appointment or election to State office, position, etc., see 1944, c. 98 (T. 38, c. 23A), amended 1946, c. 206; for certain discriminatory practices in employment and otherwise, prohibited and Division Against Discrimination in the State Department of Education, established, see 1945, c. 169 (T. 18, c. 25), amended 1947, c. 155, 1949, c. 11, 1951, c. 64, 1953, c. 18; for apprentice and on the job training programs for veterans in State Departments, provided for, see 1946, c. 162 (T. 38, c. 23A), amended 1952, c. 232.

Article 1. Co-operation between Departments.

Additional Legislation.

Interdepartmental transfer of employees, provided for, 1943, c. 216 (C. 52:14-6.1 to 52:14-6.3).

Article 2. Appointment, Qualifications, etc., of Officers and Employees in General.

Note: For qualification for public employment forbidding joining or maintaining membership in National Guard, Naval Militia or United States Armed Forces Reserve, invalidated, see 1949, c. 99 (T. 38, c. 22).

R. S. 52:14-7 amended 1953, c. 49, s. 3.

R. S. 52:14-9 " 1953, c. 49, s. 4.

R. S. 52:14-12 " 1953, c. 49, s. 5.

Article 3. Salaries, etc., of Officers and Employees in general.

Additional Legislation.

Deductions from salaries, etc., of employees, provided for, 1943, c. 69 (C. 52:14-15.1 to 52:14-15.4); 1943, c. 102 (C. 52:14-15.5 to 52:14-15.9).

Deductions for group, accident and sickness insurance premiums from compensation of State officers, employees, etc., authorized, 1946, c. 7 (C. 52:14–15.9a, 52:14–15.9b).

Sec. 1 of above amended 1947, c. 143 (C. 52:14–15.9a).

Salary increases and bonuses, provided for, 1943, c. 124 (C. 52:14–15.10 to 52:14–15.26).

Specific statutory maxima and minima of salaries and salary increases for State employees, abolished, salary ranges to be established by Civil Service Commission, 1945, c. 86 (C. 52:14–15.27 to 52:14–15.29).

Minimum salaries, full-time employees, increases, fixed, 1948, c. 115 (C. 52:14–15.30, 52:14–15.31).

Bonuses, salary ranges, etc., study, provided for, 1948, c. 116 (C. 52:14–15.32 to 52:14–15.43).

State employees, etc., readjustment of compensation for certain, provided for, 1949, c. 27 (C. 52:14–15.44 to 52:14–15.57).

Compensation schedule, State employees, 1950-1951, provided for, 1950, c. 252 (C. 52:14–15.58 to 52:14–15.63).

Compensation schedule, State employees, 1952-1953, provided for, 1952, c. 6 (C. 52:14–15.77 to 52:14–15.90).

Compensation schedule, State employees, 1951-1952, provided for, 1951, c. 50, ss. 1-13 (C. 52:14–15.64 to 52:14–15.76).

Compensation schedule, State employees, 1953-1954, provided for, 1953, c. 103 (C. 52:14–15.91 to 52:14–15.103).

Salary and tenure, etc., rights of person in State employ appointed to office by Governor, saved, 1941, c. 276 (C. 52:14–16.1).

Leave of absence from office on appointment to other office, 1947, c. 14 (C. 52:14–16.2).

Rate of mileage for use of private car by State officer or employee, fixed, 1943, c. 188 (C. 52:14–17.1).

Sec. 1 of above amended 1948, c. 306 (C. 52:14–17.1).

Article 3A. (new) Removal of Officers and Employees.

Additional Legislation.

Officers and employees removal by Governor, judicial review, provided for, 1948, c. 118 (C. 52:14–17.2 to 52:14–17.12).

Sec. 1 of above amended 1953, c. 49, s. 6 (C. 52:14–17.2).

Sec. 2 " " " 1953, c. 49, s. 7 (C. 52:14–17.3).

Sec. 3 of above amended 1953, c. 49, s. 8 (C. 52:14–17.4).

Sec. 4 " " repealed 1953, c. 49, s. 9. (C. 52:14–17.5).

Sec. 5 " " " 1953, c. 49, s. 10 (C. 52:14–17.6).

Sec. 6 " " " 1953, c. 49, s. 11 (C. 52:14–17.7).

Sec. 7 " " " 1953, c. 49, s. 12 (C. 52:14–17.8).

Sec. 8 " " " 1953, c. 49, s. 13 (C. 52:14–17.9).

Sec. 10 " " " 1953, c. 49, s. 14 (C. 52:14–17.11).

Sec. 11 " " amended 1953, c. 49, s. 15 (C. 52:14–17.12).

Article 3B. (new) Working Hours.

Note: For overtime wages, funds available for, 1952-1953, see 1952, c. 81(*).

Additional Legislation.

Work-week for State employees, provided, compensatory time off and overtime pay, regulated, 1951, c. 51, ss. 1-3 (C. 52:14–17.13 to 52:14–17.15).

Article 6. Investment of Moneys.

R. S. 52:14–31 amended 1948, c. 197; see 1947, c. 308 (C. 17:2–9.3, 17:2–9.4).

R. S. 52:14–32 " 1948, c. 94.

R. S. 52:14–33 " 1944, c. 13.

Article 8A. (new) Rationing Provisions.

Additional Legislation.

Ration bank accounts, etc., authority to establish and administer, provided for, 1943, c. 142 (C. 52:14–35.1).

Article 9. (new) Post-War Reserve Account.

Additional Legislation.

"Post-war reserve account" in general State fund, creation, etc., provided for, 1944, c. 218 (C. 52:14–36 to 52:14–39).

Chapter 15. GOVERNOR.

R. S. 52:15–3 amended 1945, c. 88.

Additional Legislation.

Examination and investigation of State departments, boards, bureaus or commissions by Governor; authorized, 1941, c. 16 (C. 52:15–7), amended 1941, c. 315.

Governor, legal counsel, provided for, suppl., 1947, c. 5 (C. 52:15–8).

Chapter 16. SECRETARY OF STATE AND REGISTER OF PREROGATIVE COURT.

R. S. 52:16–1 amended 1953, c. 49, s. 16.

R. S. 52:16–2 " 1953, c. 49, s. 17.

R. S. 52:16–3 " 1945, c. 90; 1953, c. 49, s. 18.

R. S. 52:16–4 " 1953, c. 49, s. 19.

R. S. 52:16–8 " 1953, c. 49, s. 20.

Chapter 16A. (new) DEPARTMENT OF STATE.

Department of State Act of 1948, 1948, c. 445 (C. 52:16A–1 to 52:16A–24).

Chapter 17. ATTORNEY GENERAL.

Note: For transfer of functions, powers and duties to Attorney-General in Department of Law and Public Safety, see 1948, c. 439, s. 5 (T. 52, c. 17B).

R. S. 52:17–1 to 52:17–11 repealed 1944, c. 20, s. 20.

Chapter 17A. (new) DEPARTMENT OF LAW.

Note: For functions, powers and duties transferred to Department of Law and Public Safety, see 1948, c. 439, s. 5 (T. 52, c. 17B).

Department of Law, established, powers, etc., 1944, c. 20, ss. 1-19 (C. 52:17A–1 to 52:17A–20).

Sec. 3 of above amended 1953, c. 369, s. 1 (C. 52:17A–3).

Sec. 4 " " " 1953, c. 49, s. 21 (C. 52:17A–4).

Sec. 5 " " " 1953, c. 49, s. 22 (C. 52:17A–5).

Sec. 6 " " " 1953, c. 369, s. 2 (C. 52:17A–6).

Sec. 7 " " " 1953, c. 369, s. 3 (C. 52:17A–7).

Sec. 8 of above amended 1953, c. 369, s. 4 (C. 52:17A-8).

Sec. 12 " " " 1953, c. 369, s. 5 (C. 52:17A-12).

Acting attorney general, designation, powers and duties, etc., provided for, 1948, c. 142 (C. 52:17A-3.1 to 52:17A-3.3).

Chapter 17B. (new) DEPARTMENT OF LAW AND PUBLIC SAFETY.

Note: For tenure, civil service, pension or retirement rights of classified State civil service employees assigned or transferred to Department of Law and Public Safety, protected, see 1952, c. 27 (T. 11, c. 11).

Department of Law and Public Safety Act of 1948, 1948, c. 439 (C. 52:17B-1 to 52:17B-54).

Board of pharmacy, compensation fixed, 1952, c. 329 (C. 52:17B-32.1, 52:17B-32.2).

Ophthalmic dispensing, practice of, regulated, State Board of Ophthalmic Dispensers and Ophthalmic Technicians, created, appointment, powers, duties, etc., suppl., 1952, c. 336 (C. 52:17B-41.1 to 52:17B-41.24).

Sec. 21 of above repealed 1953, c. 49, s. 23 (C. 52:17B-41.21).

Law Enforcement Council, appointment, powers and duties, suppl., 1952, c. 253 (C. 52:17B-43.1 to C. 52:17B-43.11).

Title of above amended 1953, c. 182, s. 1.

Sec. 1 " " " 1953, c. 182, s. 2 (C. 52:17B-43.1).

Sec. 2 " " " 1953, c. 182, ss. 3, 9 (C. 52:17B-43.2).

Sec. 6 " " " 1953, c. 182, s. 4 (C. 52:17B-43.6).

Sec. 7 " " " 1953, c. 182, s. 5 (C. 52:17B-43.7).

Sec. 8 " " " 1953, c. 182, s. 6 (C. 52:17B-43.8).

Sec. 10 " " " 1953, c. 182, s. 7 (C. 52:17B-43.10).

Sec. 11 " " " 1953, c. 182, s. 8 (C. 52:17B-43.11).

Terms "deputy attorney general" and "assistant attorney general," defined, suppl., 1953, c. 369, s. 6 (C. 52:17B-51.1).

Special board to consider charges of illegal practice of architecture by engineers and of engineering by architects, appointment, powers and duties, 1952, c. 307 (C. 52:17B-55 to 52:17B-65).

Chapter 18. STATE TREASURER.

Note: For certain employees under Civil Service, see 1946, c. 198 (T. 11, c. 4).

R. S. 52:18-1	amended	1945, c. 89; repealed 1948, c. 92, ss. 47, 49.
R. S. 52:18-2	repealed	1948, c. 92, ss. 47, 49.
R. S. 52:18-3	"	1948, c. 92, ss. 47, 49.
R. S. 52:18-4	"	1948, c. 92, ss. 47, 49.
R. S. 52:18-6	"	1948, c. 92, ss. 47, 49.
R. S. 52:18-7	"	1948, c. 92, ss. 47, 49.
R. S. 52:18-9	"	1948, c. 92, ss. 47, 49.
R. S. 52:18-12	"	1948, c. 92, ss. 47, 49.
R. S. 52:18-18	amended	1938, c. 173; 1938, c. 244; 1944, c. 79.
R. S. 52:18-22	repealed	1944, c. 112, art. 8, s. 10.
R. S. 52:18-23	"	1944, c. 112, art. 8, s. 10.

Additional Legislation.

Assistant to act as deputy during illness or absence of State Treasurer, 1939, c. 29 (C. 52:18-7.1).

State Treasurer's Seal, style and use, 1945, c. 93 (C. 52:18-10.1).

Checks issued by State Treasurer not presented for payment within six years, cancellation, disposition of funds, 1950, c. 60 (C. 52:18-20.1, 52:18-20.2).

Investment of certain moneys in United States securities, authorized, 1944, c. 148 (C. 52:18-25.1).

Unclaimed deposits for railroad construction, investment of by State Treasurer, authorized, 1947, c. 158 (C. 52:18-25.2 to 52:18-25.4).

Deposit of United States Bonds by the Treasurer in Federal Reserve Bank without the State, in certain cases, authorized, 1942, c. 348 (C. 52:18-35).

Chapter 18A. (new) DEPARTMENT OF THE TREASURY.

Note: For consolidated Police and Firemen's Pension Fund Commission, establishment, appointment and election, meetings, powers, duties, etc., provided for, see 1952, c. 358 (T. 43, c. 16).

"Department of the Treasury Act of 1948," 1948, c. 92 (C. 52:18A-1 to 52:18A-49).

Sec. 10 of above amended 1950, c. 61 (C. 52:18A-10).

Functions, powers and duties, certain, of former Commissioner of Taxation and Finance transferred to the Director of the Division of Budget and Accounting in the Department of Treasury, 1949, c. 8 (C. 52:18A-6.1, 52:18A-6.2).

State lands, certain, leased to municipalities or park authorities for public parking purposes, terms, etc., authorized and provided for, 1949, c. 132 (C. 52:18A-19.1).

Functions, powers and duties of Division of Architecture, Construction and Maintenance, in Department of Institutions and Agencies, transferred to Division of Purchase and Property, 1950, c. 227 (C. 52:18A-19.2 to 52:18A-19.4).

Cafeterias on State property, establishment, operation and maintenance by Division of Purchase and Property, authorized, 1951, c. 312, ss. 1-6 (C. 52:18A-19.5 to 52:18A-19.10).

Records of Department of the Treasury, certain, destruction of, authorized, 1952, c. 208 (C. 52:18A-30.1).

State Office Building Authority Act of 1950, 1950, c. 255 (C. 52:18A-50 to 52:18A-78).

Title of above amended 1952, c. 224, s. 1.

Sec. 1 " " " 1952, c. 224, s. 2 (C. 52:18A-50).

Sec. 2 " " " 1952, c. 224, s. 3 (C. 52:18A-51).

Sec. 3 " " " 1952, c. 224, s. 4; 1953, c. 91 (C. 52:18A-52).

Sec. 11 " " " 1952, c. 224, s. 5 (C. 52:18A-60).

Sec. 12 " " " 1952, c. 224, s. 6 (C. 52:18A-61).

Sec. 14 " " repealed 1952, c. 224, s. 7 (C. 52:18A-63).

Sec. 15 " " " 1952, c. 224, s. 8 (C. 52:18A-64).

Sec. 16 " " amended 1953, c. 49, s. 24 (C. 52:18A-65).

Sec. 29 " " " 1952, c. 224, s. 9 (C. 52:18A-78).

Division of Investment created, powers and duties prescribed, 1950, c. 270 (C. 52:18A-79 to 52:18A-94).

Sec. 5 of above amended 1952, c. 272, ss. 1, 3 (C. 52:18A-83).

Sec. 8 of above amended 1952, c. 272, ss. 2, 3; 1953, c. 115 (C. 52:18A-86).

Sec. 11 " " " 1952, c. 8 (C. 52:18A-89).

Chapter 19. STATE COMPTROLLER.

Note: For act placing chief auditor under Civil Service, see 1939, c. 219 (T. 11, c. 4); for transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; for continuation of the office of State Comptroller in the Division of Budget and Accounting in the Department of the Treasury and designating the Director of said Division as State Comptroller, see 1948, c. 92, s. 7 (T. 52, c. 18A).

Article 1. In General.

R. S. 52:19-1	repealed	1948, c. 92, ss. 47, 49.
R. S. 52:19-3	"	1948, c. 92, ss. 47, 49.
R. S. 52:19-4	"	1948, c. 92, ss. 47, 49.
R. S. 52:19-6 to 52:19-9	"	1948, c. 92, ss. 47, 49.
R. S. 52:19-16 to 52:19-28	"	1944, c. 112, art. 8, s. 10.

Additional Legislation.

State central payroll system, installation, etc., authorized, 1942, c. 291 (C. 52:19-28.3).

Article 2. Division of Accounting.

R. S. 52:19-29 to 52:19-36	repealed	1944, c. 112, art. 8, s. 10.

Article 3. (new) Auditing and Preauditing Force.

Additional Legislation.

Auditing and preauditing force under tenure of office, 1939, c. 222 (NJSA 52:19-36.1, 52:19-36.2; RSCS 52:19-11.2, 52:19-11.3).

Chapter 20. STATE HOUSE COMMISSION.

Note: For State House supervisor of mails under Civil Service, see 1940, c. 15 (T. 11, c. 4); for convening and voting of State House Commission on voting machines, see 1940, c. 197, s. 2 (T. 19, c. 48); for transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1; 1946, c. 199, 1953, c. 49; for legal aid to police officers and firemen in suits arising from incidents in line of duty, provided for, see 1946, c. 67 (T. 40, c. 11), amended 1947, c. 103.

R. S. 52:20-1	amended	1953, c. 85, s. 1.
R. S. 52:20-3	repealed	1944, c. 112, art. 8, s. 10.

R. S. 52:20-6 amended 1953, c. 85, s. 2.

R. S. 52:20-8 to 52:20-12 repealed 1944, c. 112, art. 8, s. 10.

R. S. 52:20-16 " 1944, c. 112, art. 8, s. 10.

Additional Legislation.

Compensation of chief and members of State Capitol police force, 1938, c. 389 (C. 52:20-26, 52:20-27), suppl., 1939, c. 77 (C. 52:20-28).

Chapter 20A. (new) EMERGENCY STATE COMMISSION ON STATE FISCAL AFFAIRS.

Commission established, powers, duties, etc., 1943, c. 2 (C. 52:20A-1 to 52:20A-9).

Chapter 21. STATE PLANNING BOARD.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85 (T. 52, c. 27C), amended 1945, c. 128; for transfer of powers, duties and functions to the Department of Conservation and Economic Development, see 1948, c. 448, s. 6 (T. 13, c. 1B).

R. S. 52:21-1 to 52:21-11 repealed 1944, c. 85, s. 52.

Chapter 22. STATE BUDGET AND STATE BUDGET COMMISSIONER.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1; 1946, c. 199, 1953, c. 49; for fiscal year, Highway Department, fixed, see 1944, c. 159 (T. 27, c. 1); for Governor's Budget Message to contain all appropriations recommended under one budget, see 1945, c. 33 (T. 52, c. 9H); for Division of Budget and Accounting in the State Department of Taxation and Finance continued as a division of the Department of the Treasury, see 1948, c. 92, s. 4 (T. 52, c. 18A).

R. S. 52:22-1 to 52:22-22 repealed 1944, c. 112, art. 8, s. 10.

The following sections of the foregoing were amended prior to being repealed as aforesaid:

R. S. 52:22-4 amended 1940, c. 80.
R. S. 52:22-11 " 1941, c. 407.
R. S. 52:22-20 " 1938, c. 13.

Additional Legislation.

Transfer by Comptroller of certain appropriations, etc., 1940, c. 35 (NJSA 52:22-16.1, 52:22-16.2; RSCS 52:19-28.1, 52:19-28.2).

Chapter 23. COMMISSIONER OF FINANCE.

Note: For transfer of functions, powers and duties to State Department of Taxation and Finance and to Division of Budget and Accounting in the Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 6 (T. 52, c. 18A).

R. S. 52:23–1 to 52:23–15 repealed 1944, c. 112, art. 8, s. 10.

R. S. 52:23–16 amended 1942, c. 67; repealed 1944, c. 112, art. 8, s. 10.

Chapter 24. STATE AUDITOR.

Note: For transfer of certain powers and duties of State Auditor to State Department of Local Government, to State Department of Taxation and Finance, and to Division of Local Government in the Department of the Treasury, see 1938, c. 158, s. 17 (T. 52, c. 27A), 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92 (T. 52, c. 18A).

R. S. 52:24–2 amended 1948, c. 29, s. 1.

R. S. 52:24–4 " 1948, c. 29, s. 2.

R. S. 52:24–6 " 1948, c. 29, s. 3.

R. S. 52:24–11 repealed 1947, c. 151, s. 97.

R. S. 52:24–12 to 52:24–18 " 1938, c. 159, s. 29.

R. S. 52:24–19 " 1948, c. 29, s. 4.

R. S. 52:24–19.1 " 1948, c. 29, s. 4.

R. S. 52:24–20 to 52:24–27 " 1938, c. 159, s. 29.

Additional Legislation.

Uncollectible items payable to clerk of Superior Court, cancellation, provided for, suppl., 1953, c. 293 (C. 52:24–10.1).

Chapter 25. STATE PURCHASING DEPARTMENT.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; for Division of Purchase and Property in the State Department of Taxation and Finance continued as a division of the Department of the Treasury, see 1948, c. 92, s. 16 (T. 52, c. 18A).

R. S. 52:25–1 amended 1949, c. 69.

R. S. 52:25–7 to 52:25–9 repealed 1944, c. 112, art. 8, s. 10.

R. S. 52:25–10 amended 1942, c. 175; repealed 1944, c. 112, art. 8, s. 10.

R. S. 52:25–15 repealed 1944, c. 112, art. 8, s. 10.

R. S. 52:25–17 to 52:25–22 repealed 1944, c. 112, art. 8, s. 10.

R. S. 52:25–24 " 1944, c. 112, art. 8, s. 10.

Additional Legislation.

Bidders required to show financial responsibility and ability to furnish materials, etc., suppl., 1942, c. 176 (C. 52:25–24.1).

Chapter 26. STATE LIBRARY AND PUBLIC LIBRARY COMMISSION.

Note: For transfer of functions, powers, duties, etc., of State Library and Public Library Commission to Division of the State Library, Archives and History in the Department of Education, see 1945, c. 50, s. 16 (T. 18, c. 24), amended 1949, c. 97.

R. S. 52:26–1 repealed 1945, c. 50, s. 22.

R. S. 52:26–3.1 amended 1953, c. 49, s. 25.

R. S. 52:26–4 repealed 1945, c. 50, s. 22.

R. S. 52:26–5 amended 1953, c. 49, s. 26.

R. S. 52:26–6 repealed 1945, c. 50, s. 22.

R. S. 52:26–7 " 1945, c. 50, s. 22.

R. S. 52:26–14 to 52:26–20 " 1945, c. 50, s. 22.

Chapter 27. MUNICIPAL FINANCE COMMISSION.

Note: For transfer of functions, powers and duties of State Tax Commissioner to the Division of Taxation in the State Department of Taxation and Finance and continued as a Division in the Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 6 (T. 52, c. 18A).

For bonds for veterans housing to be issued notwithstanding provisions of this act, see 1950, c. 204 (T. 55, c. 14G).

R. S. 52:27–1 amended 1947, c. 119, ss. 1, 6.

R. S. 52:27–2 " 1953, c. 49, s. 27.

R. S. 52:27–3 " 1953, c. 49, s. 28.

R. S. 52:27–4 " 1947, c. 119, ss. 2, 6.

R. S. 52:27–5 " 1947, c. 119, ss. 3, 6; 1953, c. 49, s. 29.

R. S. 52:27–6 " 1953, c. 49, s. 30.

R. S. 52:27–12 " 1953, c. 49, s. 31.

R. S. 52:27–17 " 1947, c. 54, s. 1.

R. S. 52:27–20 " 1941, c. 50, s. 1.

R. S. 52:27–23.1 " 1938, c. 202, s. 1; 1939, c. 47, s. 1; 1953, c. 49, s. 32.

R. S. 52:27–25	amended	1947, c. 54, s. 2.
R. S. 52:27–29.1	"	1938, c. 202, s. 2; 1953, c. 49, s. 33.
R. S. 52:27–31	"	1941, c. 50, s. 2; 1947, c. 54, s. 3.
R. S. 52:27–32.1	"	1953, c. 49, s. 34.
R. S. 52:27–33	"	1953, c. 49, s. 35.
R. S. 52:27–33.2	"	1953, c. 49, s. 36.
R. S. 52:27–33.3	"	1953, c. 49, s. 37.
R. S. 52:27–34	"	1953, c. 49, s. 38.
R. S. 52:27–35	repealed	1953, c. 49, s. 39.
R. S. 52:27–36	amended	1953, c. 49, s. 40.
R. S. 52:27–38	"	1953, c. 49, s. 41.
R. S. 52:27–40	"	1938, c. 243, s. 1.
R. S. 52:27–42	"	1938, c. 243, s. 2.
R. S. 52:27–43	"	1946, c. 31.
R. S. 52:27–44	"	1938, c. 243, s. 3; 1947, c. 54, s. 4.
R. S. 52:27–51	"	1939, c. 47, s. 2; 1953, c. 49, s. 47.
R. S. 52:27–58	"	1953, c. 49, s. 48.
R. S. 52:27–61	"	1947, c. 119, ss. 4, 6; 1948, c. 156, s. 2.
R. S. 52:27–62	"	1953, c. 49, s. 49.
R. S. 52:27–63	"	1953, c. 49, s. 50.

Additional Legislation.

Issuance of scrip or tax anticipation notes or bonds by municipalities under Municipal Finance Commission without approval, prohibited, suppl., 1938, c. 169 (C. 52:27–22.1, 52:27–22.2).

Compromise by certain counties of claims for taxes for State, State school or county purposes, etc., authorized, suppl., 1946, c. 35 (C. 52:27–39.1 to 52:27–39.5).

Readjustment of debt; issuance of funding or refunding warrants, etc.; bankrupt municipalities, 1939, c. 56 (NJSA 52:27–45.1 to 52:27–45.9; RSCS 52:27–40.1 to 52:27–40.9).

Sec. 1 of above amended 1953, c. 49, s. 42 (C. 52:27–45.1).

Sec. 3 " " " 1953, c. 49, s. 43 (C. 52:27–45.3).

Sec. 5 of above amended 1953, c. 56, s. 5 (C. 52:27-45.5).

Sec. 6 " " " 1953, c. 56, s. 6 (C. 52:27-45.6).

Sec. 8 " " " 1953, c. 49, s. 46 (C. 52:27-45.8).

Issuance of warrants of different denominations in exchange for warrants previously issued, suppl., 1941, c. 62 (C. 52:27-45.10, 52:27-45.11).

Chapter 27A. (new) STATE DEPARTMENT OF LOCAL GOVERNMENT.

Note: For changes in local budget law to conform with establishment of State Department of Local Government, see 1938, c. 128 (T. 40, c. 2), amended 1947, c. 116; for transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49.

For transfer of the Division of Local Government, the Local Government Board of said Division, and the Director of said Division in the State Department of Taxation and Finance to, and the continuation thereof in, the Division of Local Government in the Department of the Treasury, see 1948, c. 92, ss. 20-23 (T. 52, c. 18A).

Article 1. (new) In General.

Local Government Act (1938), 1938, c. 158 (NJSA 52:27A-1 to 52:27A-34, RSCS 52:24A-1 to 52:24A-34).

Secs. 1-7 of above repealed 1947, c. 151, s. 98 (NJSA 52:27A-1 to 52:27A-7; RSCS 52:24A-1 to 52:24A-7).

Sec. 8 " " " 1944, c. 112, art. 8, s. 10 (NJSA 52:27A-8; RSCS 52:24A-8).

Sec. 9 " " " 1947, c. 151, s. 98 (NJSA 52:27A-9; RSCS 52:24A-9).

Sec. 10 " " " 1947, c. 151, s. 98 (NJSA 52:27A-10; RSCS 52:24A-10).

Sec. 11 " " amended 1942, c. 39; repealed 1947, c. 151, s. 98 (NJSA 52:27A-11; RSCS 52:24A-11).

Sec. 12 " " repealed 1944, c. 112, art. 8, s. 10; 1947, c. 151, s. 98 (NJSA 52:27A-12; RSCS 52:24A-12).

Secs. 13–16 of above repealed 1947, c. 151, s. 98 (NJSA 52:27A–13 to 52:27A–16; RSCS 52:24A–13 to 52:24A–16).

Secs. 18–34 " " " 1947, c. 151, s. 98 (NJSA 52:27A–18 to 52:27A–34; RSCS 52:24A–18 to 52:24A–34).

Powers, etc., Funding Commission, vested in Local Government Board, 1939, c. 384 (NJSA 52:27A–19.1; RSCS 52:24A–15.2).

Chapter 27B. (new) STATE DEPARTMENT OF TAXATION AND FINANCE.

Note: For functions, powers and duties of State Department of Taxation and Finance transferred to the Department of the Treasury, see 1948, c. 92, s. 32 (T. 52, c. 18A); for certain functions, powers and duties of former Commissioner of Taxation and Finance transferred to the Director of the Division of Budget and Accounting in the Department of the Treasury, see 1949, c. 8 (T. 52, c. 18A).

State Department of Taxation and Finance, establishment, organization and functions, provided for, 1944, c. 112 (C. 52:27B–1 to 52:27B–85).

Art. 3, sec. 11 of above amended 1953, c. 49, s. 51 (C. 52:27B–15).

Art. 3, sec. 11 " " " 1946, c. 1; 1946, c. 199 (C. 52:27B–20).

Cancellation of uncollectible claims for the grant, lease or rental of riparian lands, suppl., 1945, c. 120 (C. 52:27B–9.1).

State Purchase Revolving Fund, use to acquire Federal surplus property, authorized, 1946, c. 144 (C. 52:27B–68.1, 52:27B–68.2).

Chapter 27BB. (new) DEPARTMENT OF TAXATION AND FINANCE—DIVISION OF LOCAL GOVERNMENT.

Note: For Local Government Board and the Division of Local Government in the State Department of Taxation and Finance continued as a board and division in the Department of the Treasury, see 1948, c. 92, s. 20 (T. 52, c. 18A); for budget filed out of time receipt by Division of Local Government, Department of the Treasury, certain cases, authorized, see 1949, c. 121 (T. 40, c. 2).

"Local Government Supervision Act (1947)," revision, 1947, c. 151 (C. 52:27BB–1 to 52:27BB–100).

Sec. 17 of above amended 1953, c. 49, s. 52 (C. 52:27BB–17).

Sec. 19 " " " 1953, c. 49, s. 53 (C. 52:27BB–19).

Sec. 20 " " " 1953, c. 49, s. 54 (C. 52:27BB–20).

Chapter 27C. (new) DEPARTMENT OF ECONOMIC DEVELOPMENT.

Note: For veterans' loans see 1944, c. 126, amended 1950, c. 216; 1945, c. 185, 1946, c. 121; 1946, c. 134; 1947, c. 189; 1947, c. 190; 1951, c. 89 (T. 38, c. 23B); for transfer of functions, powers and duties to Department of Conservation and Economic Development, see 1948, c. 448, amended 1951, c. 179 (T. 13, c. 1B); for civil service status of certain employees classified as veterans, see 1948, c. 435 (T. 11, c. 4).

Department of Economic Development, establishment, functions, powers and duties, provided for, 1944, c. 85 (C. 52:27C–1 to 52:27C–53).

Sec. 3 of above amended 1945, c. 128, s. 1 (C. 52:27C–3).

Sec. 4 " " " 1945, c. 128, s. 2 (C. 52:27C–4).

Sec. 41 " " see 1952, c. 347 (C. 52:27C–41).

Standard building code, preparation of amendment, etc., by department, adoption by municipalities, counties and State agencies, interpretation, approval of use of structural materials, appliances, etc., provided for, suppl., 1946, c. 120 (C. 52:27C–54 to 52:27C–60).

Subtitle 4. TERRITORY, JURISDICTION AND PROPERTY.

Chapter 28. TERRITORIAL LIMITS AND JURISDICTION.

R. S. 52:28–33 amended 1953, c. 49, s. 55.

Chapter 30. CESSIONS TO THE UNITED STATES.

R. S. 52:30–3 repealed 1944, c. 54.

R. S. 52:30–4 amended 1953, c. 49, s. 56.

R. S. 52:30–5 repealed 1953, c. 49, s. 57.

R. S. 52:30–7 amended 1953, c. 49, s. 58.

R. S. 52:30–8 repealed 1953, c. 49, s. 59.

R. S. 52:30–9 amended 1953, c. 49, s. 60.

R. S. 52:30–10 " 1953, c. 49, s. 61.

Chapter 31. STATE PROPERTY IN GENERAL.

Note: For powers of State Department of Taxation and Finance over State property, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; for functions, powers and duties of State Department of Taxation and Finance transferred to the Department of the Treasury, see 1948, c. 92, s. 32 (T. 52, c. 18A).

Article 1. Right-of-Way Over State Lands.

R. S. 52:31–1 repealed 1944, c. 112, art. 8, s. 10.

Article 2. Insurance on State Property.

R. S. 52:31–7 repealed **1944, c. 112, art. 8, s. 10.**

R. S. 52:31–9 to 52:31–11 " 1944, c. 112, art. 8, s. 10.

Article 5. (new) State Capitol Building Commission.

Additional Legislation.

Constitution, functions, powers and duties of Commission, prescribed, 1945, c. 310 (C. 52:31–16 to 52:31–22).

Subtitle 5. PUBLIC WORKS, CONTRACTS AND PRINTING.

Chapter 32. GENERAL PROVISIONS.

R. S. 52:32–3 amended 1948, c. 293.

Chapter 34. CONTRACTS IN EXCESS OF ONE THOUSAND DOLLARS.

R. S. 52:34–2 amended 1951, c. 115.

R. S. 52:34–3 " 1942, c. 178.

Chapter 35. CLASSIFICATION OF BIDDERS.

Note: For bidders required to show financial responsibility and ability to furnish materials, etc., see 1942, c. 176 (T. 52, c. 25).

Chapter 36. PUBLIC PRINTING.

R. S. 52:36–3 amended 1942, c. 177; 1948, c. 185.

Title 53. STATE POLICE.

Note: For reports of thefts of motor vehicles and registration plates and of recovery of same to be made to superintendent of State Police, see 1938, c. 352 (T. 39, c. 3); for legal aid to police officers and firemen in suits arising from incidents in line of duty, provided for, see 1946, c. 67 (T. 40, c. 11), amended 1947, c. 103; for Department of State Police continued as the Division of State Police in the Department of Law and Public Safety, see 1948, c. 439 (T. 52, c. 17B).

For copies, reports of motor vehicle accidents, etc., to be furnished by State Police, see 1952, c. 117 (T. 53, c. 2).

For reports of narcotic drug cases to State Police by physicians required, see 1953, c. 190 (T. 24, c. 18).

Chapter 1. ORGANIZATION AND PERSONNEL.

Article 1. Department of State Police.

R. S. 53:1–2 amended 1941, c. 193; 1945, c. 85, s. 1; 1947, c. 65, s. 1.

R. S. 53:1–3 " 1945, c. 85, s. 2; 1947, c. 65, s. 2.

R. S. 53:1–4 " 1947, c. 65, s. 4.

R. S. 53:1–5 " 1947, c. 65, s. 5.

R. S. 53:1–6 " 1945, c. 85, s. 3; 1950, c. 154, s. 1.

R. S. 53:1–7 " 1941, c. 283; 1945, c. 85, s. 4.

R. S. 53:1–9 " 1945, c. 247.

Additional Legislation.

Executive officer, authorized, 1947, c. 65, s. 3 (C. 53:1–3.1).

Rank and grade of employees, change of, number of personnel, increase of, authorized, suppl., 1950, c. 154, s. 3 (C. 53:1–5.2).

Leaves of absence, without pay, for emergency appointees to special duty in F. B. I., authorized, employment protected, suppl., 1951, c. 117, ss. 1-4 (C. 53:1–9.1 to 53:1–9.4).

Article 2. State Bureau of Identification.

Note: For registration of persons convicted of crimes or offenses relating to narcotic drugs with, and reporting by such persons to, the State Police under certain circumstances provided for, see 1952, c. 230 (T. 2A, c. 169).

R. S. 53:1–12 amended 1940, c. 103, s. 1 (title amended 1941, c. 271).

R. S. 53:1–15 " 1952, c. 93.

Additional Legislation.

Identification of criminals, reports and file of criminal proceedings, suppl., 1939, c. 78 (NJSA 53:1-20.1, 53:1-20.2; RSCS 53:1-13.1, 53:1-13.2).

Notice of release, etc., of prisoners to bureaus of identification, police departments, etc., required, suppl., 1940, c. 65 (NJSA 53:1-20.3, 53:1-20.4; RSCS 53:1-13.3, 53:1-13.4).

Fingerprinting, photographing, etc., of persons arrested for offenses relating to narcotic drugs and report of disposition of prosecution for such offenses, to State Bureau of Identification, provided for, suppl., 1952, c. 92 (C. 53:1-18.1 to 53:1-18.4).

Article 5. Persons Employed for Special Purposes.

R. S. 53:1-23 amended 1950, c. 154, s. 2.

R. S. 53:1-24 " 1940, c. 103, s. 2 (title amended 1941, c. 271).

R. S. 53:1-25 " 1940, c. 103, s. 3 (title amended 1941, c. 271).

Article 6. Reduction in Personnel.

R. S. 53:1-26 1932, c. 216, repealed 1947, c. 65, s. 7.

Article 7. (new) Disposition of Unclaimed Property and Money.

Additional Legislation.

Personal property and moneys acquired by State Police by finding or after theft or robbery, unclaimed after six months, disposition of provided for, suppl., 1946, c. 290 (C. 53:1-26.1).

Article 8. (new) Training Schools, etc., for Members and Other Law Enforcement Officers.

Additional Legislation.

Training facilities for State and other police, authorized, suppl., 1947, c. 65, ss. 6, 7 (C. 53:1-27, 53:1-28).

Article 9. (new) Temporary Employees.

Military service, inclusion of time of in years of service, for temporary appointees, authorized, 1951, c. 172 (C. 53:1-29).

Chapter 2. POWERS AND DUTIES.

Note: For disposition of personal property and moneys acquired by State Police by finding or after theft or robbery, unclaimed after six months, see 1946, c. 290 (T. 53, c. 1); for storing, handling, transporting, utilizing and odorization of liquefied petroleum gas, regulated, see 1950, c. 139 (T. 21, c. 1B), amended 1953, c. 21.

R. S. 53:2-1 amended 1940, c. 198.

Additional Legislation.

Reports and information relating to automobile accidents or other casualties, on file with State Police, copies, when furnished, fees, etc., provided for, suppl., 1952, c. 117 (C. 53:2-3).

Chapter 3. HOUSING, EQUIPMENT, AND EXPENSES.

R. S. 53:3-9 amended 1940, c. 103, s. 4 (title amended 1941, c. 271).

Chapter 4. DEPARTMENT'S INVESTIGATION INTO CONDUCT OF ITS MEMBERS.

R. S. 53:4-2 amended 1953, c. 50, s. 1.

R. S. 53:4-3 repealed 1953, c. 50, s. 2.

Chapter 5. STATE POLICE RETIREMENT AND BENEVOLENT FUND.

Additional Legislation.

Reinstatement of certain members of State Police in State Police Retirement and Benevolent Fund, provided for, suppl., 1952, c. 31 (C. 53:5-1.1).

Members of department, certain, retirement on pension provided for, suppl., 1949, c. 251 (C. 53:5-2.1, 53:5-2.2).

Widows of retired members, certain, pension provided for, suppl., 1953, c. 383 (C. 53:5-2.2a).

Compulsory retirement of members of State Police in certain cases, suppl., 1952, c. 39 (C. 53:5-2.3).

Title 54. TAXATION.

Note: For exemption of credit unions from chapters 4, 33, 34, 35, 36 and 37 of this Title, see 1938, c. 293 (T. 17, c. 13), amended 1941, c. 254, 1941, c. 421, 1946, c. 285, 1948, c. 225, 1951, c. 180, 1953, c. 17; for municipal sales tax, imposition by ordinance, certain seaside cities, authorized, see 1945, c. 156 (T. 40, c. 48).

For transfer of functions, powers and duties of State Tax Department and Commissioner to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B) amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 24 (T. 52, c. 18A).

Subtitle 1. DEPARTMENT AND BOARDS FOR THE REVIEW, ASSESSMENT AND COLLECTION OF TAXES.

Chapter 1. STATE TAX DEPARTMENT AND COMMISSIONER.

Note: For transfer of powers and duties to State Department of Taxation and Finance, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49.

R. S. 54:1–3 to 54:1–5	repealed	1944, c. 112, art. 8, s. 10.
R. S. 54:1–15	see	1939, c. 167 (C. 40:146–27 to 40:146–29).
R. S. 54:1–17	amended	1953, c. 51, s. 1.
R. S. 54:1–35	"	1938, c. 279.
R. S. 54:1–37	"	1953, c. 51, s. 2.
R. S. 54:1–38	repealed	1953, c. 51, s. 3.
R. S. 54:1–39	amended	1953, c. 51, s. 4.

Chapter 2. STATE BOARD OF TAX APPEALS.

Note: For credit for reduction in taxes paid by mortgagee before or pending appeal, see 1938, c. 152 (T. 54, c. 4); for transfer of State Board of Tax Appeals to State Department of Taxation and Finance, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; for State Board of Tax Appeals as constituted the Division of Tax Appeals in the State Department of Taxation and Finance continued as a division in the Department of the Treasury, see 1948, c. 92, s. 26 (T. 52, c. 18A).

Article 1. Constitution and General Powers.

R. S. 54:2–3	amended	1946, c. 161, s. 1.
R. S. 54:2–7	"	1947, c. 290.
R. S. 54:2–8	"	1946, c. 161, s. 2.
R. S. 54:2–14	"	1946, c. 161, s. 3.

Article 2. Taking of Testimony.

R. S. 54:2-16	amended	1941, c. 143, s. 1.
R. S. 54:2-17	"	1953, c. 51, s. 5.
R. S. 54:2-18	"	1941, c. 143, s. 2; 1946, c. 161, s. 4.
R. S. 54:2-21	"	1953, c. 51, s. 6.
R. S. 54:2-22 to 54:2-32	repealed	1953, c. 51, ss. 7-17.

Article 3. Appeal and Review.

R. S. 54:2-33	amended	1946, c. 161, s. 5.
R. S. 54:2-34	"	1946, c. 161, s. 6.
R. S. 54:2-35	"	1946, c. 161, s. 7.
R. S. 54:2-37	"	1951, c. 113.
R. S. 54:2-39	"	1944, c. 240; 1946, c. 161, s. 8.
R. S. 54:2-40	"	1945, c. 95; 1946, c. 161, s. 9; 1947, c. 246.
R. S. 54:2-41	"	1946, c. 161, s. 10.

Additional Legislation.

Petitions of appeal, fees payable on filing, fixed, 1946, c. 161, s. 16 (C. 54:2-40.1); see 1947, c. 98 (C. 54:2-44 to 54:2-47).

Petitions of appeal, amendment of, provided for, 1946, c. 161, s. 11 (C. 54:2-40.2).

Petitions of appeal, pleadings, etc., execution and filing, provided for, 1946, c. 161, s. 12 (C. 54:2-40.3).

Evidence of true consideration or sales price of property not stated in deeds or conveyances, provided for, 1946, c. 161, s. 15 (C. 54:2-40.4).

Judgments by consent in appeals from county board, prerequisites to entering, prescribed, 1946, c. 161, s. 13 (C. 54:2-42).

Final judgments, conclusiveness, provided for, 1946, c. 161, s. 14 (C. 54:2-43).

Article 4. (new) Fees.

Additional Legislation.

Fees for filing appeals to Division of Tax Appeals, 1947, c. 98 (C. 54:2-44 to 54:2-47).

Chapter 3. COUNTY BOARDS OF TAXATION.

Note: For credit for reduction in taxes by mortgagee before or pending appeal, see 1938, c. 152 (T. 54, c. 4).

R. S. 54:3-2 amended 1940, c. 113, s. 1.

R. S. 54:3-3 " 1940, c. 113, s. 2; 1941, c. 142.

R. S. 54:3-6 " 1939, c. 217; 1953, c. 197.

R. S. 54:3-7 " 1944, c. 189, s. 1.

R. S. 54:3-9 " 1944, c. 189, s. 2.

R. S. 54:3-10 " 1944, c. 189, s. 3.

R. S. 54:3-20 " 1947, c. 413, ss. 13, 17.

R. S. 54:3-21 " 1945, c. 125.

R. S. 54:3-22 " 1946, c. 161, s. 17.

R. S. 54:3-23 " 1953, c. 51, s. 18.

R. S. 54:3-26 " 1946, c. 161, s. 18.

R. S. 54:3-27 " 1938, c. 151.

Additional Legislation.

Hearing before single member of board, 1940, c. 113, s. 3 (NJSA 54:3-20.1; RSCS 54:3-22.1).

Fee for filing petition of appeal, certain cases; first class counties, 1940, c. 71 (C. 54:3-21.1).

Sec. 1 of above amended 1943, c. 61.

