LAWS—NEW JERSEY
1941

New Jersey State Library

ACTS

OF THE

One Hundred and Sixty-fifth Legislature

OF THE

STATE OF NEW JERSEY

AND

Ninety-seventh Under the New Constitution

Preceded by Additional Acts of 1940

(Chapters 191 to 263)

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New Jersey State Library

ADDITIONAL LAWS OF 1940

(Chapters 191 to 263)

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

THOMAS A. MATHIS,
Secretary of State.

ADDITIONAL ACTS

PASSED BY

The One Hundred and Sixty-fourth Legislature

CHAPTER 191

AN ACT providing for the appointment of thirteen additional troopers to the Department of State Police, and making an appropriation therefor.

WHEREAS, The superintendent of State Police has been requested by the Commanding Officer of Fort Dix to establish a State Police substation in the vicinity of the fort to co-operate with the military police in the enforcement of civil laws in the vicinity of Fort Dix; and Preamble.

WHEREAS, It is deemed necessary for police protection due to the concentration of such a large force of military and civil groups; therefore, Preamble.

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

1. There shall be appointed to the Department of State Police thirteen additional troopers who shall have all the powers and perform the duties of other members of said department. Additional troopers.

2. There is hereby appropriated to the Department of State Police the sum of thirty-six thousand dollars ($36,000.00), or so much thereof as may be necessary, for the purpose of carrying into effect the provisions of this act. Appropriation.

3. The appropriation hereby authorized shall be expended in the same manner and subject to the Mode of expenditures.

same conditions as other appropriations authorized by law to the Department of State Police.

4. This act shall take effect immediately.

Approved September 21, 1940.

CHAPTER 192

AN ACT authorizing the compromise and settlement in full of certain taxes for State, State school and county purposes by counties due and in arrears from certain municipalities.

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

Compromise settlement of taxes in arrears by municipality.

1. Where any municipality in which the Municipal Finance Commission is functioning is in arrears in the payment to a county of the whole or any part of any taxes either for State, State school or county purposes for a period of ten years, then such county may accept from such municipality such sum of money as to it may seem fair and equitable under the circumstances in compromise and full settlement of all taxes due and in arrears to it from such municipality for State, State school and county purposes, together with interest thereon, whether all of such taxes for State, State school and county purposes have been so due and in arrears for ten years or not; *provided, however,* that such compromise and settlement shall include only such tax for State and State school purposes as shall have been paid by said county in full to the State Treasurer; *provided, however,* that this act shall become inoperative and of no legal effect six months after the effective date of this act.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved September 21, 1940.

CHAPTER 193

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:*

Benefit rights not prejudiced by military service.

1. No benefit rights accruing to any individual prior to, or after, such individual's induction into a branch of the military or naval service, or any organization affiliated therewith, of the United States or of this State, shall be prejudiced by reason of the induction into such service or the duration of such service.

2. This act shall take effect immediately.

Approved September 23, 1940.

CHAPTER 194

AN ACT to regulate elections, and supplementing Title 19 of the Revised Statutes, and making an appropriation therefor.

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

Subtitle 16 added to title 19.

Title 19 of the Revised Statutes is hereby supplemented by the addition of a subtitle to be known as subtitle sixteen.

When act applicable.

1. Whenever any national emergency exists whereby, in the judgment of the President of the United States and the Governor of this State, or pursuant to the terms of any statute of the United States or a statute of the State of New Jersey, it may become necessary to concentrate, either within

or without this State in active service in the military forces of this State or of the United States, citizens of this State who are legal voters herein, this act shall apply.

Executive order.

2. When such national emergency exists the Governor shall file an order with the Secretary of State, which order shall set out the nature of such emergency and direct that the provisions of this act be enforced. Thereupon the Secretary of State shall transmit to each county clerk, to the superintendents of election in counties of the first class and to the respective county boards of election copies of this act and of the order filed with the Secretary of State as aforesaid.

Copies of act and order transmitted.

Voting right preserved.

3. The purpose of this act is to afford every qualified elector of this State who is in active service in the military forces of this State or of the United States the right to vote in any primary, general or special election held in this State or in any subdivision thereof, notwithstanding the fact that such person may be absent on said election day from the election district in which he resides, whether such person is within or without this State, or within or without the United States. Any person shall be deemed to be in active service in the military forces of this State or of the United States if actually in active service as a member of the National Guard, or any branch or department of the Army or Navy or Marine Corps of the United States.

In service.

Names and addresses of qualified voters.

4. Thirty days prior to any primary, general or special election in this State or any subdivision thereof, the Secretary of State shall ascertain either from the Adjutant-General of New Jersey, or from the Adjutant-General or proper authority of the United States, the names and post-office addresses of every qualified elector of this State in active service in the military forces of this State or of the United States as aforesaid. At least fourteen days prior to any primary, general or special election the Secretary of State shall forward by mail to each person in such active service as afore-

Ballots supplied.

said, a ballot conveniently prepared, upon which ballot shall be printed the names of the candidates to be voted upon at said election and any State question to be submitted to the voters at said election. In the preparation of the ballot the Secretary of State shall likewise provide thereon sufficient space wherein the voter may vote for or write in his choice for any county, municipal or other office to be voted for at said election and to permit him to vote upon any county or municipal question submitted at such election.

Independent voting.

5. The Secretary of State shall send with each ballot either a printed copy of this act or printed directions for voting and transmitting the ballot as required by this act. The Secretary of State shall also send with each ballot, mailed as aforesaid to each qualified elector of this State in active service in the military forces of this State or of the United States, two envelopes, the outer one of which shall be addressed to the Secretary of State and shall contain a space upon the back thereof for the name of the military organization to which such person belongs and the home address in which such person is entitled to vote; the inner envelope shall be plain and contain no marks whatever.

Directions for voting furnished.

Two envelopes supplied.