Fees for filing appeals to county boards of taxation, suppl., 1947, c. 93 (C. 54:3-21.3).

Title of above amended 1948, c. 140.

Subtitle 2. TAXATION OF REAL AND PERSONAL PROPERTY IN GENERAL.

Chapter 4. ASSESSMENT AND COLLECTION OF TAXES.

Note: For payment of taxes pending appeal, see R. S. 54:3-27 as amended 1938, c. 151; for exemption of certain assets of credit unions from taxes, see 1938, c. 293, s. 46 (T. 17, c. 13); for exemption of funds of hospital service corporations from certain taxes, see 1938, c. 366, s. 18 (T. 17, c. 48); for extension of time for collection, installment payments, etc., of certain delinquent municipal taxes and liens, see 1938, c. 139; 1939, c. 88; 1940, c. 14; 1941, c. 36; 1942, c. 27; 1943, c. 7; for exemption of lands of Palisades Interstate Park Commission, compensation to municipalities for loss of tax revenue therefrom, provided for, see 1947, c. 73 (T. 54, c. 4A); for compensation to municipalities for loss of tax revenue, where lands taken for park purposes, in certain cases, provided for, see 1947, c. 382 (T. 40, c. 37), amended 1948, c. 271.

Article 1. Persons and Property Subject to Taxation.

R. S. 54:4–1 amended 1942, c. 281, s. 1; 1943, c. 120, s. 1; 1945, c. 163, ss. 1, 9, 10; 1946, c. 159; 1946, c. 242, ss. 1, 2; 1947, c. 413, ss. 14, 17.

R. S. 54:4–2.1 " 1944, c. 151.

Additional Legislation.

Nonexempt leasehold interest in exempt real estate, taxation of, provided for, suppl., 1949, c. 177 (C. 54:4–2.3 to 54:4–2.13).

Article 2. Persons and Property Exempt from Taxation.

Note: For acquisition, use and disposition, by municipalities, of property to extinguish exemption from local taxation, provided for, see 1944, c. 206 (T. 40, c. 60); for exemption of Delaware-New Jersey Crossing and revenues thereof from taxation, see 1946, c. 18 (T. 32, c. 11B).

R. S. 54:4–3 repealed 1945, c. 163, ss. 2, 9, 10.

R. S. 54:4–3.1 " 1945, c. 163, ss. 2, 9, 10.

R. S. 54:4–3.2 " 1945, c. 163, ss. 2, 9, 10.

R. S. 54:4–3.3 amended 1944, c. 24, s. 1; 1950, c. 269.

R. S. 54:4–3.5 " 1944, c. 24, s. 2.

R. S. 54:4–3.6 " 1941, c. 243; 1949, c. 85.

R. S. 54:4–3.8 repealed 1945, c. 163, ss. 2, 9, 10.

R. S. 54:4–3.9 amended 1947, c. 235; 1948, c. 290.

R. S. 54:4–3.12 repealed 1951, c. 184, ss. 12, 13.

R. S. 54:4–3.14 " 1945, c. 163, ss. 2, 9, 10.

R. S. 54:4–3.16 amended 1950, c. 185.

R. S. 54:4–3.17 repealed 1945, c. 163, ss. 2, 9, 10.

R. S. 54:4–3.22 " 1945, c. 163, ss. 2, 9, 10.

R. S. 54:4–3.23 amended 1938, c. 390; repealed 1945, c. 163, ss. 2, 9, 10.

R. S. 54:4–3.24 " 1953, c. 65.

Additional Legislation.

Veterans tax exemptions, procedure for allowance, etc., provided, 1951, c. 184, ss. 1-13 (C. 54:4–3.12i to 54:4–3.12u).

Sec. 1 of above amended 1952, c. 231 (C. 54:4–3.12i).

Exemption from taxation extended to certain charitable organizations, suppl., 1942, c. 10 (C. 54:4–3.27).

Exemption of growing crops, nursery stock, etc., provided for, suppl., 1943, c. 63 (C. 54:4-3.28).

Veterans' loans, certain, held by savings banks, exempt from taxation, suppl., 1945, c. 80 (C. 54:4-3.29).

Exemption of dwelling houses, etc., of certain disabled veterans, provided for, suppl., 1948, c. 259 (C. 54:4-3.30 to 54:4-3.33).

Sec. 1 of above amended 1949, c. 172, s. 1; 1951, c. 200; 1952, c. 233 (C. 54:4-3.30).

Sec. 2 " " " 1949, c. 172, s. 2 (C. 54:4-3.31).

Sec. 4 " " " 1949, c. 172, s. 3 (C. 54:4-3.33).

"Total blindness" defined, suppl., 1949, c. 172, s. 4 (C. 54:4-3.34).

Article 2A. (new) Statements of Exemptions.

Additional Legislation.

Annual statement of right to exemptions to be obtained and filed, suppl., 1951, c. 135 (C. 54:4-4.4).

Article 3. Rebates and Deductions.

R. S. 54:4-5 amended 1952, c. 295.

Additional Legislation.

Rebate to municipality for county and State taxes paid on account of public or quasi public agency or federal government corporation, 1940, c. 170 (NJSA 54:4-8.1; RSCS 54:4-5.1).

Article 4. Assessment of Personal Property.

R. S. 54:4-9 amended 1942, c. 281, s. 2; 1943, c. 120, s. 2; 1945, c. 163, ss. 3, 9, 10.

R. S. 54:4-12 " 1945, c. 163, ss. 4, 9, 10.

R. S. 54:4-14 repealed 1945, c. 163, ss. 2, 9, 10.

R. S. 54:4-15 " 1945, c. 163, ss. 2, 9, 10.

R. S. 54:4-16 amended 1945, c. 163, ss. 5, 9, 10; 1953, c. 51, s. 19.

R. S. 54:4-18 repealed 1945, c. 163, ss. 2, 9, 10.

R. S. 54:4-19 " 1945, c. 163, ss. 2, 9, 10.

R. S. 54:4-19.1 " 1945, c. 163, ss. 2, 9, 10.

R. S. 54:4-20 amended 1945, c. 132, ss. 9, 16, 17, 18; 1950, c. 101, ss. 12, 13.

R. S. 54:4-21 repealed 1945, c. 132, ss. 15, 18.

R. S. 54:4-22 amended 1938, c. 245; 1945, c. 132, ss. 10, 16, 17; repealed 1950, c. 100, s. 7.

Additional Legislation.

Stock life insurance companies, certain, taxation of, regulated, 1950, c. 100 (C. 54:4-22.1 to 54:4-22.9).

Article 5. Assessment of Real Estate.

R. S. 54:4-23 amended 1942, c. 281, s. 3; 1943, c. 120, s. 3.

R. S. 54:4-33 " 1945, c. 163, ss. 6, 9, 10.

Article 5A. (new) Veterans' Exemptions, Report and Deduction.

Additional Legislation.

Report of veterans' exemptions and deduction from ratables provided for, 1949, c. 295 (C. 54:4-34.2, 54:4-34.3).

Article 6. Completion and Review of Assessments.

R. S. 54:4-35 amended 1942, c. 281, s. 4; 1943, c. 120, s. 4.

R. S. 54:4-36 " 1942, c. 281, s. 5; 1943, c. 120, s. 5; 1945, c. 163, ss. 7, 9, 10; 1945, c. 260, s. 2.

R. S. 54:4-41 " 1942, c. 316, s. 1.

R. S. 54:4-42 " 1942, c. 316, s. 2; see 1953, c. 376 (T. 40, c. 2).

R. S. 54:4-43 " 1953, c. 51, s. 20.

R. S. 54:4-47 " 1947, c. 413, ss. 15, 17.

R. S. 54:4-49 " 1942, c. 79.

R. S. 54:4-52 " 1938, c. 384; 1941, c. 293, s. 3 (1941, c. 293, repealed 1948, c. 40, s. 18); 1942, c. 316, s. 3; 1945, c. 163, ss. 8-10; 1948, c. 41.

R. S. 54:4-61 " 1953, c. 51, s. 21.

R. S. 54:4-62 " 1953, c. 51, s. 22.

R. S. 54:4-63 repealed 1953, c. 51, s. 23.

Additional Legislation.

Reduction of assessments by reason of destruction, etc., or alteration of buildings, etc., certain cases, provided for, suppl., 1945, c. 260, s. 1 (C. 54:4-35.1).

Article 6A. (new) Added Assessment of Real Estate.

Additional Legislation.

Additional assessment for building improvements made after October 1st of each year, suppl., 1941, c. 397 (C. 54:4-63.1 to 54:4-63.11).

Sec. 2 of above amended 1945, c. 137, s. 1 (C. 54:4-63.2).

Sec. 3 " " " 1945, c. 137, s. 2 (C. 54:4-63.3).

Article 6B. (new) Assessment of Omitted Property.

Additional Legislation.

Assessment of omitted property, procedure, collection of taxes thereon, etc., provided for, suppl., 1947, c. 413, ss. 1-12, 16, 17 (C. 54:4-63.12 to 54:4-63.25).

Exempt real estate becoming nonexempt from change of use or ownership, assessment and taxation provided for, suppl., 1949, c. 144 (C. 54:4-63.26 to 54:4-63.30).

Article 7. Collection, Abatement and Compromise.

R. S. 54:4-75 amended 1944, c. 46; 1952, c. 274.

R. S. 54:4-76 " 1940, c. 21.

R. S. 54:4-78 " 1944, c. 134; 1953, c. 74.

R. S. 54:4-82 " 1953, c. 51, s. 24.

R. S. 54:4-91 " 1944, c. 115, ss. 1-3.

R. S. 54:4-92 to 54:4-94 repealed 1943, c. 185.

R. S. 54:4-100 amended 1949, c. 202.

R. S. 54:4-106 " 1953, c. 51, s. 25.

R. S. 54:4-122 (added) Compromise, adjustment or cancellation of certain assessments against cemeteries, suppl., 1938, c. 16.

Additional Legislation.

Credit, etc., for reduction in taxes when paid by mortgagee before or pending appeal, 1938, c. 152 (NJSA, RSCS 54:3-27.1).

Credit on taxes due for amount of reduction granted; allowance of by tax collector; certain cases, 1940, c. 229 (NJSA 54:4-8.2; RSCS 54:4-105.1).

Uncollectible taxes, filing of lists, and cancellation of, provided for, supp., 1944, c. 115, ss. 2-4 (C. 54:4-91.1 to 54:4-91.3).

Poll taxes in arrears for ten years, cancellation and release of collector, as to, provided for, 1946, c. 40 (C. 54:4-121.1).

Article 8. (new) Collection of Taxes, Bonds and Devices to Safeguard.

Additional Legislation.

Collectors, etc., of taxes; bonds, verification of accounts and safeguarding of funds, tax bill receipting machines, official tax receiving agencies, relief of sureties on bonds, etc., 1940, c. 257, ss. 1-13, 15 (C. 54:4-122.1 to 54:4-122.14).

Sec. 2 of above amended 1947, c. 118, s. 1 (C. 54:4-122.2).

Sec. 8 " " " 1947, c. 118, s. 2 (C. 54:4-122.8).

Sec. 12 of above amended 1947, c. 118, s. 3 (C. 54:4–122.12).

Sec. 13 " " " 1947, c. 118, s. 4 (C. 54:4–122.13).

Sec. 15 " " " 1947, c. 118, s. 5 (C. 54:4-122.15).

Article 9. (new) Collection by Receivership.

Additional Legislation.

Collection of delinquent real estate taxes by receivership proceedings, 1939, c. 362 (C. 54:4–123 to 54:4–133).

Sec. 1 of above amended 1953, c. 51, s. 26 (C. 54:4–123).

Sec. 6 " " " 1940, c. 32; 1953, c. 51, s. 27 (C. 54:4–128).

Sec. 7 " " " 1953, c. 51, s. 28 (C. 54:4–129).

Sec. 8 " " " 1953, c. 51, s. 29 (C. 54:4–130).

Chapter 4A. (new) CONTRIBUTIONS IN LIEU OF TAXES.

Acceptance and disposition of contributions in lieu of taxes by Federal Government or agency, 1945, c. 66 (C. 54:4A–1 to 54:4A–3).

Exemption of lands of Palisades Interstate Park Commission, compensation to municipalities for loss of tax revenue therefrom, provided for, 1947, c. 73 (C. 54:4A–4 to 54:4A–7).

Chapter 5. CREATION, ENFORCEMENT AND COLLECTION OF LIENS FOR UNPAID TAXES AND OTHER MUNICIPAL LIENS ON REAL PROPERTY.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

Article 2. Tax and Other Municipal Liens; Creation.

R. S. 54:5–6 amended 1944, c. 247.

R. S. 54:5–10 " 1953, c. 51, s. 30.

Article 3. Official Searches for Municipal Liens.

R. S. 54:5–13 amended 1944, c. 97; 1947, c. 356, s. 1.

R. S. 54:5–17 " 1947, c. 356, s. 2.

Article 3A. (new) Official Searches for Improvements Authorized But Not Assessed.

Additional Legislation.

Official searches for municipal improvements authorized, not assessed, provided for, suppl., 1946, c. 269 (C. 54:5–18.1 to 54:5–18.6).

Article 4. Sale of Real Property to Enforce Liens.

R. S. 54:5-19 amended 1944, c. 108.

R. S. 54:5-20 " 1945, c. 232, s. 1.

R. S. 54:5-21 " 1945, c. 232, s. 2.

R. S. 54:5-23 " 1945, c. 232, s. 3.

R. S. 54:5-25 " 1945, c. 232, s. 4.

R. S. 54:5-33 " 1942, c. 193.

R. S. 54:5-36 repealed 1942, c. 37.

R. S. 54:5-39 amended 1945, c. 232, s. 5.

R. S. 54:5-45 repealed 1953, c. 51, s. 31.

Article 5. CERTIFICATE OF SALE.

R. S. 54:5-46 amended 1939, c. 93.

R. S. 54:5-47 " 1945, c. 232, s. 6.

Additional Legislation.

Tax, etc., sale certificates, execution by successor to deceased collector, etc., authorized, 1939, c. 165 (C. 54:5-46.1).

Tax sale certificate, lost or destroyed, issuance of duplicate to replace, suppl., 1940, c. 90 (NJSA 54:5-52.1 to 54:5-52.3, RSCS 54:5-46.2 to 54:5-46.4).

Municipal purchaser at tax sale entitled to possession, etc., suppl., 1942, c. 54 (C. 54:5-53.1, 54:5-53.2).

Sec. 1 of above amended 1943, c. 144 (C. 54:5-53.1).

Article 6. Redemption; Generally.

R. S. 54:5-62 amended 1941, c. 84.

Additional Legislation.

Fees or charges on redemption of tax sale certificate, exaction of excessive, prohibited, 1941, c. 83 (C. 54:5-63.1).

Article 8. Bar of Right of Redemption.

R. S. 54:5-79 amended 1942, c. 73.

R. S. 54:5-82 " 1953, c. 51, s. 32.

R. S. 54:5-84 " 1953, c. 51, s. 33.

Article 9. Suit in Equity to Foreclose Right of Redemption.

R. S. 54:5-85	amended	1953, c. 51, s. 34.
R. S. 54:5-86	"	1948, c. 219; 1953, c. 51, s. 35.
R. S. 54:5-87	"	1953, c. 51, s. 36.
R. S. 54:5-88	repealed	1953, c. 51, s. 41.
R. S. 54:5-89	"	1953, c. 51, s. 42.
R. S. 54:5-90	amended	1948, c. 220; 1953, c. 51, s. 43.
R. S. 54:5-91	"	1953, c. 51, s. 44.
R. S. 54:5-92 to 54:5-97	repealed	1953, c. 51, ss. 45-50.
R. S. 54:5-98	amended	1953, c. 51, s. 51.
R. S. 54:5-99	"	1953, c. 51, s. 52.
R. S. 54:5-100	"	1953, c. 51, s. 53.
R. S. 54:5-101 to 54:5-103	repealed	1953, c. 51, ss. 54-56.
R. S. 54:5-104	amended	1953, c. 51, s. 57.

Additional Legislation.

Tax lien certificates, foreclosure by municipality after sale of lands, provided for, 1953, c. 192 (C. 54:5-86.1 to 54:5-86.3).

Tax, etc., lien foreclosures, certain beneficiaries, etc., under trust, etc., need not be made parties defendant to, suppl., 1938, c. 264 (C. 54:5-87.1); suppl., 1939, c. 151 (NJSA 54:5-87.6, 54:5-87.7; RSCS 54:5-87.3, 54:5-87.4).

1938, c. 264 repealed 1953, c. 51, s. 37.

1939, c. 151 repealed 1953, c. 51, ss. 38, 39.

Tax lien foreclosures of vacant lands, joinder of actions or causes of action by municipalities, authorized, suppl., 1940, c. 84 (NJSA 54:5-87.8; RSCS 54:5-87.5).

Sec. 1 of above amended 1943, c. 204 (C. 54:5-87.8).

1940, c. 84 repealed 1953, c. 51, s. 40.

In rem Tax Foreclosure Act (1948), 1948, c. 96 (C. 54:5-104.29 to 54:5-104.71).

Sec. 5 of above amended 1953, c. 51, s. 58 (C. 54:5-104.33).

Sec. 6 " " " 1953, c. 51, s. 59 (C. 54:5-104.34).

Sec. 7 " " " 1953, c. 147, s. 1 (C. 54:5-104.35).

Sec.	8	of above	amended	1953, c. 51, s. 60 (C. 54:5-104.36).
Sec.	9	"	"	1953, c. 51, s. 61 (C. 54:5-104.37).
Sec.	10	"	repealed	1953, c. 51, s. 62 (C. 54:5-104.38).
Sec.	11	"	"	1953, c. 51, s. 63 (C. 54:5-104.39).
Sec.	12	"	"	1953, c. 51, s. 64 (C. 54:5-104.40).
Sec.	13	"	amended	1953, c. 51, s. 65 (C. 54:5-104.41).
Sec.	14	"	"	1953, c. 51, s. 66 (C. 54:5-104.42).
Sec.	15	"	"	1953, c. 51, s. 67 (C. 54:5-104.43).
Sec.	16	"	"	1953, c. 51, s. 68 (C. 54:5-104.44).
Sec.	17	"	"	1953, c. 51, s. 69 (C. 54:5-104.45).
Sec.	18	"	repealed	1953, c. 51, s. 70 (C. 54:5-104.46).
Sec.	19.	"	"	1953, c. 51, s. 71 (C. 54:5-104.47).
Sec.	20	"	amended	1953, c. 51, s. 72 (C. 54:5-104.48).
Sec.	21	"	repealed	1953, c. 51, s. 73 (C. 54:5-104.49).
Sec.	22	"	"	1953, c. 51, s. 74 (C. 54:5-104.50).
Sec.	23	"	"	1953, c. 51, s. 75 (C. 54:5-104.51).
Sec.	24	"	"	1953, c. 51, s. 76 (C. 54:5-104.52).
Sec.	25	"	amended	1953, c. 51, s. 77 (C. 54:5-104.53).
Sec.	26	"	repealed	1953, c. 51, s. 78 (C. 54:5-104.54).
Sec.	27	"	"	1953, c. 51, s. 79 (C. 54:5-104.55).

Sec. 28	of above	repealed	1953, c. 51, s. 80 (C. 54:5–104.56).
Sec. 29	"	"	1953, c. 51, s. 81 (C. 54:5–104.57).
Sec. 30	"	amended	1953, c. 51, s. 82 (C. 54:5–104.58).
Sec. 31	"	"	1953, c. 51, s. 83 (C. 54:5–104.59).
Sec. 32	"	"	1953, c. 51, s. 84 (C. 54:5–104.60).
Sec. 33	"	"	1953, c. 51, s. 85 (C. 54:5–104.61).
Sec. 34	"	"	1953, c. 51, s. 86 (C. 54:5–104.62).
Sec. 35	"	repealed	1953, c. 51, s. 87 (C. 54:5–104.63).
Sec. 36	"	amended	1953, c. 51, s. 88 (C. 54:5–104.64).
Sec. 37	"	"	1953, c. 51, s. 89 (C. 54:5–104.65).
Sec. 38	"	"	1953, c. 51, s. 90 (C. 54:5–104.66).
Sec. 39	"	"	1953, c. 51, s. 91 (C. 54:5–104.67).

Article 10. Cancellation of Record of Tax Sale Certificates by Court Order.

R. S. 54:5–105	amended	1953, c. 51, s. 92.
R. S. 54:5–107	"	1953, c. 51, s. 93.
R. S. 54:5–108 to 54:5–110	repealed	1953, c. 51, ss. 94-96.

Article 10A. (new) Cancellation of Certificate Held by Municipality.

Additional Legislation.

Cancellation of tax sale certificates held by municipalities when property acquired without foreclosure, provided for, suppl., 1945, c. 154 (C. 54:5–111.1 to 54:5–111.4).

Article 11. Sale or Exchange by Municipalities of Property Acquired at Tax Sales.

Additional Legislation.

Municipal purchaser at tax sale, additional methods of sale of certificate, provided for, 1941, c. 232 (C. 54:5–114.1)

Tax sale certificates, sale by municipalities, certain cases, provided for, 1943, c. 149 (C. 54:5-114.2 to 54:5-114.8).

Sec. 3 of above amended 1947, c. 415, s. 1; 1953, c. 51, s. 97 (C. 54:5-114.4).

Sec. 4 " " " 1947, c. 415, s. 2; 1948, c. 74; 1950, c. 131; 1951, c. 78; 1953, c. 51, s. 98; 1953, c. 110 (C. 54:5-114.5).

Sec. 5 " " " 1953, c. 51, s. 99 (C. 54:5-114.6).

Sec. 6 " " " 1947, c. 386; 1950, c. 82 (C. 54:5-114.7).

Purchaser of tax sale certificate, acquiring title by conveyance, cancellation of certificate in lieu of foreclosure, authorized, suppl., 1950, c. 45 (C. 54:5-114.9).

Foreclosure, tax sale certificate, acquisition or foreclosure of outstanding interests, provided for, suppl., 1950, c. 169 (C. 54:5-114.10).

Sec. 1 of above amended 1953, c. 51, s. 100 (C. 54:5-114.10).

Municipal purchaser at tax sale, conveyance to State of certain lands acquired under Tax Sale Law for Forest Park Reservation, exempt from tax, 1940, c. 73 (NJSA 54:5-117 to 54:5-120; RSCS 54:5-119 to 54:5-122).

Conveyance of lands acquired under, or subject to, tax lien, by municipalities to counties for park purposes, authorized, 1950, c. 341 (C. 54:5-127 to 54:5-129).

Chapter 6. MARTIN ACT AND SIMILAR STATUTES.

R. S. 54:6-5 1898, c. 193, s. 12 amended 1944, c. 204.

Chapter 8. DESTRUCTION OR LOSS OF PUBLIC TAX RECORDS.

R. S. 54:8-3 amended 1953, c. 51, s. 101.

R. S. 54:8-4 " 1953, c. 51, s. 102.

R. S. 54:8-5 " 1953, c. 51, s. 103.

R. S. 54:8-6 " 1953, c. 51, s. 104.

R. S. 54:8-7 to 54:8-11 repealed 1953, c. 51, ss. 105-109.

R. S. 54:8-12 amended 1953, c. 51, s. 110.

R. S. 54:8-13 repealed 1953, c. 51, s. 111.

R. S. 54:8–14 amended 1953, c. 51, s. 112.

R. S. 54:8–15 " 1953, c. 51, s. 113.

R. S. 54:8–16 " 1953, c. 51, s. 114.

Subtitle 3. TAXATION OF STOCK OF STATE AND NATIONAL BANKS AND TRUST COMPANIES.

Note: For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Chapter 9. IMPOSITION AND COLLECTION OF TAX.

R. S. 54:9–2 amended 1949, c. 291, ss. 1, 5.

R. S. 54:9–4 " 1940, c. 69; 1949, c. 291, ss. 2, 5.

R. S. 54:9–5 " 1941, c. 318; 1942, c. 235; 1946, c. 146, s. 1; 1949, c. 291, ss. 3, 5; 1953, c. 230, ss. 1, 3.

R. S. 54:9–9 " 1947, c. 249; 1949, c. 291, ss. 4, 5.

R. S. 54:9–11 " 1946, c. 146, s. 2.

R. S. 54:9–13 " 1953, c. 230, ss. 2, 3.

R. S. 54:9–17 " 1946, c. 146, s. 3.

Subtitle 4. PARTICULAR TAXES ON CORPORATIONS AND OTHERS.

Note: For certificate of authority of merged foreign corporations to do business in State withheld until prior taxes paid, see 1938, c. 180 (T. 14, c. 15).

For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B) amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

PART 1. PROVISIONS APPLICABLE TO CORPORATIONS GENERALLY.

Note: For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Chapter 10A. (new) CORPORATION BUSINESS TAX ACT (1945).

Imposition, assessment, collection, etc., of tax, suppl., 1945, c. 162, ss. 1-25, 27-29 (C. 54:10A–1 to 54:10A–28).

Sec. 3 of above amended 1949, c. 236, ss. 1, 6; 1951, c. 130 (C. 54:10A–3).

Sec. 4 " " " 1947, c. 50, s. 1; 1948, c. 459, s. 1 (C. 54:10A–4).

Sec. 5 of above amended 1947, c. 50, s. 2; 1948, c. 459, s. 2; 1953, c. 236 (C. 54:10A–5).

Sec. 6 " " " 1949, c. 236, ss. 2, 6 (C. 54:10A–6).

Sec. 8 " " " 1949, c. 236, ss. 3, 6 (C. 54:10A–8).

Sec. 10 " " " 1947, c. 50, s. 3 (C. 54:10A–10).

Sec. 11 " " " 1947, c. 50, s. 4; 1953, c. 51, s. 115; 1953, c. 428, s. 6 (C. 54:10A–11).

Sec. 12 " " " 1947, c. 51, s. 1 (C. 54:10A–12).

Sec. 13 " " " 1947, c. 50, s. 5 (C. 54:10A–13).

Sec. 14 " " " 1949, c. 236, ss. 4, 6 (C. 54:10A–14).

Sec. 15 " " " 1947, c. 50, s. 6 (C. 54:10A–15).

Sec. 16 " " " 1946, c. 307, s. 1; 1947, c. 51, s. 2; 1952, c. 170 (C. 54:10A–16).

Sec. 17 " " " 1946, c. 307, s. 2; 1947, c. 50, s. 7 (C. 54:10A–17).

Sec. 19 " " " 1947, c. 50, s. 8 (C. 54:10A–19).

Sec. 20 " " " 1953, c. 51, s. 116 (C. 54:10A–20).

Sec. 23 " " " 1947, c. 50, s. 9 (C. 54:10A–23).

Sec. 24 " " " 1946, c. 89 (C. 54:10A–24).

Suppl., 1947, c. 50, ss. 10-12 (C. 54:10A–19.1 to 54:10A–19.3).

Sec. 10 of above amended 1949, c. 236, ss. 5, 6 (C. 54:10A–19.1).

Suppl., 1947, c. 51, ss. 3-5 (C. 54:10A–29 to 54:10A–31).

Sec. 5 of above amended 1953, c. 51, s. 117 (C. 54:10A–31).

Chapter 10B. (new) FINANCIAL BUSINESS TAX LAW (1946).

Financial Business Tax Law (1946), 1946, c. 174 (C. 54:10B-1 to 54:10B-25).

Sec. 2 of above amended 1951, c. 131 (C. 54:10B-2).

Sec. 6 " " " 1950, c. 308, s. 1 (C. 54:10B-6).

Sec. 8 " " " 1950, c. 308, s. 2 (C. 54:10B-8).

Sec. 16 " " " 1952, c. 171 (C. 54:10B-16).

Sec. 19 " " " 1953, c. 51, s. 118 (C. 54:10B-19).

Chapter 11. TAX DELINQUENTS; VOIDING CHARTER; SALE OF ASSETS.

R. S. 54:11-6 amended 1953, c. 51, s. 119.

R. S. 54:11-7 " 1953, c. 51, s. 120.

R. S. 54:11-8 " 1953, c. 51, s. 121.

Part 2. CAPITAL STOCK AND GROSS RECEIPTS TAXES ON CERTAIN CORPORATIONS.

Note: For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Chapter 13. ASSESSMENT.

R. S. 54:13-1 amended 1939, c. 137, s. 1; 1945, c. 132, ss. 11, 16, 17; repealed 1945, c. 162, s. 27.

R. S. 54:13-2 " 1938, c. 186; 1939, c. 137, s. 2; repealed 1945, c. 162, s. 27.

R. S. 54:13-3 repealed 1945, c. 162, s. 27.

R. S. 54:13-4 amended 1939, c. 137, s. 3; repealed 1945, c. 162, s. 27.

R. S. 54:13-5 repealed 1945, c. 162, s. 27.

R. S. 54:13-6 " 1945, c. 162, s. 27.

R. S. 54:13-7 amended 1939, c. 137, s. 4; repealed 1945, c. 162, s. 27.

R. S. 54:13-8 " 1939, c. 137, s. 5; repealed 1945, c. 162, s. 27.

R. S. 54:13-9 repealed 1939, c. 137, s. 6.

R. S. 54:13-10 repealed 1939, c. 137, s. 7.

R. S. 54:13-11 amended 1945, c. 132, ss. 12, 16, 17.

R. S. 54:13-13 repealed 1945, c. 132, s. 15.

R. S. 54:13-14 " 1945, c. 132, s. 15.

R. S. 54:13-15 amended 1945, c. 132, ss. 13, 16, 17.

Additional Legislation.

Lien of taxes imposed under R. S. 54:13-1 to 54:13-8, inclusive, to expire on January 1, 1953, suppl., 1952, c. 349 (C. 54:13-16).

Chapter 14. COLLECTION AND ENFORCEMENT.

R. S. 54:14-1 amended 1939, c. 137, s. 8.

R. S. 54:14-6 " 1953, c. 51, s. 122.

Chapter 15. REVIEW, CORRECTION AND REFUND.

R. S. 54:15-4 amended 1953, c. 51, s. 123.

R. S. 54:15-5 repealed 1938, c. 132.

Part 3. TAXATION OF INSURANCE COMPANIES OTHER THAN LIFE.

Note: For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Chapter 16A. (new) DOMESTIC INSURANCE COMPANIES.

Franchise tax on certain insurance companies in lieu of certain local taxes for use of certain counties and taxing districts, imposition, assessment, apportionment and collection, provided for, 1952, c. 227 (C. 54:16A-1 to 54:16A-12).

Chapter 17. FOREIGN INSURANCE COMPANIES GENERALLY.

R. S. 54:17-1 amended 1938, c. 56; repealed 1945, c. 132, s. 15.

R. S. 54:17-2 repealed 1945, c. 132, s. 15.

R. S. 54:17-3 " 1945, c. 132, s. 15.

R. S. 54:17-4 amended 1945, c. 132, ss. 14, 16, 17.

Part 3A. (new) TAXATION OF INSURERS GENERALLY.

Note: For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Chapter 18A. (new) TAXATION OF CORPORATIONS, INDIVIDUALS, PARTNERSHIPS AND UNINCORPORATED ASSOCIATIONS TRANSACTING INSURANCE BUSINESS.

Imposition, assessment, collection, etc., of tax, 1945, c. 132, ss. 1-8, 16-18 (C. 54:18A–1 to 54:18A–11).

Sec. 3 of above amended 1950, c. 101, ss. 11, 13 (C. 54:18A–3).

Life insurance companies, annual franchise tax, suppl., 1950, c. 101, ss. 1-10, 13 (C. 54:18A–12 to 54:18A–21).

Annual tax payable by life insurance companies, determination of amount, suppl., 1950, c. 186 (C. 54:18A–17.1).

Part 4. TAXATION OF RAILROAD AND CANAL COMPANIES.

Note: For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Chapter 19. DEFINITIONS AND GENERAL PROVISIONS.

R. S. 54:19–1 to 54:19–3 repealed 1941, c. 291, s. 75.

Chapter 20. PROPERTY TAXABLE.

R. S. 54:20–1 to 54:20–6 repealed 1941, c. 291, s. 75.

Chapter 21. DEDUCTIONS; EXEMPTIONS AND WAIVER THEREOF.

R. S. 54:21–1 to 54:21–8 repealed 1941, c. 291, s. 75.

R. S. 54:21–9 1885, c. 91, repealed 1941, c. 291, s. 75.

Chapter 22. EVALUATION AND CLASSIFICATION OF PROPERTY.

R. S. 54:22–1 to 54:22–6 repealed 1941, c. 291, s. 75.

Chapter 23. ANNUAL REPORTS BY COMPANY.

R. S. 54:23–1 to 54:23–4 repealed 1941, c. 291, s. 75.

R. S. 54:23–5 1886, c. 275, repealed 1941, c. 291, s. 75.

Chapter 24. ASSESSMENT, LEVY AND DISPOSITION.

R. S. 54:24-1 to 54:24-13 repealed 1941, c. 291, s. 75.

Chapter 25. ASSESSMENT OF OMITTED PROPERTY.

R. S. 54:25-1 to 54:25-7 repealed 1941, c. 291, s. 75.

Chapter 26. HEARING AND REVIEW.

R. S. 54:26-1 to 54:26-13 repealed 1941, c. 291, s. 75.

R. S. 54:26-14 1933, c. 423, repealed 1941, c. 291, s. 75.

R. S. 54:26-15 to 54:26-17 repealed 1941, c. 291, s. 75.

Chapter 27. COLLECTION; ESTABLISHMENT OF LIEN.

R. S. 54:27-1 to 54:27-8 repealed 1941, c. 291, s. 75.

Chapter 28. ACTION TO ENFORCE COLLECTION; SALE AND REDEMPTION.

R. S. 54:28-1 to 54:28-6 repealed 1941, c. 291, s. 75.

Chapter 29. ABATEMENT AND COMPROMISE.

R. S. 54:29-1 to 54:29-6 repealed 1941, c. 291, s. 75.

R. S. 54:29-7 1921, c. 333, repealed 1941, c. 291, s. 75.

Chapter 29A. (new) TAXATION OF RAILROADS.

Railroad tax law of 1948, 1941, c. 291 (C. 54:29A-1 to 54:29A-75) (short title amended as above, 1948, c. 40, s. 1).

Sec. 1 of above amended 1948, c. 40, s. 1 (C. 54:29A-1).

Sec. 2 " " " 1948, c. 40, s. 2 (C. 54:29A-2).

Sec. 5 " " " 1948, c. 40, s. 3 (C. 54:29A-5).

Sec. 7 " " " 1948, c. 40, s. 4 (C. 54:29A-7).

Sec. 13 " " " 1948, c. 40, s. 5 (C. 54:29A-13).

Sec. 14 " " " 1942, c. 169, s. 1; 1948, c. 40, s. 6 (C. 54:29A-14).

Sec. 15 " " " 1942, c. 169, s. 2; 1948, c. 40, s. 7 (C. 54:29A-15).

Sec. 17	of above		amended	1942, c. 337, s. 1; 1948, c. 40, s. 8; 1952, c. 229 (C. 54:29A–17).
Sec. 18	"	"	"	1942, c. 337, s. 2; 1948, c. 40, s. 9 (C. 54:29A–18).
Sec. 19	"	"	"	1942, c. 337, s. 3; 1948, c. 40, s. 10 (C. 54:29A–19).
Sec. 20	"	"	"	1942, c. 337, s. 4; 1948, c. 40, s. 11 (C. 54:29A–20).
Sec. 21	"	"	"	1942, c. 337, s. 5 (C. 54:29A–21).
Sec. 23	"	"	"	1948, c. 40, s. 12 (C. 54:29A–23).
Sec. 24	"	"	"	1948, c. 40, s. 13 (C. 54:29A–24).
Sec. 27	"	"	"	1942, c. 169, s. 3; 1948, c. 40, s. 14 (C. 54:29A–27).
Sec. 31	"	"	"	1942, c. 337, s. 6 (C. 54:29A–31).
Sec. 33	"	"	"	1942, c. 337, s. 7 (C. 54:29A–33).
Sec. 34	"	"	"	1942, c. 337, s. 8 (C. 54:29A–34).
Sec. 36	"	"	"	1953, c. 51, s. 124 (C. 54:29A–36).
Sec. 37	"	"	"	1953, c. 51, s. 125 (C. 54:29A–37).
Sec. 38	"	"	"	1953, c. 51, s. 126 (C. 54:29A–38).
Sec. 39	"	"	"	1953, c. 51, s. 127 (C. 54:29A–39).
Sec. 40	"	"	"	1953, c. 51, s. 128 (C. 54:29A–40).
Sec. 41	"	"	repealed	1950, c. 343, s. 6 (C. 54:29A–41).
Sec. 42	"	"	"	1950, c. 343, s. 6 (C. 54:29A–42).
Sec. 43	"	"	"	1950, c. 343, s. 6 (C. 54:29A–43).
Sec. 44	"	"	amended	1942, c. 337, s. 9 (C. 54:29A–44).

Sec. 46 of above amended 1941, c. 363; 1941, c. 371; 1941, c. 387; 1942, c. 1, s. 1; 1942, c. 17, s. 1; 1942, c. 115, s. 1; 1948, c. 40, s. 15 (C. 54:29A-46).

Sec. 48 " " " 1953, c. 51, s. 129 (C. 54:29A-48).

Sec. 50 " " " 1953, c. 51, s. 130 (C. 54:29A-50).

Sec. 52 " " " 1953, c. 51, s. 131 (C. 54:29A-52).

Sec. 53 " " " 1953, c. 51, s. 132 (C. 54:29A-53).

Sec. 55 " " " 1953, c. 51, s. 133 (C. 54:29A-55).

Sec. 57 " " " 1953, c. 51, s. 134 (C. 54:29A-57).

Sec. 58 " " " 1953, c. 51, s. 135 (C. 54:29A-58).

Sec. 60 " " " 1953, c. 51, s. 136 (C. 54:29A-60).

Sec. 65 " " " 1953, c. 51, s. 137 (C. 54:29A-65).

Sec. 67 " " " 1948, c. 40, s. 16 (C. 54:29A-67).

Sec. 73 " " " 1942, c. 169, s. 4 (C. 54:29A-73).

Sec. 74 " " " 1942, c. 169, s. 5 (C. 54:29A-74).

Determination of controversies between State and municipal authorities, as to assessment of railroad property, provided for, suppl., 1950, c. 343 (C. 54:29A-43.1 to 54:29A-43.6).

Time for payment of taxes assessed for year 1942, supl., 1942, c. 1, s. 2 (C. 54:29A-46.1); amended 1947, c. 17, s. 2; 1942, c. 115, s. 2.

Tax in lieu of all other taxes, construction of act, etc., suppl., 1948, c. 40, s. 17 (C. 54:29A-74.1).

Distribution of railroad franchise tax among counties; when to be made, 1942, c. 3 (C. 54:29A-76).

Part 5. TAXATION OF CERTAIN PUBLIC UTILITIES.

Note: For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Chapter 30A. (new) FRANCHISE AND GROSS RECEIPTS TAXES.

Note: P. L. 1938, c. 7 (NJSA 54:31-15.1 to 54:31-15.13; RSCS 54:31 Art. 1 (note)), as amended by P. L. 1938, c. 122, and P. L. 1938, c. 8 (NJSA 54:31-29 to 54:31-44; RSCS 54:31 Art. 2 (note)) specifically superseded by 1940, c. 4, s. 1 (NJSA 54:31-15.14; RSCS 54:31-1); 1940, c. 5, s. 1 (NJSA 54:31-45; RSCS 54:31-16).

Tax for use, etc., of public streets, etc., under franchise, etc., except by street railway, traction, gas and electric light, heat and power and municipal corporations and railroad and canal companies, and except for operation of autobuses and taxicabs, 1940, c. 4 (NJSA 54:31-15.14 to 54:31-15.27; RSCS 54:31-1 to 54:31-15).

Title	of	above	amended	1941, c. 400, s. 1; 1952, c. 265, ss. 1, 4.
Sec. 2	"	"	"	1941, c. 20, s. 1 (NJSA 54:31-15.15; RSCS 54:30A-17).
Sec. 3	"	"	"	1941, c. 20, s. 2; 1941, c. 400, s. 2; 1947, c. 191; 1952, c. 265, ss. 2, 4 (NJSA 54:31-15.16; RSCS 54:30A-18).
Sec. 4	"	"	"	1941, c. 20, s. 3 (NJSA 54:31-15.17; RSCS 54:30A-19).
Sec. 7	"	"	"	1952, c. 265, ss. 3, 4 (NJSA 54:31-15.20; RSCS 54:30A-22)
Sec. 15	"	"	"	1941, c. 400, s. 3 (NJSA 54:31-15.27; RSCS 54:30A-30).

Tax on property and franchises of street railway, traction, gas and electric light, heat and power corporations, using, etc., public streets, etc., 1940, c. 5 (NJSA 54:31-45 to 54:31-63; RSCS 54:31-16 to 54:31-35).

Title	of	above	amended	1952, c. 264, ss. 1, 6.
Sec. 1	"	"	"	1952, c. 264, ss. 2, 6 (NJSA 54:31-45; RSCS 54:30A-49).
Sec. 2	"	"	"	1941, c. 21, s. 1 (NJSA 54:31-46; RSCS 54:30A-50).

Sec. 3 of above amended 1952, c. 264, ss. 3, 6 (NJSA 54:31-47; RSCS 54:30A-51).

Sec. 6 " " " 1941, c. 21, s. 2; 1941, c. 401, s. 1; 1948, c. 217; 1952, c. 264, ss. 4, 6 (NJSA 54:31-50; RSCS 54:30A-54).

Sec. 7 " " " 1941, c. 21, s. 3 (NJSA 54:31-51; RSCS 54:30A-55).

Sec. 10 " " " 1952, c. 264, ss. 5, 6 (NJSA 54:31-54; RSCS 54:30A-58).

Sec. 13 " " " 1941, c. 401, s. 2 (NJSA 54:31-57; RSCS 54:30A-61).

Chapter 31. FRANCHISE TAX ON OCCUPANCY OF STREETS; GROSS RECEIPTS.

R. S. 54:31-1 to 54:31-15 repealed 1938, c. 7, s. 15 (see Chapter 30A supra).

R. S. 54:31-16 to 54:31-28 " 1938, c. 8, s. 18 (see Chapter 30A supra).

Chapter 32. TAX IN LIEU OF LOCAL TAXATION OF CERTAIN PROPERTY; GROSS RECEIPTS.

R. S. 54:32-1 to 54:32-7 repealed 1938, c. 8, s. 18 (see Chapter 30A supra).

Part 6. TAXATION OF CERTAIN FOREIGN CORPORATIONS.

Note: For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Chapter 32A. IMPOSITION AND COLLECTION OF TAX.

R. S. 54:32A-1 to 54:32A-53 repealed 1945, c. 162, s. 27.

Additional Legislation.

Lien of taxes imposed under Chapter 32A of Title 54 of the Revised Statutes or for penalties and interest thereon, to expire on January 1, 1953, 1952, c. 168 (C. 54:32A-54).

Subtitle 5. TRANSFER INHERITANCE AND ESTATE TAXES.

Note: For apportionment, provided for, see N. J. S. 3A:25-30 to 3A:25-38).

For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953 ,c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Part 1. TRANSFER INHERITANCE TAX.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Chapter 33. GENERAL PROVISIONS.

R. S. 54:33–2 amended 1953, c. 51, s. 138.

Additional Legislation.

County district supervisor, appointment; one year's residence in county required, 1940, c. 220 (NJSA, RSCS 54:33–13).

Chapter 34. ASSESSMENT OF TAX.

R. S. 54:34–1 amended 1951, c. 250; 1953, c. 51, s. 139.

R. S. 54:34–4 " 1939, c. 303; 1941, c. 422; 1948, c. 268.

R. S. 54:34–13 " 1948, c. 336, ss. 1, 3.

Chapter 35. COLLECTION AND ENFORCEMENT OF TAX; REFUNDS.

R. S. 54:35–3 amended 1946, c. 70.

R. S. 54:35–5 " 1946, c. 240; 1947, c. 376, ss. 1, 2.

R. S. 54:35–9 " 1938, c. 278.

R. S. 54:35–10 " 1944, c. 74.

R. S. 54:35–13 " 1953, c. 51, s. 141.

R. S. 54:35–14 " 1953, c. 51, s. 142.

R. S. 54:35–15 " 1948, c. 336, ss. 2, 3; 1953, c. 51, s. 143.

R. S. 54:35–16 " 1953, c. 51, s. 144.

R. S. 54:35–19 " 1951, c. 177, s. 1.

Additional Legislation.

Transfer inheritance taxes, expiration of time for assessment and of liens, in certain cases, provided for, suppl., 1947, c. 369, ss. 1, 2 (C. 54:35–5.1, 54:35–5.2).

Sec. 1 of above amended 1953, c. 51, s. 140 (C. 54:35–5.1).

Issuance of consent to transfer assets of resident decedent prohibited, unless will probated or administration had originally in New Jersey, suppl., 1939, c. 122 (NJSA 54:35–23; RSCS 54:35–19.1).

Sec. 1 of above amended 1943, c. 38; 1953, c. 51, s. 145 (C. 54:35–23).

Chapter 36. ASSESSMENT, COLLECTION AND ENFORCEMENT OF TAXES ON ESTATES SUBJECT TO FUTURE INTERESTS.

R. S. 54:36–6 amended 1943, c. 165.

Chapter 37. DEATH TAXES DUE TO OTHER STATES.

R. S. 54:37–7 amended 1953, c. 51, s. 146.

R. S. 54:37–8 " 1953, c. 51, s. 147.

Part 2. ESTATE TAX.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Chapter 38. IMPOSITION AND COLLECTION OF TAX.

R. S. 54:38–3 amended 1944, c. 75.

R. S. 54:38–10 " 1953, c. 51, s. 148.

Part 3. (new) INHERITANCE AND ESTATE TAXES.

Chapter 38A. (new) COMPROMISES.

Inheritance and estate taxes, compromises of, authorized, 1944, c. 220 (C. 54:38A–1, 54:38A–2).

Revision, alteration, compromise and settlement of inheritance and estate taxes, interest and penalties, certain cases, authorized, suppl., 1945, c. 127 (C. 54:38A–3 to 54:38A–6).

Subtitle 6. TAX UPON SALE OF MOTOR FUELS.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted; see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Chapter 39. IMPOSITION AND COLLECTION OF TAX.

R. S. 54:39–2 amended 1939, c. 209, s. 1; 1950, c. 144, ss. 1, 24.

R. S. 54:39–3 " 1950, c. 144, ss. 2, 24.

R. S. 54:39-5	amended	1939, c. 209, s. 2; 1950, c. 144, ss. 3, 24.
R. S. 54:39-6	"	1939, c. 209, s. 3.
R. S. 54:39-7	"	1938, c. 283, s. 1 (title amended 1941, c. 268).
R. S. 54:39-9	"	1948, c. 169, s. 1.
R. S. 54:39-12	"	1950, c. 144, ss. 4, 24.
R. S. 54:39-15	"	1953, c. 51, s. 149.
R. S. 54:39-17	"	1948, c. 169, s. 2; 1950, c. 144, ss. 5, 24.
R. S. 54:39-18	"	1938, c. 169, s. 3.
R. S. 54:39-20	"	1948, c. 169, s. 4; 1953, c. 274, ss. 1, 3.
R. S. 54:39-27	"	1950, c. 144, ss. 6, 24.
R. S. 54:39-28	"	1950, c. 144, ss. 7, 24.
R. S. 54:39-30	"	1938, c. 166, s. 1; 1950, c. 144, ss. 8, 24.
R. S. 54:39-31	"	1939, c. 209, s. 4; 1950, c. 144, ss. 9, 24.
R. S. 54:39-32	"	1948, c. 169, s. 5; 1950, c. 144, ss. 10, 24; 1953, c. 274, ss. 2, 3.
R. S. 54:39-33	"	1950, c. 144, ss. 11, 24.
R. S. 54:39-38	"	1950, c. 144, ss. 12, 24.
R. S. 54:39-41	"	1938, c. 283, s. 2 (title amended 1941, c. 268); 1939, c. 209, s. 5; 1948, c. 169, s. 6; 1950, c. 144, ss. 13, 24.
R. S. 54:39-42	"	1950, c. 144, ss. 14, 24.
R. S. 54:39-45	"	1938, c. 283, s. 3 (title amended 1941, c. 268).
R. S. 54:39-47	"	1950, c. 144, ss. 15, 24.
R. S. 54:39-50	repealed	1938, c. 166, s. 2.
R. S. 54:39-51	amended	1950, c. 144, ss. 16, 24.
R. S. 54:39-52	"	1950, c. 144, ss. 17, 24.
R. S. 54:39-53	"	1938, c. 283, s. 4 (title amended 1941, c. 268); 1950, c. 144, ss. 18, 24.
R. S. 54:39-54	"	1950, c. 144, ss. 19, 24.
R. S. 54:39-59	"	1953, c. 51, s. 150.
R. S. 54:39-60	"	1953, c. 51, s. 151.
R. S. 54:39-61 to 54:39-63	repealed	1953, c. 51, ss. 152-154.

R. S. 54:39–64 amended 1939, c. 209, s. 6; 1948, c. 169, s. 7.

R. S. 54:39–66 " 1940, c. 169; 1948, c. 215, s. 1; 1950, c. 144, ss. 20, 24.

R. S. 54:39–67 " 1938, c. 283, s. 5 (title amended 1941, c. 268); 1948, c. 215, s. 2; 1950, c. 144, ss. 21, 24.

R. S. 54:39–68 " 1950, c. 144, ss. 22, 24.

R. S. 54:39–69 " 1950, c. 144, ss. 23, 24.

R. S. 54:39–71 " 1938, c. 166, s. 3.

Subtitle 7. TAXATION OF BILLBOARDS AND LICENSING OF OUTDOOR ADVERTISING.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Chapter 40. IMPOSITION AND COLLECTION OF TAX.

R. S. 54:40–1 to 54:40–19 repealed 1942, c. 168, s. 29.

Additional Legislation.

Billboard and outdoor license law (1942), 1942, c. 168 (C. 54:40–20 to 54:40–49).

Sec. 1 of above amended 1947, c. 169, s. 1 (C. 54:40–20).

Sec. 2 " " " 1947, c. 169, s. 2 (C. 54:40–21).

Sec. 3 " " " 1947, c. 169, s. 3; 1953, c. 76, ss. 1, 4 (C. 54:40–22).

Sec. 4 " " " 1947, c. 169, s. 4; 1953, c. 76, ss. 2, 4 (C. 54:40–23).

Sec. 5 " " " 1947, c. 169, s. 5; 1953, c. 76, ss. 3, 4 (C. 54:40–24).

Sec. 7 " " " 1947, c. 169, s. 6 (C. 54:40–26).

Sec. 10 " " " 1947, c. 169, s. 7 (C. 54:40–29).

Sec. 12 " " " 1947, c. 169, s. 8 (C. 54:40–31).

Sec. 14 " " " 1947, c. 169, s. 9 (C. 54:40–33).

Sec. 16 of above amended 1947, c. 169, s. 10 (C. 54:40-35).

Sec. 17 " " " 1947, c. 169, s. 11 (C. 54:40-36).

Sec. 19 " " " 1947, c. 169, s. 12 (C. 54:40-38).

Sec. 20 " " " 1947, c. 169, s. 13 (C. 54:40-39).

Sec. 22 " " " 1947, c. 169, s. 14; 1948, c. 403 (C. 54:40-41).

Sec. 23 " " " 1947, c. 169, s. 15; 1953, c. 51, s. 155 (C. 54:40-42).

Sec. 24 " " " 1947, c. 169, s. 16; 1953, c. 51, s. 156 (C. 54:40-43).

Sec. 25 " " " 1947, c. 169, s. 17; 1953, c. 51, s. 157 (C. 54:40-44).

Sec. 26 " " " 1947, c. 169, s. 18; 1953, c. 51, s. 158 (C. 54:40-45).

Sec. 27 " " " 1947, c. 169, s. 19; 1953, c. 51, s. 159 (C. 54:40-46).

Subtitle 7A. (new) CIGARETTE TAX.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Chapter 40A. (new) **CIGARETTE TAX ACT WITH SUPPLEMENTS, ETC.**

"Cigarette Tax Act," 1948, c. 65 (C. 54:40A-1 to 54:40A-43).

Sec. 102 of above amended 1950, c. 134, ss. 1, 8; 1952, c. 246, s. 1 (C. 54:40A-2).

Sec. 201 " " " 1952, c. 246, s. 2 (C. 54:40A-3).

Sec. 202 " " " 1948, c. 108, ss. 1, 4; 1950, c. 134, ss. 2, 8; 1951, c. 281, ss. 1, 8; 1952, c. 246, s. 3 (C. 54:40A-4).

Sec. 203 " " " 1950, c. 134, ss. 3, 8; 1952, c. 246, s. 4 (C. 54:40A-5).

Sec. 402 " " " 1952, c. 246, s. 5 (C. 54:40A-12).

Sec. 403 of above amended 1948, c. 108, ss. 2, 4 (C. 54:40A–13).

Sec. 405 " " " 1950, c. 134, ss. 4, 8; 1952, c. 246, s. 6 (C. 54:40A–15).

Sec. 406 " " " 1952, c. 246, s. 7 (C. 54:40A–16).

Sec. 601 " " " 1953, c. 51, s. 160 (C. 54:40A–24).

Sec. 602 " " " 1951, c. 281, ss. 2, 8 (C. 54:40A–25).

Sec. 603 " " " 1951, c. 281, ss. 3, 8 (C. 54:40A–26).

Sec. 604 " " " 1951, c. 281, ss. 4, 8 (C. 54:40A–27).

Sec. 605 " " " 1952, c. 246, s. 8 (C. 54:40A–28).

Sec. 606 " " " 1950, c. 134, ss. 5, 8 (C. 54:40A–29).

Sec. 608 " " " 1951, c. 281, ss. 5, 8 (C. 54:40A–31).

Sec. 609 " " " 1951, c. 281, ss. 6, 8; 1952, c. 246, s. 9 (C. 54:40A–32).

Sec. 613 " " " 1951, c. 281, ss. 7, 8 (C. 54:40A–36).

Sec. 706 " " " 1948, c. 108, ss. 3, 4 (C. 54:40A–42).

Liability for tax to be levied on consumer, addition of amount by distributors to price, and advertisement of tax, suppl., 1950, c. 134, ss. 7, 8 (C. 54:40A–10.1).

Advertising by out-of-State cigarette dealers, regulated, suppl., 1950, c. 134, ss. 6, 8 (C. 54:40A–44).

Subtitle 8. ALCOHOLIC BEVERAGE TAX.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Chapter 41. DEFINITIONS AND GENERAL PROVISIONS.

R. S. 54:41–2 amended 1938, c. 319, s. 1 (title amended 1941, c. 267); 1942, c. 171, s. 1; 1947, c. 18, s. 1).

Chapter 42. POWERS OF COMMISSIONER.

R. S. 54:42–1 amended 1938, c. 319, s. 2 (title amended 1941, c. 267); 1949, c. 95, s. 1.

R. S. 54:42–2 " 1938, c. 319, s. 3 (title amended 1941, c. 267); 1942, c. 171, s. 2.

R. S. 54:42–3 amended 1938, c. 319, s. 4 (title amended 1941, c. 267); 1942, c. 171, s. 3.

R. S. 54:42–4 " 1938, c. 319, s. 5 (title amended 1941, c. 267); 1953, c. 51, s. 161.

R. S. 54:42–5 " 1953, c. 51, s. 162.

R. S. 54:42–6 " 1938, c. 391, s. 1.

R. S. 54:42–7 " 1938, c. 391, s. 2.

Chapter 43. IMPOSITION OF TAX.

R. S. 54:43–1 amended 1938, c. 319, s 6 (title amended 1941, c. 267); 1940, c. 168; 1942, c. 171, s. 4; 1947, c. 18, s. 2.

R. S. 54:43–2 " 1938, c. 319, s. 7 (title amended 1941, c. 267); 1942, c. 171, s. 5.

R. S. 54:43–4 " 1938, c. 319, s. 8 (title amended 1941, c. 267).

R. S. 54:43–5 " 1938, c. 319, s. 8A (title amended 1941, c. 267).

Additional Legislation.

Exemption from taxes of alcoholic beverages sold to certain voluntary army or navy organizations, provided for, suppl., 1941, c. 327 (C. 54:43–2.1).

Sec. 1 of above amended 1951, c. 68 (C. 54:43–2.1).

Tax on alcoholic beverages involved in violation of law, suppl., 1941, c. 209 (C. 54:43–6).

Sec. 1 of above amended 1949, c. 95, s. 3 (C. 54:43–6).

Chapter 44. COLLECTION OF TAX.

R. S. 54:44–1 amended 1938, c. 319, s. 9 (title amended 1941, c. 267).

R. S. 54:44–2 " 1938, c. 319, s. 10 (title amended 1941, c. 267); 1949, c. 95, s. 2.

R. S. 54:44–2.1 (added) Enforcement of lien by warrant, etc., suppl., 1938, c. 319, s. 14 (title amended 1941, c. 267).

R. S. 54:44–3 amended 1938, c. 319, s. 11 (title amended 1941, c. 267); 1953, c. 51, s. 163.

R. S. 54:44–4 " 1938, c. 319, s. 12 (title amended 1941, c. 267); 1942, c. 171, s. 6; 1949, c. 95, s. 4.

R. S. 54:44–5 " 1938, c. 319, s. 13 (title amended 1941, c. 267); 1942, c. 171, s. 7.

R. S. 54:44–6 " 1949, c. 95, s. 5.

Additional Legislation.

Compromise or cancellation of taxes, in certain cases, authorized, suppl., 1941, c. 210 (C. 54:44–5.1).

Chapter 45. ADMINISTRATION.

R. S. 54:45–1 amended 1938, c. 319, s. 15 (title amended 1941, c. 267); 1939, c. 357; 1947, c. 250; 1950, c. 203.

R. S. 54:45–2 amended 1938, c. 319, s. 16 (title amended 1941, c. 267).

R. S. 54:45–4 " 1938, c. 319, s. 17 (title amended 1941, c. 267).

R. S. 54:45–5 " 1938, c. 319, s. 18 (title amended 1941, c. 267).

R. S. 54:45–7 (added) Service of notice, suppl., 1938, c. 319, s. 19 (title amended 1941, c. 267).

Chapter 46. APPEALS

R. S. 54:46–1 amended 1938, c. 319, s. 20 (title amended 1941, c. 267); 1942, c. 171, s. 8; 1953, c. 51, s. 164.

R. S. 54:46–2 " 1938, c. 319, s. 21 (title amended 1941, c. 267).

Chapter 47. PENALTIES.

R. S. 54:47–7 amended 1938, c. 319, s. 22 (title amended 1941, c. 267).

Additional Legislation.

Revocation or suspension of license for bribery or attempted bribery, authorized, suppl., 1942, c. 171, s. 9 (C. 54:47–8).

Subtitle 9. STATE TAX UNIFORM PROCEDURE LAW.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For transfer of functions, powers and duties of Commissioner of Taxation to the Division of Taxation in the State Department of Taxation and Finance and continued in Department of the Treasury, see 1944, c. 112 (T. 52, c. 27B), amended 1946, c. 1, 1946, c. 199, 1953, c. 49; 1948, c. 92, s. 25 (T. 52, c. 18A).

Chapter 49. PROCEDURE.

Note: For transfer inheritance taxes, expiration of time for assessment and of liens, in certain cases, provided for, see 1947, c. 369 (T. 54, c. 35), amended 1953, c. 51.

R. S. 54:49–1 amended 1952, c. 169.

R. S. 54:49–12 " 1939, c. 175, s. 1; 1953, c. 51, s. 165.

R. S. 54:49–13 " 1945, c. 306.

R. S. 54:49–17 " 1938, c. 137.

Additional Legislation.

Judgments for corporation taxes, satisfaction on payment, etc., provided for, 1943, c. 10 (C. 54:49–13.1).

Sec. 1 of above amended 1953, c. 51, s. 166 (C. 54:49–13.1).

Chapter 50. ADMINISTRATION.

R. S. 54:50–4 amended 1953, c. 51, s. 167.

R. S. 54:50–5 " 1953, c. 51, s. 168.

R. S. 54:50–8 " 1939, c. 175, s. 2.

R. S. 54:50–9 " 1939, c. 175, s. 3; 1943, c. 110.

R. S. 54:50–11 " 1938, c. 256.

Chapter 51. APPEALS.

R. S. 54:51–1 amended 1953, c. 51, s. 169.

Chapter 52. CRIMINAL PENALTIES.

Additional Legislation.

False or fraudulent books, records or accounts relating to taxable transactions, suppl., 1938, c. 114 (C. 54:52–4).

Title 55. TENEMENT HOUSES AND PUBLIC HOUSING.

Subtitle 1. TENEMENT HOUSES.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted, see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For Board of Tenement House Supervision continued as Bureau of Tenement House Supervision in Division of State Police in Department of Law and Public Safety, see 1948, c. 439, s. 13 (T. 52, c. 17B).

Chapter 1. DEFINITIONS.

R. S. 55:1-12	amended	1941, c. 205, s. 1.
R. S. 55:1-13	"	1950, c. 246, s. 1.

Chapter 2. CONVERTED BUILDINGS; ALTERATIONS; TENEMENTS UNDER CONSTRUCTION; TIME FOR COMPLIANCE.

R. S. 55:2-1	amended	1938, c. 193, s. 1.
R. S. 55:2-3	"	1938, c. 193, s. 2.
R. S. 55:2-6	"	1938, c. 193, s. 3; 1943, c. 67, s. 1.

Chapter 3. PROTECTION FROM FIRE.

R. S. 55:3-1	amended	1938, c. 193, s. 4; 1947, c. 345, s. 1; 1948, c. 251, s. 1.
R. S. 55:3-2	"	1938, c. 193, s. 5; 1942, c. 228, s. 1; 1947, c. 345, s. 2.
R. S. 55:3-3	"	1942, c. 228, s. 2.
R. S. 55:3-4	"	1942, c. 228, s. 3.
R. S. 55:3-6	"	1938, c. 193, s. 6; 1941, c. 205, s. 2; 1942, c. 228, s. 4; 1950, c. 246, s. 2.
R. S. 55:3-8	"	1942, c. 228, s. 5; 1947, c. 345, s. 3; 1948, c. 251, s. 2.
R. S. 55:3-9	"	1950, c. 246, s. 3.
R. S. 55:3-10	"	1950, c. 246, s. 4.
R. S. 55:3-11	"	1942, c. 228, s. 6.
R. S. 55:3-12	"	1942, c. 228, s. 7.
R. S. 55:3-13	"	1942, c. 228, s. 8.

R. S. 55:3-15	amended	1947, c. 345, s. 4.
R. S. 55:3-17	"	1947, c. 345, s. 5.
R. S. 55:3-18	"	1941, c. 205, s. 3; 1948, c. 251, s. 3.
R. S. 55:3-20	"	1950, c. 246, s. 5.
R. S. 55:3-21	"	1948, c. 251, s. 4; 1950, c. 246, s. 6.
R. S. 55:3-22	"	1948, c. 251, s. 5; 1950, c. 246, s. 7.
R. S. 55:3-23	"	1947, c. 345, s. 6; 1948, c. 251, s. 6.
R. S. 55:3-24	"	1938, c. 193, s. 7; 1942, c. 228, s. 9; 1943, c. 67, s. 2; 1947, c. 345, s. 7.
R. S. 55:3-25	"	1938, c. 193, s. 8; 1942, c. 228, s. 10; 1947, c. 345, s. 8.
R. S. 55:3-26	"	1943, c. 67, s. 3; 1947, c. 345, s. 9; 1950, c. 246, s. 8.
R. S. 55:3-27	"	1942, c. 228, s. 11.
R. S. 55:3-29	"	1947, c. 345, s. 10.
R. S. 55:3-30	"	1947, c. 345, s. 11; 1950, c. 246, s. 9.
R. S. 55:3-31	"	1950, c. 246, s. 10.
R. S. 55:3-34	"	1947, c. 345, s. 12.
R. S. 55:3-35	"	1947, c. 345, s. 13.
R. S. 55:3-39	"	1938, c. 193, s. 9; 1941, c. 205, s. 4; 1947, c. 345, s. 14.
R. S. 55:3-45	"	1938, c. 193, s. 10; 1947, c. 345, s. 15.
R. S. 55:3-46	"	1942, c. 228, s. 12; 1947, c. 345, s. 16.
R. S. 55:3-50	"	1942, c. 228, s. 13.
R. S. 55:3-59	"	1938, c. 193, s. 11; 1950, c. 246, s. 11.

Chapter 4. **HEIGHT OF TENEMENTS; LOTS, YARDS, SPACES, AND COURTS.**

R. S. 55:4-2	amended	1942, c. 228, s. 14.
R. S. 55:4-4	"	1938, c. 193, s. 12; 1942, c. 228, s. 15.
R. S. 55:4-6	"	1942, c. 228, s. 16.
R. S. 55:4-7	"	1942, c. 228, s. 17.
R. S. 55:4-8	"	1942, c. 228, s. 18.
R. S. 55:4-9	"	1941, c. 205, s. 5; 1942, c. 228, s. 19; 1947, c. 345, s. 17.

R. S. 55:4–10	amended	1941, c. 205, s. 6; 1943, c. 67, s. 4; 1947, c. 345, s. 18.
R. S. 55:4–11	"	1942, c. 228, s. 20.
R. S. 55:4–14	"	1947, c. 345, s. 19.
R. S. 55:4–15	"	1947, c. 345, s. 20.
R. S. 55:4–17	"	1947, c. 345, s. 21.
R. S. 55:4–20	"	1942, c. 228, s. 21.
R. S. 55:4–24	"	1943, c. 67, s. 5.

Chapter 5. WINDOWS; ROOMS; LIGHT; VENTILATORS AND VENT SHAFTS.

R. S. 55:5–1	amended	1938, c. 193, s. 13; 1941, c. 205, s. 7; 1942, c. 228, s. 22.
R. S. 55:5–2	"	1938, c. 193, s. 14.
R. S. 55:5–4	"	1942, c. 228, s. 23; 1943, c. 67, s. 6; 1947, c. 345, s. 22.
R. S. 55:5–5	"	1947, c. 345, s. 23; 1950, c. 246, s. 12.
R. S. 55:5–6	"	1950, c. 246, s. 13.
R. S. 55:5–7	"	1942, c. 228, s. 24; 1947, c. 345, s. 24; 1948, c. 251, s. 7; 1950, c. 246, s. 14.
R. S. 55:5–8	"	1941, c. 205, s. 8.
R. S. 55:5–9	"	1942, c. 228, s. 25; 1948, c. 251, s. 8.
R. S. 55:5–10	"	1938, c. 193, s. 15.
R. S. 55:5–13	"	1943, c. 67, s. 7.
R. S. 55:5–15	"	1947, c. 345, s. 25.
R. S. 55:5–16	"	1947, c. 345, s. 26.

Chapter 6. CLEANLINESS AND SANITARY CONDITIONS GENERALLY.

R. S. 55:6–2	amended	1942, c. 228, s. 26; 1947, c. 345, s. 27; 1950, c. 246, s. 15.
R. S. 55:6–6	"	1947, c. 345, s. 28.
R. S. 55:6–9	"	1950, c. 246, s. 16.
R. S. 55:6–15	"	1942, c. 228, s. 27; 1943, c. 67, s. 8; 1950, c. 246, s. 17.
R. S. 55:6–16	"	1947, c. 345, s. 29.

Chapter 8. WATER-CLOSETS, SINKS, SEWERS, WATER SUPPLY, PLUMBING AND DRAINAGE.

R. S. 55:8–2	amended	1942, c. 228, s. 28; 1947, c. 345, s. 30.
R. S. 55:8–4	"	1947, c. 345, s. 31.
R. S. 55:8–10	"	1947, c. 345, s. 32.
R. S. 55:8–11	"	1947, c. 345, s. 33.
R. S. 55:8–12	"	1938, c. 193, s. 16; 1941, c. 205, s. 9.
R. S. 55:8–15	"	1942, c. 228, s. 29.
R. S. 55:8–22	"	1943, c. 67, s. 9.

Chapter 9. BOARD OF TENEMENT HOUSE SUPERVISION.

Note: For Board of Tenement House Supervision continued as the Bureau of Tenement House Supervision in the Division of State Police in the Department of Law and Public Safety, see 1948, c. 439, s. 13 (T. 52, c. 17B).

Chapter 10. FUNCTIONS AND OPERATIONS OF BOARD IN GENERAL.

R. S. 55:10–6	amended	1941, c. 205, s. 10.
R. S. 55:10–8	"	1938, c. 193, s. 17.
R. S. 55:10–9	"	1938, c. 193, s. 18; 1947, c. 345, s. 34; 1950, c. 246, s. 18.
R. S. 55:10–10	"	1938, c. 193, s. 19; (title amended 1942, c. 102); 1943, c. 67, s. 10; 1950, c. 246, s. 19.

Chapter 11. PENALTIES AND RECOVERY THEREOF; ENFORCEMENT GENERALLY.

Note: For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted; see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For Board of Tenement House Supervision continued as Bureau of Tenement House Supervision in Division of State Police in Department of Law and Public Safety, see 1948, c. 439, s. 13 (T. 52, c. 17B).

R. S. 55:11–6	amended	1953, c. 52, s. 1.
R. S. 55:11–7	"	1953, c. 52, s. 2.
R. S. 55:11–8	"	1953, c. 52, s. 3.
R. S. 55:11–9	repealed	1953, c. 52, s. 4.
R. S. 55:11–10	"	1953, c. 52, s. 5.
R. S. 55:11–12	amended	1953, c. 52, s. 6.

R. S. 55:11–13 amended 1953, c. 52, s. 7.

R. S. 55:11–14 " 1953, c. 52, s. 8.

R. S. 55:11–15 " 1953, c. 52, s. 9.

R. S. 55:11–16 " 1953, c. 52, s. 10.

R. S. 55:11–17 " 1953, c. 52, s. 11.

Chapter 13. CONVERSION OF CERTAIN DWELLINGS INTO TENEMENTS.

R. S. 55:13–1 amended 1942, c. 179, s. 1; 1950, c. 246, s. 20.

R. S. 55:13–2 " 1942, c. 179, s. 2; 1947, c. 345, s. 35.

R. S. 55:13–3 " 1942, c. 179, s. 3.

R. S. 55:13–4 " 1950, c. 246, s. 21.

Subtitle 2. PUBLIC HOUSING.

Chapter 14. STATE HOUSING AUTHORITY.

Note: For transfer of powers and duties to Department of Economic Development, see 1944, c. 85 (T. 52, c. 27C), amended 1945, c. 128; for transfer of functions to Department of Conservation and Economic Development, see 1948, c. 448 (T. 13, c. 1B), amended 1951, c. 179; for the State Housing Law of 1949, see 1949, c. 303 (T. 55, c. 14H), amended 1951, c. 27, 1951, c. 235. For county veteran housing projects, see 1951, c. 116 (T. 40, c. 32).

R. S. 55:14–1 to 55:14–13 repealed 1944, c. 85, s. 52.

Chapter 14A. (added) LOCAL HOUSING AUTHORITIES LAW.

R. S. 55:14A–1 (added) Short title, 1938, c. 19, s. 2.

R. S. 55:14A–2 (added) Declaration of necessity of legislation, 1938, c. 19, s. 3.

R. S. 55:14A–3 (added) Definitions, 1938, c. 19, s. 4; amended, 1941, c. 98, ss. 1, 4, 5; 1950, c. 326, s. 1.

R. S. 55:14A–4 (added) Creation of housing authorities, 1938, c. 19, s. 5; amended 1938, c. 210; 1948, c. 262, s. 1; 1950, c. 67, s. 3.

R. S. 55:14A–5 (added) Proof of existence of authority, 1938, c. 19, s. 6.

R. S. 55:14A–6 (added) Authority; commissioners, misconduct; removal, 1938, c. 19, s. 7; amended 1948, c. 262, s. 2; 1950, c. 326, s. 2.

R. S. 55:14A–7 (added) Powers of authority, 1938, c. 19, s. 8; amended 1950, c. 326, s. 3.

R. S. 55:14A-8 (added) Rental policies of authority, 1938, c. 19, s. 9; amended 1950, c. 326, s. 4.

R. S. 55:14A-9 (added) Default. Foreclosure, 1938, c. 19, s. 10.

R. S. 55:14A-10 (added) Right of eminent domain, 1938, c. 19, s. 11.

R. S. 55:14A-11 (added) Projects subject to local laws, 1938, c. 19, s. 12.

R. S. 55:14A-12 (added) Bonds: power to issue, 1938, c. 19, s. 13.

R. S. 55:14A-13 (added) Bonds: liability, 1938, c. 19, s. 14.

R. S. 55:14A-14 (added) Bonds: provisions, 1938, c. 19, s. 15.

R. S. 55:14A-15 (added) Bonds: powers of authority, 1938, c. 19, s. 16.

R. S. 55:14A-16 (added) Rights of obligees, 1938, c. 19, s. 17; 1953, c. 52, s. 12.

R. R. 55:14A-17 (added) Powers of authority after default, 1938, c. 19, s. 18.

R. S. 55:14A-18 (added) Real property exempt from levy, 1938, c. 19, s. 19.

R. S. 55:14A-19 (added) Powers of authority pertaining to Federal Government, 1938, c. 19, s. 20.

R. S. 55:14A-20 (added) Property exempt from taxes, 1938, c. 19, s. 21.

R. S. 55:14A-21 (added) Bonds: legal investment for banks and trustees, 1938, c. 19, s. 22. Repealed 1942, c. 135, s. 3.

R. S. 55:14A-22 (added) Relationship between authority and director, 1938, c. 19, s. 23.

R. S. 55:14A-23 (added) Criticism of project: changes, 1938, c. 19, s. 24.

R. S. 55:14A-24 (added) Reports to director, 1938, c. 19, s. 25.

R. S. 55:14A-25 (added) Validity of chapter, 1938, c. 19, s. 26.

R. S. 55:14A-26 (added) Chapter paramount over inconsistent laws, 1938, c. 19, s. 27.

Additional Legislation.

Civil service protection for certain employees, provided for, suppl., 1943, c. 64 (C. 55:14A–6.1); suppl., 1945, c. 147 (C. 55:14A–6.2).

Tenure for certain secretaries of municipal housing authorities, provided for, suppl., 1953, c. 390 (C. 55:14A–6.3).

Discrimination by reason of race, religious principles, color, national origin or ancestry, prohibited, suppl., 1950, c. 109 (C. 55:14A–7.5).

Bonds, etc., of public housing authority or agency, when legal investments, 1942, c. 135, ss. 1, 2, 4 (C. 55:14A–26.1 to 55:14A–26.3).

Housing authorities, payments in lieu of taxes, studies of housing needs, contracts for Federal aid, co-operation with other housing authorities, authorized, suppl., 1947, c. 374 (C. 55:14A–27 to 55:14A–30).

Blighted areas, determination, authority to, and undertaking of redevelopment project by, State Authority, provided for, 1949, c. 300 (C. 55:14A–31 to 55:14A–48).

Sec. 4 of above amended 1951, c. 86, s. 1 (C. 55:14A–34).

Sec. 5 " " " 1951, c. 86, s. 2 (C. 55:14A–35).

Sec. 7 " " " 1951, c. 300 (C. 55:14A–37).

Sec. 10 " " " 1951, c. 86, s. 3 (C. 55:14A–40).

Sec. 12 " " " 1950, c. 262, s. 1 (C. 55:14A–42).

Sec. 13 " " " 1950, c. 262, s. 2 (C. 55:14A–43).

Sec. 14 " " " 1950, c. 262, s. 3 (C. 55:14A–44).

Discrimination by reason of race, religious principles, color, national origin or ancestry, prohibited, suppl., 1950, c. 105 (C. 55:14A–39.1).

Bonds, etc., to be negotiable, suppl., 1950, c. 262, s. 4 (C. 55:14A–44.1).

Chapter 14B. (added) HOUSING CO-OPERATION LAW.

R. S. 55:14B–1 (added) Short title, 1938, c. 20, s. 2.

R. S. 55:14B–2 (added) Declaration of necessity, 1938, c. 20, s. 3; amended 1950, c. 298, s. 1.

R. S. 55:14B-3 (added) Definitions, 1938, c. 20, s. 4; amended 1950, c. 298, s. 2.

R. S. 55:14B-4 (added) Aid by public bodies, 1938, c. 20, s. 5; amended 1950, c. 298, s. 3.

R. S. 55:14B-5 (added) Agreement with regard to taxation, 1938, c. 20, s. 6.

R. S. 55:14B-6 (added) Loans and donations of money, 1938, c. 20, s. 7; amended 1950, c. 298, s. 4.

R. S. 55:14B-7 (added) How powers exercised; procedure, 1938, c. 20, s. 8; amended 1938, c. 211.

R. S. 55:14B-8 (added) Validity of chapter, 1938, c. 20, s. 9.

Additional Legislation.

Bonds and notes of municipalities to aid projects, 1950, c. 298, s. 5 (C. 55:14B-4.1).

Discrimination by reason of race, religious principles, color, national origin or ancestry, prohibited, suppl., 1950, c. 110 (C. 55:14B-5.1).

Chapter 14C. (new) NATIONAL DEFENSE HOUSING PROJECTS.

Housing projects in connection with national defense activities, provided for, 1941, c. 213 (C. 55:14C-1 to 55:14C-10).

Title of above amended 1944, c. 19, s. 1.

Sec. 2 " " " 1944, c. 19, s. 2 (C. 55:14C-2).

Sec. 8 " " " 1944, c. 19, s. 3 (C. 55:14C-8).

Discrimination by reason of race, religious principles, color, national origin or ancestry, prohibited, suppl., 1950, c. 106 (C. 55:14C-7.1).

Chapter 14D. (new) REDEVELOPMENT COMPANIES LAW.

Redevelopment companies, incorporation, powers and duties, provided for, 1944, c. 169 (C. 55:14D-1 to 55:14D-28).

Discrimination by reason of race, religious principles, color, national origin or ancestry, prohibited, suppl., 1950, c. 107 (C. 55:14D-6.1).

Chapter 14E. (new) URBAN REDEVELOPMENT LAW.

Urban Redevelopment Law (1946), 1946, c. 52 (C. 55:14E-1 to 55:14E-19).

Title of above amended 1949, c. 185, s. 1.

Sec. 2 of above repealed 1949, c. 185, s. 20 (C. 55:14E-2).

Sec. 3 of above amended 1949, c. 185, s. 6 (C. 55:14E-3).

Sec. 4 " " " 1949, c. 185, s. 7 (C. 55:14E-4).

Sec. 5 " " " 1949, c. 185, s. 8 (C. 55:14E-5).

Sec. 6 " " " 1949, c. 185, s. 9 (C. 55:14E-6).

Sec. 8 " " " 1949, c. 185, s. 10 (C. 55:14E-8).

Sec. 9 " " " 1949, c. 185, s. 11 (C. 55:14E-9).

Sec. 10 " " " 1949, c. 185, s. 12 (C. 55:14E-10).

Sec. 11 " " " 1949, c. 185, s. 13 (C. 55:14E-11).

Sec. 13 " " " 1949, c. 185, s. 14 (C. 55:14E-13).

Sec. 14 " " " 1949, c. 185, s. 15 (C. 55:14E-14).

Sec. 15 " " " 1949, c. 185, s. 16 (C. 55:14E-15).

Sec. 16 " " " 1949, c. 185, s. 17 (C. 55:14E-16).

Sec. 17 " " repealed 1949, c. 185, s. 20 (C. 55:14E-17).

Discrimination by reason of race, religious principles, color, national origin or ancestry, prohibited, suppl., 1950, c. 111 (C. 55:14E-7.1).

Blighted areas in municipalities, definition, clearance, redevelopment and rehabilitation, provided for, suppl., 1949, c. 185, ss. 2-5, 18-20 (C. 55:14E-20 to 55:14E-26).

Chapter 14F. (new) MUNICIPAL HOUSING.

Municipal Housing Law (1946), 1946, c. 79 (C. 55:14F-1 to 55:14F-9).

Title of above amended 1946, c. 321, s. 1.

Sec. 2 " " " 1946, c. 321, s. 2 (C. 55:14F-2).

Sec. 4 " " " 1946, c. 321, s. 3 (C. 55:14F-4).

Sec. 9 " " " 1946, c. 321, s. 5; 1948, c. 10, s. 1; 1949, c. 4, s. 1 (C. 55:14F-9).

Portable, temporary and movable dwellings, zoning and tenement regulations not to apply in certain cases, suppl., 1946, c. 321, s. 4 (C. 55:14F-4.1).

Sec. 4 of above amended 1948, c. 10, s. 2; 1949, c. 4, s. 2 (C. 55:14F-4.1).

Contracts by municipalities jointly, provided for, suppl., 1947, c. 242 (C. 55:14F-10).

Chapter 14G. (new) VETERANS' HOUSING.

Veterans' housing; emergency declared; State program to relieve housing shortage, 1946, c. 323 (C. 55:14G–1 to 55:14G–26).

Sec. 2 of above amended 1947, c. 52, s. 1 (C. 55:14G–2).

Sec. 12 " " " 1949, c. 186, s. 1; 1951, c. 20, s. 1; 1953, c. 129 (C. 55:14G–12).

Sec. 13 " " " 1951, c. 20, s. 2 (C. 55:14G–13).

Sec. 15 " " " 1949, c. 186, s. 2 (C. 55:14G–15).

Sec. 17 " " " 1947, c. 52, s. 2 (C. 55:14G–17).

Sec. 18 " " " 1947, c. 52, s. 3 (C. 55:14G–18).

Sec. 19 " " repealed 1949, c. 186, s. 3 (C. 55:14G–19).

Sec. 20 " " " 1949, c. 186, s. 3 (C. 55:14G–20).

Sec. 26 " " amended 1948, c. 12; 1949, c. 5; 1949, c. 186, s. 6 (C. 55:14G–26).

Bonds for veterans housing to be issued notwithstanding provisions of this act, suppl., 1950, c. 204 (C. 55:14G–17.1, 55:14G–17.2).

Report of administrator, contents and filing, required, suppl., 1948, c. 248 (C. 55:14G–27).

Net revenue or proceeds of sale of projects, disposition of, provided for, suppl., 1949, c. 186, s. 4 (C. 55:14G–29).

Receipts payable into State treasury, 1950, c. 264 (C. 55:14G–29.1).

Frauds under, or violation of, act, prohibited, suppl., 1949, c. 186, s. 5 (C. 55:14G–30).

Chapter 14H. (new) STATE HOUSING.

The State Housing Law of 1949, 1949, c. 303 (C. 55:14H–1 to 55:14H–37).

Sec. 3 of above amended 1951, c. 235, s. 1 (C. 55:14H–3).

Sec. 10 " " " 1951, c. 235, s. 2 (C. 55:14H–10).

Sec. 20 " " " 1951, c. 235, s. 3 (C. 55:14A–20).

Sec. 21 " " " 1951, c. 27, s. 1; 1951, c. 235, s. 4 (C. 55:14A–21).

Sec. 33 " " " 1951, c. 27, s. 2; 1951, c. 235, s. 5 (C. 55:14H–33).

Discrimination by reason of race, religious principles, color, national origin or ancestry, prohibited, suppl., 1950, c. 108 (C. 55:14H–9.1).

Chapter 16. (new) LIMITED-DIVIDEND HOUSING CORPORATIONS LAW.

Limited-Dividend Housing Corporations Law, 1949, c. 184 (C. 55:16-1 to 55:16-21).

Sec. 3 of above amended 1949, c. 305, s. 1; 1951, c. 234, s. 1 (C. 55:16-3).

Sec. 8 " " " 1949, c. 305, s. 2; 1951, c. 234, s. 2 (C. 55:16-8).

Sec. 11 " " " 1949, c. 305, s. 3 (C. 55:16-11).

Sec. 12 " " " 1951, c. 234, s. 3 (C. 55:16-12).

Sec. 13 " " " 1951, c. 234, s. 4 (C. 55:16-13).

Sec. 14 " " " 1951, c. 234, s. 5 (C. 55:16-14).

Sec. 17 " " " 1949, c. 305, s. 4 (C. 55:16-17).

Sec. 18 " " " 1949, c. 305, s. 5 (C. 55:16-18).

"Surplus" not to include certain assets, provided for, suppl., 1950, c. 21 (C. 55:16-5.1).

Discrimination by reason of race, religious principles, color, national origin or ancestry, prohibited, suppl., 1950, c. 112 (C. 55:16-8.1).

Restrictions and limitation of act, release from, provided for and regulated, suppl., 1950, c. 69 (C. 55:16-22).

Title 56. TRADE NAMES, TRADE-MARKS AND UNFAIR TRADE PRACTICES.

Chapter 1. BUSINESS AND PARTNERSHIP NAMES.

R. S. 56:1-1 amended 1951, c. 255, s. 1.

R. S. 56:1-2 " 1951, c. 255, s. 2.

Additional Legislation.

Service of process upon county clerk, notification of party to be served, provided, suppl., 1951, c. 255, ss. 3, 4 (C. 56:1-2.1 and 56:1-2.2).

Chapter 3. LABELS, TRADE NAMES AND TRADE-MARKS; BOTTLES, CANS, CONTAINERS AND OTHER ARTICLES.

Note: For brands, trade-marks, labels, etc., of New Jersey farm products, see 1939, c. 136 (T. 4, c. 10).

For succession to jurisdictions, powers and duties of former courts and judicial officers, and substitution of certain proceedings, under new judicial system, see 1948, c. 375 (T. 1, c. 1).

For justices of the peace, small cause and local police courts, abolished; county district and municipal courts, substituted; see 1948, c. 264 (T. 2, c. 8A), amended 1948, c. 394, 1949, c. 82, 1950, c. 11, 1950, c. 67, 1951, c. 94; N. J. S. 2A, chapters 6 and 8.

For shell eggs, buying, receiving, selling, etc., trade names, labels, etc., regulated, see 1953, c. 143 (T. 4, c. 3).

R. S. 56:3-3 amended 1947, c. 102, s. 1.

R. S. 56:3-10 " 1953, c. 53, s. 1.

R. S. 56:3-11 " 1953, c. 53, s. 2.

R. S. 56:3-12 " 1953, c. 53, s. 3.

R. S. 56:3-16 " 1947, c. 102, s. 2.

R. S. 56:3-23 " 1953, c. 53, s. 4.

R. S. 56:3-24 repealed 1953, c. 53, s. 5.

R. S. 56:3-25 amended 1953, c. 53, s. 6.

R. S. 56:3-30 repealed 1953, c. 53, s. 7.

R. S. 56:3-31 " 1953, c. 53, s. 8.

R. S. 56:3-41 amended 1953, c. 53, s. 9.

R. S. 56:3-47 " 1953, c. 53, s. 10.

Chapter 4. UNFAIR COMPETITION.

Article 2. Contract for Sale or Resale of Certain Commodities.

Note: For enforcement, fair trade contracts as to alcoholic beverages, by Commissioner of Alcoholic Beverage Control, see 1938, c. 208 (T. 33, c. 1).

R. S. 56:4-3 amended 1940, c. 230, s. 1.

R. S. 56:4-4 " 1940, c. 230, s. 2.

R. S. 56:4-5 " 1938, c. 165, s. 1.

R. S. 56:4-6 " 1938, c. 165, s. 2.

Article 3. (new) Fair Sales Act.

Additional Legislation.

Advertisements, offer for sale or sale of merchandise at less than cost, prohibited, 1938, c. 394 (NJSA 56:4-7 to 56:4-15; RSCS 56:4-7 to 56:4-16).

Sec. 5 of above amended 1953, c. 53, s. 11 (C. 56:4-11).