6. The Secretary of State shall certify to the superintendents of election in counties of the first class, and to the commissioners of registration in all other counties having permanent registration, the names and addresses of qualified electors to whom ballots are mailed as directed in sections four and five of this act. The superintendents of election in counties of the first class and the commissioners of registration in all other counties, upon the receipt of such information from the Secretary of State, shall remove the names of such qualified electors from the permanent registration binders, if said names appear therein, and retain such names in a special file designated "Military File."

Certified list of electors furnished.

Military file.

7. Any qualified elector who is unable to vote at any primary, general or special election in the elec-

Absent voting by soldiers.

tion district in which he resides because of absence from such election district due to his being in the active service in the military forces of this State or of the United States, notwithstanding, shall be entitled to mark the printed ballot so forwarded to him by the Secretary of State in accordance with the provisions of Title 19 of the Revised Statutes, as amended and supplemented, except where inconsistent with the provisions of this act. Any qualified elector intending to vote as aforesaid shall mark said ballot and deliver the same as hereinafter provided on the Tuesday preceding the holding of any election contemplated by this act, it being the intent and meaning of this act that all such ballots shall be so cast that they may be counted and canvassed by the respective county boards of election on the day of the holding of any general, primary or special election. Such ballot after having been prepared by the person intending to vote the same shall be placed in the inner envelope, which envelope shall then be sealed and placed in the outer envelope to which reference has above been made. Such qualified voter shall then write upon the back of the outer envelope, in the space left therefor, the name of the military organization to which such qualified voter belongs and the home address of such qualified voter at which he would be entitled to vote, and beneath which he shall sign his name. All ballots not cast at the time designated for the holding of any election hereunder shall be void and of no effect.

Day for voting.

When ballots canvassed.

Method for returning envelopes.

Unused ballots void.

Election agents.

8. For the purpose of expediting the collection and forwarding of ballots cast as aforesaid on the day designated for voting under this act agents shall be named by the Governor as hereinafter provided. The State chairman of the respective political parties which, at the preceding general election cast the highest and next highest number of votes in this State for members of the General Assembly, shall designate to the Governor agents equal in number representing their said parties, which agents shall be authorized by the Governor to re-

Designation.

ceive ballots voted under this act in the manner following: Ballots collected.

In all areas where one hundred or more persons eligible to vote hereunder are stationed such designated agents shall receive all ballots, and having sealed the same in containers provided by the Secretary of State, shall forthwith deliver such ballots to the Secretary of State. Ballots delivered to secretary of state.

In areas where less than one hundred eligible voters are stationed such ballots contained in the envelopes furnished as herein directed shall be deposited with the officer designated to receive such ballots by the commanding officer of the force to which such person is attached, which said officer shall forthwith forward such ballots to the Secretary of State in containers provided by the Secretary of State for that purpose. Depositary in smaller areas. Ballots forwarded.

All ballots authorized to be cast by virtue of the provisions hereof, upon receipt of the same by the Secretary of State shall be forthwith transmitted to the respective county boards of registry and election. The said county boards of election shall promptly thereafter make such investigation as may be necessary to ascertain whether or not the persons whose names appear on the outside of the outer envelopes are actually entitled to vote at such election. Should any dispute arise as to whether any such person is entitled to vote the county board shall refer the matter to the court of common pleas for determination. Ballots transmitted to county election boards. Prompt action by election boards. Disputes.

On the day of the general election and at the time designated for the opening of the polls, the said county boards of election shall distribute to the respective district boards of registry and election the ballots cast as in this act provided, except those ballots which such county boards of election or the court of common pleas has rejected, so that the valid ballots may be counted in the district in which such person resides and in which he would be otherwise eligible to vote except for his absence therefrom as contemplated by this act. Said ballots shall be forthwith deposited in the ballot box and be Ballots distributed to district boards. Valid ballots counted. Canvass.

counted and canvassed in the same manner and at the same time as other ballots cast with the district boards of registry and election on the day of the holding of the general election. In municipalities where voting machines are used such ballots shall be kept separate and apart and deposited in ballot boxes provided for that purpose by the clerks of the respective municipalities, and at the conclusion of the canvass of the vote on such machines shall thereafter be counted and all ballots returned as the combined vote of such election district. Procedure in this act contained relative to ballots cast at any general election shall be applicable to any primary or special election held hereunder.

When voting machines used.

Procedure as in general elections.

Outer envelopes retained.

9. All the outer envelopes in which ballots of qualified electors in active service under this act are received shall be retained by the respective county boards of election.

Names of candidates on ballots.

10. In the preparation of ballots under the provisions of this act, the Secretary of State shall be required to print only the names of candidates for President and Vice-President of the United States, presidential electors, candidates for the office of Governor, Senators and Representatives from this State in the Congress of the United States, Senators and members of the General Assembly from the respective counties, county clerks, registers of deeds and mortgages, surrogates, sheriffs and coroners in counties where such officials are to be elected.

Title 19 applicable.

11. The provisions of Title 19 of the Revised Statutes, as supplemented and amended, shall likewise be applicable to this election if such be not inconsistent with the provisions of this act.

Appropriation.

12. The sum of twenty-five thousand dollars ($25,000.00), or so much thereof as may be necessary, is hereby appropriated to the Secretary of State and to be expended by him in carrying into effect the provisions of this act. All printing required to be done in carrying into effect the provisions of this act shall be performed by the legislative printer.

Printer.

13. The commissioners of registration in counties of the first class and the county boards of election in other counties shall certify to the Secretary of State the boundaries of the congressional districts in which such voters reside and the county clerk of each county shall likewise certify to the Secretary of State the names of persons who are candidates for the county offices named in section ten of this act. Congressional districts indicated. County candidates given.

14. This act shall take effect immediately.

Approved September 23, 1940.

CHAPTER 195

AN ACT making additional appropriations for the payment of rental for additional office space for the Department of Labor in the Industrial Building in the city of Newark.

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

1. There is hereby appropriated out of the general funds of this State the sum of one thousand one hundred and twenty-five dollars and sixty cents ($1,125.60) or so much thereof as may be necessary to pay the rental of additional office space for the Department of Labor in the Industrial Office Building in the city of Newark. Additional appropriation to labor department.

2. This act shall take effect immediately.

Approved September 23, 1940.

CHAPTER 196

AN ACT to regulate elections, and amending section 19:18–1 of the Revised Statutes.

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

Section amended.

1. Section 19:18–1 of the Revised Statutes is hereby amended to read as follows:

After election, ballots etc., deposited 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.

Exception.

In municipalities not having permanent registration the general election poll book shall not be placed in the ballot box but shall be delivered to the county clerk.

Poll books delivered to commissioner of registration.

In municipalities having permanent registration, the general election poll books shall not be placed in the ballot box but shall be delivered immediately by the district board to the commissioner of registration.

Return of poll books to municipal clerk.

The commissioner shall return the general election poll books to the municipal clerks not later than one month preceding the next general election.

Access to poll books.

In order to carry out his duties, any superintendent of elections in counties of the first class shall have access and be permitted to inspect and examine any and all poll books 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 poll books to the office of said superintendent of elections forthwith upon demand having been made upon him by said superintendent of

Refusal to deliver poll books a misdemeanor.

elections as aforesaid shall be adjudged a disorderly person and unless the said official having custody or possession of said poll books 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 any justice of the Supreme Court or to any judge of the court of common pleas, and such justice or judge shall forthwith make an order directing the official having possession or custody of the said poll books, to produce them at once in the court in which said justice of the Supreme Court or judge of the court of common pleas may be sitting, and upon their being produced said justice or judge shall deliver the same to the superintendent of elections.

Order requiring delivery.

Production.

2. This act to take effect immediately.

Approved September 23, 1940.

CHAPTER 197

AN ACT to regulate elections, and amending section 19:48–3 of the Revised Statutes.

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

1. Section 19:48–3 of the Revised Statutes is amended to read as follows:

Section amended.

19:48–3. In all counties other than counties of the first class the board of chosen freeholders or the governing body of any municipality by a majority vote of their respective bodies may adopt for use at all elections any kind of voting machine that meets the requirements of this subtitle, or any voting machines which meet the requirements of this subtitle may also be adopted in any county or municipality at any general, local or special election,

Adoption of voting machines.

Referendum.

Submission of question.

Wording of referendum.

Acquiring machines.

Use.

Directed use in first-class counties.

Proviso.

Yearly expenditure.

Providing machines by state house commission.

Number provided.

by popular referendum, by a majority of the qualified votes cast. Such referendum shall be placed on the ballot on petition of ten per centum (10%) of the qualified voters of such county or municipality who cast their votes at the last preceding general election in such county or municipality and shall be adopted by a majority vote of the qualified electors voting thereon. Such referendum shall read as follows: "Shall voting machines be adopted and used in all elections in the (county or municipality) of .....?" Upon the adoption thereof the local governing body of such political unit shall proceed to acquire within eighteen months, by rental or purchase, a complete equipment of voting machines. The governing body of the county or municipality shall provide that all election districts of any one municipality shall be equipped with voting machines on the same day. In all counties of the first class on and after September first, one thousand nine hundred and forty, voting machines of the type to meet the requirements of this subtitle shall be adopted and furnished by rental or purchase, by the board of chosen freeholders and used at all elections, in all election districts, in said counties; *provided, however,* that the purchase price of voting machines shall be paid at a rate not to exceed three hundred thousand dollars ($300,000.00) in any one year. In the event the board of chosen freeholders of any county of the first class shall not have furnished and provided by rental or purchase at least forty (40) days before the election immediately following the enactment of this act, voting machines of the description and in the quantity required for use as aforesaid then the State House Commission shall forthwith furnish, by purchase or rental, a sufficient number of voting machines for use at all elections in all election districts in said county; in the event that the State House Commission finds it impracticable to obtain the number of machines necessary for use in all election districts in the said county at the next election, the State House Commission shall furnish as

many machines for use in the said county at the next election as it finds practicable, and in that event the superintendent of elections of such county shall direct the installation and use of voting machines, so furnished, in such municipalities and in such wards thereof as the superintendent of elections shall designate, giving preference to municipalities in the descending order of population measured by the last published Federal or State census, and, in any municipality, giving preference to the several wards thereof according to the same standard. Any voting machines purchased by the State House Commission under the provisions of this section shall be purchased through competitive bidding upon such notice and according to such procedure as the State House Commission may prescribe. The cost of the rental or purchase of voting machines by the State House Commission under the provisions of this section shall be paid as follows: The State Treasurer shall withhold ten per centum (10%) of all subventions, excepting school and relief funds, due said county in any fiscal year until sufficient funds, together with interest at the rate of three per centum (3%) per annum, on the unpaid balance has been withheld, to cover the cost of the purchase or rental of the voting machines. The State Treasurer shall disburse said funds so retained to such persons or corporations, public or private, as shall be entitled to the same.

Installation.

Competition in procuring machines.

Meeting cost.

Withholding moneys to meet costs.

Disbursing funds.

2. For the purpose of this act, a vote by the majority of the members of the State House Commission shall constitute valid action by said commission, and the said State House Commission shall be convened by any member thereof.

Validity of action by commission.

3. No ballots shall be prepared or used at any election in any election district designated by the superintendent of elections under the provisions of this act other than such ballots as are required for use in voting machines.

Voting machine ballots only used.

4. This act shall take effect immediately.

Passed September 24, 1940.

CHAPTER 198

AN ACT concerning State Police, and amending section 53:2–1 of the Revised Statutes.

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

Section amended.

1. Section 53:2–1 of the Revised Statutes is hereby amended to read as follows:

Required services.

53:2–1. The members of the State Police shall be subject to the call of the Governor. They shall be peace officers of the State, shall primarily be employed in furnishing adequate police protection to the inhabitants of rural sections, shall give first aid to the injured and succor the helpless, and shall have in general the same powers and authority as are conferred by law upon police officers and constables.

Powers.