Sec. 7 " " " 1953, c. 53, s. 12 (C. 56:4-13).

Chapter 6. (new) MOTOR FUELS.

Retail sale of motor fuels regulated, 1938, c. 163 (NJSA 56:6-1 to 56:6-13, 56:6-15 to 56:6-17; RSCS 56:6-1 to 56:6-17).

Sec. 101 of above amended 1938, c. 401 (C. 56:6-1).

Sec. 201 " " " 1939, c. 62, s. 1 (C. 56:6-2).

Sec. 301 " " " 1939, c. 62, s. 2 (C. 56:6-3).

Sec. 505 " " " 1953, c. 53, s. 13 (C. 56:6-10).

Sec. 506 " " " 1942, c. 260 (C. 56:6-11).

Sec. 509 (added) Suspension or revocation of license, suppl., 1939, c. 63 (NJSA 56:6-14; RSCS 56:6-13.1).

Sec. 803 of above amended 1938, c. 204 (C. 56:6-1 note).

Signs relating to price of motor fuel sold or dispensed by retail dealers, provided for and regulated, suppl., 1952, c. 258 (C. 56:6-2.1 to C. 56:6-2.5).

Sales of motor fuels, prevention of unfair competition and trade practices, provided for, suppl., 1953, c. 413 (C. 56:6-19 to 56:6-32).

Chapter 7. (new) UNFAIR CIGARETTE SALES ACT AND SIMILAR LEGISLATION.

Unfair Cigarette Sales Act, 1948, c. 188 (C. 56:7-1 to 56:7-17).

Sec. 2 of above amended 1950, c. 135, ss. 1, 3 (C. 56:7-2).

Sec. 3 " " " 1950, c. 135, ss. 2, 3 (C. 56:7-3).

Unfair Cigarette Sales Act of 1952, 1952, c. 247 (C. 56:7-18 to C. 56:7-38).

Title 58. WATERS AND WATER SUPPLY.

Note: For act to promote interstate co-operation for conservation, etc., of water resources in Delaware River Basin, see 1939, c. 146 (T. 32, c. 20); for acquisition, operation, disposal, etc., of water and water power rights and property, authorized, see 1944, c. 207 (T. 40, c. 69); for maintenance of certain nuisances affecting health, etc., prohibited, see 1945, c. 192 (T. 26, c. 3B), amended 1953, c. 26.

Chapter 1. STATE WATER POLICY COMMISSION.

Note: For transfer of functions, powers and duties of State Water Policy Commission to State Department of Conservation, see 1945, c. 22 (T. 13, c. 1A); for transfer of functions, powers and duties to Department of Conservation and Economic Development, see 1948, c. 448 (T. 13, c. 1B), amended 1951, c. 179.

R. S. 58:1–1 amended 1942, c. 94, s. 1; repealed 1945, c. 22, s. 44.

R. S. 58:1–2 " 1942, c. 94, s. 2.

R. S. 58:1–22 " 1953, c. 54, s. 1.

Additional Legislation.

Interconnections between public water supplies; power to order, etc., in war emergency; 1942, c. 24 (C. 58:1–25.1 to 58:1–25.25).

Sec. 9 of above amended 1953, c. 54, s. 2 (C. 58:1–25.9).

Sec. 20 " " " 1953, c. 54, s. 3 (C. 58:1–25.20).

Chapter 2. PAYMENT TO STATE FOR WATERS DIVERTED.

R. S. 58:2–3 amended 1950, c. 44.

Chapter 3. DIVERSION OF WATERS INTO OTHER STATES.

R. S. 58:3–3 amended 1953, c. 54, s. 4.

Chapter 4. DAMS AND RESERVOIRS.

R. S. 58:4–6 amended 1953, c. 54, s. 5.

Chapter 4A. (new) SUBSURFACE AND PERCOLATING WATERS.

Diversion of, in certain areas, regulated, 1947, c. 375 (C. 58:4A–1 to 58:4A–4).

Sec. 3 of above amended 1953, c. 54, s. 6 (C. 58:4A–3).

Sec. 4 " " " 1951, c. 193, s. 1 (C. 58:4A–4).

Abandoned wells, sealing, provided for, suppl., 1951, c. 193, ss. 2-4 (C. 58:4A–4.1 to 58:4A–4.3).

Well drillers, examining and licensing, Board of Well Drillers created; well drillers required to be licensed, operations subject to supervision, 1947, c. 377 (C. 58:4A–5 to 58:4A–28).

Sec. 9 of above amended 1948, c. 148 (C. 58:4A–13).

Sec. 10 " " " 1951, c. 261, s. 1 (C. 58:4A–14).

Sec. 16 " " " 1951, c. 261, s. 2 (C. 58:4A–20).

Sec. 19 " " " 1951, c. 261, s. 3; 1952, c. 84 (C. 58:4A–23).

Chapter 5. NORTH AND SOUTH JERSEY WATER SUPPLY DISTRICTS.

R. S. 58:5–17 amended 1945, c. 195, s. 1; 1953, c. 54, s. 7.

R. S. 58:5–26 " 1941, c. 4.

Additional Legislation.

Acceptance of funds and grants from Federal Government or agency, provided for, suppl., 1945, c. 195, s. 2 (C. 58:5–7.1).

Chapter 5A. (new) WATERSHED POLICE.

Watershed police, establishment, powers and duties, suppl., 1952, c. 355 (C. 58:5A–1 to 58:5A–5).

Chapter 10. POLLUTION OF WATERS.

Article 1. Pollution of Potable Waters.

R. S. 58:10–2 amended 1953, c. 54, s. 8.

R. S. 58:10–4 " 1953, c. 54, s. 9.

Article 2. Pollution of Fresh Waters.

R. S. 58:10–8 amended 1953, c. 54, s. 10.

Article 3. Discharge of Effluents Into Potable Waters.

R. S. 58:10–11 amended 1953, c. 54, s. 11.

R. S. 58:10–12 " 1953, c. 54, s. 12.

Article 5. Factories Within Potable Watersheds.

R. S. 58:10–20 amended 1953, c. 54, s. 13.

Article 7. Petroleum Pipe Lines Across Fresh Water Streams.

R. S. 58:10–32 amended 1953, c. 54, s. 14.

R. S. 58:10–33 " 1953, c. 54, s. 15.

Article 7A. (new) Underground Storage of Gas, Petroleum Products, etc.

Additional Legislation.

Underground storage of gas, petroleum products, etc., regulated, 1951, c. 80 (C. 58:10–35.1 to 58:10–35.4).

Article 8. Pollution of Passaic River and Tributaries Thereof Above Great Falls at Paterson.

R. S. 58:10–39 amended 1953, c. 54, s. 16.

R. S. 58:10–40 " 1953, c. 54, s. 17.

R. S. 58:10–41 " 1953, c. 54, s. 18.

Article 9. Pollution of Hackensack River.

R. S. 58:10–43 amended 1953, c. 54, s. 19.

Chapter 11. WATER AND SEWERAGE PLANTS AND SYSTEMS IN GENERAL.

Article 1. Distribution or Sale of Polluted Water for Potable Purposes Prohibited.

R. S. 58:11–6 amended 1953, c. 54, s. 20.

Article 2A. (new) Interconnections Between Approved Public Potable Water Supplies and Unapproved Water Supplies.

Additional Legislation.

Permits for physical connections between approved potable water supplies and unapproved water supplies, required and provided for, 1942, c. 308 (C. 58:11–9.1 to 58:11–9.11).

Sec. 9 of above amended 1953, c. 54, s. 21 (C. 58:11–9.9).

Sec. 10 " " " 1953, c. 54, s. 22 (C. 58:11–9.10).

Article 3. Changes in Water Purification Plants and Sewerage Systems.

R. S. 58:11–11 amended 1953, c. 54, s. 23.

Article 5, Licensing of Superintendents or Operators of Water Purification or Sewage Treatment Plants.

R. S. 58:11–18 amended 1953, c. 54, s. 24.

Article 5A. (new) Licensing of Superintendents or Operators of Water Purification or Treatment Plants and of Superintendents of Water Supply Systems.

Additional Legislation.

Superintendents, operators, etc., of water purification and water and sewerage treatment plants and water supply systems; licensing, suppl., 1938, c. 206 (C. 58:11-18.1 to 58:11-18.5).

Certain licensees entitled to tenure of employment, etc., suppl., 1941, c. 234 (C. 58:11-18.7 to 58:11-18.9).

Article 5B. (new) Licensing of Superintendents or Operators of Public Water Treatment Plants, Public Sewage Treatment Plants and Public Water Supply System.

Additional Legislation.

Superintendents or operators of water treatment, sewage treatment and water supply, plants and systems, examination and licensing, provided for, 1946, c. 295 (C. 58:11-18.10 to 58:11-18.22).

Sec. 3 of above amended 1947, c. 126 (C. 58:11-18.2).

Sec. 7 " " " 1953, c. 54, s. 25 (C. 58:11-18.16).

Sec. 8 " " " 1953, c. 54, s. 26 (C. 58:11-18.17).

Article 6. Use of Sewerage System of an Adjoining Municipality.

R. S. 58:11-19 to 58:11-20 repealed 1938, c. 398.

R. S. 58:11-21 amended 1938, c. 250; repealed 1938, c. 398.

R. S. 58:11-22 repealed 1938, c. 398

Chapter 12. SEWERAGE DISTRICTS AND SEWERAGE DISTRICT BOARDS.

Note: For Sanitary Sewer District Authorities, first- and second-class counties, establishment, powers, duties, etc., see 1946, c. 123 (T. 40, c. 36), amended 1948, c. 136; 1949, c. 88; 1949, c. 145; for Sewerage Authorities Law (1946), see 1946, c. 138 (T. 40, c. 14A), amended 1947, c. 391, 1951, c. 127, 1952, c. 277, 1953, c. 37.

R. S. 58:12-2 amended 1938, c. 224; 1953, c. 54, s. 27.

R. S. 58:12-4 " 1953, c. 54, s. 28.

R. S. 58:12-10 " 1948, c. 25.

R. S. 58:12-32 " 1953, c. 54, s. 29.

R. S. 58:12-33 " 1953, c. 54, s. 30.

R. S. 58:12-34 " 1953, c. 54, s. 31.

Chapter 14. PASSAIC VALLEY SEWERAGE DISTRICT.

R. S. 58:14-3 amended 1941, c. 99.

R. S. 58:14-4 " 1953, c. 370.

R. S. 58:14-7 " 1953, c. 54, s. 32.

Additional Legislation.

Passaic Valley Sewerage District extended, 1942, c. 151 (C. 58:14-1.1).

Leases for use of intercepting sewers, regulated and provided for, suppl., 1943, c. 76 (C. 58:14-34.1 to 58:14-34.8); suppl., 1944, c. 214 (C. 58:14-34.9).

Passaic Valley Sewerage District, powers of commissioners enlarged; bonds, issuance authorized and regulated; cost of system, repair, etc., apportioned, suppl., 1953, c. 388 (C. 58:14-34.10 to 58:14-34.26).

Chapter 15. HACKENSACK RIVER SEWERAGE DISTRICT.

R. S. 58:15-1 to 58:15-72 repealed 1945, c. 300, s. 64.

Chapter 15A. (new) BERGEN-HACKENSACK SANITARY SEWER DISTRICT.

District and authority, created, functions, powers and duties, prescribed, suppl., 1945, c. 300 (C. 58:15A-1 to 58:15A-65).

Chapter 16. PASSAIC VALLEY FLOOD CONTROL COMMISSION.

Note: For transfer of functions, powers and duties to State Department of Conservation, see 1945, c. 22 (T. 13, c. 1A).

R. S. 58:16-2 repealed 1945, c. 22, s. 44.

Chapter 16A. (new) FLOOD CONTROL.

Federal program for flood control in State, participation by State in, authorized, 1948, c. 351 (C. 58:16A-1 to 58:16A-16).

Sec. 12 of above amended 1953, c. 54, s. 33 (C. 58:16A-12).

Chapter 18. (new) DELAWARE RIVER BASIN.

Reciprocal act for use, conservation, protection and equitable diversion of water resources in Delaware River Basin between Pennsylvania, New York and New Jersey, 1944, c. 121 (C. 58:18-1 to 58:18-17).

Interstate, integrated water projects, supervision and investigation, authorized, 1949, c. 105 (C. 58:18-18 to 58:18-23).

APPENDIX A

Chapter 1. EMERGENCY RELIEF IN GENERAL.

Article 1. Bond Issues and Revenues for Relief.

D. Payments from Treasury.

Additional Legislation.

Relief payments withheld from municipality indebted to State, 1939, c. 9 (NJSA 27:7-19.3; RSCS 27:7-37.1).

E. (new) 1939 Bond Issue.

Additional Legislation.

Bond issue of 1939, 1939, c. 329 (C. App. A:1-59 to App. A:1-75).

Article 2. (new) Commission to Study Unemployment Relief.

Additional Legislation.

Commission to study unemployment relief, 1938, c. 92.

Chapter 2. POOR RELIEF.

App. A:2-5 amended 1938, c. 317.

Additional Legislation.

Legal settlement defined, 1938, c. 28 (NJSA App. A:2-8, App. A:2-9; RSCS App. A:2-6, App. A:2-7).

Bond issues by cities, 1938, c. 101 (NJSA App. A:2-10 to App. A:2-13; RSCS App. A:2 note).

Bond issues by municipalities, 1939, c. 332 (NJSA, RSCS 40:1-99 to 40:1-103).

Title of above amended 1939, c. 395, s. 1.

Sec. 1 " " " 1939, c. 395, s. 2; 1940, c. 185; 1941, c. 107, s. 1 (NJSA 40:1-99; RSCS App. A:2-14).

Sec. 2 " " " 1939, c. 295, s. 3; 1941, c. 107, s. 2 (NJSA 40:1-100; RSCS App. A:2-15).

Sec. 3 " " " 1939, c. 395, s. 4 (NJSA, RSCS 40:1-101).

Sec. 4 " " " 1939, c. 395, s. 5 (NJSA, RSCS 40:1-102).

Chapter 3. FEDERAL LOANS OR GRANTS FOR PUBLIC WORKS.

1933, c. 428, Title amended 1949, c. 191, s. 1.

App. A:3-1 1933, c. 428, s. 1 " 1949, c. 191, s. 2.

App. A:3-12 1933, c. 428, s. 12 " 1949, c. 191, s. 3.

Additional Legislation.

State Highway Commissioner, contracts and commitments, 1938, c. 10 (NJSA App. A:3-30 to App. A:3-35; RSCS App. A:3-30 to App. A:3-36); 1938, c. 81 (NJSA App. A:3-36, App. A:3-37; RSCS App. A:3-37 to App. A:3-39); 1938, c. 365 (NJSA App. A:3-38 to App. A:3-39; RSCS App. A:3-40 to App. A:3-42).

Chapter 4. TAXES, ASSESSMENTS AND PUBLIC REVENUES.

Note: For Delinquent Railroad Tax Adjustment Law (1941), see 1941, c. 290 (App. A:4), amended 1942, c. 241.

Article 1. In General.

A. COLLECTION OF TAXES BY RECEIVERSHIP.

Note: For permanent legislation relating to subject, see 1939, c. 362 (T. 54, c. 4), amended 1953, c. 51.

A1. (new) ADJUSTMENT OF DELINQUENT RAILROAD TAXES.

Additional Legislation.

Delinquent Railroad Tax Adjustment Law (1941), 1941, c. 290 (C. App. A:4-7.1 to App. A:4-7.13).

Title of above amended 1942, c. 241, s. 1.

Sec. 1 " " " 1942, c. 241, s. 2 (C. App. A:4-7.1).

Sec. 2 " " " 1942, c. 241, s. 3 (C. App. A:4-7.2).

Sec. 3 " " " 1942, c. 241, s. 4 (C. App. A:4-7.3).

Sec. 4 " " " 1942, c. 241, s. 5 (C. App. A:4-7.4).

Sec. 5 " " " 1942, c. 241, s. 6 (C. App. A:4-7.5).

Sec. 6 " " " 1942, c. 241, s. 7 (C. App. A:4-7.6).

Sec. 7 " " " 1942, c. 241, s. 8 (C. App. A:4-7.7).

Sec. 8 of above amended 1942, c. 241, s. 9 (C. App. A:4-7.8).

Sec. 9 " " " 1942, c. 241, s. 10 (C. App. A:4-7.9).

Sec. 10 " " " 1942, c. 241, s. 11 (C. App. A:4-7.10).

Sec. 11 " " " 1942, c. 241, s. 12 (C. App. A:4-7.11).

Definition and purpose, etc., of act, suppl., 1942, c. 241, ss. 13-15 (C. App. A:4-7.14 to App. A:4-7.16).

C. REPEALER OF ACT TAXING STATE PARK LANDS; REFUNDS.

App. A:4-12.2 amended 1938, c. 70.

D. ADJUSTMENT OF TAXES OF CORPORATION IN BANKRUPTCY.

Additional Legislation.

Abatement, etc., of taxes and application of rentals to payment of taxes, etc., corporations in bankruptcy, etc., 1938, c. 26 (NJSA, RSCS 54:4-99 note); 1939, c. 314 (NJSA, RSCS 54:4-99 note); 1941, c. 56 (C. App. A:4-12.25 to App. A:4-12.31); 1942, c. 74 (C. App. A:4-12.32 to App. A:4-12.37).

Article 2. County and Municipal Finances.

App. A:4-19 suppl. 1939, c. 37 (NJSA App. A:4-31.11; RSCS App. A:4-25.1).

Additional Legislation.

Purchase of Federal current income bonds by counties and municipalities, in certain cases, authorized, 1941, c. 297 (C. App. A:4-46.1 to App. A:4-46.3).

Title of above amended 1942, c. 304, s. 1; 1943, c. 208, s. 1.

Sec. 1 " " " 1942, c. 304, s. 2; 1943, c. 208, s. 2 (C. App. A:4-46.1).

Sec. 2 " " " 1942, c. 304, s. 3; 1943, c. 208, s. 3 (C. App. A:4-46.2).

Sec. 3 " " " 1942, c. 304, s. 4; 1943, c. 208, s. 4; 1944, c. 250, s. 1 (C. App. A:4-46.3).

Article 3. School Finances.

App. A:4-47 to A:4-52 suppl. 1938, c. 12 (C. App. A:4-52.1, App. A:4-52.2).

Additional Legislation.

Funding or refunding of notes or bonds of school districts, 1940, c. 29 (NJSA App. A:4-63 to App. A:4-70.1; RSCS App. A:4-55 to App. A:4-62).

Sec. 1 of above amended 1940, c. 249; 1943, c. 19; 1945, c. 27 (C. App. A:4-63).

Article 4. (new) Extension of Maturity of Municipal, County and School Bonds.

Additional Legislation.

Extension of maturity of municipal, county and school bonds and obligations by agreement with holders, 1938, c. 236 (NJSA App. A:4-71 to App. A:4-77; NJSA, RSCS 40:1-92 to 40:1-98).

Sec. 2 of above amended 1941, c. 76; 1942, c. 184 (C. App. A:4-72).

Chapter 5. TRANSFER INHERITANCE TAXES.

App. A:5-5 amended 1938, c. 136; 1939, c. 57; 1940, c. 64; 1941, c. 172.

Chapter 7. COMMISSIONER OF BANKING AND INSURANCE; ADDITIONAL POWERS.

App. A:7-7 amended 1938, c. 110; 1939, c. 128.

App. A:7-15 " 1938, c. 220; 1941, c. 79; 1942, c. 87; 1945, c. 67; 1946, c. 264.

Additional Legislation.

Guaranteed mortgages, etc., powers of commissioner over; and over guaranteeing companies, 1938, c. 212 (C. App. A:7-16 to App. A:7-36).

Chapter 8. STATE MILK CONTROL LAW.

Note: For Milk Control Law (1941) see 1941, c. 274 (T. 4, c. 12A), amended 1952, c. 159, 1953, c. 5; for transfer of functions to Office of Milk Industry in the Department of Agriculture, see 1948, c. 447 (T. 4, c. 1).

Additional Legislation.

Milk Control Law (1939), 1939, c. 82 (NJSA App. A:8-50 to App. A:8-98; RSCS App. A:8-1 to App. A:8-50).

Chapter 9. (new) NATIONAL DEFENSE.

Article 1. (new) New Jersey Defense Council.

Note: For transfer of functions, etc., of New Jersey Defense Council to Governor's War Emergency Cabinet, see 1942, c. 251 (App. A:9), amended 1949, c. 86; 1952, c. 14.

Constitution, powers and duties of New Jersey Defense Council, 1940, c. 238 (NJSA App. A:9-1 to App. A:9-11; RSCS App. C:1-1 to App. C:1-11).

Title of above amended 1941, c. 179, s. 1.

Sec. 1 " " " 1941, c. 376 (C. App. A:9-1).

Sec. 2 " " " 1941, c. 179, s. 2; 1942, c. 15, s. 1 (C. App. A:9-2).

Sec. 5 " " " 1941, c. 179, s. 3 (C. App. A:9-5).

Additional powers, suppl., 1941, c. 179, s. 4 (NJSA App. A:9-1 note; RSCS App. A:9-4.1).

Violation, misdemeanor, suppl., 1941, c. 179, s. 5 (NJSA App. A:9-1 note; RSCS App. A:9-4.2).

Monthly reports of Defense Council to be filed, etc., suppl., 1942, c. 15, s. 2 (NJSA App. A:9-1 note; RSCS App. A:9-5.1).

Community Defense Service Councils, social service organizations, motor corps, ambulance units, first aid squads, etc., approval of New Jersey Defense Council for, required, suppl., 1941, c. 46 (C. App. A:9-11.1 to App. A:9-11.5).

Sec. 2 of above amended 1941, c. 180, s. 1 (C. App. A:9-11.2).

Sec. 3 " " " 1941, c. 180, s. 2 (C. App. A:9-11.3).

Sec. 4 " " " 1941, c. 180, s. 3 (C. App. A:9-11.4).

Violation of act, misdemeanor, suppl., 1941, c. 180, s. 4 (C. App. A:9-11.6).

Article 2. (new) Acquisition, Exchange and Conveyance of Property for Defense Purposes.

Water supply, etc., properties; acquisition, conveyance, etc., by municipality to United States Government for air base; authorized, 1941, c. 11 (C. App. A:9-12, App. A:9-13).

Article 3. (new) Local Defense Councils.

Note: For Local Defense Councils appointed under Civilian Defense During War Emergency Act (1942), see 1942, c. 251 (T. App. A, c. 9), amended 1949, c. 86; 1952, c. 14.

Local Defense Councils, creation, powers, duties, etc., 1941, c. 45 (C. App. A:9-14 to App. A:9-19).

Sec. 1 of above amended 1941, c. 182, s. 1 (C. App. A:9-14).

Sec. 2 " " repealed 1941, c. 182, s. 2 (C. App. A:9-15).

Sec. 3 " " amended 1941, c. 182, s. 3 (C. App. A:9-16).

Removal of members for violation of act, etc., suppl., 1941, c. 182, s. 4 (C. App. A:9-19.1).

Article 4. (new) Local Agencies and Associations for Defense, Etc.

Defense, entertainment, recreation, health and welfare agencies, creation, etc., 1941, c. 47 (C. App. A:9-20 to App. A:9-23).

Sec. 1 of above amended 1941, c. 181 (C. App. A:9-20).

Article 5. (new) Secretary for Defense.

Note: For Civilian Defense Director, see 1942, c. 251 (App. A:9), amended 1949, c. 86; 1952, c. 14.

Secretary for Defense; appointment, etc., powers, duties, etc., 1941, c. 184 (C. App. A:9-24 to App. A:9-29).

Article 6. (new) Emergency Powers of Governor.

Note: For agreements with other States for protection of interstate facilities in cases of emergency, provided for, see 1950, c. 68 (T. 38, c. 14C).

Assistance of State to be rendered to U. S. and employment of State resources therein, 1941, c. 393 (C. App. A:9-30 to App. A:9-32).

Civilian Defense during War Emergency Act, 1942, c. 251 (C. App. A:9-33 to App. A:9-57).

Title of above amended 1949, c. 86, s. 1.

Sec. 1 " " " 1949, c. 86, s. 2 (C. App. A:9-33).

Sec. 5 " " " 1949, c. 86, s. 3 (C. App. A:9-37).

Sec. 20 " " " 1952, c. 14 (C. App. A:9-52).

Sec. 25 " " " 1949, c. 86, s. 4 (C. App. A:9-57).

Volunteer civil defense workers, disability, death, medical and hospital benefits, provided for, suppl., 1952, c. 12 (C. App. A:9-57.1 to App. A:9-57.24).

Civil defense forces of other states, powers, etc., within this State, defined and provided for, suppl., 1953, c. 117 (C. App. A:9-57.25).

Mutual aid agreements, etc., with other states and their agencies; acceptance of gifts and loans for civil defense, authorized, suppl., 1951, c. 72, ss. 1-6 (C. App. A:9-58 to App. A:9-63).

Chapter 10. (new) FEDERAL GRANTS, ETC.

State, county, municipal and school districts authorized to accept Federal grants, etc., for defense and war activities, 1942, c. 226 (C. App. A:10-1 to App. A:10-5).

State and Federal aid for civil defense to municipalities, procedure for obtaining, provided, suppl., 1951, c. 146, ss. 1-4 (C. App. A:10-7 to App. A:10-10).

SCHEDULE 1

TABLE OF ALLOCATION OF STATUTES, 1938-1953, BOTH INCLUSIVE, IN CUMULATIVE TABLE OF CONTENTS

ALLOCATION OF 1938 STATUTES

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	15	54	31
8	1–17	54	30A(new)
	18	54	31
	18	54	32
9		†18	10
10		App. A	3
11		*	
12		App. A	4
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14		18	10
15		*	
16		54	4
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18		†2	219
19		55	14A(added)
20		55	14B(added)
21		20	1
22		*	
23		†40	2
24		26	4
25		40	2
26		App. A	4
27		*	
28		App. A	2
29		†2	26
30		33	1
31		17	12
32		17	12
33		40	23
34		*	
35		*	
36		34	15
37		†3	7
38		11	27
39		23	4
40		*	
41		26	4
42		Val	
43		27	6
44		51	8
45		*	
46		†44	8
47		27	6
48		6	1
49		39	3
50		27	6
51		27	6
52		17	2
53		43	19
54		30	8
55		†17	32
56		†54	17
57		5	2
58		43	21
59		43	21
60		17	45
61		8	3
62		Val.	
63		Val.	
64		*	
65		40	146
66		39	3
67		26	3

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 5 following.
† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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72		†2	32
73		4	9
74		4	4
75		39	5
76		11	2A(new)
77		*	
78	1	18	5
	2	18	6
	3	18	7
79		33	1
80		40	11
81		App. A	3
82		4	3
83		27	6
84		27	6
85		27	6
86		52	3
87		40	61
88		*	
89		*	
90		*	
91		*	
92		App. A	1
93		*	
94		*	
95		*	
96		*	
97		2	7
98		34	2
99		Val.	
100		*	
101		App. A	2
102		23	4
103		20	2
104		43	16
105		26	3
106		†2	29
107		†2	29
108		3	10
109		*	
110		App. A	7
111		43	21
112		17	12
113		17	12
114		54	52
115		36	1
116		43	14
117		Val.	
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119		*	
120		45	4A
121		45	9
122		54	30A(new)
123		†44	8
124		2	180
125		†2	176
126		37	1
127		†52	27A(new)
128		†40	2
129		52	3
130		34	15
131		40	47
132		54	15
133		†3	21
134		27	6
135		11	20
136		App. A	5
137		54	49
138		†2	183
139		*	
140		†3	13
141		Val.	
142		43	9
143		†27	6
144		†18	5
145		†18	5
146		13	4
147		33	1
148		Val.	
149		40	46
150		9	13
151		54	3
152		54	4
153		*	
154		*	
155		18	8

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	29	†52	24
160		†30	5
161		30	5
162		†17	6
163		56	6(new)
164	1	39	4
	2	39	5
165		56	4
166		54	39
167		40	25
168		27	6
169		52	27
170		46	14
171		Val.	
172		†22	2
173		52	18
174		26	8
175		†2	47
176		40	18
177		27	6
178		14	15
179		4	16
180		14	15
181		*	
182		51	1
183		27	6
184		30	6A
185		†17	4
186		†54	13
187		†2	50
188		†2	50
189		†2	27
190		†2	80
191		†2	50
192		11	2
193	1-3	55	2
	4-11	55	3
	12	55	4
	13-15	55	5
193	16	55	8
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194		44	4
195		24	10
196		†3	16
197	1-8	45	4
	9, 10	†45	4
	11-32	45	4
198		34	15
199		Val.	
200		2	24
201		8	3
202		52	27
203		40	61
204		56	6(new)
205		†2	8
206		58	11
207		38	25A(new)
208		33	1
209		†33	1
210		55	14A(added)
211		55	14B(added)
212		App. A	7
213		†44	8
214		*	
215		43	14
216		27	6
217		*	
218		†17	4
219		†17	6
220		App.A	7
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223		Val.	
224		58	12
225		51	3
226		†17	4
227		45	15
228		Val.	
229		40	56
230		43	14
231		4	11
232		17	35
233		†2	27
234		†2	50

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Pamphlet Laws 1938		Allocation in Table of Contents	
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239		30	4
240		23	9
241		Val.	
242		51	7
243		52	27
244		52	18
245		†54	4
246		*	
247		18	5
248		†2	85
249		40	48
250		†58	11
251		Val.	
252		43	16
253		40	62
254		17	34
255	1-3	17	34
	4	†17	34
256		54	50
257		40	47
258		27	7
259		17	27
260		40	47
261		18	20
262		18	14
263		Val.	
264		†54	5
265		4	5
266		†2	145
267		†2	145
268		40	21
269		27	6
270		Val.	
271		†2	182
272		*	
273	1	†2	85
	2-4	†2	192
274		†9	4
275	1	30	2
	2	30	9
276		40	47
277	1, 2	45	3
277	3	45	6
	4	45	7
	5, 6	45	9
	7, 8	45	12
	9	45	16
278		54	35
279		54	1
280		19	8
281		19	8
282		*	
283		54	39
284		*	
285		33	3
286		*	
287		40	75
288		†18	13
289	1-5	17	17
	6-8	17	18
	9	17	24
	10	17	32
290		14	13
291		*	
292		Val	
293		17	13
294		46	35(new)
295		10	3(new)
296		33	1
297		33	1
298		40	47
299		27	6
300		40	60
301		Val.	
302		40	109
303		14	13
304		23	4
305		14	12
306		†12	7
307		18	15
308		19	3
309		†2	60
310		43	12
311		18	5
312		43	21
313		*	
314		43	21
315		2	65

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ALLOCATION OF 1938 STATUTES

Pamphlet Laws 1938		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
316		*	
317		App. A	2
318	1-3	23	5
	4-6	†23	5
	7-11	23	5
319	1	54	41
	2-5	54	42
	6-8A	54	43
	9-14	54	44
	15-19	54	45
	20, 21	54	46
	22	54	47
320		Val.	
321		†17	16
322		17	16A (new)
323		51	9
324		40	171
325		Val.	
326		9	20
327		43	18
328		35	1
329		†47	3
330		43	10
331		*	
332		39	3
333		2	26
334		*	
335		18	5
336		40	11
337		†2	149
338		*	
339		Val.	
340		*	
341		27	6
342		45	8
343		†2	202
344		40	146
345		27	6
346		*	
347		†3	17
348		†2	164
349		30	6
350		33	1
351		Val.	
352		39	3
353		†2	181
354		*	
355		†9	3
356		*	
357		*	
358		†2	182
359		17	24
360		39	4
361		44	7
362		27	15
363		*	
364		*	
365		App. A	3
366		17	48 (new)
367		27	6
368		17	24
369		48	12
370		46	3
371		*	
372		*	
373		†2	27
374		27	6
375		*	
376		*	
377		40	62
378		Val.	
379		32	13A
380		30	4
381		†11	27
382		44	7
383		40	1
384		54	4
385		40	47
386		40	46
387		†3	42
388		†2	8
389		52	20
390		†54	4
391		54	42
392		2	220
393		*	
394		56	4
395		†2	6
396		43	21
397		43	10

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1938 STATUTES

Pamphlet Laws 1938		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
398		58	11
399		19	19
400		†30	5
401		56	6(new)
402		*	
403		27	15
404		40	1
405		Val.	
406		9	13
407		27	12
408		*	
409		*	
410		40	174
411		Val.	
412		Val.	
413		*	
414		*	
415		Val.	
416		Val.	
417		*	
418		12	3
419		34	15
420		*	
421		*	
422		*	
423		*	
424		9	13
425		30	9
426		†32	13B(new)
427	1	27	15
	2, 3	†27	15
428		*	
429		33	1
430		*	
431		17	4

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1939 STATUTES

Pamphlet Laws 1939		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		40	2
2		†18	5
3		†18	5
4		40	1
5		†2	181
6		4	16
7		40	2
8		*	
9		App. A	1
10		27	7
11		*	
12		*	
13		*	
14		*	
15		*	
16		*	
17		*	
18		*	
19		†2	6
20		†2	88
21		*	
22		*	
23		40	2
24		38	17
25		†17	6
26		†17	6
27		†17	6
28		40	2
29		52	18
30		*	
31		*	
32		40	2
33		40	2
34		†2	181
35		32	2
36		40	2
37		App. A	4
38		40	62
39		*	
40		4	1
41		51	8
42		23	4
43		*	
44		40	37
45		*	
46		40	43
47		52	27
48		Val.	
49		48	12
50		†43	14
51		23	3
52		†3	16
53		2	68A (new)
54		Val.	
55		45	22
56		52	27
57		App. A	5
58		†18	10
59		†2	8
60		*	
61		†33	1
62		56	6 (new)
63		56	6 (new)
64		*	
65		2	130
66		40	60
67		Val.	
68		34	15
69		23	4
70		Val.	
71		*	
72		*	
73		4	1
74		17	28
75		†27	1
76		45	4A
77		52	20
78		53	1
79		39	3
80		48	2
81		19	6
82		App. A	8
83		*	
84		32	13A
85		45	14
86		18	14
87		33	1
88		*	
89		18	6
90		Val.	

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1939 STATUTES

Pamphlet Laws 1939		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
91		1	9
92		*	
93		54	5
94		43	21
95	1, 2	38	3
	3	†38	3
	4-6	38	3
	7	38	12
	8	38	13
	9	38	3
96		Val.	
97		*	
98		†2	157B
99		43	14
100		23	3
101		†11	4
102		*	
103		†45	15
104		4	6
105		27	6
106		23	10
107		†2	89
108		45	6
109		8	2
110		40	60
111		11	4
112		Val.	
113		18	8
114		9	20
115	1–32	45	9
	33	45	13
	34, 35	45	9
116		24	11
117		34	18(new)
118		Val.	
119		*	
120		23	4
121		†3	7
122		54	35
123		17	16
124		†2	26
125		†3	10
126		17	12
127		17	12
128		App. A	7

Pamphlet Laws 1939		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
129		17	12
130		17	12
131		17	12
132		17	12
133		40	37
134		†3	11
135		38	25A(new)
136		4	10
137	1	†54	13
	2	54	13
	3-5	†54	13
	6, 7	54	13
	8	54	14
138		48	13
139		†3	2
140		2	20
141		*	
142		43	14
143		43	15
144		43	14
145		*	
146		32	20(new)
147		†47	3
148		18	5
149		43	14
150		40	17
151		†54	5
152		48	12
153		48	12
154		Val.	
155		Val.	
156		43	6
157		*	
158		32	13A
159		Val.	
160		30	6
161		†2	88
162		†2	6
163		Val.	
164		†3	17
165		54	5
166		46	14
167		40	146
168		23	4
169		Val.	

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1939 STATUTES

Pamphlet Laws 1939		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
170		46	16
171		†33	1
172		23	4
173		33	1
174		†2	32
175	1	54	49
	2, 3	54	50
176		40	1
177		33	1
178		Val.	
179		Val.	
180		*	
181		40	101
182		40	97
183		†2	32
184		†22	2
185		24	10
186		43	10
187		Val.	
188		17	49(new)
189		32	2
190		*	
191	1–12	32	14
	13–14	†32	14
	15–29	32	14
	30–33	32	15
	34–40	32	16
192		13	8
193		12	3
194		Val.	
195		13	14
196		*	
197		*	
198		27	6
199		Val.	
200		27	6
201		26	4
202		†17	6
203		*	
204		*	
205		†17	8
206		43	10
207		†2	42
208		17	12
209		54	39
210		†2	157B
211		39	4
212		*	
213		†30	5
214		Val.	
215		Val.	
216		39	5
217		54	3
218		43	12
219		11	4
220		43	3
221		†2	99
222		52	19
223		40	38
224		40	21
225		33	1
226		43	12
227		37	1
228		33	1
229		*	
230		44	5
231		16	19
232		11	24A(new)
233		11	14
234		†33	1
235		33	1
236		40	190
237		†2	8
238		*	
239		45	3
240		15	2
241		14	14
242		50	2
243		27	6
244		40	18
245		†30	5
246		13	9
247		†2	65
248		26	2
249		14	2
250		†2	206
251		†3	17
252		23	4
253		40	62
254		29	4(new)

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1939 STATUTES

Pamphlet Laws 1939		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
255		17	12
256		†3	5
257		†3	21
258		40	52
259		30	4
260		Val.	
261		26	2
262		*	
263		44	4
264		27	6
265		†52	27A (new)
266		*	
267		*	
268		*	
269		†2	6
270		39	10
271		2	182
272		*	
273		*	
274		39	4
275		†2	202
276		41	2
277		9	6
278		23	4
279		†2	188
280		†26	2
281		33	1
282		*	
283		†2	192
284		†2	199
285		40	87
286		40	46
287		34	15
288		*	
289		43	21
290		*	
291		34	15
292		43	14
293		23	4
294		18	14
295		18	5
296		18	14
297		43	14
298		Val.	
299		18	14
300		*	
301		30	4
302		45	8
303		54	34
304		40	62
305	1, 2	17	38
	3	†17	38
	4-7	17	38
	8	17	18
306		†40	87
307		†2	181
308		*	
309		43	21
310		40	1
311		†44	7
312		*	
313		2	26
314		App. A	4
315		4	22
316		†2	60
317		27	6
318		40	47
319		8	2
320	1–3	24	1
	4	24	2
	5–9	24	3
	10–14	24	4
	15–30	24	5
	31–33	24	6
	34	24	17
	35	24	6A
321		†2	176
322		11	10
323		*	
324		*	
325		*	
326		13	12
327		23	5
328		†44	8
329		App. A	1
330		*	
331		*	
332		App. A	2
333		40	1
334		40	1

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1939 STATUTES

Pamphlet Laws 1939		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
335		†2	182
336		Val.	
337		Val.	
338		44	7
339		45	8
340		30	9
341		18	5
342		*	
343	1–21	40	43
	22–26	19	38
	27–38	40	43
	39	18	5
		19	38
		40	43
	40	40	43
344		40	60
345		*	
346		47	1
347		*	
348		*	
349		*	
350		23	3
351		†17	4
352		14	5
353		17	16A(new)
354	1	†19	15
	2	19	23
355		†9	3
356		*	
357		54	45
358		40	171
359		Val.	
360		40	37
361		45	9
362		54	4
363		14	14
364		†52	27A(new)
365		*	
366		*	
367		*	
368		45	19
369		45	19
370		46	18
371		Val.	
372		Val.	
373		40	1
374		*	
375		Val.	
376		45	4A
377		30	5
378		26	2
379		1	3
380		†27	15
381		*	
382		*	
383		*	
384		52	27A(new)
385		†52	27A(new)
386	1, 2	18	7
	3	†18	7
	4-11	18	7
387		†2	160
388		†2	206
389		40	109
390		51	1
391		*	
392		*	
393		†52	9C
394		43	10
395		App. A	2
396		40	2
397		*	
398		†22	2

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1940 STATUTES

Pamphlet Laws 1940		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		Val.	
2		Val.	
3		Val.	
4		54	30A(new)
5		54	30A(new)
6		*	
7		30	9
8		*	
9		*	
10		46	33
11		*	
12		*	
13		*	
14		*	
15		11	4
16		40	1
17		5	5
18		19	31
19		19	31
20		40	11
21		54	4
22		†2	97
23		†22	2
24		40	23
25		38	23
26		*	
27		*	
28		*	
29		App.A	4
30		†22	1
31	1	19	31
	2–4	19	32
32		54	4
33		40	32
34		*	
35		52	22
36		43	12
37		†17	9
38		Val.	
39		54	4
40		†22	2
41		Val.	
42		Val.	
43		18	13
44		40	75
45		3	7
46		40	154
47		18	5
48		Val.	
49		Val.	
50		40	37
51		40	1
52		12	6A(new)
53		19	31
54		19	31
55		44	1
56		44	4
57		44	7
58		3	16
59		*	
60		17	12
61		2	60
62		17	12
63		33	1
64		App. A	5
65		53	1
66		Val.	
67		*	
68		*	
69		54	9
70		†2	8
71		54	3
72		*	
73		54	5
74		17	48A(new)
75		39	10
76		Val.	
77		*	
78		2	199
79		Val.	
80		†52	22
81		9	20
82		17	26
83		33	1
84		†54	5
85		36	1
86		*	
87		Val.	
88		*	
89		*	

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1940 STATUTES

Pamphlet Laws 1940		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
90		54	5
91		17	18
92		17	28
93		*	
94		5	1
95		27	6
96		*	
97		43	21
98		34	6
99		*	
100		45	15C(new)
101		26	5
102		*	
103	1–3	53	1
	4	53	3
104		17	38
105		*	
106		Val.	
107		Val.	
108		34	15
109		3	17
110		*	
111		*	
112		Val.	
113		54	3
114		Val.	
115		Val.	
116		*	
117		18	13
118		30	5
119		44	1
120		*	
121		*	
122		*	
123		*	
124		*	
125		*	
126		*	
127		*	
128		*	
129		*	
130		†44	8
131		44	8
132		†3	16
133		34	15
134		30	8
135	1	19	23
	2–4	19	31
136		19	6
137		19	49
138		†2	60
139		39	5
140		40	60
141		†43	14
142		†43	14
143		30	4
144		30	4
145		40	60
146		4	13
147		39	4
148		3	26
149		18	14
150		11	21
151		†44	8
152		19	48
153	1–22	34	2
	21	18	14
		34	2
154		18	14
155		19	31
156		40	60
157		40	22
158		*	
159		40	1
160		*	
161		40	68
162		*	
163		*	
164		†17	4
165	1	19	31
	2, 3	19	32
	4	19	45
166		23	3
167		*	
168		54	43
169		54	39
170		54	4
171		†2	71
172		†3	11
173		18	20
174		43	10
175		45	15B(new)

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1940 STATUTES

Pamphlet Laws 1940		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
176		34	15
177		*	
178		11	22
179		40	62
180		Val.	
181		40	11
182		13	5A(new)
183		†44	8
184		27	6
185		App. A	2
186		44	7
187		44	4
188		†44	8
189		*	
190		40	1
191		†53	1
192		*	
193		43	21
194		†19	54(new)
195		*	
196		19	18
197		19	48
198		53	2
199	1, 2	19	32
	3–10	19	34
200	1–3	†2	212
	4	†2	213
	5	†2	214
201		2	212
202		*	
203		*	
204		*	
205		†2	135
206		5	5
207		†2	135
208		17	34
209		*	
210		†9	3
211		17	12
212		39	5
213		17	12
214		†17	4
215		26	8
216		*	
217		*	
218		†27	15

Pamphlet Laws 1940		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
219		†2	103
220		54	33
221		*	
222		*	
223		40	81
224		40	81
225		*	
226		*	
227		*	
228		†43	14
229		54	4
230		56	4
231		†4	5
232		Val.	
233		23	3
234		33	1
235		15	8
236		*	
237		*	
238		App. A	9(new)
239		*	
240		40	1
241		Val.	
242		*	
243		*	
244		*	
245		40	2
246		39	3
247		43	21
248		*	
249		App. A	4
250		40	1
251		*	
252		43	21
253		16	8A(new)
254		*	
255		Val.	
256		4	9
257	1–13, 15	54	4
	14	40	46
258		*	
259		†2	185
260		*	
261		*	
262		40	1
263		*	

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 5 following.
† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1941 STATUTES

Pamphlet Laws 1941		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		*	
2		44	8
3		*	
4		58	5
5		Val.	
6		40	62
7		*	
8		40	1
9		18	7
10		40	2
11		App. A	9(new)
12		*	
13		27	6
14		40	48
15		2	29
16		52	15
17		*	
18		Val.	
19		1	3
20		54	30A(new)
21		54	30A(new)
22		*	
23		†2	160
24		Val.	
25		40	186
26		23	9
27		21	1A(new)
28		†44	8
29		40	75
30		†47	2
31		39	3
32		27	6
33		40	60
34		44	8
35		*	
36		*	
37		30	9
38		27	6
39		†17	4
40		†2	98
41		†17	6
42		24	10
43		40	23
44		†19	54(new)
45	1	App. A	9(new)
	2	†App. A	9(new)
	3-6	App. A	9(new)
46		App. A	9(new)
47		App. A	9(new)
48		40	5
49		Val.	
50		52	27
51		9	20
52		30	9
53		Val.	
54		†2	206
55		27	6
56		App. A	4
57		†2	32
58		23	9
59		Val.	
60		39	5
61		8	2
62		52	27
63		26	8
64		27	6
65		*	
66		Val.	
67		40	54
68		†3	17
69		†2	60
70		†2	178
71		27	19
72		Val.	
73		*	
74		†32	13B(new)
75		†52	27A(new)
76		App. A	4
77		†47	3
78		43	16
79		App.A	7
80		2	61A(new)
81		†2	98
82		†2	134
83		54	5
84		54	5
85		34	15
86		43	16
87		Val.	