They shall have power to prevent crime, to pursue and apprehend offenders and to obtain legal evidence necessary to insure the conviction of such offenders in the courts. They shall have power to execute any lawful warrant or order of arrest issued against any person, and to make arrests without warrant for violations of the law committed in their presence, and for felonies committed the same as are or may be authorized by law for other peace officers.

Warrants and arrests.

Co-operation.

They may co-operate with any other State department, or any State or local authority in detecting crime, apprehending criminals and preserving law and order; but the State Police shall not be used as a posse in any municipality except upon order of the Governor when requested by the governing body of such municipality: *provided, however*, that the Superintendent of State Police, or the person in charge thereof, shall, upon request made to him by the superintendent of elections of any county of this State, assign for use on any elec-

Use as posse.

Proviso.

Use in enforcing laws.

tion day officers and troopers, not to exceed fifteen in number in any one county, to aid such superintendents of elections in the enforcement of the election laws of this State.

They may act as inspectors of motor vehicles and as wardens in the protection of the forests, and the fish and game of the State. Other duties.

2. This act shall take effect immediately.

Passed September 24, 1940.

CHAPTER 199

AN ACT concerning elections, and amending sections 19:32–18, 19:32–19, 19:34–6, 19:34–7, 19:34–11, 19:34–12, 19:34–13, 19:34–15, 19:34–28 and 19:34–38 of the Revised Statutes.

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

1. Section 19:32–18 of the Revised Statutes is hereby 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 criminal judicial district court of the district in which such person resides or if there is no such criminal judicial district court then to a judge of the court of common pleas of the county for the purpose of obtaining an order entitling him to vote in the district in which he actually resides. The burden of proof shall be upon the applicant. Procuring order to vote.

The judge of the criminal judicial district court or if there is no such court then the judge of the court of common pleas, if satisfied that the applicant is entitled under the law to vote at such election and after determining the election district in Voting order issued.

which the person actually resides may issue an order directing the district board of that district to permit such person to vote. If the order is directed to a district board in municipalities having permanent registration, 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 any one representing him shall have full power to cross-examine any witness.

Superintendent heard.

Record of proceedings.

The judge of the criminal judicial district court or if there is no such court then the judge of the court of common pleas making such order shall cause a full record of the proceedings of the application to be taken stenographically, transcribed and filed in the office of the county clerk of the county, which record shall be an open and public record. All costs and expense of such proceedings shall be paid by the county.

Section amended.

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

Permitting illegal voting.

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 criminal judicial district court or if there is no such court then a judge of the court of common pleas of the county, as herein above 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.

Penalty.

Section amended.

3. Section 19:34–6 of the Revised Statutes is hereby amended to read as follows:

Improper action at polls.

19:34–6. If a person shall on election day tamper, deface or interfere with any polling booth or

obstruct the entrance to any polling place, or obstruct or interfere with any voter, or loiter, or do any electioneering within any polling place or within one hundred feet thereof, he shall be deemed and adjudged to be a disorderly person and upon conviction thereof shall be punished by a fine not exceeding two hundred dollars ($200.00) or by imprisonment not exceeding ninety days, or both. All proceedings under this section shall conform to the procedure and practice set forth in subtitle fifteen of the Title, Administration of Civil and Criminal Justice (§2:201–1 et seq.).

Penalty.

Procedure.

4. Section 19:34–7 of the Revised Statutes is hereby amended to read as follows:

Section amended.

19:34–7. No person shall within the polling room mark his ballot in a place other than in the polling booth or show his ballot, nor shall anyone request such person to show his ballot during the preparation thereof, nor shall any other person inspect such ballot during the preparation thereof or after it is prepared for voting in such a way as to reveal the contents, nor shall any person within the polling place or within a hundred feet thereof, loiter, electioneer, or solicit any voter.

Marking or showing ballot.

No voter, at any election where official ballots are used, shall knowingly vote or offer to vote any ballot except an official ballot as by this title required.

Vote official ballot only.

No person shall on any pretext carry any official ballot from the polling room on any election day except such persons as may by this title be authorized to do so.

Not take official ballot from polls.

Any person violating 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 two hundred dollars ($200.00) or by imprisonment not exceeding ninety days, or both. All proceedings under this section shall conform to the procedure and practice set forth in subtitle fifteen of the Title, Administration of Civil and Criminal Justice (§2:201–1 et seq.).

Penalty.

Procedure.

New Jersey State Library

Section amended.

5. Section 19:34–11 of the Revised Statutes is hereby amended to read as follows:

Fraudulent voting.

19:34–11. Every person not entitled to vote who fraudulently votes, and every person who votes more than once at any one election; or knowingly hands in two or more ballots folded together; or changes any ballot after it has been deposited in the ballot box; or adds, or attempts to add, any ballot to those legally polled at any election, either by fraudulently introducing the same into the ballot box before or after the ballots therein have been counted; or adds to or mixes with, or attempts to add to or mix with, the ballots lawfully polled, other ballots while the same are being counted or canvassed, or at any other time, with intent to change the result of such election; or carries away or destroys, or attempts to carry away or destroy, any poll list, or ballots, or ballot box, for the purpose of breaking up or invalidating the election; or willfully detains, mutilates or destroys any election returns; or in any manner so interferes with the officers holding the election, or conducting the canvass, or with the voters lawfully exercising their rights of voting at the election, as to prevent the election or canvass from being fairly had and lawfully conducted, shall be deemed and adjudged to be a disorderly person and upon conviction thereof shall be punished by a fine not exceeding two hundred dollars ($200.00) or by imprisonment not exceeding ninety days, or both. All proceedings under this section shall conform to the procedure and practice set forth in subtitle fifteen of the Title, Administration of Civil and Criminal Justice (§2:201–1 et seq.).

Unlawful actions.

Penalty.

Procedure.

Section amended.

6. Section 19:34–12 of the Revised Statutes is hereby amended to read as follows:

Fraudulent voting.

19:34–12. Every person not entitled to vote who fraudulently attempts to vote, or who being entitled to vote attempts to vote more than once at any election, or who personates or attempts to personate a person legally entitled to vote, shall be deemed and adjudged to be a disorderly per-

son and upon conviction thereof shall be punished by a fine not exceeding two hundred dollars ($200.00) or by imprisonment not exceeding ninety days, or both. All proceedings under this section shall conform to the procedure and practice set forth in subtitle fifteen of the Title, Administration of Civil and Criminal Justice (§2:201–1 et seq.). Penalty. Procedure.

7. Section 19:34–13 of the Revised Statutes is hereby amended to read as follows: Section amended.

19:34–13. Every inspector, judge or clerk of an election, who, previous to putting the ballot of an elector in the ballot box, attempts to find out any name on such ballot, or who opens or suffers the folded ballot of any elector which has been handed in to be opened or examined previous to putting the same in the ballot box, or who makes or places any mark or device on any folded ballot with the view to ascertain the name of any person for whom the elector has voted, shall be deemed and adjudged to be a disorderly person and upon conviction thereof shall be punished by a fine not exceeding two hundred dollars ($200.00) or by imprisonment not exceeding ninety days, or both. All proceedings under this section shall conform to the procedure and practice set forth in subtitle fifteen of the Title, Administration of Civil and Criminal Justice (§2:201–1 et seq.). Improper act by election officer. Penalty. Procedure.

8. Section 19:34–15 of the Revised Statutes is hereby amended to read as follows: Section amended.

19:34–15. If a person shall distribute or display any circular or printed matter or offer any suggestion or solicit any support for any candidate, party or public question within the polling place or room or within a distance of one hundred feet of the outside entrance to such polling place or room, he shall be deemed and adjudged to be a disorderly person and upon conviction thereof shall be punished by a fine not exceeding two hundred dollars ($200.00) or by imprisonment not exceeding ninety days, or both. All proceedings under this section shall conform to the procedure and practice set forth in Improper acts at polls. Penalty. Procedure.

subtitle fifteen of the Title, Administration of Civil and Criminal Justice (§2:201–1 et seq.).

Section amended.

9. Section 19:34–28 of the Revised Statutes is hereby amended to read as follows:

Use of threats or force.

19:34–28. No person shall, directly or indirectly, by himself or by any other person in his behalf, make use of, or threaten to make use of, any force, violence or restraint, or inflict or threaten the infliction, by himself or through any other person, of any injury, damage, harm or loss, or in any manner to practice intimidation upon or against any person, in order to induce or compel such person to vote or refrain from voting at any election, or to vote or refrain from voting for any particular person or persons at any election, or on account of such person or persons at any election, or on account of such person having voted or refrained from voting at any election. Any person violating 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 two hundred dollars ($200.00) or by imprisonment not exceeding ninety days, or both. All proceedings under this section shall conform to the procedure and practice set forth in subtitle fifteen of the Title, Administration of Civil and Criminal Justice (§2:201–1 et seq.).

Penalty for violation.

Procedure.

Section amended.

10. Section 19:34–38 of the Revised Statutes is hereby amended to read as follows:

Bribery.

19:34–38. No person shall pay, lend or contribute, or offer or agree to pay, lend or contribute, any money or other valuable consideration to or for any person for any of the following:

Forbidden acts.

a. The doing or procuring to be done of any act forbidden to be done by the laws relating to primary or general elections; or

Criminal acts against franchise.

b. The commission of any crime or offense against the elective franchise, or the encouragement or assistance of a person in the commission

of a crime or offense against the elective franchise, or aiding or assisting any person charged with the commission of a crime against the elective franchise to evade arrest or to escape conviction and punishment; or

c. Providing, wholly or in part, directly or indirectly, for the expense of boarding, lodging or maintaining a person in any place of domicile in any election precinct or ward or district, with the purpose of securing the vote of such person, or of inducing such person to vote for himself, or any other person at an election; or

Illegal housing.

d. The hiring or employment of a person to take or maintain a place in, or to otherwise obstruct or hinder, or to prevent the forming of the line of voters awaiting their opportunity or time to enter the polling place or election booth of an election precinct; or

Hiring, hindering, etc.

e. In consideration of any person withdrawing as a candidate for public office or presidential elector, at any election; or

Withdrawals.

f. To pay any person for loss or damage due to attendance at the polls at any primary or general or charter election, or any registry therefor, or for the purpose of such registration; or

Paying for loss.

g. For any purpose in contravention of the provisions of this Title; or

Violations.

h. Making any payment except in the manner provided by this Title; or

Illegal payments.

i. To pay for the printing or publishing or distribution of any circular, handbill, card, pamphlet, statement, advertisement or other printed matter having reference to an election or to any candidate at any election, unless such circular, handbill, card, pamphlet, statement, advertisement or printed matter shall bear upon its face the name and address of the candidate or his campaign manager causing the same to be published and furnishing or agreeing to furnish payment for such printing and publication. This prohibition shall not apply to payment for the printing and distribution of paid advertisements in newspapers or magazines and bear-

Publicity.

Campaign manager named.

Paid legal advertisements excluded.

Wording of advertisement.

ing the words: "This advertisement has been paid for by....." (inserting the true name and address of the person or persons paying for the same), or to payment for the printing and distribution of circulars, handbills, cards, pamphlets or statements which shall have printed on the face thereof the true name and address of the person or persons paying for their printing and distribution, indicated by the words: "The cost of the printing and distribution of this circular (or as the case may be) has been paid by ....." (inserting the true name and address of the person or persons paying for the same). Any person violating 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 two hundred dollars ($200.00) or by imprisonment not exceeding ninety days, or both. All proceedings under this section shall conform to the procedure and practice set forth in subtitle fifteen of the Title, Administration of Civil and Criminal Justice (§2:201–1 et seq.).

Authority for printing and cost.

Penalty for violation.

Procedure for enforcement.

11. This act shall take effect immediately.

Passed October 2, 1940.