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

New Jersey State Library

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Chapter	Sec.	Title	Chapter
88		2	97
89		2	180B(new)
90		40	1
91		11	4
92		40	52
93		†45	15
94		*	
95		†52	27A(new)
96		*	
97		33	1
98	1, 4, 5	55	14A(added)
	2, 3	Val.	
99		58	14
100		34	13A(new)
101		*	
102		†17	6
103		*	
104		40	60
105		27	6
106		†17	9
107		App. A	2
108		45	9
109	1	38	1
	2–4	38	2
	5–17	38	5
	18	38	7
	19–21	38	11
	22, 23	38	12
	24–26	38	13
	27	38	14
110		*	
111		4	7
112		4	1
113		*	
114		43	21
115		38	14A(new)
116		†2	98
117		*	
118	1	†17	22
	2	17	33
	3	17	22
119		38	23
120		Val.	
121		*	
122		*	
123		†3	42
124		*	
125		*	
126		*	
127		40	22
128		Val.	
129		*	
130		44	4
131		48	15
132		†44	8
133		40	46
134		†18	5
135		17	34
136		*	
137		5	5
138		†3	13
139		34	2
140		40	47
141		*	
142		54	3
143		54	2
144		40	46
145		43	16
146		14	10
147		35	1
148		48	9
149		†44	8
150		18	15
151	1–29	4	19
	28	40	52
152		3	7
153		†3	3
154		†43	14
155		34	16
156		*	
157		*	
158		*	
159		*	
160		*	
161		18	13
162		†17	4
163		19	49
164		19	31
165		19	31

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1941		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
166	1	19	23
	2	19	14
	3	†19	14
	4	19	48
	5	19	49
167		34	15
168		13	6A(new)
169		32	21(new)
170		19	3
171		3	26
172		App. A	5
173		40	62
174		19	31
175		Val.	
176		Val.	
177		†19	31A(new)
178		39	2
179		App. A	9(new)
180		App. A	9(new)
181		App. A	9(new)
182		App. A	9(new)
183		*	
184		App. A	9(new)
185		*	
186		Val.	
187		†17	4
188		†22	2
189		40	50
190		†17	16
191		18	14
192		52	9F(new)
193		53	1
194		34	15
195		†17	4
196		23	4
197		34	1
198		†2	61
199		40	54
200		48	12
201		†2	212
202		*	
203		*	
204		†2	202

Pamphlet Laws 1941		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
205	1	55	1
	2–4	55	3
	5, 6	55	4
	7, 8	55	5
	9	55	8
	10	55	10
206		*	
207		40	65
208		40	65
209		54	43
210		54	44
211	1–13	23	5
	14	23	9
212		†3	15
213		55	14C(new)
214		43	9
215		*	
216		†2	181
217		*	
218		2	173
219		30	9
220		43	7
221		43	12
222		*	
223		*	
224		2	82
225		43	21
226		40	145
227		8	3
228		†3	25
229		*	
230		†33	1
231		*	
232		54	5
233		*	
234		58	11
235		†3	42
236		40	5
237		40	2
238		43	15
239		†2	112
240		†3	10
241		†3	10
242		40	56
243		54	4

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1941		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
244		23	9
245		*	
246		*	
247		10	1
248		*	
249		*	
250		*	
251		26	8
252		26	8
253	1	†22	2
	2	†22	4
254		17	13
255		†2	8
256		Val.	
257		39	4
258		†2	60
259		17	12
260		39	4
261		17	12
262		39	7
263		27	6
264		34	6
265		40	46
266		45	4A
267		54	41
		54	42
		54	43
		54	44
		54	45
		54	46
		54	47
268		54	39
269		4	6
270		17	8
271		53	1
		53	3
272		*	
273	1, 2	19	31
	3	19	32
274		4	12A (new)
275	1, 2	19	14
	3–7	19	31
	8	19	31
	9	19	45
276		52	14
277		40	47
278		51	1
279		†2	8
280		*	
281		†2	202
282		†2	1
283		53	1
284		18	13
285		*	
286		11	4
287		18	15
288		†2	8
289		18	15
290		App. A	4
291	1-40	54	29A (new)
	41-43	†54	29A (new)
	44-76	54	29A (new)
	75	54	19
	75	54	20
	75	54	21
	75	54	22
	75	54	23
	75	54	24
	75	54	25
	75	54	26
	75	54	27
	75	54	28
	75	54	29
292		18	10
293		†54	4
294		*	
295		33	1
296		†39	6
297		App. A	4
298		†3	36
299		34	13A (new)
300		*	
301		23	3
302		23	4
303		*	
304		40	1
305		18	7
306		*	
307		†2	2
308		34	6

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Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1941		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
309		*	
310		52	10
311		*	
312		27	5A (new)
313		*	
314		*	
315		52	15
316		45	6
317		46	8
318		54	9
319		17	12
320		17	12
321		34	11
322		Val.	
323		†3	7
324		19	45
325		*	
326		33	1
327		54	43
328		*	
329		*	
330		40	2
331		*	
332		40	156A (new)
333		38	23A (new)
334		23	9
335		43	11
336		†32	3
337		2	8
338		2	8
339		*	
340		40	47
341		39	3
342		39	3
343		39	3
344		39	3
345		39	4
346		*	
347		*	
348		*	
349		*	
350		*	
351		*	
352		12	2
353		30	4
354		37	1
355		*	
356		16	1
357	1–48	44	8A (new)
	48	44	8
358		*	
359		40	72
360		*	
361		†19	54 (new)
362		Val.	
363		54	29A (new)
364		17	28
365		†2	8
366		†2	75
367		†2	21
368		43	9
369		43	9
370		*	
371		54	29A (new)
372		34	2
373		18	23
374		43	21
375		†44	8
376		App. A	9 (new)
377		*	
378		19	31
379		†2	186A (new)
380		Val.	
381		†2	60
382		†3	7
383		*	
384		*	
385		43	21
386		43	21
387		54	29A (new)
388		43	21
389		46	16
390		48	4
391		*	
392		*	
393		App. A	9 (new)
394		*	
395		40	171
396		12	7
397		54	4

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1941		Allocation in Table of Contents		Pamphlet Laws 1941		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter	Chapter	Sec.	Title	Chapter
398		†2	135	413		27	6
399		43	9	414		†40	87
400		54	30A(new)	415		34	11
401		54	30A(new)	416		16	12
402		†2	29	417		*	
403		Val.		418		*	
404		*		419		*	
405		33	1	420		17	16A(new)
406		†44	8	421		17	13
407		†52	22	422		54	34
408		17	12	423		16	8A(new)
409		35	1	424		26	4
410		*		425		18	6
411		48	12	426		†17	16
412		40	62	427		37	1

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Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1942		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		54	29A(new)
2		43	21
3		54	29A(new)
4		*	
5		40	2
6		34	11
7		†1	1
8		†2	145
9		*	
10		54	4
11		*	
12		*	
13		*	
14		20	1
15		App. A	9(new)
16		*	
17		54	29A(new)
18		†19	54(new)
19		40	75
20		40	75
21		26	8
22		27	7
23		34	2
24		58	1
25		*	
26		*	
27		*	
28		40	72
29		*	
30		*	
31		34	6
32		Val.	
33		Val.	
34		Val.	
35		†2	206
36		*	
37		54	5
38		45	6
39		†52	27A(new)
40		48	15
41		26	4
42		24	15A(new)
43		24	15
44		†18	10
45		8	3
46		*	
47		18	5
48		40	1
49		48	4
50	1–6a	19	13
	7	19	14
	8–12	19	23
	13	19	37
51		40	21
52		40	11
53	1	40	46
	2	40	87
54		54	5
55		23	9
56		19	52
57	1	†2	26
	2	†2	32
58		Val.	
59		Val.	
60		†2	79
61		†2	193
62		45	6
63		Val.	
64		27	6
65		11	20A(new)
66		†2	214
67		†52	23
68		Val.	
69		†44	8
70		54	4
71		4	1
72		1	1
73		54	5
74		App. A	4
75		†2	32
76		†2	32
77		27	6
78		45	6
79		54	4
80		40	21
81		40	4
82		4	5
83		38	16
84		11	27
85		*	

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† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1942		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
86		17	34
87		App. A	7
88		Val.	
89		†17	4
90		†2	26
91		Val.	
92		*	
93		4	18
94	1	†58	1
	2	58	1
95		26	8
96		*	
97		34	15
98		*	
99		50	5
100		48	4
101		†44	8
102		55	10
103		2	149
104		†2	98
105		23	4
106		19	50
107		45	5
108		9	20
109		†2	32
110		23	5
111		*	
112		40	48
113		18	20
114		10	1
115		54	29A (new)
116		*	
117		*	
118		*	
119		†18	5
120		*	
121		30	5
122		†2	8
123		36	1
124		14	3
125		49	2 (new)
126		*	
127		*	
128		Val.	
129		*	
130		*	
131		1	1
132		4	19
133		40	66
134		40	88
135		55	14A (added)
136		*	
137		11	27
138		40	60
139		40	54
140		†30	5
141		Val.	
142		18	13
143		33	1
144		*	
145		43	14
146		40	108
147		46	13
148		26	4
149		40	145
150		†29	1
151		58	14
152		*	
153		13	4
154		33	1
155		33	1
156		33	1
157		33	1
158		33	1
159		33	1
160		†3	7
161		†23	3
162		17	17
163		17	12
164		8	1
165		18	5
166		†3	16
167		12	11
168		54	40
169		54	29A (new)
170		†44	8
171	1	54	41
	2, 3	54	42
	4, 5	54	43
	6, 7	54	44

* Omitted from Table as not being general or permanent legislation.

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† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1942		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
171	8	54	46
	9	54	47
172		†2	65
173		44	7
174		23	5
175		†52	25
176		52	25
177		52	36
178		52	34
179		55	13
180		*	
181		†3	15
182		†2	60
183		40	151
184		App. A	4
185		*	
186		*	
187		40	2
188		43	14
189		43	14
190		*	
191		*	
192		39	4
193		54	5
194		*	
195		17	1
196		38	17
197		*	
198		40	23
199		40	60
200		*	
201		18	7
202		40	2
203		40	2
204		Val.	
205		40	1
206		*	
207		*	
208		14	1
209		†2	26
210		*	
211		18	14
212		*	
213		*	
214		*	
215		*	
216		*	
217		*	
218		18	5
219		*	
220		39	4
221		40	48
222		18	7
223		†30	5
224		30	9
225		26	8
226		App. A	10(new)
227		39	3
228	1–13	55	3
	14–21	55	4
	22–25	55	5
	26, 27	55	6
	28, 29	55	8
229		18	14
230		17	4
231		40	49
232		40	186
233		18	13
234		34	1
235		54	9
236		45	16
237		*	
238		48	12
239		*	
240		2	16
241		App. A	4
242		†2	60
243		26	8
244		*	
245		*	
246		*	
247		*	
248		4	11
249		33	1
250		30	4
251		App. A	9(new)
252		38	23
253		11	24A(new)
254		40	81
255		18	5
256		18	13
257		†27	15

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 5 following.
† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1942 STATUTES

Pamphlet Laws 1942		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
258		3	11
259		†50	1
260		56	6
261		†27	15
262		40	32
263		4	12A(new)
264		33	1
265		*	
266		*	
267		*	
268		39	3
269		18	13
270		*	
271		40	184
272		*	
273		*	
274		*	
275		*	
276		*	
277		*	
278		*	
279		*	
280		*	
281		54	4
282		†17	4
283		40	84
284		24	10
285		*	
286		43	14
287		3	16
288		*	
289		*	
290		*	
291		52	19
292		*	
293		Val.	
294		23	5
295		*	
296		*	
297		2	29
298		2	122A(new)
299		40	20
300		*	
301		40	24
302		*	
303		*	
304		App. A	4
305		†2	202
306		†44	8
307		34	6
308		58	11
309		†26	2
310		*	
311		Val.	
312		*	
313		39	3
314	1, 2	†2	205
	3–6	†2	206
315		†2	202
316		54	4
317		40	2
318		*	
319		18	7
320		40	23
321		Val.	
322		45	4
323		18	20
324		39	3
325		†39	4
326		38	23
327		38	23
328		30	9
329		†9	2
330		*	
331		*	
332		*	
333		†2	32
334		39	5
335		3	2
336		†17	4
337		54	29A
338		Val.	
339		*	
340		†44	8
341		†17	4
342		45	9
343		*	
344		38	1
345		*	
346		†45	11
347		*	
348		52	18
349		12	8
350		Val.	

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 5 following.
† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1943 STATUTES

Pamphlet Laws 1943		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		*	
2		52	20A (new)
3		Val.	
4		*	
5		*	
6		*	
7		*	
8		51	1
9		45	4A
10		54	49
11		†44	8
12		2	16
13		17	34
14		17	26
15		17	34
16		†17	34
17		45	9
18		*	
19		App. A	4
20		40	37
21		40	38
22		40	41
23		†2	7
24		40	54
25		Val.	
26		*	
27		43	16
28		27	6
29		Val.	
30		Val.	
31		*	
32		2	26
33		40	60
34		*	
35		*	
36		8	2
37		33	1
38		54	35
39		40	60
40		†2	192
41		†2	190
42		†2	195
43		†2	195
44		34	2
45		27	13
46		33	1
47		33	1
48		40	3
49		†9	17
50		Val.	
51		Val.	
52		*	
53		40	1
54		*	
55		40	37
56		30	9
57		46	2A (new)
58		30	9
59		†2	212
60		45	15
61		54	3
62		*	
63		54	4
64		55	14A (added)
65		†2	32
66		†2	32
67	1	55	2
	2-3	55	3
	4-5	55	4
	6-7	55	5
	8	55	6
	9	55	8
	10	55	10
68		40	41
69		52	14
70		40	108
71		40	48
72		34	15
73		†2	32
74		45	9
75		45	3
76		58	14
77		43	16
78		34	2
79		†2	47
80		19	52
81		40	151
82		†3	26
83		40	155
84		†3	26

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1943 STATUTES

Pamphlet Laws 1943		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
85		38	25A (new)
86		†2	213
87		43	4
88		†3	17
89		30	5
90		†45	8
91	1	18	14
	2	†18	14
92		40	39
93		23	9
94		48	12
95		45	5
96		*	
97		†9	18
98		39	3
99		45	24
100		4	12
101		39	3
102		52	14
103		*	
104		†9	3
105		35	1
106		†4	16
107		*	
108		*	
109		*	
110		54	50
111		†52	9C
112		44	4
113		†2	85
114		†2	27
115		26	3
116		†43	14
117		43	15
118		43	14
119		43	14
120		54	4
121		*	
122		45	4A
123		*	
124		52	14
125		*	
126		*	
127		*	
128		*	
129		30	6A
130		40	2
131		23	9
132		*	
133		*	
134		50	4
135		51	1
136		†2	202
137		4	16
138		40	23
139		*	
140		*	
141		*	
142		52	14
143		40	146
144		54	5
145		46	3
146		34	2
147		46	16
148	1-11	17	34
	12	17	33
149		54	5
150		48	12
151		*	
152		33	1
153		33	1
154		33	1
155		46	2C (new)
156		38	23A (new)
157		46	2B (new)
158		Val.	
159		17	28
160		43	10
161		Val.	
162		*	
163		40	47
164		44	7
165		54	36
166		40	146
167		Val.	
168		Val.	
169		Val.	
170		14	12
171		43	21
172		18	15
173		39	3
174		17	18

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1943 STATUTES

Pamphlet Laws 1943		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
175		14	8
176		14	8
177		18	10
178		2	26
179		18	13
180		18	13
181		†18	10
182		†50	3
183		40	48
184	1-4	40	2
	5	†40	2
	6, 7	40	2
185		54	4
186		43	7
187		18	5
188		52	14
189		43	13
190		40	83
191		40	41
192		52	9G(new)
193		43	7
194		43	9
195		34	2
196		*	
197		*	
198		40	50
199		40	1
200		11	24A(new)
201	1-2	18	6
	3-7	18	7
202		†22	2
203		†2	32
204		†54	5
205		†2	202
206		40	47
207		23	4
208		App. A	4
209		40	67
210		40	2
211		*	
212		18	14
213		*	
214		4	1
215		†2	27
216		52	14
217		*	
218		19	31
219		†19	31A(new)

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1944 STATUTES

Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		Val.	
2		Val.	
3		18	7
4		*	
5		39	3
6		*	
7		19	48
8	1	19	24
	2	19	25
	3	19	23
9		†19	55 (new)
10		†2	192
11		†2	202
12		2	171A (new)
13		52	14
14		†2	202
15		*	
16		19	14
17		*	
18		*	
19		55	14C (new)
20	1-19	52	17A (new)
	20	52	17
	20	27	1
	20	11	4
21		†3	2
22		†17	6
23		†2	212
24		54	4
25	1	†17	8
	2	Val.	
26		24	18
27	1-26, 28	17	29A (new)
	27	17	29
28		2	212
29		*	
30		†17	4
31		2	220
32		†2	182
33		*	
34		*	
35		40	88
36		46	19
37		27	6
38		39	3
39		2	212
40		*	
41		*	
42		*	
43		4	9
44		39	2
45		19	32
46		54	4
47		27	6
48		43	10
49		40	54
50		Val.	
51		*	
52		30	4
53		†2	202
54		52	30
55		18	5
56		40	5
57		*	
58		*	
59		41	2
60		Val.	
61		40	21
62		*	
63		40	20
64		11	22
65	1-4	11	1
	5-9	11	2
	10	11	5
	11	11	7
66		†2	182
67		†2	7
68		40	38
69		40	41
70		26	2
71		54	4
72		17	38
73		17	34
74		54	35
75		54	38
76		†2	60
77		40	60
78		23	4
79		52	18
80		43	21

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1944 STATUTES

Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
81		43	21
82		17	12
83		35	2
84		44	7
85	1-51	52	27C (new)
	52	12	12
	52	38	24
	52	48	21
	52	52	9C
	52	52	21
	52	55	14
86		38	16
87		38	23
88		34	15
89		Val.	
90		40	171
91		Val.	
92		*	
93		*	
94		52	9G (new)
95		19	55
96		†2	87
97		54	5
98		38	23A (new)
99	1	40	46
	2	40	87
100		17	38
101		17	35
102		17	48A (new)
103		*	
104	1	†17	6
	2	17	6
105		1	9
106		18	14
107		18	14
108		54	5
109		†3	2
110	1	27	15
	2-4	†27	15
111		23	9
112	1 (art. 1)	52	27B (new)
	1-8 (art. 2)		
	1-38 (art. 3)		
	1-4 (art. 4)		
	1 (art. 5)		
	1-16 (art. 6)		
	1-6 (art. 7)		
	1-9 (art. 8)		
	10 (art. 8)	52	18
	10 (art. 8)	52	19
	10 (art. 8)	52	20
	10 (art. 8)	52	22
	10 (art. 8)	52	23
	10 (art. 8)	52	25
	10 (art. 8)	52	31
	10 (art. 8)	54	1
	10 (art. 8)	52	27A (new)
113		18	13
114		3	16
115		54	4
116		36	1
117		Val.	
118		*	
119		*	
120		*	
121		58	18 (new)
122		*	
123		*	
124		*	
125		40	21
126	1-14	38	23B (new)
	15	†38	23B (new)
	16-22	38	23B (new)
127		19	49
128		19	50
129		†3	7
130		†3	25
131		†2	58
132		45	14
133		†2	202
134		54	4
135		Val.	
136		†2	8
137		40	1
138		*	
139		16	12
140		18	16
141		†19	2
142		†50	3
143		16	1

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1944 STATUTES

Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
144		*	
145		*	
146		18	13
147		†17	6
148		52	18
149		45	4
150		*	
151		54	4
152		19	45
153	1	17	28
	2	†17	32
154		43	12
155		40	145
156		35	2
157		19	13
158		43	10
159		27	1
160		40	60
161		Val.	
162		†44	8
163		23	4
164		†2	32
165		†2	8
166		45	9
167		45	9
168		18	3
169		55	14D (new)
170		*	
171		17	36
172		13	13
173		†2	3
174		†2	26
175		17	22
176	1	†17	4
	2	Val.	
177		18	4
178		19	45
179		*	
180		18	13
181		3	8
182		40	21
183		†2	32
184		†2	32
185		18	13
186		†2	32
187		33	1
188		22	2
189		54	3
190		†2	199
191		43	4
192		*	
193		43	14
194		30	5
195		†2	121
196		9	6
197		38	20
198		2	184
199		40	60
200		*	
201		43	14
202		4	1
203		34	8
204		54	6
205		*	
206		40	60
207		40	69
208		19	55
209		†17	16
210		18	14
211		43	4
212		18	14
213		19	52
214		58	14
215	1	14	2
	2	14	11
216		33	1
217		18	2
218		52	14
219		*	
220		54	38A (new)
221		17	34
222		*	
223		43	12
224		44	6
225		*	
226	1-4	18	4A (new)
227		5	5
228		39	3

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1944 STATUTES

Pamphlet Laws 1944		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
229		43	10
230	1-4	19	31A(new)
	4	19	15
231		19	23
232		43	21
233		*	
234		43	10
235		40	1
236		40	72
237		15	15
238		3	7
239		†9	3
240		54	2
241		30	6
242		3	42A(new)
243		52	7
244		Val.	
245		40	52
246		40	47
247		54	5
248		*	
249		38	16
250		App. A	4
251		19	31
252		40	38
253	1–6	43	16
	7	†43	16
	8–9	43	16
	10	†43	16
	11-14	43	16
254		†40	47
255	1-20	43	16A(new)
	21	†43	16A
	22-25	43	16A

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1945 STATUTES

Pamphlet Laws 1945		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		27	6
2		40	85
3		*	
4		*	
5		*	
6		*	
7	1	†19	2
	2	†19	23
	3-22	†19	55 (new)
	23-48	19	55 (new)
8		40	75
9		40	84
10		34	15
11		†19	55 (new)
12	1	19	54 (new)
	2	19	55 (new)
13		†45	11
14		40	2
15		11	22
16		*	
17		Val.	
18		19	31
19		19	32
20		27	6
21		18	13
22		13	1A (new)
23		17	24
24		*	
25		17	12
26		40	1
27		App. A	4
28		40	84
29		40	75
30		*	
31		*	
32		34	13A (new)
33		52	9H (new)
34		*	
35		40	150
36		19	31
37		40	62
38	1	50	2
	2	50	3
39		50	3
40		19	32
41		Val.	
42		18	13
43		30	9
44		30	8
45		40	48
46		2	101
47		40	47
48		40	81
49		18	22
50		18	24
51	1-3	18	2
	4	18	22
	5-12	18	3
	13-14	*	
	15	18	22
52		*	
53		34	15
54		38	28 (new)
55		33	1
56	1-3	19	48
	4	19	49
	5-7	19	50
	8	19	51
	9-10	19	52
	11	19	32
57		18	13
58		27	1
59		19	48
60		*	
61		†2	7
62		40	38
63		40	41
64		2	7
65		23	4
66		54	4A (new)
67		App A	7
68		19	23
69		*	
70		19	49
71		34	9A (new)
72		43	21
73		43	21
74	2-3	34	1
	4-20	34	15
75		19	31

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1945 STATUTES

Pamphlet Laws 1945		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
76	1-2	19	17
	3	19	18
	4-5	19	23
77		19	31
78		*	
79		†2	32
80		54	4
81		17	6
82		17	22
83		27	7A (new)
84		46	8
85		53	1
86		52	14
87		17	1
88		52	15
89		†52	18
90		52	16
91		*	
92		*	
93		52	18
94		33	4 (new)
95		54	2
96		†3	7
97		†34	15
98		4	1
99		*	
100		†2	8
101		26	4
102		26	4
103		26	4
104		26	4
105		38	20
106		38	18
107		23	4
108		*	
109		15	8
110		46	2C (new)
111		40	25
112		40	30
113		†3	8
114		*	
115		*	
116		23	3
117		19	31
118		Val.	
119		†3	7
120		52	27B (new)
121		40	20
122		19	48
123		†2	32
124		*	
125		54	3
126		40	47
127		54	36
128		52	27C (new)
129		2	7
130		37	2
131		14	3
132	1-8	54	18A (new)
	9	54	4
	10	†54	4
	11	†54	13
	12, 13	54	13
	14	54	17
	15	17	32
		54	13
		54	17
		54	4
	16-18	54	18A (new)
133		18	7
134		Val.	
135		†2	32
136		†2	32
137		54	4
138		40	46
139		16	15A (new)
140		17	12
141		17	12
142		17	12
143		17	12
144		17	12
145		46	18
146		17	12
147		55	14A (added)
148		43	16A (new)
149		30	8
150		43	16
151		*	
152		40	20
153		†2	192

* Omitted from Table as not being general or permanent legislation

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1945 STATUTES

Pamphlet Laws 1945		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
154		54	5
155		40	2
156		40	48
157	1-6	52	9I (new)
	7	*	
158		40	50
159		Val.	
160		40	50
161		17	50 (new)
162		54	10A (new)
163		54	4
164	1	†18	10
	2	*	
165		*	
166		*	
167		†2	24
168		10	1
169	1-8	18	25 (new)
	8A	18	25 (new)
	9-27	18	25 (new)
	28	*	
170		*	
171		10	2
172		18	14
173		30	9
174		10	1
175		38	23A (new)
176		38	23
177		45	14
178		17	35
179		†17	6
180		*	
181		30	9
182		Val.	
183		9	17
184		19	12
185		38	23B (new)
186		17	18
187		17	34
188		17	38
189		†39	6
190		†3	16
191		†2	176
192		26	3B (new)
193		45	6
194		†3	16
195		58	5
196		†9	3
197		32	1
198		32	10
199		17	9
200		†2	10
201		38	17
202		26	6
203		†43	21
204	1	4	1
	2-4	4	5
205		*	
206		19	27
207		*	
208		†17	4
209		Val.	
210		†3	2
211		18	2
212		18	22
213		43	13
214		43	10
215		18	24
216		*	
217		†2	114
218		40	47
219		40	47
220		40	1
221		40	1
222		39	3
223		45	15
224	1-4	17	17
	5	17	33
	6	17	22
225		17	38
226	1	17	18
	2	17	24
227		17	35
228		17	34
229		33	1
230		40	75
231		48	3
232		54	5
233		46	2B (new)
234		38	23A (new)

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1945 STATUTES

Pamphlet Laws 1945		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
235		4	16
236		Val.	
237		*	
238		*	
239		*	
240		*	
241		40	37
242		†2	117
243		Val.	
244		43	10
245		*	
246		43	15
247		53	1
248		9	3
249		Val.	
250		†2	50
251		*	
252		30	9
253		26	6
254		*	
255		*	
256		39	5
257		17	2
258		†2	27
259		33	1
260		54	4
261		18	14
262		45	3
263		19	13
264		†30	5
265		39	3
266		40	48
267		*	
268		40	43
269		*	
270		19	33
271		43	12
272		43	14
273		44	7
274		46	32
275	1	46	16
	2	46	19
276		†22	2
277		40	46
278		†2	8
279		2	8
280		2	8
281		43	9A (new)
282		40	61
283		†2	67
284		39	5A (new)
285		19	23
286		2	101A (new)
287		43	12
288		43	14
289		†2	181
290		19	23
291		†9	18
292		40	49
293		3	42A (new)
294		†24	10
295		4	12
296		†2	178
297		40	146
298		Val.	
299		18	13
300		58	15A (new)
301		26	2A (new)
302		38	17
303		*	
304		19	32
305		43	1
306		54	49
307		43	21
308		43	21
309		40	148
310	1-7	52	31
	8	*	

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1946 STATUTES

Pamphlet Laws 1946		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		52	27B (new)
2		*	
3		39	3
4		Val.	
5		*	
6		43	6
7		52	14
8		39	4
9		Val.	
10	1	†19	2
	2	†19	23
	3-11	†19	55 (new)
11	1, 17	†19	2
	2, 17	†19	3
	3, 17	†19	5
	4, 17	†19	6
	5, 6, 17	†19	8
	7, 17	†19	9
	8-12, 17	†19	12
	13, 14, 17	†19	23
	15, 17	†19	24
	16	†19	2
	16	†19	30
12		40	8
13		*	
14		40	2
15		6	1
16		17	34
17		19	49
18		32	11B (new)
19		†2	189
20		17	22
21		40	49
22		40	23
23		*	
24		40	23
25		40	47
26		26	8
27		40	37
28		†2	114
29		18	4
30		*	
31		52	27
32		†2	181
33		17	43
34		11	22
35		52	27
36		*	
37		43	21
38	1-7	34	13B (new)
	8-12	†34	13B (new)
	13-18	34	13B (new)
39		40	48
40		54	4
41		Val.	
42		†27	6
43		†2	8
44		*	
45		39	3
46		39	3
47		23	5
48		23	4
49		23	3
50		23	4
51		38	23A (new)
52	1	55	14E (new)
	2	†55	14E (new)
	3-16	55	14E (new)
	17	†55	14E (new)
	18, 19	55	14E (new)
53		40	1
54		32	1
55		36	1
56		17	12A (new)
57		27	6
58		†17	6
59		*	
60		45	4A
61		14	10
62		52	8
63		18	10
64		18	14A (new)
65		40	63
66		17	22
67		40	11
68		40	155
69		†2	66
70		54	35
71		48	15
72		4	2

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1946 STATUTES

Pamphlet Laws 1946		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
73		40	23
74		23	5
75		23	9
76		40	162A(new)
77		†9	18
78		17	9
79		55	14F(new)
80		43	7
81		21	3
82		*	
83		23	3
84		45	9
85		38	18
86		24	11A(new)
87		40	11
88	1-6	18	10
	7	18	11
	8, 9	18	14
	10	18	10
	10	18	13
	10	18	14
	10	18	15
	10	18	23
	11	18	10
89		54	10A(new)
90		43	15
91		*	
92		34	7
93		*	
94		*	
95		32	2
96		1	1
97		1	1
98		*	
99		18	15
100		30	1
101		40	48
102		Val.	
103		23	4
104		*	
105		*	
106		40	60
107		24	10A(new)
108		4	14
109		21	1A(new)
110		44	1
111		*	
112		*	
113		27	6
114		27	6
115		27	6
116		17	24
117		27	6
118		30	4A(new)
119		17	34
120		52	27C(new)
121		38	23B(new)
122		*	
123		40	36A(new)
124		18	16
125		48	4
126		18	5
127		28	2
128		27	6
129		36	1
130		48	4
131		48	4
132		45	4
133		45	4
134		38	23B(new)
135		43	15
136		39	10
137		*	
138	1-37	40	14A(new)
	34	40	63
139		27	6
140		40	60
141		*	
142		43	3
143		*	
144		52	27B(new)
145	1	18	5
	2-15	18	13
146		54	9
147		33	1
148		11	24A(new)
149		19	31
150		*	
151		*	
152		19	41

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1946 STATUTES

Pamphlet Laws 1946		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
153		18	13
154		17	34
155		2	53
156		11	22
157		40	60
158		2	134
159		54	4
160		2	29
161	1-16	54	2
	17, 18	54	3
162		38	23A (new)
163		Val.	
164		Val.	
165		23	4
166		23	5
167		5	5
168		30	6
169		5	5
170		5	5
171		23	4
172		26	4A (new)
173		Val.	
174		54	10B (new)
175		44	4
176		27	6
177		45	14
178		†22	2
179		†2	32
180		†22	2
181		†2	32
182		†2	32
183		†2	32
184		11	2A (new)
185		37	1
186		†2	212
187		2	195A (new)
188		†2	16
189		†2	1
190		†2	1
191		43	15
192		43	16A (new)
193		*	
194		18	5
195		†2	7
196		†27	15
197		40	38
198		11	4
199		52	27B (new)
200		†43	14
201		40	146
202		*	
203		*	
204		*	
205		*	
206		38	23A (new)
207		27	14
208		39	4
209		†2	197A (new)
210		18	13
211		26	3
212		54	4
213		18	14
214		†2	8
215		43	10
216		43	10
217		18	22
218		†2	8
219		48	2
220		48	3
221		*	
222		*	
223		30	9
224		38	3
225		30	6A
226		15	17 (new)
227		11	27
228		11	12
229		38	17
230		38	17
231		*	
232		26	6
233		38	17
234		38	7
235		18	13
236		43	14
237		6	2
238		*	
239		*	
240		54	35
241		27	13

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1946 STATUTES

Pamphlet Laws 1946		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
242		54	4
243		18	21
244		*	
245		40	60
246		33	1
247		4	5
248		*	
249	1, 2	34	1
	3-7	34	7
250		†22	2
251		†22	4
252		†2	23
253		30	4
254		40	174
255		26	3C(new)
256		4	23
257		4	5
258		12	6A(new)
259		17	48A(new)
260	1-5	18	5
	6	40	1
261	1, 2	19	14
	3-7	19	23
	8	19	45
262		18	6
263		34	16
264		App. A	7
265		18	4
266		18	8
267		40	37
268		†2	153
269		54	5
270		18	13
271		40	108
272		33	1
273		*	
274		*	
275		†40	40
276		40	37
277		Val.	
278		43	21
279		40	37
280		43	14
281		†2	60
282		40	145
283		3	25
284		43	16
285		17	13
286		*	
287		48	15
288		15	1
289		18	20
290		53	1
291		17	22
292		†2	121
293		45	18
294		27	7
295		58	11
296		18	14
297		44	4
298		32	9
299		13	1A(new)
300		34	15
301		27	15A(new)
302		40	60
303		18	20A(new)
304		†40	21
305		Val.	
306		30	4
307		54	10A(new)
308		43	1
309		43	14
310		17	38
311	1	†17	6
	2	17	6
312		30	4
313		12	6
314		12	6
315		†17	4
316		33	1
317		†17	4
318		27	19
319		2	58
320		40	37
321		55	14F(new)
322		*	
323	1-18	55	14G(new)
	19, 20	†55	14G(new)
	21-26	55	14G(new)
324		*	
325		2	58

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1947 STATUTES

Pamphlet Laws 1947		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		*	
2		18	7
3		*	
4		*	
5		52	15
6		19	29
7		*	
8		*	
9		Val.	
10		36	1
11		*	
12		*	
13		*	
14		52	14
15		27	6
16		40	2
17		48	12
18	1	54	41
	2	54	43
19		†2	114
20		†2	114
21		*	
22		Val.	
23		*	
24		Val.	
25		39	3
26		40	37
27		17	2
28		11	20
29		Val.	
30		40	23
31		34	15
32		*	
33		40	46
34		30	9
35		43	21
36		*	
37		12	4
38		Val.	
39		27	16
40		†2	226
41		†2	8
42		*	
43		32	1
44		32	1
45		7	5
46		2	58
47	1-5	34	13B(new)
	6	†34	13B(new)
	7-9	34	13B(new)
48		23	5
49		40	153
50		54	10A(new)
51		54	10A(new)
52		55	14G(new)
53		19	14
54		52	27
55		27	6
56		27	6
57		*	
58		27	6
59		†45	8
60		45	8
61		*	
62		27	15
63		11	27
64		23	3
65		53	1
66		48	9
67		*	
68		23	5
69		19	37
70		Val.	
71		40	48
72		2	29
73		54	4A(new)
74		27	6
75		34	13B(new)
76		*	
77		1	1
78		19	50
79		19	49
80		17	17
81		46	18
82		39	3
83		30	1
84		17	35
85		40	8
86		18	5
87		40	60

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1947 STATUTES

Pamphlet Laws 1947		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
88		*	
89		*	
90		17	12A(new)
91		17	9
92		17	9
93		54	3
94		33	1
95		*	
96		*	
97		48	2
98		54	2
99		46	35
100		15	1
101		†22	4
102		56	3
103		40	11
104	1-3, 9	19	14
	4-5	19	15
	6-7, 9	19	16
	8, 9	19	23
	9	19	26
105		38	2
106		40	23
107		5	5
108	1	38	1
	2	38	3
109		18	14
110		40	1
111		40	1
112		40	1
113		40	2
114		40	2
115		40	2
116		40	2
117	1-6	40	3
	7-13	40	4
	14-17	40	5
	18	40	48
118		54	4
119	1-4	52	27
	5	52	27A(new)
120		44	8A(new)
121		†2	199
122		†2	192
123		11	10
124		24	18
125		26	3C(new)
126		58	11
127		27	15A(new)
128		30	5
129		43	10
130		18	14
131		18	13
132		45	8A(new)
133		18	14
134		18	7
135		18	7
136		18	12
137		Val.	
138		18	14
139		18	22
140		18	22
141		18	14A(new)
142		*	
143		52	14
144		18	13
145		18	7
146		18	7
147		43	14
148	1	18	2
	2	18	4
	3-4	18	5
	5-9	18	6
	10-18	18	7
	19	18	11
	20-21	18	13
	22-24	18	14
	25-28	18	15
	29-32	18	16
149		40	2
150		†52	27A(new)
151		52	27BB(new)
152		18	7
153		18	5
154		*	
155		18	25(new)
156		44	8
157		27	6
158		52	18
159		23	3

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1947 STATUTES

Pamphlet Laws 1947		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
160		43	12
161		48	4
162		48	2
163		23	3
164		23	4
165		43	16
166		40	46
167		19	32
168	1	19	1
	2	19	9
	3-5	19	14
	6	19	17
	7	19	18
	8-14	19	23
	15	19	27
	16	†19	30
	17-22	19	31
	23	19	45
	24-29	19	48
169		54	40
170		43	10
171		43	10
172		43	10
173		43	10
174		43	10
175		38	17
176		43	14
177		26	1A(new)
178		48	12
179		9	22(new)
180		9	21(new)
181		26	3
182		*	
183		*	
184		44	3
185		*	
186		*	
187		Val.	
188		Val.	
189		38	23B(new)
190		38	23B(new)
191		54	30A(new)
192		40	46
193		40	171
194		40	1
195		40	1
196		†2	7
197		40	41
198		40	38
199		48	3
200		11	22
201	1	11	6
	2-4	11	14
	5	11	16
202		†2	16
203		17	36
204		*	
205		†2	16
206		46	2D(new)
207		4	5
208		†2	8
209		43	14
210		43	14
211		43	14
212	1	30	8
	2	*	
213		†9	18
214		40	23
215		Val.	
216		43	9
217		43	16A(new)
218		40	82
219		40	54
220		2	195A(new)
221		43	12
222		Val.	
223		2	182
224		*	
225		*	
226		*	
227		†46	23
228	1–3	†2	29
	4	†*	
229		2	29
230		48	4
231		40	11
232		2	6
233		†2	61
234		43	16
235		54	4

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1947 STATUTES

Pamphlet Laws 1947		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
236		8	2
237		38	17
238		30	4A(new)
239		23	4
240		8	2
241		26	4A(new)
242		55	14F(new)
243		45	9
244		†2	16
245		18	13
246		54	2
247		39	3
248		17	22
249		54	9
250		54	45
251		40	144
252		30	4
253		†2	8
254		30	9
255		†43	14
256		40	41
257		†30	5
258		†17	6
259		27	6
260		27	6
261		27	6
262		45	11
263		38	18A(new)
264		52	6
265		Val.	
266		*	
267		34	15
268		†17	6A(new)
269		33	1
270		40	171
271		38	23
272		11	20A(new)
273		*	
274		30	4
275		†2	32
276		43	14
277		19	31
278		30	8
279		43	4
280		†43	14
281		*	
282		32	5A(new)
283	1-3	32	8
	4	32	11A
284		Val.	
285		43	12
286		43	15
287	1	4	16
	2	*	
288		46	9
289		43	14
290		54	2
291		*	
292		40	47
293		15	8
294		*	
295		40	62
296		40	52
297		23	9
298		Val.	
299		14	7
300		17	12A(new)
301		43	14
302		40	20
303		23	7
304		45	4
305		40	60
306		3	16
307		18	22
308		17	2
309		43	12
310		19	31
311		40	178
312		17	17
313		2	29
314		†2	87
315		6	3(new)
316		40	60
317		39	3
318		Val.	
319		23	4
320		†43	14
321		17	23
322		40	60
323		26	4

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1947 STATUTES

Pamphlet Laws 1947		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
324		2	97
325		27	6
326		2	129A (new)
327		*	
328		27	6
329		27	6
330		32	1
331		40	145
332		40	171
333		†54	5
334		23	4
335		40	48
336		44	5
337		2	65
338		†2	187
339		43	15
340		30	11
341		40	2
342		†2	16
343		*	
344		†2	16
345	1-16	55	3
	17-21	55	4
	22-26	55	5
	27-29	55	6
	30-33	55	8
	34	55	10
	35	55	13
346		18	13
347		†19	31
348		40	178
349		2	61
350		40	46
351		46	17
352		*	
353		20	1
354		2	202
355		45	5
356		54	5
357	1-5	2	53
	6	†2	53
358		17	24
359		50	1
360		17	29A (new)
361		40	60
362		40	83
363		40	11
364		34	15
365		40	67
366		Val.	
367		43	10
368		Val.	
369		54	35
370		44	7
371		*	
372		*	
373		44	4
374		55	14A (new)
375		58	4A (new)
376		54	35
377		58	4A (new)
378		†2	181
379		17	29B (new)
380		†3	2
381		†2	65
382		40	37
383		48	15
384		3	5A (new)
385		40	48
386		54	5
387		43	13
388		32	13A (new)
389		*	
390		21	1A (new)
391		40	14A (new)
392		*	
393		†2	181
394		†2	181
395		43	16
396		43	10
397		†2	32
398		†3	10
399		†2	181
400		43	10
401		48	5
402		†2	32
403		40	21
404		40	40
405		*	
406		40	75

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1947 STATUTES

Pamphlet Laws 1947		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
407		40	84
408		37	2
409		†3	32
410		†2	8
411		43	14
412		*	
413		54	4
414		19	31
415		54	5
416		†2	61
417		40	60
418		*	

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1948 STATUTES

Pamphlet Laws 1948		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		†19	56(new)
2	1	19	2
	2	19	3
	3	19	4
	4	19	5
	5-8	19	6
	9, 10	19	8
	11	19	9
	12-16	19	12
	17-20	19	13
	21	19	14
	22-26	19	23
	27-29	19	24
	30	19	23
		19	55(new)
	31	19	2
		19	23
		19	55(new)
	32	19	2
		19	3
		19	5
		19	6
		19	8
		19	9
		19	12
		19	23
		19	24
		19	30
3		*	
4		1	1
5		40	20
6		40	80
7		40	87
8	1	40	143
	2, 3	40	144
9		40	158
10		55	14F(new)
11		13	9
12		55	14G(new)
13		1	2
14		18	16
15		18	15
16		52	10A(new)
17		30	8
18		*	
19		18	10
20		33	1
21	1	40	70
	2	40	72
	3	40	75
22	1	40	124
	2	40	125
23		40	171
24		40	178
25		58	12
26		*	
27	1	18	2
	2, 3	18	16
28		39	3
29		52	24
30		*	
31		17	38
32		18	7
33		5	5
34		45	6
35		23	5
36		24	13
37		17	2
38		13	9
39		23	2
40	1-18	54	29A(new)
	18	54	4
41		54	4
42		30	9
43		27	6
44		2	174A(new)
45		40	11
46		40	46
47		11	22
48		†2	223
49		Val.	
50		45	14
51		27	6
52		†2	16
53		44	5
54		2	182A(new)
55		15	8
56		18	11
57		11	22
58		34	15

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1948		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
59		17	12A (new)
60	1	30	1
	2, 3	30	4
61		40	12
62		18	5
63		†2	31
64		Val.	
65		54	40A (new)
66		18	10
67	1-175	17	9A (new)
	176	†17	9A (new)
	177-336	17	9A (new)
		7	4
		7	5
		7	6
		17	1A
		17	2
		17	3
		17	4
		17	5
		17	6
		17	6A (new)
		17	7
		17	8
		17	9
		17	16
		32	2
	337-343	17	9A (new)
68		43	21
69		17	12A (new)
70		17	12A (new)
71		17	10
72		*	
73		40	47
74		54	5
75		27	6
76		27	6
77		*	
78		40	21
79		43	21
80		40	60
81		Val.	
82		38	14B (new)
83	1-9	2	196A (new)
	9	2	10
		2	197
		2	197A (new)
84	1-12	30	4
	13	†30	4
	14-40	30	4
85		†2	198
86		30	4
87	1-3	30	1
	4, 5	30	7
	6	30	3
88	1-3	17	1
	4-7	45	15
	8	*	
	9-11	45	15
	12, 13	17	1
89		11	1
90		48	2
91		27	1
92		52	18A (new)
93		14	9
94		52	14
95		17	12A (new)
96		54	5
97		32	1
98		33	1
99		Val.	
100		†2	8
101		†2	6
102		†2	8
103		40	155
104		40	47
105		45	14
106		†2	8
107		18	24
108		54	40A (new)
109	1	43	21
	2	*	
110	1-31	43	21
	32	*	
	33	43	21
111		27	14

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1948		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
112		38	8
113		23	3
114		40	164
115		52	14
116		52	14
117		*	
118		52	14
119		43	12
120		2	27
121	1	11	4
	2-4	11	7
	5-8	11	22
	9	11	7
	10, 11	11	22
122		†3	2
123		23	3
124		27	15
125		24	18
126		26	8
127		37	1
128		Val.	
129		40	3
130		*	
131		18	14
132		39	4
133		18	14
134		14	14
135		†2	202
136		40	36A(new)
137		40	171
138		38	18A(new)
139		†3	2
140		54	3
141		18	3
142		52	17A(new)
143		*	
144		23	3
145		41	2
146		17	22
147		18	14A(new)
148		58	4A(new)
149		40	1
150		18	7
151		23	3
152		45	19
153		38	25
154		23	5
155		45	15
156		52	27
157		17	17A(new)
158		†2	181
159		40	2
160		†2	26
161		40	47
162		18	7
163		40	46
164		Val.	
165		11	22
166		38	17
167		27	6
168		*	
169		54	39
170	1, 2	†39	4
	3	39	4
	4	†39	4
171		45	4A
172		Val.	
173		Val.	
174		23	3
175		23	5
176		18	13
177		40	75
178		48	4
179		32	11B(new)
180		*	
181		4	16
182		43	21
183		19	45
184		43	21
185		52	36
186		*	
187		40	175
188		56	7(new)
189		4	8
190		†22	2
191		18	14
192		18	13
193		46	16
194		Val.	
195		18	22

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Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1948		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
196		18	5
197		52	14
198		40	11A(new)
199		1	6
200		23	10
201		23	4
202		40	82
203		30	4
204		30	4
205		26	8
206		40	41
207		†2	7
208		40	38
209		23	4
210		21	1A(new)
211		†2	181
212		32	1
213		*	
214		32	1
215		54	39
216		19	5
217		54	30A(new)
218		17	50
219		54	5
220		54	5
221		27	6
222		44	5
223		46	14
224		43	12
225		17	13
226		23	3
227		†2	207
228		18	14
229		23	7
230		*	
231		Val.	
232	1	40	62
	2	40	63
233		Val.	
234		40	52
235		27	6
236		Val.	
237		*	
238		3	17
239		40	69
240		19	49
241		18	5
242		†2	60
243		17	17
244		*	
245		40	60
246		40	60
247		5	2
248		55	14G(new)
249		34	6
250		43	11A(new)
251	1-6	55	3
	7, 8	55	5
252		48	12
253		2	72A(new)
254		43	12
255		5	2
256		17	22
257		11	21
258		40	23
259		54	4
260		†2	181
261		19	13
262		55	14A
263		*	
264		2	8A(new)
265		Val.	
266		17	3A(new)
267		Val.	
268		54	34
269		34	15
270		2	1A(new)
271		40	37
272		Val.	
273		†22	4
274		†22	4
275		26	3
276		40	49
277		40	39
278		40	38
279		†2	7
280		*	
281		40	175
282		40	46

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1948		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
283		†2	8
284		†9	18
285	1, 2	26	8
	3	37	1
286		48	3
287		18	7
288		27	19
289		*	
290		54	4
291		30	4
292		*	
293		52	32
294		40	55
295		†2	8
296		27	6
297		Val.	
298		2	142
299		†2	182
300		†2	6
301		†2	7
302		40	41
303		40	38
304		40	47
305		40	55
306		52	14
307		*	
308		†22	4
309		40	145
310		43	10
311		†2	16
312		†2	87
313		43	16
314		40	38
315		1	9
316		*	
317		48	12
318		43	21
319		2	27
320		†2	50
321		9	2
322		26	8
323	1, 2	†2	50
	3	†*	
	4	†2	50
324		2	26
325		2	26
326		†2	91B (new)
327		2	1A (new)
328		2	25B (new)
329		1	7
330		†2	6
331		†2	16
332		2	80
333		†2	15
334		37	1
335		†41	2A (new)
336	1	54	34
	2	54	35
337		2	96A (new)
338		†2	58
339		†2	72
340	1-38	29	1
	39	*	
	40	29	1
341		40	11
342		39	4
343		*	
344		2	58
345		11	21
346		*	
347		18	12
348		40	66A (new)
349		40	68A (new)
350		45	12
351		58	16A (new)
352		†2	6
353		†2	202
354		2	16A (new)
355		2	26
356		†2	26
357		†2	75
358	1-45	2	42
	45	2	29
	46	2	42
359		†3	8
360		2	1A (new)
361		2	72A (new)
362		2	16
363		†2	87A (new)

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1948 STATUTES

Pamphlet Laws 1948		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
364		2	1C(new)
365		2	1B(new)
366	1-18	22	1A(new)
	19	†22	1A(new)
	20-30	22	1A(new)
367		2	16
368		2	5
369		†2	26
370		†2	60
371		†2	60
372		2	16
373		†2	51
374		†2	73
375		1	1
376	1-11	2	16
	11	2	2
		2	6
	12	2	16
377		†17	34
378		†2	65
379		†2	60
380		†2	60
381		2	80
382		2	1A(new)
383		26	9
384		2	8
385		2	32
386		40	175
387		26	9
388		3	7
389		2	1A(new)
390		2	16
391		43	6
392		43	6
393		43	6
394		2	8A(new)
395		40	46
396		*	
397		40	62
398		30	4
399		40	41
400		40	21
401		17	12A(new)
402		43	6
403		54	40
404		38	23
405		17	9A(new)
406		17	9A(new)
407		27	6
408		17	9A(new)
409		*	
410		†2	16
411		22	1B(new)
412		40	27
413		40	23
414		30	4
415		*	
416		*	
417		14	14
418		Val.	
419		17	16B(new)
420		Val.	
421		17	11
422		39	4
423		*	
424		43	16A(new)
425		40	52
426		Val.	
427		18	5
428		43	13
429		†2	47
430		34	15
431		*	
432		Val.	
433		18	8
434		45	5
435		11	4
436		4	5
437		40	144
438	1	19	1
	2	19	3
	3	19	4
	4	19	5
	5	19	6
	6	19	13
	7, 8	19	23
	9	19	27
	10, 11	19	32
	12-19	19	34
439		52	17B(new)

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1948		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
440		17	38
441		43	16A(new)
442		43	16A(new)
443		†32	3
444	1-15	26	1A(new)
	16, 17	9	13
	18-27	26	1A(new)
445		52	16A(new)
446		34	1A(new)
447		4	1
448	1-13	13	1B(new)
	14, 15	13	12
	16-38	13	1B(new)
	39	23	1
	40, 41	13	1B(new)
	42	23	2
	43	23	3
	44-66	23	4
	67-72	23	5
	73	23	6
	74-76	23	8
	77-89	23	10
	90-121	13	1B(new)
	121	12	9
		12	10
448	122, 123	13	1B(new)
449		43	16
450		43	16A(new)
451		27	6
452		27	6
453		26	2B(new)
454		27	23(new)
455		17	34
456		40	26A(new)
457		38	23
458		4	12
459		54	10A(new)
460		27	15
461		27	7A(new)
462		17	22
463		*	
464		†40	55
465		43	13
466		11	22
467		17	45
468		34	15
469		43	21
470		†18	13
471		43	12
472		23	5

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Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1949 STATUTES

Pamphlet Laws 1949		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		40	75
2		Val.	
3		*	
4		55	14F(new)
5		55	14G(new)
6		52	9I(new)
7		37	1
8		52	18A(new)
9		2	8
10		*	
11		18	25
12		16	19
13		18	7
14		52	9J(new)
15		40	75
16		Val.	
17		2	58
18	1-5	2	196A(new)
	6	2	196A(new)
	6	2	198
19		52	7
20		†2	192
21		41	1
22		41	1
23		18	13
24	1	19	3
	2-5	19	13
	6	19	14
	7-11	19	23
25		*	
26		5	5
27		52	14
28		43	14
29		34	15
30		18	14
31		†2	8
32		2	29
33		2	16
34		30	8
35		40	41
36		2	16
37		2	8
38		23	4
39		23	4
40		27	23
41		27	23
42		*	
43		*	
44		17	9A(new)
45		43	15
46		17	9A(new)
47		17	9A(new)
48		18	13
49		36	2(new)
50		18	20A(new)
51		45	6
52		45	6
53		†19	56
54		†19	56
55		17	9A(new)
56		17	9A(new)
57		17	9A(new)
58		17	12A(new)
59		17	18
60		†39	6
61		40	60
62		40	46
63		43	14
64		*	
65		45	11
66		18	8
67		40	50
68		11	22
69		52	25
70		*	
71		*	
72		*	
73		17	12A(new)
74		†2	182
75		12	6
76		40	41
77		2	16
78		40	48
79		40	23
80		2	8A(new)
81		32	1
82		2	8A(new)
83		†3	26
84		†2	182
85		54	4

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Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1949		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
86		App. A	9
87		Val.	
88		40	36A (new)
89	1	26	9
	2	*	
	3	26	9
90		43	15
91		14	10
92		†3	16
93		45	14
94		26	3
95	1	54	42
	2	54	44
	3	54	43
	4, 5	54	44
96		18	24
97		18	24
98		40	54
99		38	22
100		40	47
101		18	14A (new)
102		39	4
103		†2	7
104		2	8A (new)
105		58	18
106		17	34
107		48	9
108		17	9A (new)
109		17	10
110		48	9
111		†2	60
112	1–5	†2	65
	6	†2	29
113		†2	71
114		†2	76
115		†3	35
116		†3	40
117		†2	26
118		Val.	
119		43	13
120		*	
121		40	2
122		†9	18
123		19	31
124		†2	98
125		†2	24
126		27	13
127		†22	1
128		*	
129		2	8
130		43	14
131		2	16
132		52	18A (new)
133		†2	182
134		†2	16
135		†2	8
136		2	42
137		2	1A (new)
138		40	12
139		2	1A (new)
140		40	2
141		9	17
142		2	8
143		*	
144		54	4
145		40	36A (new)
146		†2	50
147		2	1A (new)
148		46	16
149		43	2
150		18	6
151		18	7
152		40	48
153		40	60
154		43	3
155		†2	98
156		17	18
157		†40	55
158		17	36
159		Val.	
160		40	62
161		9	7
162		17	29A (new)
163		†2	181
164		†2	114
165		Val.	
166		40	11
167		27	6
168		13	13
169		43	10

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† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1949		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
170		45	12
171		14	3
172		54	4
173		†2	202
174		4	11
175		27	6
176		27	7
177		54	4
178		43	9
179		*	
180		17	18
181		43	9
182	1–10	†2	75
	10	†2	29
	11	†2	75
183		†3	34
184		55	16(new)
185		55	14E(new)
186		55	14G(new)
187		40	55
188		19	32
189		Val.	
190		39	7
191		App. A	3
192		38	18A(new)
193		22	1A(new)
194		40	62
195		43	15
196		26	4
197		17	9
198		17	34
199		†22	4
200		*	
201		2	8A(new)
202		54	4
203		4	9
204		*	
205		*	
206		45	21
207		19	14
208		18	5
209		4	11
210		26	1A(new)
211		17	34
212		16	12
213		43	21
214		45	15
215		Val.	
216		*	
217		45	4A
218		43	16
219		17	34
220		†43	16A(new)
221		39	8
222		†3	18
223		†3	40
224		*	
225		†3	11
226		Val.	
227		44	5
228		43	9
229		17	9A(new)
230		18	20
231		30	4
232		18	7
233		48	9
234		17	38
235		39	10
236		54	10A(new)
237		†3	17
238		2	82
239		54	10C(new)
240		*	
241		17	9A(new)
242		40	55
243		17	9A(new)
244		18	5
245		9	2
246		17	9A(new)
247		44	7
248		17	24
249		4	12
250		39	4
251		53	5
252		40	72
253		34	6
254		†2	71
255		33	1
256		40	37

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Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1949		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
257	1-3	2	1B(new)
	4	2	1B(new)
	4	2	6
	5	2	1B(new)
258		39	3
259		*	
260		43	6
261		40	56
262		43	12
263		†2	182
264		2	1B(new)
265		2	1A(new)
266		27	6
267		40	52A(new)
268		40	60
269		2	8
270		40	171
271		40	46
272		†2	50
273		43	16A(new)
274		34	3A(new)
275		39	3
276		33	1
277		†2	181
278		†3	36
279		46	14
280		39	4
281		40	75
282		40	145
283		40	11
284		†3	23
285		*	
286		17	9A(new)
287		Val.	
288		40	67
289		40	62
290		Val.	
291		54	9
292		27	6
293		43	12
294		4	22
295		54	4
296		33	1
297		29	1
298		2	1B(new)
299		43	14
300		55	14A(added)
301		†2	212
302		2	8
303		55	14H(new)
304		*	
305		55	16(new)
306		40	55C(new)
307		2	58
308	1, 2	34	13B(new)
	3	†34	13B(new)

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1950 STATUTES

Pamphlet Laws 1950		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		27	23
2		27	23
3		40	60
4		40	146
5		40	88
6		*	
7		40	60
8		45	11
9		4	5
10		40	67
11		2	8A(new)
12		14	10
13		11	22
14		34	13B(new)
15		39	4
16		39	4
17		38	8
18		15	2
19		30	8
20		40	36A(new)
21		55	16
22		Val.	
23		40	145
24		18	20A(new)
25		45	9
26		33	1
27		18	14
28		26	5A(new)
29	1-6	26	1A(new)
	7	26	1
30		30	4
31		12	6A(new)
32		18	7
33		17	9A(new)
34		Val.	
35		19	5
36		43	15
37		19	31
38		30	11
39		34	1
40	1	13	3
	2	13	5
	3	13	7
	4, 5	13	8
	6	13	5A(new)
	7	13	6A(new)
41		†9	3
42		34	6
43		21	1A(new)
44		58	2
45		54	5
46		17	9A(new)
47		17	17
48		11	22
		23	5
50		40	32
51		34	6
52		*	
53		Val.	
54		34	1A(new)
55		40	171
56		2	194
57		*	
58		Val.	
59		18	10
60		52	18
61		52	18A(new)
62		*	
63		43	15
64		2	1A(new)
65	1	40	75
	2	40	80
66		40	175
67	1	14	14
	2	46	16
	3	55	14A(added)
	4	2	8A(new)
	5	23	8
	6	40	26A(new)
	7	17	22
	8	†40	55
	9	18	24 (new)
68		38	14C(new)
69		55	16
70		39	4
71		46	3
72		†2	26
73		43	3
74		11	1
75		17	9A(new)
76		Val.	
77		*	

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1950 STATUTES

Pamphlet Laws 1950		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
78		23	3
79		23	3
80		23	5
81		18	15
82		54	5
83		40	1
84		16	5
85		2	58
86		23	4
87		17	12A (new)
88		24	18
89		34	15
90		32	2
91		Val.	
92		18	15
93		40	2
94		51	1
95		17	12A (new)
96		2	8
97		17	9A (new)
98		4	1
99		26	8
100		54	4
101	1-11	54	18A (new)
	12	54	4
102		14	17 (new)
103		*	
104		†2	98
105		55	14A (added)
106		55	14C (new)
107		55	14D (new)
108		55	14H (new)
109		55	14A (added)
110		55	14B (added)
111		55	14E (new)
112		55	16 (new)
113		†2	76
114	1, 2	†3	34
	3-7	†3	36
	8-10	†3	40
115		2	26
116		18	22
117		†3	33A
118		26	8
119	1	26	3
119	2-4	26	1A (new)
	5-9	26	3
120		18	7
121		9	11
122		17	9A (new)
123		17	9A (new)
124		17	9A (new)
125		†3	7
126		9	6
127		39	3
128		39	5B (new)
129		43	14
130		17	9A (new)
131		54	5
132		45	14
133		*	
134		54	40A (new)
135		56	7 (new)
136		40	60
137		44	6
138		12	2
139		21	1B (new)
140		†2	16
141		†2	27
142		39	3
143		18	7
144		54	39
145		33	1
146		†19	56 (new)
147		23	9
148		17	45
149		45	8
150	1	38	17
	2	Val.	
151		5	2
152		24	18
153		17	9A (new)
154		53	1
155		45	4A
156		45	24
157		17	28
158		18	14
159		18	14
160		17	9A (new)
161		40	89

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1950 STATUTES

Pamphlet Laws 1950		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
162		Val.	
163		18	5
164		17	9A(new)
165		39	3
166		30	4B(new)
167		43	21
168		48	6A(new)
169		54	5
170		43	21
171		1	11 (new)
172		43	21
173		43	21
174		34	15
175		34	15
176		17	29A(new)
177		43	21
178		Val.	
179		2	17
180		18	7
181		17	9A(new)
182		†2	121
183		17	9A(new)
184		40	60
185		54	4
186		54	18A(new)
187		45	4
188		26	3
189		40	33
190		23	4
191		39	4
192		32	1
193		45	6
194		40	23
195		†47	3
196		38	18A(new)
197		Val.	
198		27	6
199		2	16
200		17	9A(new)
201		39	2
202		11	24A(new)
203		54	45
204		55	14G(new)
205		45	6
206	1, 2	†2	32
206	†3, 4	22	2
207		†2	192
208		32	4A(new)
209		18	5
210		40	69A(new)
211		40	46
212	1	40	45
	2	40	43
213		18	7
214		17	9A(new)
215		*	
216		38	23B(new)
217		50	2
218		44	7
219	1–4	†2	8
	5–7	†22	2
	8–10	†2	32
220		14	3
221		37	2
222		2	42
223		*	
224		Val.	
225		43	21
226		†2	32
227		52	18A(new)
228		18	12A(new)
229		*	
230		†18	5
231		17	32
232		40	49
233		17	9A(new)
234		†2	58
235	1–3	11	26B(new)
	3	Val.	
236		*	
237		†22	2
238		30	9
239	1	38	2
	2–17	38	3
	18–27	38	4
	28	38	14
	29	38	3
		38	4
240		17	9A(new)
241		40	37

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1950 STATUTES

Pamphlet Laws 1950		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
242		30	9
243		*	
244	1	24	5
	2	24	16A (new)
245		29	1
246	1	55	1
	2–11	55	3
	12–14	55	5
	15–17	55	6
	18, 19	55	10
	20, 21	55	13
247		17	9A (new)
248		*	
249		45	3
250		27	7
251		39	7
252		52	14
253		*	
254		18	2
255	1–13	52	18A (new)
	14–15	†52	18A (new)
	16–30	52	18A (new)
256		26	7
257		Val.	
258		*	
259		Val.	
260		43	21
261		27	6
262		55	14A (added)
263		2	16
264		55	14G (new)
265		40	66A (new)
266		*	
267		17	9A (new)
268		18	13
269		54	4
270		52	18A (new)
271	1–2	17	28A (new)
	2	17	34
272		4	3
273		23	9
274		40	27
275		32	21 (new)
276		17	28A (new)
277		40	41

Pamphlet Laws 1950		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
278		46	14
279		*	
280		27	16
281		14	9
282		14	4
283	1	17	18
	2	17	24
284		†2	70
285		17	12A (new)
286		2	24
287		*	
288		17	9A (new)
289		†39	5
290		13	15 (new)
291		44	5
292		30	4
293	1–9	4	1
	10–15	4	5
	16	4	10
294		43	16A (new)
295		43	16
296		43	9A (new)
297		3	45 (new)
298		55	14B (added)
299		26	6
300		27	6
301		17	34
302	1, 2	17	38
	2	17	17
303		44	8
304		43	21
305		11	27
306		46	6
307		*	
308		54	10B (new)
309		17	29A (new)
310		50	2
311		17	9A (new)
312		3	16
313		17	9A (new)
314		2	72A (new)
315		†2	103
316		13	15
317		30	5
318		40	72

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1950 STATUTES

Pamphlet Laws 1950		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
319		40	72
320		†2	34
321		†2	60
322		†2	16
323		45	3
324		40	92
325		43	16A(new)
326		55	14A(added)
327		†3	26
328		2	24
329		3	16
330	1–3	2	19A(new)
	3	2	18
		2	19
331		Val.	
332		*	
333		12	6
334		43	14
335		5	2
336		40	37
337		†9	18
338		13	1B(new)
339		18	5
340		11	1
341		54	5
342		34	15
343		54	29A(new)
344		†32	3

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1951 STATUTES

Pamphlet Laws 1951		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		38	14D(new)
2		38	14D(new)
3		*	
4		39	3
5		39	3
6		*	
7		39	3
8		38	14D(new)
9		*	
10		19	6
11		2	58
12		*	
13		39	3
14		12	6
15		†27	12A(new)
16		38	18A(new)
17		38	18
18		38	23
19		11	27
20		55	14G(new)
21		38	23
22		2	26
23		39	4
24		39	3
25		39	1
26		Val.	
27		55	14H(new)
28		46	2C(new)
29		†2	176
30		4	5
31		23	4
32		Val.	
33		43	15
34		17	9A(new)
35		17	9A(new)
36		17	12A(new)
37		17	12A(new)
38		18	14
39		18	7
40		18	7
41		17	9A(new)
42	1-7	26	1A(new)
	8-10	45	4A
43		40	132
44		†2	192
45		2	8A(new)
46		17	9A(new)
47		3	16
48		*	
49		*	
50		52	14
51		52	14
52		23	4
53		23	5
54		43	21
55		18	13
56		24	18
57		24	18
58		24	18
59		34	15
60		43	21
61		39	3
62		40	11
63		18	5
64		18	25(new)
65		38	20
66		22	2
67		52	7
68		54	43
69	1-65	26	3A1(new)
	66	26	1A(new)
	67	26	1
	68	26	3
	69-72	26	3A1(new)
70		*	
71		40	37
72		App. A	9(new)
73		18	7
74		33	1
75		†2	182
76		40	171
77		40	47
78		54	5
79		23	5
80		58	10
81		18	14
82		26	6
83		26	8
84	1	26	6
	2	26	8

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1951 STATUTES

Pamphlet Laws 1951		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
85	1	26	6
	2	26	8
86		55	14A(added)
87		40	55C(new)
88		17	9A(new)
89		38	23B(new)
90		†3	2
91		18	4A(new)
92		38	23A(new)
93		23	3
94		2	8A(new)
95		17	1
96		40	2
97		26	1A(new)
98		†2	114
99		†2	192
100		18	7
101		40	33
102		40	54
103		45	12
104		†9	3
105		34	15
106		40	23
107		27	6
108		†*	
109		27	6
110		27	6
111		27	6
112		27	7
113		54	2
114		18	14
115		52	34
116		40	32
117		53	1
118		*	
119	1	19	27
	2	19	3
120		40	41
121		†2	7
122		40	38
123		Val.	
124		17	9A(new)
125		17	12A(new)
126		Val.	
127		40	14A(new)
128		18	8
129		18	13
130		54	10A(new)
131		54	10B(new)
132		40	60
133		Val.	
134		39	3A(new)
135		54	4
136		38	17
137		Val.	
138		30	4C(new)
139		44	7
140		30	6
141		40	48A(new)
142		40	60
143		40	1
144		45	4A
145		18	5
146		App. A	10(new)
147		23	12(new)
148		48	16
149		18	10
150		20	1
151		*	
152		*	
153		*	
154		*	
155		*	
156		*	
157		*	
158		*	
159		*	
160		*	
161		*	
162		*	
163		33	1
164		†22	4
165		17	9A(new)
166		17	9A(new)
167		17	9A(new)
168		*	
169		34	15
170		40	47
171		18	10
172		53	1

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1951		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
173		40	46
174		†2	178
175	1	40	56
	2	40	62
176		30	8
177		54	35
178		*	
179		13	1B(new)
180		17	13
181		18	13
182		*	
183		23	5
184		54	4
185		43	16A(new)
186		17	9A(new)
187		17	15A(new)
188		*	
189		*	
190		40	1
191		40	37
192		17	9
193		58	4A(new)
194		18	13
195		*	
196		†*	
197		*	
198		45	6
199		45	6
200		54	4
201		23	9
202		43	9
203		18	13
204		32	1
205		32	1
206	1, 2	17	17
	3	17	18
	4	17	28
	5, 6	17	30
	7	17	37
207		40	146
208		43	3
209		40	37
210		43	21
211		34	15
212		43	21
213		†40	55
214		*	
215		11	14
216		39	12(new)
217		39	3
218		39	3
219		38	23
220		5	3
221		*	
222		*	
223		43	12
224		18	7
225		45	14
226		23	3
227		18	10
228		9	13
229		18	5
230		18	3
231		*	
232		45	4
233		*	
234		55	16(new)
235		55	14H(new)
236		*	
237		17	38
238		Val.	
239		32	1
240		40	41
241		†2	7
242		40	38
243		2	182
244	1	40	38
	2	2	7
	3	40	41
245		Val.	
246		†2	202
247		27	14
248		40	55
249		43	21
250		54	34
251		39	5
252		†2	8
253		43	22(new)
254		14	13
255		56	1

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1951		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
256		40	38
257		2	16
258		2	16
259		*	
260		8	4(new)
261		58	4A(new)
262		43	9
263		38	25A(new)
264		27	23(new)
265		40	36A(new)
266		2	98
267		43	16A(new)
268		19	45
269		50	2
270		4	22
271		43	10
272		43	13
273		19	31
274		2	181
275		48	3
276		34	15
277		*	
278		11	21
279		11	21
280		40	62
281		54	40A(new)
282		43	21
283		32	20(new)
284		32	8
285		32	11AA(new)
286		27	23(new)
287		32	3
288		32	3
289		27	6
290		27	6
291		45	6
292		18	13
293		14	4
294		23	3
295		39	10
296		23	4
297		40	151
298		40	5
299		40	43
300		55	14A(added)
301		40	55C(new)
302		41	2
303		4	13
304		†2	53
305		17	12A(new)
306		40	69A(new)
307		40	51
308		18	7
309		40	21
310		15	8
311		5	5
312		52	18A(new)
313		Val.	
314		46	2D(new)
315		19	14
316		4	8A(new)
317		2	8
318		17	22
319		*	
320		43	16A(new)
321		4	18A(new)
322		18	14
323		*	
324		40	37
325		†3	2
326		48	2
327		40	46
328		18	13
329		40	37
330		†2	202
331		38	18A(new)
332		46	2B(new)
333		26	3
334		39	10
335		30	4
336		40	154
337		34	8
338		43	21
339		40	46
340		*	
341		45	6
342		24	9
343		13	2A(new)

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1951		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
344		*	
345		*	
346		1	1
347		9	18
		9	19
348		†22	1
349		9	2
350		41	2A (new)
351		41	2A (new)
352		46	3A (new)
353		52	13A (new)
354		30	8
355		43	21
356		39	3
357		48	2

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1952		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		40	11
2		19	25
3		*	
4		2	58
5		2A	151
6		52	14
7		*	
8		52	18A(new)
9		34	11
10		48	2
11		1	12(new)
12		App. A	9(new)
13		27	6
14		App. A	9(new)
15		18	9
16		27	12B(new)
17		*	
18		13	2
19		27	5B(new)
20		27	7
21		27	7A(new)
22		†2	58
23		30	5
24		44	7
25		43	22(new)
26		26	8
27		11	11
28		18	15
29		40	87
30		24	5
31		53	5
32		30	4
33		14	12
34		48	9
35		27	23(new)
36		*	
37		4	19
38		*	
39		53	5
40		32	11C(new)
41		38	2
42		27	6
43		*	
44		51	1
45		39	3
46		39	3
47		43	16A(new)
48	1	11	22
	2	11	27
49		38	20
50		40	1
51		40	21
52		40	46
53		*	
54		*	
55		40	20
56		17	9A(new)
57		2A	8
58		30	9
59		39	3
60		19	31
61	1	19	14
	2	19	23
62		19	45
63		6	1A(new)
64		30	4
65		30	1
66		4	1
67		2A	11
68		†39	4
69		23	4
70		23	10
71		23	5
72		40	48B(new)
73		39	3
74		2A	159
75		45	14
76		30	6B(new)
77		24	10
78		26	4
79		*	
80		34	15
81		*	
82		18	24(new)
83		Val.	
84		58	4A(new)
85		40	41
86		2A	5
87		40	39
88		40	38

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1952 STATUTES

Pamphlet Laws 1952		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
89		40	37
90		24	18
91		2A	98
92		53	1
93		53	1
94		2A	138
95		2A	108
96		40	38
97		19	45
98		40	38
99		40	41
100		2A	5
101		18	7
102		26	1A(new)
103		23	5
104		51	1
105		9	11
106		2A	170
107		45	14
108		23	8
109		43	12
110		27	6
111		18	8
112		51	1
113		17	9A(new)
114		23	4
115		18	12A(new)
116		38	23A(new)
117		53	2
118		40	55
119		44	5
120		40	5
121		2A	96
122		45	9
123		45	6
124		43	16A(new)
125		5	5
126		33	1
127		18	14
128		45	12
129		45	8
130		45	8
131		45	3
132		45	3
133		45	3
134		2A	158
135		18	5
136		17	24
137		45	14
138		45	14
139		40	81
140		17	9A(new)
141		40	41
142		18	13
143		51	10(new)
144		17	9A(new)
145		29	2
146		51	7
147		34	11
148		40	87
149		39	4
150		40	145
151		17	12A(new)
152		18	14
153		18	14
154		2A	5
155		*	
156		3A	14A(new)
157		12	7
158		19	23
159		4	12A(new)
160		18	5
161		2A	11
162		40	171
163		2A	162
164		17	12A(new)
165		2A	7
166		48	10(changed)
167		40	47
168		54	32A
169		54	49
170		54	10A(new)
171		54	10B(new)
172		23	3
173		39	6
174		39	6
175		39	6
176		39	6
177		39	4
178		40	38

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1952		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
179		17	9A(new)
180		40	51
181		2A	11
182		*	
183		43	2
184		50	3
185		3A	6
186		*	
187		43	21
188		43	21
189		43	21
190		43	21
191		*	
192		*	
193		40	37
194		32	22(new)
195		40	5
196		39	12
197		2A	4
198		45	16
199		6	5(new)
200		6	1
201		6	1
202		45	4A
203		2A	62
204		17	12A(new)
205		17	12A(new)
206		*	
207		38	23
208		52	18A(new)
209		2A	170
210		*	
211		30	11
212		2A	152
213		48	12
214		*	
215		43	3A(new)
216		23	5
217		47	3
218		*	
219		32	9A(new)
220		17	9A(new)
221		3A	3A(new)
222		5	5
223		27	6
224		52	18A(new)
225		12	3
226		39	3
227		54	16A(new)
228		27	6
229		54	29A(new)
230		2A	169A(new)
231		54	4
232		38	23A(new)
233		54	4
234		9	3
235		18	13
236	1	18	2
	2–3	18	3
	4	18	5
	5–8	18	6
	9	18	7
	10–15	18	13
	16	18	14
	17–19	18	7
	20–21	18	13
237		18	13
238		18	14
239		18	13
240		40	54
241		18	14
242		18	10
243		*	
244		2A	6
245		48	7
246		54	40A(new)
247		56	7(new)
248		17	9A(new)
249		Val.	
250		35	2
251	1	48	2
	2	48	4
	3	48	16
252	1–5, 13	18	5
	6–11, 13	18	6
	12, 13	40	1
253		52	17B(new)
254		†22	2
255		45	12
256		45	14

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1952		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
257		48	17
258		56	6(new)
259		32	14
260		2A	5
261		*	
262		27	16
263		2A	158
264		54	30A(new)
265		54	30A(new)
266		18	13
267		2A	168
268		18	14
269	1–4	34	15
	5–6	34	1A(new)
	7	34	15
270		18	13
271		40	47
272		52	18A(new)
273		40	72
274		54	4
275		*	
276		14	8
277		40	14A(new)
278		17	9A(new)
279		17	9A(new)
280		3A	15
281		40	46
282		43	21
283		43	9
284		33	1
285		24	18
286		39	4
287		*	
288		39	5
289		27	6
290	1	19	31
	2–3	19	32
	4–5	19	31
291		11	22
292		19	31
293		11	4
294		17	22
295		54	4
296		39	12(new)
297		40	154
298		4	1
299		†5	7(new)
300		45	9
301		40	14A(new)
302		11	26C(new)
303		40	11A(new)
304		40	66A(new)
305		40	68A(new)
306		*	
307		52	17B(new)
308		2A	151
309		11	27
310		40	72
311		Val.	
312		2A	8
313		40	71
314		Val.	
315		Val.	
316		34	15
317		34	15
318		34	15
319		40	146
320		40	61
321		43	15
322		11	15
323		11	22
324		40	62
325		40	145
326		40	27
327		13	1B(new)
328		23	3
329		52	17B(new)
330		17	51(new)
331		3A	10
332		2A	111
333		32	8
334		27	23(new)
335		2A	53A(new)
336		†52	17B(new)
337		43	21
338		27	19
339		Val.	
340		45	7
341		45	1
342		14	11

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1952		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
343		39	3
344		45	24
345		40	1
346		Val.	
347		13	1B(new)
348		*	
349		54	13
350		40	22
351		45	14
352		45	11
353		43	12
354		3A	3
355		58	5A(new)
356		2A	8
357		18	7
358		43	16
359		40	11
360		*	
361		*	

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

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ALLOCATION OF 1953 STATUTES

Pamphlet Laws 1953		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		*	
2		Val.	
3		Val.	
4	1	1	1
	2, 3	1	3
	4–10	1	7
5	1	4	1
	2, 3	4	3
	4	4	4
	5	4	5
	6	4	6
	7–17	4	7
	18	4	8
	19	4	9
	20–22	4	10
	23–27	4	11
	28–31	4	12
	32–39	4	12A (new)
	40	4	15
	41–45	4	17
	46–52	4	19
	53–56	4	20
	57–60	4	21
	61–86	4	22
	87–99	4	23
	100–103	4	24
6	1	5	2
	2–5	5	3
	6	5	4
	7–10	5	5
7		6	1
8	1, 2	8	1
	3–5	8	2
	6–13	8	3
9	1	9	1
	2–9	9	2
	10–13	9	4
	14	9	5
	15–20	9	6
	21, 22	9	10
	23	9	11
	24	9	12
	25	9	12A (new)
	26, 27	9	16
	28–58	9	17
	59, 60	9	21 (new)
	61, 62	9	22 (new)
10		10	1
11	1–3	11	1
	4	11	18
	5	11	20
	6	11	21
	7, 8	11	22
	9–11	11	25
12	1–7	12	3
	8	12	4
	9	12	6
	10–17	12	7
	18	12	10
13	1	13	8
	2–16	13	9
14	1	14	5
	2, 3	14	6
	4	14	7
	5	14	8
	6–9	14	10
	10, 11	14	12
	12–17	14	13
	18–46	14	14
15	1, 2	15	2
	3	15	4
	4	15	5
	5	15	8
	6	15	10
	7	15	11
	8–16	15	14
	17	15	16
	18	15	17 (new)
16	1–4	16	1
	5, 6	16	2
	7	16	3
	8	16	5
	9, 10	16	12
	11, 12	16	13
	13	16	15
	14, 15	16	16
	16	16	17
17	1	17	2
	2–4	17	3
	5	17	3A (new)

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Val. Indicates validating act listed in Schedule 5 following.