CHAPTER 200

AN ACT relative to criminal judicial district courts, and amending sections 2:212–1, 2:212–6, 2:212–19, 2:213–1 and 2:214–5 of the Revised Statutes.

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

Section amended.

1. Section 2:212–1 of the Revised Statutes is here amended to read as follows:

Create criminal judicial districts in county.

2:212–1. The Legislature may create and incorporate criminal judicial districts in any county. Each judicial district shall contain a population of not less than fifty thousand inhabitants.

2. Section 2:212–6 of the Revised Statutes is hereby amended to read as follows: Section amended.

2:212–6. The judge of each criminal judicial district court shall be a member of the bar of New Jersey, and shall reside in the county in which the court or courts, to the judgeship of which he is to be appointed, is or are established. Each judge shall be elected by joint session of the Legislature for a term of five years. Vacancies, by reason of resignation, death, removal or otherwise, shall be filled in the same manner for the unexpired term only. Nothing herein contained shall affect the unexpired terms of judges of criminal judicial district courts heretofore appointed. Judges requirements. How elected. Vacancies. Present judges not affected.

When two or more criminal judicial districts are incorporated the judges shall be selected in such manner as to give each of the major political parties equal representation. Party representation.

3. Section 2:212–19 of the Revised Statutes is hereby amended to read as follows: Section amended.

2:212–19. The board of chosen freeholders of each county in which a criminal judicial district court exists shall provide suitable quarters for each such court in the county and its officers, together with the proper equipment, transportation and places of detention. Court accommodations provided.

In the event that such quarters or the proper equipment or transportation or places of detention are not provided by the said board within ten days after written demand therefor by the judge of any such court, provision for all or any of the foregoing facilities may be made by such judge for and on behalf of the said board and the cost or expense thereof shall be paid by the said board upon warrant of the judge. Enforcing compliance.

4. Section 2:213–1 of the Revised Statutes is hereby amended to read as follows: Section amended.

2:213–1. Except as otherwise specifically provided by law, each criminal judicial district court shall have exclusive criminal jurisdiction within the territory comprised by the criminal judicial district in which it exists in all criminal cases heretofore exercised by recorders, police justices and Jurisdiction.

justices of the peace and in all matters committed to it by this chapter.

Cases of violation.

Except as otherwise specifically provided by law, each criminal judicial district court shall also have, possess and exercise exclusive jurisdiction to try and determine cases for violations of (a) subtitle fifteen of this Title (§ 2:201–1 et seq.); (b) Title 44, Poor, and (c) chapter seventeen of the Title, Children—Juvenile and Domestic Relations Courts (§ 9:17–1 et seq.), and of all violations of municipal ordinances or regulations wherein the offense is also a violation of any of such acts.

Exclusive jurisdiction.

Hereafter each criminal judicial district court shall have exclusive jurisdiction to try and determine all cases for any and all violations of sections 19:34–6, 19:34–7, 19:34–11, 19:34–12, 19:34–13, 19:34–15, 19:34–28 and 19:34–38 of the Revised Statutes or any of them.

Section amended.

5. Section 2:214–5 of the Revised Statutes is hereby amended to read as follows:

Complaints.

2:214–5. Complaints may be made in any criminal judicial district court by any person occupying an official position under the government of this State, or under any county or municipality thereof or by any other person. Upon complaint by any such official person, a summons or warrant shall issue, and upon complaint by any other person, a summons or warrant may issue in the manner authorized by this chapter. If a summons or warrant shall issue, it shall be returnable before the court at such times and in such manner as the rules and regulations of the court shall direct.

Issuing warrants.

Return.

Prosecutor.

In the case of any complaint made by a person holding such official position, such official may elect to prosecute the complaint or to designate counsel on his behalf for that purpose in which case such official or counsel shall be recognized as prosecutor.

Liability.

No person shall incur or be subjected to any personal liability or penalty by reason of any complaint made or prosecution conducted in good faith under the provisions of this section.

6. This act shall take effect immediately.

Passed October 2, 1940.

CHAPTER 201

AN ACT concerning administration of civil and criminal justice, and supplementing Title 2, subtitle seventeen, entitled "Criminal Judicial District Courts," and incorporating the First, Second, Third and Fourth Criminal Judicial Districts in the county of Hudson.

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

First criminal judicial district of Hudson county.

1. All that part of the county of Hudson, in the State of New Jersey, comprising the city of Bayonne, and the Seventh, Eighth, and Ninth Wards of Jersey City, as now constituted, be and the same is hereby established and incorporated to be the First Criminal Judicial District of the county of Hudson.

Second criminal judicial district of Hudson county.

2. All that part of the county of Hudson, in the State of New Jersey, comprising the town of Kearny, the town of Harrison, and the borough of East Newark, as now constituted, be and the same is hereby established and incorporated to be the Second Criminal Judicial District of the county of Hudson.

Third criminal judicial district of Hudson county.

3. All that part of the county of Hudson, in the State of New Jersey, comprising the town of Guttenberg, the township of North Bergen, the township of Weehawken, the town of Secaucus, the town of West New York and the city of Union City, as now constituted, be and the same is hereby established and incorporated to be the Third Criminal Judicial District of the county of Hudson.

Fourth criminal judicial district of Hudson county.

4. All that part of the county of Hudson, in the State of New Jersey, comprising the city of Hoboken, and the First, Second, Third, Fourth, Fifth, Sixth, Tenth, Eleventh and Twelfth Wards of Jersey City, as now constituted, be and the same is hereby established and incorporated to be the Fourth Criminal Judicial District of the county of Hudson.

Act applicable.

5. The provisions of an act entitled "An act to create criminal judicial districts in counties of this State and to establish therein criminal courts of record and to regulate the jurisdiction, duties and powers of such courts," approved March twenty-ninth, one thousand nine hundred and twenty-six, and the various amendments thereof and supplements thereto, so far as the same may be applicable, shall apply to the districts hereby established.

6. This act shall take effect immediately.

Passed October 2, 1940.