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Pamphlet Laws 1953		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
	6–13	17	9
	14–55	17	9A(new)
	56	17	11
	57–83	17	12A(new)
	84–93	17	13
	94	17	15
	95	17	15A(new)
	96–103	17	16A(new)
	104, 105	17	16B(new)
	106	17	17A(new)
	107	17	18
	108	17	19
	109, 110	17	20
	111, 112	17	22
	113, 114	17	23
	115	17	24
	116	17	26
	117	17	29
	118–121	17	29A(new)
	122–127	17	29B(new)
	128–130	17	30
	131	17	31
	132	17	32
	133	17	33
	134–150	17	34
	151–153	17	35
	154	17	36
	155, 156	17	38
	157–160	17	45
	161–174	17	46
	175–181	17	48(new)
	182–187	17	48A(new)
	188	17	49(new)
	189	17	50(new)
	190–192	17	51(new)
18	1	18	2
	2–9	18	5
	10–12	18	6
	13–17	18	7
	18–20	18	10
	21	18	13
	22–25	18	14
	26–29	18	15
	30, 31	18	16
	32–40	18	20
	41–44	18	25(new)
19	1–6	19	3
	7	19	4
	8–11	19	6
	12	19	9
	13	19	12
	14	19	13
	15	19	14
	16	19	15
	17, 18	19	16
	19–21	19	17
	22–24	19	18
	25	19	23
	26	19	26
	27–32	19	28
	33–43	19	29
	44–46	19	31
	47–52	19	32
	53	19	33
	54, 55	19	34
	56	19	43
	57	19	44
	58	19	48
	59	19	52
	60–62	†19	56(new)
20		20	1
21	1, 2	21	1A(new)
	3	21	1B(new)
	4	21	2
22		22A(added)	
23	1	23	2
	2	23	4
	3	23	5
	4, 5	23	7
	6–19	23	10
24	1–10	24	4
	11–24	24	10
	25	24	10A(new)
	26, 27	24	11A(new)
	28–35	24	13
	36–42	24	14
	43–46	24	17
25		25	2
26	1–5	26	1A(new)
	6–12	26	2

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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	13–29	26	3
	30–34	26	3B (new)
	35–48	26	4
	49–53	26	6
	54	26	7
	55–61	26	8
	62	26	10
	63–73	26	11
27	1, 2	27	5
	3, 4	27	7
	5	27	12B (new)
	6–22	27	16
	23	27	17
	24, 25	27	19
	26–28	27	20
	29	27	21
28	1	29	1
	2, 3	29	3
29	1–3	30	1
	4–47	30	4
	48, 49	30	4A (new)
	50	30	6
	51	30	6A
	52–55	30	8
	56–68	30	9
30		31	1
31	1–3	32	1
	4–8	32	2
	9, 10	32	9
	11	32	12
	12	32	13A
	13–16	32	14
	17, 18	32	16
	19	32	19
32	1–4	33	1
	5	33	2
	6	33	3
33	1	34	1
	2, 3	34	3
	4	34	3A (new)
	5–8	34	4
	9, 10	34	5
	11–17	34	6
	18–25	34	7
	26–30	34	8
	31–44	34	11
	45	34	13
	46–48	34	13B (new)
	49–61	34	15
34	1–3	37	1
	4–18	37	2
35		38	9
36	1	39	1
	2, 3	39	2
	4	39	4
	5–33	39	5
	34	39	7
	35	39	10
	36	39	11
37	1	40	2
	2	40	4
	3–6	40	6
	7–9	40	11
	10	40	11A (new)
	11, 12	40	14A (new)
	13–21	40	18
	22	40	19
	23–26	40	20
	27–38	40	21
	39	40	22
	40	40	23
	41–45	40	24
	46	40	25
	47–52	40	26A (new)
	53	40	27
	54–59	40	30
	60	40	32
	61	40	33
	62	40	36A (new)
	63–97	40	37
	98–112	40	38
	113–118	40	39
	119–133	40	40
	134, 135	40	41
	136	Val.	
	137–150	40	41
	151–162	40	43
	163	40	44
	164–166	40	46
	167–170	40	47

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Pamphlet Laws 1953		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
	171–174	40	48
	175–177	40	49
	178–181	40	55
	182–201	40	56
	202–208	40	60
	209	40	61
	210–220	40	62
	221–231	40	63
	232, 233	40	66A (new)
	234	40	67
	235	40	68
	236	40	68A (new)
	237, 238	40	71
	239, 240	40	72
	241–244	40	75
	245–249	40	76
	250	40	80
	251	40	81
	252–269	40	87
	270–272	40	95
	273	40	96
	274, 275	40	97
	276–279	40	99
	280	40	114
	281, 282	40	125
	283	40	144
	284	40	145
	285	40	147
	286,287	40	149
	288	40	151
	289–291	40	153
	292–294	40	156A (new)
	295, 296	40	157
38		2A	67A (new)
39	1–12	41	2
	13, 14	41	2A (new)
40	1, 2	42	1
	3, 4	42	2
	5–19	42	3
	20–34	42	4
	35–41	42	6
41	1–9	43	10
	10	43	12
	11	43	21
42	1–19	44	1
	20–31	44	4
	32–36	44	7
	37	44	8
	38–40	44	8A (new)
43	1–7	45	3
	8	45	4
	9–11	45	4A
	12–18	45	5
	19–26	45	6
	27–36	45	7
	37, 38	45	8
	39–47	45	9
	48–53	45	10
	54–61	45	11
	62–68	45	12
	69–72	45	14
	73–79	45	15
	80, 81	45	15B (new)
	82	45	16
44	1	46	2A (new)
	2	46	2C (new)
	3	46	7
	4, 5	46	14
	6–8	46	16
	9, 10	46	18
	11–13	46	24
	14	46	28
45		47	1
46		49	1
47		50	5
48	1–13	51	1
	14	51	3
	15	51	4
	16	51	7
	17–22	51	8
	23–34	51	9
	35, 36	51	10 (new)
49	1	52	12
	2	52	13
	3–15	52	14
	16–20	52	16
	21, 22	52	17A (new)
	23	52	17B (new)
	24	52	18A (new)
	25, 26	52	26

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

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Pamphlet Laws 1953		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
	27–50	52	27
	51	52	27B (new)
	52–54	52	27BB (new)
	55	52	28
	56–61	52	30
50		53	4
51	1–4	54	1
	5–17	54	2
	18	54	3
	19–29	54	4
	30–100	54	5
	101–114	54	8
	115–117	54	10A (new)
	118	54	10B (new)
	119–121	54	11
	122	54	14
	123	54	15
	124–137	54	29A (new)
	138	54	33
	139	54	34
	140–145	54	35
	146, 147	54	37
	148	54	38
	149–154	54	39
	155–159	54	40
	160	54	40A (new)
	161, 162	54	42
	163	54	44
	164	54	46
	165, 166	54	49
	167, 168	54	50
	169	54	51
52	1–11	55	11
	12	55	14A (added)
53	1–10	56	3
	11, 12	56	4
	13	56	6 (new)
54	1–3	58	1
	4	58	3
	5	58	4
	6	58	4A (new)
	7	58	5
	8–19	58	10
	20–26	58	11
	27–31	58	12
	32	58	14
	33	58	16A (new)
55		2A	3
56		2A	15
57		2A	3
58		*	
59		39	3
60		40	87
61		40	38
62		Val.	
63		16	19
64		16	19
65		54	4
66		39	3
67		2A	170
68		2A	170
69		40	173
70		27	6
71		17	9A (new)
72		39	3
73		39	3
74		54	4
75		43	17
76		54	40
77		45	15
78		17	9A (new)
79		*	
80		3A	3
81		32	2
82		38	12
83		2A	168
84		19	32
85		52	20
86		27	6
87		27	6
88		19	45
89		17	36
90		18	8
91		52	18A (new)
92		Val.	
93		27	6
94		34	15
95		23	2
96		23	4
97		17	9A (new)

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1953 STATUTES

Pamphlet Laws 1953		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
98		2A	69
99		*	
100		17	12A(new)
101		*	
102		*	
103		52	14
104		*	
105		*	
106		39	3
107		40	47
108		17	17
109		*	
110		54	5
111		27	6
112		27	6
113		27	6
114		39	6
115		52	18A(new)
116		1	4
117		App. A	9(new)
118		Val.	
119		40	32
120		18	13
121		18	13
122		30	4
123		18	13
124		17	9A(new)
125		11	2C(new)
126		12	5
127		39	3
128		14	2
129		55	14G(new)
130		27	6
131		43	22(new)
132		Val.	
133		2A	11
134		Val.	
135		17	12A(new)
136		17	12A(new)
137		17	12A(new)
138		17	12A(new)
139		18	14
140		2A	69
141		17	9A(new)
142		Val.	
143		4	3
144		27	13
145		5	2
146		2	58
147	1	54	5
	2	Val.	
148		30	9
149		9	11
150		31	1
151		17	15A(new)
152		48	12
153		40	11A(new)
154		18	2
155		Val.	
156		17	34
157		43	14
158		*	
159		34	15
160		18	5
161		18	7
162		27	19
163		2A	44
164		27	12B(new)
165		26	1A(new)
166		2A	85
167		27	1
168		2A	8
169		7	5
170		32	1
171		32	1
172		32	1
173		43	3
174		5	7
175		23	3
176		40	1
177		40	14A(new)
178		2A	158
179		40	38
180		40	41
181		*	
182		52	17B(new)
183		2A	5
184		45	4A
185		45	4
186		45	4

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1953 STATUTES

Pamphlet Laws 1953		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
187		39	4
188		39	3
189		18	8
190		24	18
191		Val.	
192		54	5
193		11	14
194		43	10
195		40	87
196		Val.	
197		54	3
198		34	1A(new)
199		*	
200		18	13
201		40	43
202		32	23(new)
203		32	23(new)
204		2A	159
205		45	15
206		19	31
207		34	15
208		30	4
209		2A	61
210		17	9A(new)
211		19	57(new)
212		30	11A(new)
213		44	7
214		46	28
215		17	9A(new)
216		2A	42
217		43	21
218		43	21
219		43	21
220		43	21
221		43	21
222		2A	3
223		34	15
224		27	12B(new)
225		18	21
226		43	14
227		*	
228		40	47
229		45	15
230		54	9
231		2A	81
232		40	2
233		45	9
234		6	1
235		30	8
236		54	10A(new)
237		17	9A(new)
238		11	4
239		11	4
240		2A	68
241		2A	73
242		2A	71
243		2A	159
244		48	19
245		2A	4
246		19	32
247		*	
248		*	
249		*	
250		*	
251		*	
252		*	
253		*	
254		40	69A(new)
255		18	7
256		39	3
257		39	3
258		23	5
259		2A	81
260	1	50	1
	2	50	3
261		50	3
262	1	50	3
	2	50	4
263		50	3
264		9	3
265		2A	96
266		43	16A(new)
267		2A	123
268		30	4
269		47	3
270		47	3
271		18	7
272		18	11
273		18	14
274		54	39

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1953 STATUTES

Pamphlet Laws 1953		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
275		2A	167
276		2A	164
277		30	4
278		45	4A
279		45	14
280		18	16
281		40	20
282		17	9A(new)
283		17	48A(new)
284		*	
285		27	13
286		Val.	
287		12	11
288		40	55
289		27	19
290		40	23
291		2A	44
292		15	8
293		52	24
294		39	4
295		39	3
296		2A	6
297		2A	6
298		2A	18
299		40	47
300		Val.	
301		43	9
302		4	15
303		*	
304		40	108
305		1	12(new)
306		27	6
307		2A	158
308		43	9
309		43	9
310		2A	11
311		2A	168
312		40	1
313		27	16
314		40	146
315		4	5
316		26	6
317		40	161
318		24	18
319		18	22
320		40	1
321		22A	2
322		40	46
323		40	47
324		17	12A(new)
325		26	4
326		40	36A(new)
327		*	
328		40	5
329		45	14
330		17	22
331	1	2A	73
	2	2A	69
332		4	13
333		23	5
334		23	3
335		23	2
336		22A	2
337		22A	2
338		22A	2
339		17	11
340		34	15
341		40	41
342		35	1
343		40	1
344		40	2
345		2A	11
346		Val.	
347		4	16
348		19	31
349		26	3
350		38	23
351		38	23
352		37	2
353		17	11
354		40	67
355		40	88
356		40	151
357		*	
358		46	23
359		45	16
360		18	13
361		18	13
362		43	9
363		45	9

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

ALLOCATION OF 1953 STATUTES

Pamphlet Laws 1953		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
364		45	9
365		40	72
366		40	75
367		33	1
368		*	
369	1–5	52	17A (new)
	6	52	17B (new)
370		58	14
371		40	11
372		2A	3
373		18	7
374		32	1
375		32	1
376		40	2
377		40	55
378		40	81
379		34	8
380		43	21
381		*	
382		26	3
383		53	5
384		40	72
385		2A	157
386		40	72
387		2A	6
388		58	14
389		40	36A (new)
390		55	14A (new)
391		22A	2
392		2A	115
393		43	12
394		2A	15
395		40	25
396		2A	8
397		43	14
398		2A	151
399		27	19
400		39	5A (new)
401		18	5
402		23	4
403		40	60
404		45	19
405		2A	18
406		2A	11
407		Val.	
408		Val.	
409	1	18	4
	2	18	5
	3–16	18	7
410		47	3
411		35	1
412		39	3
413		56	6
414		34	15
415		4	5A
416		37	1
417		18	5
418		30	4
419		4	11
420		45	9
421		2A	164
422		24	10
423		42	8A
424		40	87
425		23	3
426		43	21
427		22A	3
428	1	18	14
	2	40	37
	3	41	2
	4	22A	4
	5	40	48
	6	54	10A
	7	18	5
	8	18	2
	9	40	1
	10	9	12A
	11	45	8
	12	4	7
429		39	5
430	1	48	4
	2, 3	11	4
431		*	
432		2A	111
433		40	55
434		40	55

* Omitted from Table as not being general or permanent legislation.

Val. Indicates validating act listed in Schedule 5 following.

† Repealed, see Schedule 3, following, under Title and Chapter indicated as former allocation.

SCHEDULE 2

TABLE OF NUMBERED SECTIONS ADDED TO REVISED STATUTES (1937)

Sections added	Act by which added
Title 2.	
2:9–1a	1938, c. 270
2:9–1b	1938, c. 270
2:149–7	1938, c. 337
2:181–11	1939, c. 34
Title 15.	
15:2–5	1939, c. 240
15:2–6	1939, c. 240
15:2–7	1939, c. 240
15:2–8	1939, c. 240
15:2–9	1939, c. 240
15:15–2	1944, c. 237
Title 17.	
17:6–58.1	1939, c. 162
17:12–87.1	1939, c. 130
17:12–109.1	1939, c. 132
17:16–3.1	1939, c. 123
17:16–3.2	1939, c. 123
17:27–5A	1938, c. 259
Title 20.	
20:1–36	1938, c. 21
Title 24.	
24:1–4	1939, c. 320
24:4–12	1939, c. 320
24:5–11.1	1939, c. 320
24:5–18.1	1939, c. 320
24:5–18.2	1939, c. 320
24:6A–1	1939, c. 320
Title 26.	
26:2–62	1939, c. 261
26:2–63	1939, c. 261
26:2–64	1939, c. 261
26:2–65	1939, c. 261
26:2–66	1939, c. 261
26:2–67	1939, c. 261
26:2–68	1939, c. 261
26:2–69	1939, c. 261
26:2–70	1939, c. 261
26:2–71	1939, c. 261
26:2–72	1939, c. 261
26:2–73	1939, c. 261
26:2–74	1939, c. 261
26:2–75	1939, c. 261
26:2–76	1939, c. 261
26:2–77	1939, c. 261
26:2–78	1939, c. 261
26:2–79	1939, c. 261
26:2–80	1939, c. 261
Title 40.	
40:1–16.1	1940, c. 262
40:2–60	1938, c. 2
40:37–156A	1939, c. 44
40:37–201.1	1939, c. 360
40:171–106A	1938, c. 358
40:174–147A	1938, c. 410
Title 43.	
43:16–13	1938, c. 252

NUMBERED SECTIONS ADDED

Sections added	Act by which added
Title 45.	
45:4A–26.1	1939, c. 76
45:9–5.1	1939, c. 115
45:9–14.3	1939, c, 115
45:9–14.4	1939, c. 115
45:9–14.5	1939, c. 115
45:9–14.6	1939, c. 115
45:9–14.7	1939, c, 115
45:9–14.8	1939, c. 115
45:9–14.9	1939, c. 115
45:9–14.10	1939, c. 115
45:9–27.1	1939, c. 115
45:16–8.1	1942, c. 236
Title 54.	
54:4–122	1938, c. 16
54:44–2.1	1938, c. 319
54:45–7	1938, c. 319
Title 55.	
55:14A–1	1938, c. 19
55:14A–2	1938, c. 19
55:14A–3	1938, c. 19
55:14A–4	1938, c. 19
55:14A–5	1938, c. 19
55:14A–6	1938, c. 19
55:14A–7	1938, c. 19
55:14A–8	1938, c. 19

Sections added	Act by which added
Title 55 (cont'd)	
55:14A–9	1938, c. 19
55:14A–10	1938, c. 19
55:14A–11	1938, c. 19
55:14A–12	1938, c. 19
55:14A–13	1938, c. 19
55:14A–14	1938, c. 19
55:14A–15	1938, c. 19
55:14A–16	1938, c. 19
55:14A–17	1938, c. 19
55:14A–18	1938, c. 19
55:14A–19	1938, c. 19
55:14A–20	1938, c. 19
55:14A–21	1938, c. 19
55:14A–22	1938, c. 19
55:14A–23	1938, c. 19
55:14A–24	1938, c. 19
55:14A–25	1938, c. 19
55:14A–26	1938, c. 19
55:14B–1	1938, c. 20
55:14B–2	1938, c. 20
55:14B–3	1938, c. 20
55:14B–4	1938, c. 20
55:14B–5	1938, c. 20
55:14B–6	1938, c. 20
55:14B–7	1938, c. 20
55:14B–8	1938, c. 20

SCHEDULE 3

TABLE OF GENERAL AND PERMANENT STATUTES ENACTED AND REPEALED 1938-1953, INCLUSIVE

Title 1.

Act Repealed	Former Allocation		Repealer
1942, c. 7	amending	R. S. 1:1-2.3	1946, c. 96

Title 2.

1946, c. 189	amending	R. S. 2:1-1	1951, c. 344, s. 4
1946, c. 190	"	R. S. 2:1-5	"
1941, c. 282	C. 2:1-2.1		"
1941, c. 307	amending	R. S. 2:2-14	"
1944, c. 173	C. 2:3-4		"
1948, c. 352	amending	R. S. 2:6-2	"
1939, c. 162	"	R. S. 2:6-3	"
1939, c. 269	"	"	"
1948, c. 330, s. 1	"	"	"
1948, c. 101	"	R. S. 2:6-4	"
1938, c. 395	"	R. S. 2:6-16	1949, c. 257, s. 4
1948, c. 300	C. 2:6-16.2		1951, c. 344, s. 4
1939, c. 19	C. 2:6-26		"
1943, c. 23	amending	R. S. 2:7-13	"
1944, c. 67	"	R. S. 2:7-19	"
1947, c. 196	"	"	"
1948, c. 207, s. 2	"	R. S. 2:7-24	"
1948, c. 279	"	R. S. 2:7-32	"
1945, c. 61	C. 2:7-20.1		"
1946, c. 195	C. 2:7-20.2		"
1948, c. 301	C. 2:7-20.3		"
1949, c. 103	amending	C. 2:7-20.3	"
1951, c. 241	C. 2:7-20.5		"
1948, c. 207, s. 1	C. 2:7-24.1		"
1951, c. 121	amending	C. 2:7-24.1	"
1940, c. 70	amending	R. S. 2:8-13	"
1945, c. 100	"	"	"
1938, c. 388	"	R. S. 2:8-14	"
1941, c. 279	"	"	"
1938, c. 205	"	R. S. 2:8-23	"
1939, c. 237	"	"	"
1942, c. 122	"	"	"
1944, c. 165	"	"	"
1946, c. 218	"	"	"
1947, c. 253	"	"	"
1948, c. 295	"	"	"
1950, c. 219, s. 1	"	R. S. 2:8-31	"
1941, c. 255	"	R. S. 2:8-33	"

Act Repealed	Former Allocation	Repealer
1941, c. 365	amending R. S. 2:8-33	1951, c. 344, s. 4
1944, c. 136	" "	"
1941, c. 288	C. 2:8-9.1 to 2:8-9.4	"
1948, c. 100	amending C. 2:8-9.1	"
1946, c. 214	C. 2:8-23.1	"
1949, c. 31	amending C. 2:8-23.1	"
1950, c. 219, s. 2	" R. S. 2:8-40	"
" s. 3	" R. S. 2:8-42	"
" s. 4	" R. S. 2:8-43	"
1939, c. 59	" R. S. 2:8-46	"
1949, c. 135	C. 2:8-40.1, 2:8-40.2	"
1945, c. 278	C. 2:8-48.1 to 2:8-48.15	"
1948, c. 102	amending C. 2:8-48.3	"
1947, c. 208	" C. 2:8-48.4	"
1948, c. 106	" "	"
1951, c. 252	" "	"
1947, c. 410	amending C. 2:8-48.7	"
1947, c. 41	" C. 2:8-48.13	"
1946, c. 43	C. 2:8-61	"
1948, c. 283	C. 2:8-62	"
1945, c. 200	amending R. S. 2:10-6	1948, c. 83, s. 9
1948, c. 333, s. 1	" R. S. 2:15-3	1951, c. 344, s. 4
" s. 2	" R. S. 2:15-6	"
1946, c. 188	" R. S. 2:16-8	"
1947, c. 342	" R. S. 2:16-28	"
1948, c. 52	" R. S. 2:16-31	"
1950, c. 140	C. 2:16-34.1 to 2:16-34.4	"
1948, c. 410, s. 1	amending R. S. 2:16-35	"
1947, c. 344	" R. S. 2:16-36	"
1948, c. 410, s. 2	" "	"
1949, c. 134	C. 2:16-36.1 to 2:16-36.3	"
1947, c. 205	amending R. S. 2:16-39	"
1947, c. 244	" R. S. 2:16-40	"
1948, c. 311	" "	"
1950, c. 322	" R. S. 2:16-43	"
1947, c. 202	C. 2:16-39.1, 2:16-39.2	"
1941, c. 367	amending R. S. 2:21-14, 2:21-15	"
1946, c. 252	" R. S. 2:23-4	"
1949, c. 125	" R. S. 2:24-7	"
1945, c. 167, s. 1	C. 2:24-26	"
1938, c. 29	amending R. S. 2:26-9	"
1948, c. 369, s. 1	" R. S. 2:26-27	"
1944, c. 174	" R. S. 2:26-30	"
1948, c. 369, s. 2	" "	"
" s. 3	" R. S. 2:26-36	"
1948, c. 356	" R. S. 2:26-43, 2:26-44	"
1942, c. 209	" R. S. 2:26-47	"
1950, c. 72	C. 2:26-79.9	"
1949, c. 117, s. 1	amending R. S. 2:26-131	"
" s. 2	" R. S. 2:26-133	"
1948, c. 160	" R. S. 2:26-145	"

Act Repealed	Former Allocation	Repealer
1942, c. 90, ss. 1, 2	amending R. S. 2:26-148, 2:26-149	1951, c. 344, s. 4
" s. 3	" R. S. 2:26-151	"
" ss. 4, 5	" R. S. 2:26-161, 2:26-162	"
" s. 6	" R. S. 2:26-164	"
1942, c. 57, s. 1	" R. S. 2:26-181	"
1939, c. 124	" R. S. 2:26-203	"
1938, c. 189	" R. S. 2:27-124 to 2:27-127	"
1943, c. 114	" R. S. 2:27-135	"
1938, c. 233, s. 1	" R. S. 2:27-206	1948, c. 319
" s. 2	" R. S. 2:27-208	"
" s. 3	" R. S. 2:27-209	"
1945, c. 258	" R. S. 2:27-303	1951, c. 344, s. 4
1938, c. 373	" R. S. 2:27-337	"
1950, c. 141	" R. S. 2:27-389	"
1943, c. 215	C. 2:27-136.1	"
1941, c. 402, s. 1	amending R. S. 2:29-35	"
1938, c. 106	NJSA 2:29-35.1, 2:29-35.2	
	RSCS 2:29-35.1, 2:29-35.1a	1941, c. 402, s. 2
1938, c. 107	NJSA 2:29-35.3, 2:29-35.4	
	RSCS 2:29-35.2, 2:29-35.2a	"
1947, c. 228, s. 1	amending R. S. 2:29-52	1951, c. 344, s. 4
" s. 2	" R. S. 2:29-54	"
" s. 3	" R. S. 2:29-56	"
1938, c. 71	" R. S. 2:31-94	1948, c. 365, s. 48
1948, c. 63	C. 2:31-20.1	1951, c. 344, s. 4
1950, c. 219, s. 8	amending R. S. 2:32-25	"
1943, c. 203	" R. S. 2:32-26	"
1941, c. 57	" R. S. 2:32-34.1	"
1950, c. 219, s. 9	" R. S. 2:32-49	"
1942, c. 75	" R. S. 2:32-50	"
1944, c. 164	" R. S. 2:32-82	"
1944, c. 186	" R. S. 2:32-90	"
1946, c. 181	" "	"
1946, c. 179	" R. S. 2:32-93	"
1947, c. 275	" R. S. 2:32-97	"
1939, c. 183	" R. S. 2:32-103	"
1939, c. 174	" R. S. 2::32-107	"
1942, c. 333	" "	"
1950, c. 206, s. 1	" R. S. 2:32-108	"
1947, c. 397	C. 2:32-90.1	"
1950, c. 206, s. 2	C. 2:32-108.1	"
1942, c. 76	amending R. S. 2:32-153	"
1943, c. 65	" R. S. 2:32-158	"
1945, c. 135	C. 2:32-153.1	"
1945, c. 123	C. 2:32-157.1	"
1942, c. 109, s. 1	amending R. S. 2:32-164	"
" s. 2	" R. S. 2:32-169	"
1942, c. 57, s. 2	" R. S. 2:32-179	"
1943, c. 73	" R. S. 2:32-180	"
1945, c. 79	" R. S. 2:32-206	1948, c. 385, s. 16
1944, c. 184	" R. S. 2:32-267	1951, c. 344, s. 4

Act Repealed	Former Allocation	Repealer
1944, c. 183	amending R. S. 2:32-268	1951, c. 344, s. 4
1943, c. 66	" R. S. 2:32-269	"
1945, c. 136	C. 2:32-302.1	"
1950, c. 219, s. 10	amending R. S. 2:32-313	"
1938, c. 72	" R. S. 2:32-351	"
1950, c. 226	" "	"
1946, c. 183	" R. S. 2:32-356	"
1947, c. 402	" "	"
1946, c. 182	" R. S. 2:32-372	"
1950, c. 320	" R. S. 2:34-51	"
1939, c. 207	" R. S. 2:42-8	1948, c. 358, s. 45
1938, c. 175	" R. S. 2:47-2	1951, c. 344, s. 4
1943, c. 79	" R. S. 2:47-4	"
1948, c. 429	" "	"
1948, c. 320, s. 1	" R. S. 2:50-1	"
1938, c. 187	" R. S. 2:50-2	"
1948, c. 320, s. 2	" "	"
" ss. 3-5	" R. S. 2:50-3 to 2:50-5	"
" ss. 6-8	" R. S. 2:50-7 to 2:50-9	"
" ss. 9, 10, 12	" R. S. 2:50-10 to 2:50-13	"
1938, c. 191	C. 2:50-12.1	1948, c. 320, s. 30
1948, c. 320, s. 11	C. 2:50-12.2	1951, c. 344, s. 4
" s. 13	amending R. S. 2:50-14	"
" ss. 14, 15	" R. S. 2:50-17, 2:50-18	"
" s. 16	" R. S. 2:50-20	"
" s. 17	" R. S. 2:50-25	"
1945, c. 250	" R. S. 2:50-27	1948, c. 320, s. 30
1948, c. 320, s. 18	" R. S. 2:50-29	1951, c. 344, s. 4
1949, c. 146	" "	"
1948, c. 320, ss. 19-22	" R. S. 2:50-30 to 2:50-33	"
1938, c. 188	" R. S. 2:50-34	"
1948, c. 320, s. 23	" R. S. 2:50-35	"
1948, c. 323, ss. 1, 2, 4	C. 2:50-27.1 to 2:50-27.3	"
1948, c. 320, s. 24	amending R. S. 2:50-36	"
1938, c. 235	" R. S. 2:50-37	"
1948, c. 320, s. 25	" "	"
" ss. 26-29	" R. S. 2:50-38 to 2:50-41	"
1938, c. 234	NJSA 2:50-42, 2:50-43 RSCS 2:50-37.1, 2:50-37.1a	"
1949, c. 272	C. 2:50-44	"
1948, c. 373, ss. 1-11	amending R. S. 2:51-1 to 2:51-11	"
" ss. 12-14	" R. S. 2:51-13 to 2:51-15	"
" s. 15	" R. S. 2:51-17	"
" ss. 16-26	" R. S. 2:51-19 to 2:51-29	"
" s. 27	" R. S. 2:51-32	"
" ss. 28, 29	" R. S. 2:51-35, 2:51-36	"
" ss. 30, 31	" R. S. 2:51-40, 2:51-41	"
" ss. 32-35	" R. S. 2:51-44, 2:51-47	"
" s. 36	" R. S. 2:51-49	"
" ss. 37-39	" R. S. 2:51-52 to 2:51-54	"

Act Repealed	Former Allocation	Repealer
1947, c. 357, s. 6	C. 2:53-23.1	1951, c. 344, s. 4
1951, c. 304, ss 5-26	C. 2:53-33 to 2:53-54	"
1948, c. 338	amending R. S. 2:58-7 to 2:58-11	"
1944, c. 131	" R. S. 2:58-26	"
1950, c. 234	C. 2:58-32.19 to 2:58-32.40	1953, c. 216, s. 34
1952, c. 22	amending C. 2:58-32.36	"
1946, c. 281	" R. S. 2:60-34	1951, c. 344, s. 4
1938, c. 309, s. 1	" R. S. 2:60-49	"
" s. 2	" R. S. 2:60-50	"
1941, c. 69	" R. S. 2:60-107	"
1942, c. 242	" R. S. 2:60-109	"
1948, c. 242	" R. S. 2:60-128	"
1940, c. 138	NJSA 2:60-113.1	
	RSCS 2:60-112.1	"
1948, c. 379, s. 1	NJSA 2:60-113.1	
	RSCS 2:60-112.1	"
1950, c. 321	C. 2:60-114.1	"
1941, c. 381	C. 2:60-128.1 to 2:60-128.5	"
1948, c. 380, s. 1	amending C. 2:60-128.3	"
1948, c. 370, s. 1	" R. S. 2:60-132	"
1949, c. 111, s. 1	" "	"
1948, c. 370, s. 2	" R. S. 2:60-135	"
1949, c. 111, s. 2	" "	"
1949, c. 111, s. 3	" R. S. 2:60-136	"
1948, c. 370, s. 3	" R. S. 2:60-137	"
1949, c. 111, s. 4	" "	"
1948, c. 370, s. 4	" R. S. 2:60-139	"
1949, c. 111, s. 5	" "	"
1948, c 370, s. 5	" R. S. 2:60-140	"
1949, c. 111, s. 6	" "	"
1948, c. 370, s. 6	" R. S. 2:60-141	"
1949, c. 111, s. 7	" "	"
1948, c. 370, s. 7	" R. S. 2:60-142	"
1948, c. 370, s. 8	" R. S. 2:60-143	"
1949, c. 111, s. 8	" "	"
1948, c. 370, ss. 9-15	" R. S. 2:60-152 to 2:60-158	"
1948, c. 370, s. 16	" R. S. 2:60-160	"
1948, c. 370, s. 17	" R. S. 2:60-164	"
1948, c. 370, ss. 18-21	" R. S. 2:60-166 to 2:60-169	"
1948, c. 370, s. 22	" R. S. 2:60-173	"
1939, c. 316	" R. S. 2:60-174	"
1948, c. 370, s. 23	" R. S. 2:60-174	"
1948, c. 370, s. 24	" R. S. 2:60-177	"
1948, c. 371, s. 1	" R. S. 2:60-194	"
1948, c. 371, s. 2	" R. S. 2:60-196	"
1948, c. 371, s. 3	" R. S. 2:60-197	"
1948, c. 371, s. 4	" R. S. 2:60-201	"
1948, c. 371, ss. 5-7	" R. S. 2:60-204 to 2:60-206	"
1941, c. 258	" R. S. 2:60-223	"
1942, c. 182	C. 2:60-252 to 2:60-260	"
1944, c. 76	amending C. 2:60-257	"

Act Repealed	Former Allocation	Repealer
1947, c. 416, s. 1	amending R. S. 2:61-1	1951, c. 344, s. 4
1947, c. 416, s. 2	" R. S. 2:61-2	"
1941, c. 198	" R. S. 2:61-4	"
1947, c. 233	" "	"
1948, c. 378, s. 1	" R. S. 2:65-2	"
1948, c. 378, s. 2	" R. S. 2:65-12	"
1949, c. 112, s. 1	" "	"
1948, c. 378, s. 3	" R. S. 2:65-13	"
1942, c. 172	C. 2:65-7.1 to 2:65-7.3	"
1947, c. 381	C. 2:65-14.1 to 2:65-14.7	"
1948, c. 378, s. 4	amending R. S. 2:65-16	"
1949, c. 112, s. 2	" "	"
1948, c. 378, s. 5	" R. S. 2:65-18	"
1949, c. 112, s. 3	" "	"
1948, c. 378, s. 6	" R. S. 2:65-19	"
1949, c. 112, s. 4	C. 2:65-20.1	"
1949, c. 112, s. 5	C. 2:65-20.2	"
1939, c. 247	amending R. S. 2:65-28	"
1946, c. 69	C. 2:66-7	"
1945, c. 283	C. 2:67-8	"
1950, c. 284	amending R. S. 2:70-1	"
1949, c. 113, ss. 1-4	" R. S. 2:71-27 to 2:71-30	"
1940, c. 171, s. 1	" R. S. 2:71-32	"
1949, c. 113, s. 5	" "	"
1949, c. 113, s. 6	" R. S. 2:71-33	"
1940, c. 171, s. 2	" R. S. 2:71-34	"
1949, c. 113, s. 7	" "	"
1949, c. 113, ss. 8-20	" R. S. 2:71-35 to 2:71-47	"
1949, c. 113, ss. 21-24	" R. S. 2:71-49 to 2:71-52	"
1949, c. 113, s. 25	" R. S. 2:71-55	"
1949, c. 254, ss. 1, 2	" R. S. 2:71-56, 2:71-57	"
1949, c. 254, ss. 3, 4	" R. S. 2:71-60, 2:71-61	"
1949, c. 254, s. 5	" R. S. 2:71-65	"
1949, c. 254, ss. 6-8	" R. S. 2:71-68 to 2:71-70	"
1949, c. 254, ss. 9-12	" R. S. 2:71-72 to 2:71-75	"
1949, c. 254, ss. 13-15	" R. S. 2:71-77 to 2:71-79	"
1949, c. 254, ss. 16-22	" R. S. 2:71-83 to 2:71-89	"
1948, c. 339, ss. 1, 2	" R. S. 2:72-1, 2:72-2	"
1948, c. 339, s. 4	" R. S. 2:72-6	"
1948, c. 374, ss. 1, 2	" R. S. 2:73-1, 2:73-2	"
" s. 3	" R. S. 2:73-5	"
" s. 4	" R. S. 2:73-11	"
" s. 5	" R. S. 2:73-13	"
" s. 6	" R. S. 2:73-15	"
" s. 7	" R. S. 2:73-18	"
" s. 8	" R. S. 2:73-22	"
" ss. 10-14	" R. S. 2:73-28 to 2:73-31	"
" ss. 15, 16	" R. S. 2:73-33, 2:73-34	"
" s. 17	" R. S. 2:73-37	"
1948, c. 357	" R. S. 2:75-1	"
1949, c. 182, s. 1	" "	"

Act Repealed	Former Allocation	Repealer
1949, c. 182, s. 7	C. 2:75-2.1	1951, c. 344, s. 4
" ss. 6, 8	C. 2:75-5.1, C. 2:75-5.2	"
" ss. 2, 3	amending R. S. 2:75-7, 2:75-8	"
" s. 4	" R. S. 2:75-11	"
" s. 5	" R. S. 2:75-17	"
" s. 9	C. 2:75-17.1	"
1941, c. 366	amending R. S. 2:75-18	"
1949, c. 114, ss. 1, 2	" R. S. 2:76-2, 2:76-3	"
" ss. 4-9	" R. S. 2:76-6 to 2:76-11	"
1950, c. 113, s. 1	" R. S. 2:76-11	"
1949, c. 114, ss. 10-15	" R. S. 2:76-13 to 2:76-18	"
1950, c. 113, s. 2	" R. S. 2:76-18	"
1949, c. 114, s. 16	" R. S. 2:76-19	"
1950, c. 113, s. 3	" "	"
1949, c. 114, ss. 17, 18	" R. S. 2:76-20, 2:76-21	"
" ss. 19-24	" R. S. 2:76-24 to 2:76-29	"
" s. 25	" R. S. 2:76-31	"
" s. 27	" R. S. 2:76-33	"
" s. 28	" R. S. 2:76-34	"
1950, c. 113, s. 4	" "	"
1949, c. 114, s. 29	" R. S. 2:76-35	"
" s. 30	" R. S. 2:76-36	"
1950, c. 113, s. 5	" "	"
1949, c. 114, ss. 31, 32	" R. S. 2:76-37, 2:76-38	"
" s. 34	" R. S. 2:76-40	"
" s. 35	" R. S. 2:76-41	"
1950, c. 113, s. 6	" "	"
1949, c. 114, s. 36	" R. S. 2:76-42	"
" s. 37	" R. S. 2:76-43	"
1950, c. 113, s. 7	" "	"
1949, c. 114, ss. 38-40	" R. S. 2:76-44 to 2:76-46	"
" s. 42	" R. S. 2:76-48	"
" s. 43	" R. S. 2:76-49	"
1950, c. 113, s. 8	" "	"
1949, c. 114, s. 44	" R. S. 2:76-50	"
" s. 45	" R. S. 2:76-51	"
1950, c. 113, s. 9	" "	"
1949, c. 114, ss. 46, 47	" R. S. 2:76-52, 2:76-53	"
1942, c. 60	" R. S. 2:79-9	"
1938, c. 190	C. 2:80-4	"
1938, c. 248	amending R. S. 2:85-1	"
1943, c. 113	" "	"
1938, c. 273, s. 1	" R. S. 2:85-3	"
1944, c. 96, s. 1	" R. S. 2:87-1	"
" s. 2	" R. S. 2:87-4	"
1947, c. 314	" R. S. 2:87-5	"
1944, c. 96, s. 3	" R. S. 2:87-6	"
" s. 4	" R. S. 2:87-7	"
1948, c. 312	" "	"
1944, c. 96, s. 5	" R. S. 2:87-8	"
" s. 6-8	" R. S. 2:87-11 to 2:87-13	"

Act Repealed	Former Allocation	Repealer
1948, c. 363, s. 1	C. 2:87A-1	1951, c. 344, s. 4
1939, c. 20	C. 2:88-24, 2:88-25	"
1939, c. 161	NJSA 2:88-26 to 2:88-28	"
	RSCS 2:88-16.1 to 2:88-16.3	
1948, c. 363, s. 2	amending R. S. 2:89-2	"
1939, c. 107	" R. S. 2:89-5	"
1948, c. 326	C. 2:91B-1 to 2:91B-3	"
1940, c. 22	amending R. S. 2:97-4	"
1941, c. 116	" R. S. 2:98-19	"
1941, c. 40, s. 1	C. 2:98-27.1	"
1949, c. 155	amending C. 2:98-27.1	"
1950, c. 104, s. 1	" "	"
1941, c. 40, s. 2	C. 2:98-27.2	1950, c. 104, s. 2
1941, c. 81	C. 2:98-28 to 2:98-34	1951, c. 344, s. 4
1942, c. 104, s. 1	amending C. 2:98-28	"
" s. 2	" C. 2:98-31	"
1949, c. 124	C. 2:98-35 to 2:98-39	"
1939, c. 221	NJSA 2:99-3, 2:99-4	
	RSCS 2:101-2, 2:101-3	"
1940, c. 219, s. 1	amending R. S. 2:103-7	"
" s. 2	" R. S. 2:103-9	"
1950, c. 315, s. 1	" "	"
1940, c. 219, s. 3	" R. S. 2:103-10	"
1941, c. 239	C. 2:112-8	"
1945, c. 217	C. 2:114-14, 2:114-15	"
1947, c. 19, s. 1	amending C. 2:114-14	"
1951, c. 98, s. 1	" "	"
1947, c. 19, s. 2	" C. 2:114-15	"
1951, c. 98, s. 2	" "	"
" s. 3	C. 2:114-15.1	"
1946, c. 28	C. 2:114-16, 2:114-17	"
1947, c. 20, s. 1	amending C. 2:114-16	"
" s. 2	" C. 2:114-17	"
1949, c. 164	C. 2:114-18, 2:114-19	"
1945, c. 242	C. 2:117-6.1	"
1944, c. 195	amending R. S. 2:121-2	"
1950, c. 182, s. 1	" R. S. 2:121-3	"
1946, c. 292	C. 2:121-8	"
1941, c. 82	C. 2:134-28	"
1940, c. 205	amending 2:135-3	"
1940, c. 207	repealing R. S. 2:135-5 to 2:135-9	1941, c. 398, s. 1
1941, c. 398, ss. 2-5	amending R. S. 2:135-5 to 2:135-8	1951, c. 344, s. 4
1942, c. 8	C. 2:145-6.1	"
1938, c. 266	amending R. S. 2:145-13	"
1938, c. 267	" R. S. 2:145-14	"
1938, c. 337	R. S. 2:149-7 (added)	"
1946, c. 268	amending R. S. 2:153-6	"
1939, c. 98	C. 2:157B-9, 2:157B-10	"
1939, c. 210	amending C. 2:157B-9, 2:157B-10	"
1939, c. 387, s. 1	" R. S. 2:160-5	"
1941, c. 23	C. 2:160-14 to 2:160-16	"

Act Repealed	Former Allocation	Repealer
1938, c. 348	amending R. S. 2:164-1	1951, c. 344, s. 4
1945, c. 191	" R. S. 2:176-11	"
1951, c. 29	" R. S. 2:176-19 to 2:176-21	"
1938, c. 125	" R. S. 2:176-43	"
1939, c. 321	" R. S. 2:176-44	"
1951, c. 174	" R. S. 2:178-7	"
1941, c. 70	C. 2:178-7.1 to 2:178-7.5	"
1945, c. 296	amending C. 2:178-7.4	"
1948, c. 158	" R. S. 2:181-8	1951, c. 274, s. 24
1938, c. 353	" R. S. 2:181-10	"
1939, c. 34	R. S. 2:181-11 (added)	"
1939, c. 5	NJSA 2:181-12, 2:181-13 RSCS 2:181-10.1, 2:181-10.2	1951, c. 344, s. 4
1945, c. 289	amending C. 2:181-13	"
1939, c. 307	NJSA 2:181-14 RSCS 2:181-10.3	1951, c. 274, s. 24
1947, c. 393	C. 2:181-14.1, 2:181-14.2	"
1941, c. 216	C. 2:181-15, 2:181-16	"
1946, c. 32	C. 2:181-17 to 2:181-21	"
1948, c. 211	amending C. 2:181-17	"
1947, c. 399	" C. 2:181-19 to 2:181-21	"
1947, c. 378	C. 2:181-22	"
1947, c. 394	C. 2:181-23	"
1948, c. 260	C. 2:181-24, 2:181-25	"
1949, c. 163	C. 2:181-26 to 2:181-30	"
1949, c. 277	C. 2:181-31	"
1944, c. 66	amending R. S. 2:182-10	1951, c. 344, s. 4
1949, c. 84, s. 1	" "	"
1948, c. 299	C. 2:182-10.2	"
1949, c. 263	amending C. 2:182-10.2	"
1949, c. 133	C. 2:182-10.3	"
1938, c. 271	amending R. S. 2:182-14	"
1938, c. 358	" "	"
1939, c. 335	" "	"
1949, c. 74	" "	"
1951, c. 75	" "	"
1949, c. 84, s. 2	C. 2:182-14.1	"
1944, c. 32	amending R. S. 2:182-15	"
1938, c. 138	" R. S. 2:183-3	"
1940, c. 259	" R. S. 2:185-10	"
1941, c. 379	C. 2:186A-1 to 2:186A-5	"
1947, c. 338	amending R. S. 2:187-17	"
1939, c. 279	NJSA 2:188-25, 2:188-26 RSCS 2:188-1.1, 2:188-1.2	"
1946, c. 19	amending R. S. 2:189-7	"
1943, c. 41, s. 2	" R. S. 2:190-17	"
1943, c. 41, s. 1	C. 2:190-17.1	"
1938, c. 273, s. 2	amending R. S. 2:192-1	"
1944, c. 10	" "	"
1938, c. 273, ss. 3, 4	" R. S. 2:192-1.1, 2:192-1.2	"
1949, c. 20	C. 2:192-1.4 to 2:192-1.12	1950, c. 207, s. 12

Act Repealed	Former Allocation	Repealer
1950, c. 207	C. 2:192-1.13 to 2:192-1.24	1951, c. 344, s. 4
1951, c. 44, s. 1	amending C. 2:192-1.13	"
1951, c. 44, s. 2	" C. 2:192-1.18	"
1945, c. 153	" R. S. 2:192-3	"
1943, c. 40	C. 2:192-3.1	"
1951, c. 99	amending R. S. 2:192-4	"
1939, c. 283	NJSA 2:192-16	"
	RSCS 2:192-1.3	
1947, c. 122	amending C. 2:192-16	"
1942, c. 61	" R. S. 2:193-7	"
1943, c. 42, s. 1	" R. S. 2:195-1	"
1943, c. 43	" R. S. 2:195-14 to 2:195-16	"
1946, c. 209	C. 2:197A-1 to 2:197A-4	1948, c. 83, s. 9
1948, c. 85, s. 1	amending R. S. 2:198-1	1949, c. 18, s. 6
" ss. 2, 3	" R. S. 2:198-3, 2:198-4	"
1939, c. 284	" R. S. 2:199-4	1951, c. 344, s. 4
1947, c. 121	" "	"
1944, c. 190	" R. S. 2:199-5	"
1942, c. 305	amending R. S. 2:202-3	"
1948, c. 135	" "	"
1951, c. 330	" "	"
1944, c. 133	C. 2:202-9.1	"
1944, c. 11	amending R. S. 2:202-13	"
1938, c. 343	" R. S. 2:202-16.2	"
1939, c. 275	NJSA 2:202-16.3	
	RSCS 2:202-22.1	"
1941, c. 204, s. 1	C. 2:202-16.4	"
1942, c. 315, s. 1	amending C. 2:202-16.4	"
1941, c. 204, s. 2	C. 2:202-16.5	1942, c. 315, s. 2
1943, c. 205	C. 2:202-16.6 to 2:202-16.9	1951, c. 344, s. 4
1949, c. 173	C. 2:202-16.10	"
1941, c. 281	C. 2:202-22.2	"
1944, c. 53	amending R. S. 2:202-26	"
1944, c. 14	C. 2:202-26.1	"
1943, c. 136	C. 2:202-31.1, 2:202-31.2	"
1948, c. 353	C. 2:202-31.2a	"
1951, c. 246	C. 2:202-31.2b	"
1942, c. 314, ss. 1, 2	amending R. S. 2:205-1, 2:205-2	"
" s. 3	" R. S. 2:206-1	"
1939, c. 250	" R. S. 2:206-3	"
1942, c. 314, s. 4	" "	"
" ss. 5, 6	" R. S. 2:206-4, 2:206-5	"
1941, c. 54, s. 1	" R. S. 2:206-11	"
1942, c. 35	" "	"
1941, c. 54, s. 2	" R. S. 2:206-12	"
1939, c. 388	NJSA 2:206-13	
	RSCS 2:206-11.1	"
1948, c. 227, s. 1	amending R. S. 2:207-20	"
1940, c. 200, s. 1	" R. S. 2:212-1	"
1941, c. 201	" R. S. 2:212-4	1952, c. 165, s. 9
1940, c. 200, s. 2	" R. S. 2:212-6	1951, c. 344, s. 4

Act Repealed	Former Allocation	Repealer
1944, c. 23	amending R. S. 2:212-6	1951, c. 344, s. 4
1943, c. 59	C. 2:212-6.1	"
1949, c. 301	amending R. S. 2:212-9	"
1946, c. 186	" R. S. 2:212-17	"
1940, c. 200, s. 3	" R. S. 2:212-19	"
" s. 4	" R. S. 2:213-1	"
1943, c. 86	" R. S. 2:213-2	"
1940, c. 200, s. 5	" R. S. 2:214-5	"
1942, c. 66	" R. S. 2:214-10	"
1938, c. 18	NJSA 2:219-44 to 2:219-54	
	RSCS 2:219-44 to 2:219-56	"
1948, c. 48	amending R. S. 2:223-1	"
1947, c. 40	" R. S. 2:226-1	"

Title 3.