CHAPTER 202

AN ACT appropriating moneys for the reimbursement of school districts for vocational education.

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

Reimbursing school districts for vocational training.

1. There is hereby appropriated the sum of one hundred seven thousand, one hundred ten dollars, and ninety-three cents ($107,110.93) for the reimbursement of school districts for the amounts due them for vocational education for the school year 1939-1940, under the provisions of article five, chapter fifteen, of Title 18 of the Revised Statutes. The moneys for this purpose are to be deducted pursuant to Revised Statutes, section 18:10–31. Payments to the several school districts shall be made by the State Treasurer upon the warrants of the Commissioner of Education.

Payments.

2. This act shall take effect immediately.

Approved November 13, 1940.

CHAPTER 203

AN ACT appropriating moneys for the reimbursement of school districts for manual training expenditures.

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

Reimbursing school districts for manual training.

1. There is hereby appropriated the sum of one hundred eight thousand, eighty-nine dollars, and twenty-five cents ($108,089.25) for the reimbursement of school districts for expenditures incident to manual training for the school year 1939-1940, under the provisions of article three, chapter fifteen, of Title 18 of the Revised Statutes. The moneys for this purpose are to be deducted pursuant to Revised Statutes, section 18:10–31. Payments to the several school districts shall be made by the State Treasurer upon the warrants of the Commissioner of Education.

Payments.

2. This act shall take effect immediately.

Approved November 13, 1940.

CHAPTER 204

AN ACT providing for the purchase and free distribution of anti-pneumococcic serum and making an appropriation therefor.

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

Appropriation for serum.

1. The sum of fifteen thousand dollars ($15,000.00) is hereby appropriated from the general funds of the State, and shall be credited to the State Department of Health, and expended by said

Use. department for the purchase and free distribution of anti-pneumococcic serum for the treatment of persons affected with pneumonia and financially unable to purchase the serum and for determining the type of pneumococci from persons suspected or known to have said disease.

Payment. 2. The appropriation hereby authorized shall be paid by the State Treasurer on warrant of the Comptroller, and certification of the Director of Health of the State of New Jersey.

3. This act shall take effect immediately.

Approved November 13, 1940.

CHAPTER 205

AN ACT concerning gaming, and amending section 2:135–3 of the Revised Statutes.

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

Section amended. 1. Section 2:135–3 of the Revised Statutes is amended to read as follows:

Gambling illegal. 2:135–3. Any person who shall habitually or otherwise, buy or sell what is commonly known as a pool, or any interest or share in any such pool, or shall 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 shall conduct the practices commonly known as bookmaking or pool selling, or shall keep a place to which persons may resort for engaging in any such practices, 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 any person who shall aid, abet or assist in any such acts, shall be guilty of a misdemeanor, and punished by a fine of not less than one thousand dollars nor more than five thousand

Penalty.

dollars, or by imprisonment in the State Prison for not less than one year nor more than five years. Nothing in this section contained shall be construed to apply to pari-mutuel betting at race meetings as authorized by the Constitution of this State and any statute passed in pursuance thereof. Pari-mutuel excepted.

2. This act shall take effect immediately.

Approved November 13, 1940.

CHAPTER 206

AN ACT to repeal sections 5:5–1 to 5:5–21 of the Revised Statutes concerning the breeding and racing of horses.

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

1. Sections 5:5–1 to 5:5–21 of the Revised Statutes concerning the breeding and racing of horses be and the same are hereby repealed. Sections repealed.

2. This act shall take effect immediately.

Approved November 13, 1940.

CHAPTER 207

AN ACT to repeal sections 2:135–5 to 2:135–9, inclusive, of the Revised Statutes.

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

Sections concerning horse racing repealed.

1. Sections 2:135–5 to 2:135–9, inclusive, of the Revised Statutes be and the same are hereby repealed.

2. This act shall take effect immediately.

Approved November 13, 1940.

CHAPTER 208

AN ACT concerning conversion of stock life insurance corporations into mutual life insurance corporations, and supplementing article eight of Title 17, chapter thirty-four, of the Revised Statutes.

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

Acquisition of outstanding stock.

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 Chancellor's confirmation made pursuant to section

Agreement after 20 years.

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 Chancellor. Such agreement shall be presented to the Chancellor by petition of the corporation or of any of the stockholders who are parties thereto. The Chancellor shall determine, upon such notice as he 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, and if he 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, he shall enter an order approving said agreement and directing

Selling price.

Proviso.

Proviso.

Agreement presented to chancellor.

Determination as to method of payment.

Order of approval.

the performance thereof, and in case he shall find that the purchase of such stock at such price cannot be so made, he shall enter an order dismissing the said petition. The aforesaid notice shall be given by and at the expense of the said corporation.

Failure to agree on price.

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, present to, and file with, the Chancellor a petition duly verified, setting forth the fact that the said corporation and the said stockholder or stockholders have failed to agree upon a price for the acquisition by said corporation of said stock, and applying to the Chancellor to proceed to a reappraisal of the value of said stock still outstanding except as aforesaid, as of the date of the filing of said petition. At the time of the filing of said petition there shall be deposited with the Clerk in Chancery 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 in Chancery pending the final determination of the proceedings. Upon the filing of said petition and the deposit of said certificates and instruments of transfer as hereinabove prescribed, the Chancellor shall have jurisdiction to act thereon and shall fix a time and place for hearing and shall direct the notice thereof 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

Petitioning chancellor.

Reappraisal.

Certificates of stock deposited with clerk in chancery.

Jurisdiction.

Hearing and notice.

Who to give notice.

shall be given by the petitioners 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 Chancellor may appoint two or more disinterested persons to appraise the value per share of the capital stock held by the petitioners, the certificates of which shall have been deposited with the Clerk in Chancery 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 (1937).

Appraisers.

Method of procedure.