1939, c. 139, s. 1	amending R. S. 3:2-3	1951, c. 345, s. 4
" s. 2	" R. S. 3:2-13	"
1947, c. 380	C. 3:2-19.1	"
1948, c. 139	amending Title (C. 3:2-19.1)	"
1951, c. 325	C. 3:2-19.2, 3:2-19.3	"
1944, c. 21	C. 3:2-24.1 to 3:2-24.4	"
1944, c. 109	C. 3:2-25.1 to 3:2-25.4	"
1945, c. 210	amending C. 3:2-25.1	"
1951, c. 90	" C. 3:2-25.1	"
1948, c. 122	C. 3:2-25.5 to 3:2-25.7	"
1941, c. 153	amending R. S. 3:3-4	"
1939, c. 256	" R. S. 3:5-6	"
1950, c. 125	" R. S. 3:7-8	"
1941, c. 382	C. 3:7-8.1, 3:7-8.2	"
1939, c. 121	NJSA 3:7-13.1 to 3:7-13.3	
	RSCS 3:7-6.1 to 3:7-6.3	"
1945, c. 119	amending R. S. 3:7-18	"
1938, c. 37	" R. S. 3:7-29	"
1945, c. 96	" R. S. 3:7-29	"
1941, c. 323	" R. S. 3:7-63	"
1942, c. 160	C. 3:7-76.1 to 3:7-76.11	"
1944, c. 129, s. 1	amending Title (C. 3:7-76.1, etc.)	"
" ss. 2-9	" C. 3:7-76.1 to 3:7-76.8	"
" s. 10	" C. 3:7-76.10	"
" s. 11	" C. 3:7-76.11	"
1948, c. 359, s. 1	" R. S. 3:8-1	"
" s. 2	" R. S. 3:8-2	"
" s. 3	" R. S. 3:8-4	"
1945, c. 113, s. 1	" R. S. 3:8-11	"
" s. 2	" R. S. 3:8-12	"
1945, c. 113, s. 3	" R. S. 3:8-15	"
1941, c. 240	" R. S. 3:10-11	"
1941, c. 241	" R. S. 3:10-12	"
1947, c. 398	" R. S. 3:10-18	"
1939, c. 125	" R. S. 3:10-22	"

Act Repealed	Former Allocation	Repealer
1939, c. 134, s. 1	amending R. S. 3:11-1	1951, c. 345, s. 4
" s. 2	" R. S. 3:11-2	1949, c. 225, s. 2
1940, c. 172	" R. S. 3:11-2	"
1949, c. 225	C. 3:11-2.2, 3:11-2.3	1951, c. 345, s. 4
1938, c. 140	amending R. S. 3:13-7	"
1941, c. 138	" R. S. 3:13-12	"
1941, c. 212	" R. S. 3:15-4	"
1942, c. 181, ss. 1-3	" R. S. 3:15-5 to 3:15-7	"
1938, c. 196	" R. S. 3:16-1	"
1942, c. 166	" "	"
1945, c. 194	" "	"
1939, c. 52	C. 3:16-1.1	"
1940, c. 132	amending C. 3:16-1.1	"
1949, c. 92	" "	"
1945, c. 190	" C. 3:16-8.1 to 3:16-8.20	1948, c. 67, s. 336
1949, c. 237, s. 1	" R. S. 3:17-7	1951, c. 345, s. 4
1939, c. 164	C. 3:17-8.1	"
1943, c. 88	C. 3:17-8.2 to 3:17-8.4	"
1939, c. 251, s. 1	amending R. S. 3:17-10	"
" s. 2	" R. S. 3:17-11	"
" s. 3	" R. S. 3:17-13	"
1949, c. 237, s. 2	" R. S. 3:17-14	"
" s. 3	" R. S. 3:17-16	"
" s. 5	" R. S. 3:17-18	"
" s. 6	" R. S. 3:17-19	"
" s. 8	" R. S. 3:17-27	"
" s. 9	" R. S. 3:17-28	"
" s. 11	" R. S. 3:17-36	"
1938, c. 347	" R. S. 3:17-42	"
1941, c. 68	" "	"
1949, c. 222, s. 1	" R. S. 3:18-1	"
1938, c. 133	" R. S. 3:21-4	"
1939, c. 257	" R. S. 3:21-5	"
1949, c. 284, ss. 1-3	" R. S. 3:23-3 to 3:23-5	"
1941, c. 228	" R. S. 3:25-2	"
1944, c. 130	" R. S. 3:25-21	"
1943, c. 82	" R. S. 3:26-1	"
1943, c. 84	" R. S. 3:26-2	"
1949, c. 83	" R. S. 3:26-20	"
1950, c. 327	C. 3:26-45 to 3:26-53	"
1947, c. 409	amending R. S. 3:32-1	"
1950, c. 117	" R. S. 3:33A-1	"
1949, c. 183, s. 1	" R. S. 3:34-1	"
1950, c. 114, s. 1	" "	"
1949, c. 183, s. 2	" R. S. 3:34-2	"
1950, c. 114, s. 2	" "	"
1949, c. 183, s. 3	" R. S. 3:34-3	"
1949, c. 115, ss. 1, 2	" R. S. 3:35-1, 3:35-2	"
1949, c. 278, ss. 1-5	" R. S. 3:36-1 to 3:36-5	"
" s. 7	" R. S. 3:36-7	"
1950, c. 114, s. 3	" "	"

Act Repealed	Former Allocation	Repealer
1949, c. 278, s. 8	amending R. S. 3:36-8	1951, c. 345, s. 4
" s. 9	" R. S. 3:36-9	"
1949, c. 278, ss. 10-12	" R. S. 3:36-11 to 3:36-13	"
1941, c. 298	" R. S. 3:36-14	"
1949, c. 278, s. 13	" "	"
1950, c. 114, s. 4	" "	"
1949, c. 278, s. 14	" R. S. 3:36-15	"
1950, c. 114, s. 5	" "	"
1949, c. 278, s. 15	" R. S. 3:36-16	"
" ss. 17-19	" R. S. 3:36-18 to 3:36-20	"
1950, c. 114, s. 6	" R. S. 3:36-20	"
1949, c. 278, s. 20	" R. S. 3:36-21	"
1950, c. 114, s. 7	" "	"
1949, c. 224, ss. 1-4	" R. S. 3:40-1 to 3:40-4	"
1950, c. 114, s. 8	" R. S. 3:40-4	"
1949, c. 223, ss. 5-7	" R. S. 3:40-5 to 3:40-7	"
1950, c. 114, s. 9	" R. S. 3:40-7	"
1949, c. 223, s. 8	" R. S. 3:40-8	"
" s. 9	" R. S. 3:40-9	"
1949, c. 116, s. 1	" R. S. 3:40-10	"
1950, c. 114, s. 10	" "	"
1949, c. 116, s. 2	" R. S. 3:40-11	"
1941, c. 235	" R. S. 3:42-5	"
1941, c. 123, s. 1	" R. S. 3:42-15	"
1941, c. 123, s. 2	" R. S. 3:42-16	"
1938, c. 387	C. 3:42-5.1 to 5.3	"

Title 4.

1940, c. 231, ss. 1-6	amending R. S. 4:5-76 to 4:5-81	1946, c. 257, s. 25
1940, c. 231, ss. 7-9	" R. S. 4:5-83 to 4:5-85	1946, c. 257, s. 25
1940, c. 231, ss. 10, 11	" R. S. 4:5-87, R. S. 4:5-88	1946, c. 257, s. 25
1940, c. 231, ss. 12, 13, 23	" R. S. 4:5-90 to 4:5-93	1946, c. 257, s. 25
1940, c. 231, ss. 14-22	NJSA 4:5-91.1 to 4:5-91.9	
	RSCS 4:5-93.1 to 4:5-93.9	1946, c. 257, s. 26
1940, c. 231, ss. 24-34	NJSA 4:5-92.1 to 4:5-92.11	
	RSCS 4:5-93.10 to 4:5-93.20	1946, c. 257, s. 26
1953, c. 5, s. 16	amending R. S. 4:7-52	1953, c. 428, s. 12
1941, c. 274, s. 42	C. 4:12A-42	1953, c. 5, s. 37
1943, c. 106	C. 4:16-11.1 to 4:16-11.5	1948, c. 181
1941, c. 151, s. 22	C. 4:19-15.22	1953, c. 5, s. 50
1941, c. 151, s. 24	C. 4:19-15.24	1953, c. 5, s. 51
1941, c. 151, s. 25	C. 4:19-15.25	1953, c. 5, s. 52

Title 5.

1952, c. 299	C. 5:7-1 to 5:7-7	1953, c. 174, s. 12

Title 6.

1938, c. 48, ss. 35-39	C. 6:1-54 to C. 6:1-58	1953, c. 7, ss. 3-7

Title 9.

Act Repealed	Former Allocation	Repealer
1942, c. 329	C. 9:2-12	1951, c. 349
1944, c. 239, s. 1	amending R. S. 9:3-1	1953, c. 264, s. 18
1945, c. 196	" R. S. 9:3-1	1953, c. 264, s. 18
1938, c. 355, ss. 1-5	" R. S. 9:3-2 to 9:3-6	1953, c. 264, s. 18
1944, c. 239, s. 2	" R. S. 9:3-4	1953, c. 264, s. 18
1951, c. 104	" R. S. 9:3-4	1953, c. 264, s. 18
1940, c. 210, s. 1	" R. S. 9:3-6	1953, c. 264, s. 18
1938, c. 355, s. 6	" R. S. 9:3-8	1953, c. 264, s. 18
1940, c. 210, s. 2	" R. S. 9:3-8	1953, c. 264, s. 18
1939, c. 355, s. 1	" R. S. 9:3-9	1953, c. 264, s. 18
1943, c. 104	" R. S. 9:3-9	1953, c. 264, s. 18
1938, c. 355, s. 7	" R. S. 9:3-11	1953, c. 264, s. 18
1939, c. 355, s. 2	" R. S. 9:3-11	1953, c. 264, s. 18
1950, c. 41	" R. S. 9:3-11	1953. c. 264, s. 18
1938, c. 274	" R. S. 9:4-18	1953, c. 264, s. 18
1943, c. 49	" R. S. 9:17-1.1	1953, c. 9, s. 29
1949, c. 141, ss. 6, 7	" R. S. 9:17-8, R. S. 9:17-9	1953, c. 9, ss. 35, 36
1949, c. 141, ss. 15, 16	" R. S. 9:17-21, 9:17-22	1953, c. 9, ss. 46, 47
1949, c. 141, s. 25	" R. S. 9:17-37	1953, c. 9, s. 58
1945, c. 291	amending R. S. 9:18-5	1951, c. 347
1943, c. 97	" R. S. 9:18-12	1951, c. 347
1946, c. 77, s. 1	" R. S. 9:18-12	1951, c. 347
1948, c. 284, s. 1	" R. S. 9:18-12	1951, c. 347
1946, c. 77, s. 2	" R. S. 9:18-14	1951, c. 347
1950, c. 337	" R. S. 9:18-14	1951, c. 347
1949, c. 122	C. 9:18-17.1 to 9:18-17.10	1951, c. 347
1946, c. 77, s. 3	amending R. S. 9:18-18	1951, c. 347
1947, c. 213, ss. 1, 2	" R. S. 9:18-25	1951, c. 347
1946, c. 77, s. 4	" R. S. 9:18-31	1951, c. 347
1947, c. 179, s. 10	C. 9:22-10	1953, c. 9, s. 62

Title 11.

1939, c. 101	NJSA 11:7-6 RSCS 52:17-7.1	1944, c. 20, s. 20
1938, c. 381, s. 1	amending R. S. 11:27-2	1946, c. 227, s. 2

Title 12.

1938, c. 306	NJSA 12:7-35 to 12:7-43 RSCS 12:7A-1 to 12:7A-9	1952, c. 157

Title 17.

1946, c. 315	amending R. S. 17:4-14	1948, c. 67, s. 336
1942, c. 282	" R. S. 17:4-27	1948, c. 67, s. 336
1942, c. 341	" R. S. 17:4-27	1948, c. 67, s. 336
1938, c. 185, s. 1	" R. S. 17:4-29	1948, c. 67, s. 336
1941, c. 195	" R. S. 17:4-30	1948, c. 67, s. 336

Act Repealed	Former Allocation	Repealer
1940, c. 164	amending R. S. 17:4-31	1948, c. 67, s. 336
1945, c. 208	" R. S. 17:4-31.1	1948, c. 67, s. 336
1941, c. 162, s. 1	" R. S. 17:4-31.3	1948, c. 67, s. 336
1941, c. 162, s. 2	" R. S. 17:4-31.6	1948, c. 67, s. 336
1938, c. 185, s. 2	" R. S. 17:4-31.8	1948, c. 67, s. 336
1941, c. 187	" R. S. 17:4-49	1948, c. 67, s. 336
1938, c. 226	" R. S. 17:4-51	1948, c. 67, s. 336
1940, c. 214	" R. S. 17:4-54	1948, c. 67, s. 336
1938, c. 218	" R. S. 17:4-59	1948, c. 67, s. 336
1939, c. 351	" R. S. 17:4-60	1948, c. 67, s. 336
1938, c. 431, s. 1	" R. S. 17:4-62	1948, c. 67, s. 336
1938, c. 431, s. 3	" R. S. 17:4-71	1948, c. 67, s. 336
1942, c. 336	" R. S. 17:4-103	1948, c. 67, s. 336
1946, c. 317	C. 17:4-14.1	1948, c. 67, s. 336
1944, c. 30	C. 17:4-17.1	1948, c. 67, s. 336
1941, c. 39	C. 17:4-31.9	1948, c. 67, s. 336
1942, c. 89	amending C. 17:4-31.9	1948, c. 67, s. 336
1944, c. 176, s. 1	C. 17:4-118.2	1948, c. 67, s. 336
1939, c. 26	amending R. S. 17:6-14	1948, c. 67, s. 336
1939, c. 202	" R. S. 17:6-14	1948, c. 67, s. 336
1944, c. 147, s. 1	" R. S. 17:6-21	1948, c. 67, s. 336
1941, c. 41	C. 17:6-24.1	1948, c. 67, s. 336
1941, c. 102	amending R. S. 17:6-25	1948, c. 67, s. 336
1938, c. 219	" R. S. 17:6-49	1948, c. 67, s. 336
1938, c. 162, s. 1	" R. S. 17:6-53	1948, c. 67, s. 336
1938, c. 162, s. 2	" R. S. 17:6-54	1948, c. 67, s. 336
1944, c. 104, s. 1	" R. S. 17:6-54	1948, c. 67, s. 336
1946, c. 58	" R. S. 17:6-54	1948, c. 67, s. 336
1938, c. 162, s. 3	" R. S. 17:6-55	1948, c. 67, s. 336
1945, c. 179	" R. S. 17:6-55	1948, c. 67, s. 336
1938, c. 162, s. 4	" R. S. 17:6-56	1948, c. 67, s. 336
1938, c. 162, s. 5	" R. S. 17:6-57	1948, c. 67, s. 336
1946, c. 311, s. 1	" R. S. 17:6-57	1948, c. 67, s. 336
1938, c. 162, s. 7	" R. S. 17:6-59	1948, c. 67, s. 336
1938, c. 162, s. 8	" R. S. 17:6-61	1948, c. 67, s. 336
1938, c. 162, s. 9	" R. S. 17:6-62	1948, c. 67, s. 336
1938, c. 162, s. 10	" R. S. 17:6-63	1948, c. 67, s. 336
1939, c. 27	" R. S. 17:6-70	1948, c. 67, s. 336
1939, c. 25	C. 17:6-70.1	1948, c. 67, s. 336
1944, c. 22, s. 1	amending R. S. 17:6-72	1948, c. 67, s. 336
1944, c. 22, s. 2	" R. S. 17:6-74	1948, c. 67, s. 336
1947, c. 258	C. 17:6-77.1 to 17:6-77.5	1948, c. 67, s. 336
1947, c. 268	C. 17:6A-1 to 17:6A-5	1948, c. 67, s. 336
1939, c. 205, s. 1	amending R. S. 17:8-1	1948, c. 67, s. 336
1944, c. 25, s. 1	" R. S. 17:8-1	1948, c. 67, s. 336
1939, s. 205, s. 2	" R. S. 17:8-2	1948, c. 67, s. 336
1939, c. 205, s. 3	" R. S. 17:8-3	1948, c. 67, s. 336
1939, c. 205, s. 4	" R. S. 17:8-7	1948, c. 67, s. 336
1939, c. 205, s. 5	" R. S. 17:8-15	1948, c. 67, s. 336
1941, c. 106	C. 17:9-9.1	1948, c. 67, s. 336
1940, c. 37	C. 17:9-17	1948, c. 67, s. 336
1946, c. 78, ss. 2, 3	C. 17:9-22.1, 17:9-22.2	1953, c. 17, ss. 7, 8

Act Repealed	Former Allocation	Repealer
1947, c. 91, s. 5	C. 17:9-22.5	1953, c. 17, s. 19
1948, c. 67, s. 172	C. 17:9A-172	1953, c. 17, s. 32
1948, c. 67, s. 176	C. 17:9A-176	1950, c. 313, s. 1
1948, c. 67, s. 278	C. 17:9A-278	1953, c. 17, s. 48
1946, c. 56, s. 88	C. 17:12A-88	1953, c. 17, s. 60
1946, c. 56, s. 150	C. 17:12A-150	1953, c. 17, s. 83
1941, c. 190	amending R. S. 17:16-1	1948, c. 67, s. 336
1938, c. 321, s. 1	" R. S. 17:16-2	1948, c. 67, s. 336
1941, c. 190, s. 2	" R. S. 17:16-2	1948, c. 67, s. 336
1938, c. 321, s. 2	" R. S. 17:16-3	1948, c. 67, s. 336
1941, c. 190, s. 3	" R. S. 17:16-3	1948, c. 67, s. 336
1944, c. 209	" R. S. 17:16-3	1948, c. 67, s. 336
1939, c. 123, s. 1	" R. S. 17:16-3.1 (added)	1948, c. 67, s. 336
1939, c. 123, s. 2	" R. S. 17:16-3.2 (added)	1948, c. 67, s. 336
1938, c. 321, s. 3	" R. S. 17:16-10	1948, c. 67, s. 336
1941, c. 426	" R. S. 17:16-10	1948, c. 67, s. 336
1941, c. 118, s. 1	C. 17:22-5.1	1944, c. 175, s. 26
1938, c. 55	amending R. S. 17:32-7	1945, c. 132, s. 15
1944, c. 153, s. 2	" R. S. 17:32-12	1945, c. 132, s. 15
1948, c. 377, ss. 1, 3	" R. S. 17:34-3	1949, c. 198, s. 1
1943, c. 16	C. 17:34-3.1	1949, c. 198, s. 1
1948, c. 377, s. 2	amending C. 17:34-3.1	1949, c. 198, s. 1
1938, c. 255, s. 4	C. 17:34-32.1	1950, c. 271, s. 2
1940, c. 208, s. 6	C. 17:34-43.6	1953, c. 17, s. 147
1939, c. 305, s. 3	C. 17:38-16	1950, c. 302, s. 2

Title 18.

1950, c. 230	C. 18:5-10.1	1953, c. 409, s. 16
1938, c. 145	amending R. S. 18:5-16	1947, c. 86, s. 29
1939, c. 3	" R. S. 18:5-16	1947, c. 86, s. 29
1938, c. 144	C. 18:5-16.1, 18:5-16.2	1947, c. 86, s. 29
1939, c. 2	amending C. 18:5-16.1	1947, c. 86, s. 29
1941, c. 134	C. 18:5-50.8	1944, c. 226, s. 4
1942, c. 119	amending C. 18:5-50.8	1944, c. 226, s. 4
1939, c. 386, s. 3	" R. S. 18:7-29	1947, c. 148, s. 13
1938, c. 9	" R. S. 18:10-18	1946, c. 88, s. 11
1945, c. 164, s. 1	" R. S. 18:10-18	1946, c. 88, s. 11
1943, c. 181	C. 18:10-22.1, 18:10-22.2	1946, c. 88, s. 10
1942, c. 44	amending R. S. 18:10-41	1946, c. 88, s. 10
1939, c. 58	NJSA 18:10-47.1 RSCS 18:8-12.1	1946, c. 88, s. 10
1938, c. 288	C. 18:13-16.1	1952, c. 239, s. 1
1948, c. 470	amending C. 18:13-16.1	1952, c. 239, s. 1
1943, c. 91, s. 2	C. 18:14-1.2	1946, c. 88, s. 10
1945, c. 169, s. 8A	C. 18:25-9	1947, c. 155, s. 2
1945, c. 169, s. 19	C. 18:25-20	1953, c. 18, s. 42
1945, c. 169, s. 21	C. 18:25-22	1953, c. 18, s. 44

Title 19.

Act Repealed	Former Allocation	Repealer
1946, c. 11, ss. 1, 17	amending R. S. 19:2-1	1948, c. 2, s. 32
1944, c. 141	C. 19:2-2.1, 19:2-2.2	1945, c. 7, s. 21
1944, c. 141	C. 19:2-2.1, 19:2-2.2	1948, c. 2, ss. 30, 33
1945, c. 7, s. 1	C. 19:2-2.3	1948, c. 2, ss. 31, 33
1946, c. 10, s. 1	amending C. 19:2-2.3	1948, c. 2, ss. 31, 33
1946, c. 11, ss. 2, 17	" R. S. 19:3-3	1948, c. 2, s. 32
1946, c. 11, ss. 3, 17	" R. S. 19:5-3	1948, c. 2, s. 32
1946, c. 11, ss. 5, 17	" R. S. 19:8-2	1948, c. 2, s. 32
1946, c. 11, ss. 6, 17	" R. S. 19:8-4	1948, c. 2, s. 32
1946, c. 11, ss. 7, 17	" R. S. 19:9-2	1948, c. 2, s. 32
1946, c. 11, ss. 8, 17	" R. S. 19:12-1	1948, c. 2, s. 32
1946, c. 11, ss. 9, 17	" R. S. 19:12-2	1948, c. 2, s. 32
1946, c. 11, ss. 10, 17	" R. S. 19:12-3	1948, c. 2, s. 32
1946, c. 11, ss. 11, 17	" R. S. 19:12-5	1948, c. 2, s. 32
1946, c. 11, ss. 12, 17	" R. S. 19:12-6	1948, c. 2, s. 32
1941, c. 166, s. 3	" R. S. 19:14-11	1947, c. 104, s. 9
1939, c. 354, s. 1	" R. S. 19:15-7	1944, c. 230, s. 4
1946, c. 11, ss. 13, 17	" R. S. 19:23-1	1948, c. 2, s. 32
1945, c. 7, s. 2	C. 19:23-14.1	1948, c. 2, ss. 31, 33
1946, c. 10, s. 2	amending C. 19:23-14.1	1948, c. 2, ss. 31, 33
1946, c. 11, ss. 14, 17	" R. S. 19:23-40	1948, c. 2, s. 32
1946, c. 11, ss. 15, 17	" R. S. 19:24-1	1948, c. 2, s. 32
1947, c. 168, s. 16	" R. S. 19:30-2	1947, c. 347, s. 5
1947, c. 347, s. 3	C. 19:31-18.2	1951, c. 273, s. 2
1941, c. 177	C. 19:31A-1 to 19:31A-6	1944, c. 230, s. 4
1943, c. 219, s. 1	amending C. 19:31A-1	1944, c. 230, s. 4
1943, c. 219, s. 2	" C. 19:31A-4	1944, c. 230, s. 4
1940, c. 194	C. 19:54-1 to 19:54-13	1942, c. 18, s. 16
1941, c. 361	C. 19:54-13.1 to 19:54-13.8	1942, c. 18, s. 16
1941, c. 44	C. 19:54-14 to 19:54-24	1942, c. 18, s. 16
1942, c. 18	C. 19:54-25 to 19:54-40	1945, c. 12, s. 1
1944, c. 9	C. 19:55-1 to 19:55-20	1945, c. 12, s. 2
1945, c. 7, ss. 3-22	C. 19:55-29 to 19:55-48	1948, c. 2, s. 30
1946, c. 10, ss. 3-12	C. 19:55-38 to 19:55-46	1948, c. 2, s. 31
1945, c. 11	C. 19:55-49 to 19:55-82	1948, c. 1, s. 27
1948, c. 1	C. 19:56-1 to 19:56-27	1953, c. 211, s. 38
1949, c. 53, s. 1	amending C. 19:56-1	1953, c. 211, s. 38
1949, c. 53, s. 2	" C. 19:56-10	1953, c. 211, s. 38
1949, c. 53, s. 3	" C. 19:56-17	1953, c. 211, s. 38
1953, c. 19, s. 60	" C. 19:56-18	1953, c. 211, s. 38
1953, c. 19, s. 61	" C. 19:56-22	1953, c. 211, s. 38
1953, c. 19, s. 62	" C. 19:56-23	1953, c. 211, s. 38
1949, c. 54	C. 19:56-28 to 19:56-47	1953, c. 211, s. 38
1950, c. 146, s. 1	C. 19:56-32	1953, c. 211, s. 38
1950, c. 146, s. 2	C. 19:56-38	1953, c. 211, s. 38
1950, c. 146, s. 3	C. 19:56-42	1953, c. 211, s. 38

Title 20.

Act Repealed	Former Allocation	Repealer
1942, c. 14, s. 2	C. 20:1–3.2	1953, c. 20, s. 4
1942, c. 14, s. 3	C. 20:1–3.3	1953, c. 20, s. 5
1942, c. 14, s. 6	C. 20:1–3.6	1953, c. 20, s. 8

Title 22.

1949, c. 127	amending	R. S. 22:1–1	1953, c. 22, s. 3
1940, c. 30	"	R. S. 22:1–6	1953, c. 22, s. 3
1951, c. 348	C. 22:1–17		1953, c. 22, s. 3
1948, c. 366, s. 19	C. 22:1A–19		1949, c. 193, s. 19
1946, c. 250	C. 22:2–6.1		1953, c. 22, s. 3
1945, c. 276	amending	R. S. 22:2–17	1953, c. 22, s. 3
1941, c. 188, s. 1	"	R. S. 22:2–17.2	1948, c. 366, s. 29
1941, c. 188, s. 2	"	R. S. 22:2–17.5	1953, c. 22, s. 3
1941, c. 253, s. 1	"	R. S. 22:2–19	1953, c. 22, s. 3
1938, c. 172	"	R. S. 22:2–22	1953, c. 22, s. 3
1939, c. 398	"	R. S. 22:2–29	1953, c. 22, s. 3
1948, c. 190	"	R. S. 22:2–37	1953, c. 22, s. 3
1950, c. 237	"	R. S. 22:2–37	1953, c. 22, s. 3
1952, c. 254	"	R. S. 22:2–37	1953, c. 22, s. 3
1939, c. 184	"	R. S. 22:2–44	1953, c. 22, s. 3
1940, c. 40	"	R. S. 22:2–44	1953, c. 22, s. 3
1946, c. 178	"	R. S. 22:2–44	1953, c. 22, s. 3
1950, c. 219, s. 5	"	R. S. 22:2–44	1953, c. 22, s. 3
1940, c. 23	"	R. S. 22:2–45	1953, c. 22, s. 3
1950, c. 219, s. 6	"	R. S. 22:2–45	1953, c. 22, s. 3
1946, c. 180	"	R. S. 22:2–46	1953, c. 22, s. 3
1950, c. 206, s. 4	"	R. S. 22:2–46	1953, c. 22, s. 3
1950, c. 206, s. 3	C. 22:2–46.1		1951, c. 344, s. 4
1943, c. 202	amending	R. S. 22:2–50	1953, c. 22, s. 3
1950, c. 219, s. 7	"	R. S. 22:2–50	1953, c. 22, s. 3
1947, c. 101	"	R. S. 22:4–1	1953, c. 22, s. 3
1948, c. 274	"	R. S. 22:4–4	1953, c. 22, s. 3
1949, c. 199	"	R. S. 22:4–4	1953, c. 22, s. 3
1951, c. 164	"	R. S. 22:4–4	1953, c. 22, s. 3
1948, c. 308	C. 22:4–4.1, 22:4–4.2		1953, c. 22, s. 3
1948, c. 273, s. 1	amending	R. S. 22:4–7	1953, c. 22, s. 3
1946, c. 251	C. 22:4–7.1		1953, c. 22, s. 3
1948, c. 273, ss. 2, 3	amending	R. S. 22:4–8, 22:4–9	1953, c. 22, s. 3
1941, c. 253, s. 2	"	R. S. 22:4–10	1953, c. 22, s. 3
1948, c. 366, ss. 23-25	"	R. S. 22:4–14 to 22:4–16	1953, c. 22, s. 3
1948, c. 366, s. 26	"	R. S. 22:4–18	1953, c. 22, s. 3

Title 23.

1942, c. 161	C. 23:3–5.1		1948, c. 226, s. 3
1938, c. 318, s. 4	C. 23:5–5.4		1948, c. 35, s. 6
1938, c. 318, s. 5	C. 23:5–5.5		1948, c. 35, s. 6
1938, c. 318, s. 6	C. 23:5–5.6		1948, c. 35, s. 6
1948, c. 448, ss. 81-84	amending	R. S. 23:10–6 to 23:10–9	1953, c. 23, ss. 8-11
1948, c. 448, s. 85	"	R. S. 23:10–13	1953, c. 23, s. 14

Title 24.

Act Repealed	Former Allocation	Repealer
1945, c. 294	C. 24:10–22.1 to 24:10–22.3	1952, c. 77

Title 26.

1947, c. 177, s. 29	C. 26:1A–29	1953, c. 26, s. 4
1939, c. 280, s. 1	amending R. S. 26:2–2	1947, c. 177, s. 65
1939, c. 280, s. 2	" R. S. 26:2–3	1947, c. 177, s. 65
1942, c. 309	" R. S. 26:2–7	1947, c. 177, s. 65
1939, c. 261	R. S. 26:2–76 (added)	1953, c. 26, s. 9
1939, c. 261	R. S. 26:2–78 to 26:2–80 (added)	1953, c. 26, ss. 10-12
1945, c. 192, ss. 13-15	C. 26:3B–13 to 26:3B–15	1953, c. 26, ss. 32-34
1942, c. 95, s. 2	C. 26:8–40.3	1953, c. 26, s. 56

Title 27.

1939, c. 75	C. 27:1–21	1944, c. 20, s. 20
1938, c. 143	C. 27:6	1949, c. 266
1946, c. 42	C. 27:6	1952, c. 228
1951, c. 15	C. 27:12A–1 to 27:12A–11	1953, c. 164, s. 6
1946, c. 196	amending R. S. 27:15–1	1947, c. 62, s. 17
1938, c. 427, s. 2	" R. S. 27:15–2	1947, c. 62, s. 16
1938, c. 427, s. 3	" R. S. 27:15–4	1947, c. 62, s. 16
1944, c. 110, s. 2	" R. S. 27:15–4	1947, c. 62, s. 16
1940, c. 218	" R. S. 27:15–10	1947, c. 62, s. 16
1942, c. 257	" R. S. 27:15–10	1947, c. 62, s. 16
1944, c. 110, s. 3	" R. S. 27:15–10	1947, c. 62, s. 16
1944, c. 110, s. 4	" R. S. 27:15–11	1947, c. 62, s. 16
1942, c. 261	C. 27:15–6.1, 27:15–6.2	1947, c. 62, s. 16
1939, c. 380	NJSA 27:15–18	
	RSCS 40:67–4.1	1948, c. 124, s. 2

Title 29.

1942, c. 150	amending R. S. 29:1–3	1948, c. 340, s. 37

Title 30.

1948, c. 84, s. 13	C. 30:4–123.13	1950, c. 315, s. 3
1947, c. 257	C. 30:5–1.1, 30:5–1.2	1951, c. 138, s. 38
1939, c. 245	amending R. S. 30:5–4	1951, c. 138, s. 38
1938, c. 160	C. 30:5–4.1 to 30:5–4.3	1951, c. 138, s. 38
1942, c. 140	amending R. S. 30:5–7, 30:5–8	1951, c. 138, s. 38
1942, c. 223	" R. S. 30:5–19, 30:5–21, 30:5–26	1951, c. 138, s. 38
1938, c. 400	amending R. S. 30:5–33	1951, c. 138, s. 38
1945, c. 264	" R. S. 30:5–33	1951, c. 138, s. 38
1939, c. 213	NJSA 30:5–46, 30:5–47	
	RSCS 30:5A–4, 30:5A–5	1951, c. 138, s. 38

Title 32.

Act Repealed	Former Allocation	Repealer
1948, c. 443, s. 1(1)	amending R. S. 32:3-2	1951, c. 288, s. 9
1948, c. 443, s. 1(1)	" R. S. 32:3-3	1951, c. 288, s. 9
1948, c. 443, s. 1(3)	" R. S. 32:3-5	1951, c. 288, s. 9
1941, c. 336	" R. S. 32:3-12	1951, c. 288, s. 9
1941, c. 336	C. 32:3-12.1	1951, c. 288, s. 9
1941, c. 336	C. 32:3-12.2	1951, c. 288, s. 9
1948, c. 443, s. 1(4)	amending R. S. 32:3-13	1951, c. 288, s. 9
1948, c. 443, s. 1(5)	C. 32:3-13.1	1951, c. 288, s. 9
1950, c. 344	C. 32:3-13.2 to 32:3-13.11	1951, c. 288, s. 9
1938, c. 426, ss. 1-22	C. 32:13B-1 to 32:13B-21	1951, c. 15, s. 10
1941, c. 74, s. 2	amending C. 32:13B-3	1951, c. 15, s. 10
1941, c. 74, s. 3	" C. 32:13B-6	1951, c. 15, s. 10
1941, c. 74, s. 4	" C. 32:13B-7	1951, c. 15, s. 10
1941, c. 74, s. 5	" C. 32:13B-8	1951, c. 15, s. 10
1941, c. 74, s. 6	" C. 32:13B-12	1951, c. 15, s. 10
1941, c. 74, s. 7	" C. 32:13B-14	1951, c. 15, s. 10
1941, c. 74, s. 8	" C. 32:13B-15	1951, c. 15, s. 10
1939, c. 191, s. 13	" R. S. 32:14-13.1	1952, c. 259, s. 3
1939, c. 191, s. 14	" R. S. 32:14-13.2	1952, c. 259, s. 3

Title 33.

1941, c. 230	amending R. S. 33:1-12.1	1943, c. 47
1938, c. 209	" R. S. 33:1-21	1942, c. 159
1939, c. 61	C. 33:1-21.3 to 33:1-21.15	1942, c. 159
1939, c. 171	C. 33:1-82 to 33:1-84	1943, c. 153
1939, c. 234	NJSA 33:1-94, 33:1-95	
	RSCS 33:1-40.1, 33:1-40.2	1942, c. 159

Title 34.

1946, c. 38, s. 8	C. 34:13B-8	1950, c. 14, s. 3
1946, c. 38, s. 9	C. 34:13B-9	1950, c. 14, s. 3
1946, c. 38, s. 10	C. 34:13B-10	1950, c. 14, s. 3
1946, c. 38, s. 11	C. 34:13B-11	1950, c. 14, s. 3
1946, c. 38, s. 12	C. 34:13B-12	1950, c. 14, s. 3
1947, c. 47, s. 6	C. 34:13B-22	1949, c. 308, s. 2
1949, c. 308, s. 3	C. 34:13B-29	1950, c. 14, s. 4
1949, c. 29, s. 3	C. 34:15-31.1	1951, c. 59, s. 3
1948, c. 468, s. 3	C. 34:15-33.1	1951, c. 59, s. 2
1944, c. 88	C. 34:15-35.1 to 34:15-35.9	1951, c. 59, s. 1
1945, c. 97	amending R. S. 34:15-67	1953, c. 33, s. 59

Title 38.

1939, c. 95, s. 3	amending R. S. 38:3-12	1950, c. 239, s. 29
1944, c. 126, s. 15	C. 38:23B-15	1945, c. 185, s. 14

Title 39.

Act Repealed	Former Allocation	Repealer
1942, c. 324, s. 4	C. 39:3-11.4	1953, c. 127
1942, c. 325	amending R. S. 39:4-98	1946, c. 8
1948, c. 170, s. 1	C. 39:4-86.1	1951, c. 23, s. 122
1948, c. 170, s. 2	C. 39:4-86.2	1951, c. 23, s. 122
1948, c. 170, s. 4	C. 39:4-86.3	1951, c. 23, s. 122
1951, c. 23, s. 70	amending R. S. 39:4-128	1953, c. 294, s. 2
1952, c. 68	" R. S. 39:4-128	1953, c. 294, s. 3
1950, c. 289	" R. S. 39:5-8	1953, c. 36, s. 10
1942, c. 334, s. 3	" R. S. 39:5-15	1953, c. 36, s. 17
1942, c. 334, s. 4	" R. S. 39:5-17	1953, c. 36, s. 19
1942, s. 334, s. 5	" R. S. 39:5-21	1953, c. 36, s. 23
1942, c. 334, s. 6	" R. S. 39:5-29	1953, c. 36, s. 29
1941, c. 296, s. 1	" R. S. 39:6-1	1952, c. 173, s. 34
1941, c. 296, s. 2	" R. S. 39:6-5	1952, c. 173, s. 34
1949, c. 60, s. 1	" R. S. 39:6-5	1952, c. 173, s. 34
1949, c. 60, s. 2	" R. S. 39:6-6	1952, c. 173, s. 34
1945, c. 189	" R. S. 39:6-20	1952, c. 173, s. 34

Title 40.

1947, c. 113, s. 6	amending R. S. 40:2-14	1953, c. 232
1938, c. 23	" R. S. 40:2-23	1947, c. 113, s. 15
1943, c. 184, s. 5	C. 40:2-26.5	1943, c. 210, s. 2
1938, c. 128, s. 8	amending R. S. 40:2-54	1947, c. 113, s. 15
1946, c. 304	C. 40:21-26.1 to 40:21-26.5	1947, c. 403, s. 6
1948, c. 456, s. 6	C. 40:26A-6	1953, c. 37, s. 48
1948, c. 456, s. 10	C. 40:26A-10	1953, c. 37, s. 52
1946, c. 275	C. 40:40-28.1 to 40:40-28.4	1947, c. 404, s. 5
1944, c. 254	C. 40:47-12.2 to 40:47-12.9	1952, c. 271
1948, c. 464, s. 1	amending R. S. 40:55-1	1953, c. 433, s. 28
1948, c. 464, s. 2	" R. S. 40:55-7	1953, c. 433, s. 28
1949, c. 157	" R. S. 40:55-7	1953, c. 433, s. 28
1948, c. 464, ss. 3-6	" R. S. 40:55-12 to 40:55-15	1953, c. 433, s. 28
1950, c. 67, s. 8	" R. S. 40:55-15	1953, c. 433, s. 28
1951, c. 213	" R. S. 40:55-15	1953, c. 433, s. 28
1953, c. 377, s. 1	" R. S. 40:55-15	1953, c. 433, s. 28
1948, c. 464, s. 7	" R. S. 40:55-19	1953, c. 433, s. 28
1948, c. 80, s. 6	C. 40:60-25.38	1953, c. 37, s. 203
1944, c. 236, s. 1	C. 40:72-20.1	1953, c. 37, s. 240
1941, c. 414, ss. 1-5	amending R. S. 40:87-33 to 40:87-36	1953, c. 37, ss. 253-257
1939, c. 306, s. 1	C. 40:87-57.1	1953, c. 37, s. 269

Title 41.

1948, c. 335	C. 41:2-1.1	1953, c. 39, s. 13

Title 43.

Act Repealed	Former Allocation	Repealer
1940, c. 141	amending R. S. 43:14-1.1	1953, c. 157, s. 1
1949, c. 299, s. 2	C. 43:14-1.2	1953, c. 157, s. 2
1941, c. 154	C. 43:14-2.6	1953, c. 157, s. 7
1943, c. 116	C. 43:14-2.7	1953, c. 157, s. 8
1947, c. 255	C. 43:14-2.10	1953, c. 157, s. 9
1947, c. 280	C. 43:14-2.11	1953, c. 157, s. 10
1947, c. 320	C. 43:14-2.13, 43:14-2.14	1953, c. 157, ss. 11, 12
1946, c. 200	C. 43:14-40.1	1953, c. 157, s. 32
1949, c. 28, s. 5	amending R. S. 43:14-44	1953, c. 157, s. 33
1939, c. 50	C. 43:14-49 to 43:14-56	1953, c. 157, s. 35
1940, c. 142	amending C. 43:14-52, 43:14-53	1953, c. 157, s. 35
1940, c. 228	C. 43:14-57 to 43:14-61	1953, c. 226
1944, c. 253, s. 7	amending R. S. 43:16-6	1952, c. 358, s. 4
1944, c. 253, s. 10	C. 43:16-14	1950, c. 295
1944, c. 255, s. 21	C. 43:16A-21	1950, c. 294
1949, c. 220	amending C. 43:16A-21	1950, c. 294
1945, c. 203	" R. S. 43:21-10	1948, c. 184

Title 44.

1939, c. 311	amending R. S. 44:7-11	1940, c. 186, s. 4
1938, c. 123, s. 1	" R. S. 44:8-1	1940, c. 183, s. 5
1938, c. 123, ss. 2-11	" R. S. 44:8-5 to 44:8-14	1940, c. 183, s. 5
1938, c. 123, s. 12	" R. S. 44:8-17	1940, c. 183, s. 5
1938, c. 123, s. 13	" R. S. 44:8-19	1940, c. 183, s. 5
1938, c. 123, s. 14	" R. S. 44:8-23	1940, c. 183, s. 5
1938, c. 123, s. 15	" R. S. 44:8-25	1940, c. 183, s. 5
1938, c. 213	" R. S. 44:8-26	1940, c. 183, s. 5
1938, c. 46	" R. S. 44:8-30	1940, c. 183, s. 5
1939, c. 328	C. 44:8-32	1940, c. 131
1940, c. 130	NJSA 44:8-33 to 44:8-59	
	RSCS 44:8-1 to 44:8-27	1947, c. 156, s. 37
1941, c. 132	amending NJSA 44:8-36	
	RSCS 44:8-4	1947, c. 156, s. 37
1942, c. 69	" NJSA 44:8-36	
	RSCS 44:8-4	1947, c. 156, s. 37
1940, c. 188	NJSA 44:8-36.1	
	RSCS 44:8-4.1	1947, c. 156, s. 37
1940, c. 151	NJSA 44:8-60 to 44:8-86	
	RSCS 44:9-1 to 44:9-27	1947, c. 156, s. 37
1942, c. 340, s. 1	amending C. 44:8-61	1947, c. 156, s. 37
1942, c. 340, s. 2	" C. 44:8-62	1947, c. 156, s. 37
1942, c. 101	" C. 44:8-83	1947, c. 156, s. 37
1941, c. 149	" C. 44:8-85	1947, c. 156, s. 37
1940, c. 183	NJSA 44:8-1 to 44:8-31 note	
	RSCS 44:9-5.1, 44:9-5.2, 44:9-8.1	1947, c. 156, s. 37
1941, c. 28	C. 44:8-87 to 44:8-103	1947, c. 156, s. 37
1943, c. 11	amending C. 44:8-95	1947, c. 156, s. 37
1942, c. 170	" C. 44:8-98	1947, c. 156, s. 37
1944, c. 162	" C. 44:8-98	1947, c. 156, s. 37

Act Repealed	Former Allocation	Repealer
1941, c. 406, s. 1	amending C. 44:8-99	1947, c. 156, s. 37
1941, c. 406, s. 2	" C. 44:8-100	1947, c. 156, s. 37
1941, c. 375, s. 1	" C. 44:8-102	1947, c. 156, s. 37
1941, c. 375, s. 2	" C. 44:8-103	1947, c. 156, s. 37
1942, c. 306	" C. 44:8-105, 44:8-106	1947, c. 156, s. 37
1947, c. 156, s. 35	C. 44:8-141	1953, c. 42, s. 37

Title 45.

1938, c. 197, s. 9	C. 45:4-35	1946, c. 132, s. 4
1938, c. 197, s. 10	C. 45:4-36	1946, c. 132, s. 4
1938, c. 120, s. 5	amending R. S. 45:4A-30	1953, c. 43, s. 11
1950, c. 155, s. 2	" R. S. 45:4A-30	1953, c. 43, s. 11
1951, c. 42, s. 9	" R. S. 45:4A-30	1953, c. 43, s. 11
1943, c. 90	C. 45:8-37.1	1950, c. 149, s. 19
1947, c. 59	C. 45:8-50 to 45:8-55	1950, c. 149, s. 20
1942, c. 346, s. 1	amending R. S. 45:11-7	1947, c. 262, s. 22
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