3. If and when the Chancellor shall have confirmed the appraisers' findings, he shall further determine, upon such notice to the aforesaid parties in interest as he 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 he 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, he shall enter an order directing the corporation to purchase the said shares out of its surplus, and thereupon, within ten days after the entry of said order, the corporation shall deposit with the Clerk in Chancery 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 in Chancery shall retain the said sum so deposited until the period herein fixed for the review of such order shall have expired or, in case proceedings for such review shall have been commenced, until the termination thereof. Upon the expiration of the period herein fixed for the review of such order, or, in case any such proceedings for review shall

Confirmation of findings.

Source of purchase price.

Order directing purchase.

Funds deposited to meet payment of stock.

Retention of deposit.

Delivery of certificates.

have been commenced, upon the termination thereof, the Clerk in Chancery shall deliver to the corporation the certificates for said shares and instruments of transfer theretofore deposited and shall thereupon pay over to each stockholder joining in said petition 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 Chancellor 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, he shall enter an order to that effect directing the Clerk in Chancery to return to the petitioners the certificates of stock with all instruments of transfer deposited with the Clerk in Chancery pursuant to the provisions of this act. Such certificates and instruments of transfer, however, shall not be returned by the Clerk in Chancery until the period herein fixed for the review of such order shall have expired or, in case such proceedings for review shall have been commenced, until the termination thereof.

If found unworkable return of certificates.

When certificates returned.

Stock acquired transferred on company's books.

4. All stock acquired by the said corporation pursuant to any of the provisions of this act shall be immediately transferred on the books of the corporation to the policyholders' trustee or trustees who shall, until the entire stock of the corporation has been so transferred, hold the legal title thereto upon the trusts set forth in and subject to all of the provisions of sections forty, forty-one and forty-two of Title 17, chapter thirty-four, article eight, of the Revised Statutes.

Counsel.

5. The Chancellor may in his discretion appoint counsel for the trustees for policyholders and for the policyholders at any stage of the proceedings.

Expenses met by corporation.

The proper and necessary expenses of the proceedings in the Court of Chancery 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 Chancellor.

Review of order by chancellor.

6. Any proceedings for the review of any order made by the Chancellor pursuant to the provisions of this act, whether by writ of certiorari, appeal, or otherwise, shall be commenced within thirty (30) days after the date of such order and not thereafter.

Rights deemed additional.

7. The rights and remedies herein provided for shall be in addition to, and not in substitution for, or derogation of, any and all existing rights of stockholders or policyholders of such corporation.

8. This act shall take effect immediately.

Approved November 13, 1940.

CHAPTER 209

AN ACT authorizing the New Jersey World's Fair Commission, acting for and on behalf of the State of New Jersey, to convey to the City of New York, a municipal corporation of the State of New York, the building erected at the New York World's Fair as an exhibit on the part of the State of New Jersey.

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

New Jersey's world's fair building conveyed to New York City.

1. The New Jersey World's Fair Commission, acting for and on behalf of the State of New Jersey, is authorized and empowered to convey by appropriate deed to the City of New York, a municipal corporation of the State of New York, the building erected by the State of New Jersey at the New York World's Fair as an exhibit on the part of said State.

Removal of exhibits and disposition.

2. Prior to the conveyance in this act authorized, the New Jersey World's Fair Commission shall proceed to remove all exhibits and other personal property from such building, and to dispose of the same at either public or private sale, or to transfer the same to any department or agency of the State government for State use, or to transfer the same to any exhibitor or exhibitors, or contributor or contributors, toward the cost of the construction of the building or the installation of exhibits, as the commission shall determine.

3. This act shall take effect immediately.

Approved November 13, 1940.

CHAPTER 210

AN ACT concerning minors and their adoption, and amending sections 9:3–6 and 9:3–8 of the Revised Statutes as amended by chapter three hundred fifty-five of the laws of one thousand nine hundred and thirty-eight.

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

Section amended.

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

Filing petition.

9:3–6. Upon presentation of the petition for adoption to the court the same shall be filed with the clerk thereof, and thereupon, or, if a next friend is appointed, as provided by section 9:3–4 "e" of this chapter, upon such appointment, the court shall fix a day for hearing the petition and examining interested parties under oath; *provided, however,* that the court shall order an investigation of all petitions for adoption except when consent to the adoption is given by the Department of Institutions and Agencies or any agency thereof, or

Proviso.

an orphanage, children's home or society incorporated under the laws of this State for the care of children.

Investigation.

Such investigation as required by this section shall be made by the Department of Institutions and Agencies or by an orphanage, children's home or society incorporated under the laws of this State for the care of children and having the facilities for such investigation, as the court may direct, having due regard for the religious background of the child. The agency directed to make such investigation shall receive the duplicate copy of the petition, as required to be filed by this chapter, and shall be represented at the hearing. The nature of the investigation shall be such as to verify the allegations of the petition and reveal such facts as may be necessary to determine the condition and antecedents of the child and of the adopting parents, in order that it may be ascertained whether the said child is a proper subject for adoption, and whether the petitioner or petitioners and their home are suitable for the proper rearing of the child.

Character of investigation.

Report returned to court.

The report of such investigation shall be made in writing and returned to the court on the day fixed by the court for the hearing, which shall be not less than thirty days nor more than sixty days after the filing of the petition, subject to adjournment as hereinafter provided. No decree of adoption shall be granted until such report be returned, but, if such report is not returned on the day ordered, without fault of the petitioner or petitioners, the court may grant a decree of adoption upon a later day to be fixed, with due notice thereof being given to the agency directed to make such report.

Granting decree.

Hearing.

When consent to the adoption is given by the Department of Institutions and Agencies or any agency thereof, or an orphanage, children's home or society incorporated under the laws of this State for the care of children, the day fixed for the hearing shall be not less than ten nor more than thirty days from the time of filing the petition or appointment of a next friend as the case may be, on which

Summary of case.

day such agency shall file with the court a written summary of the case, and the court may adjourn the hearing and examination from time to time as the case may require.

Character witness.

At the time of the hearing the court shall require at least one witness, other than the petitioner, to testify to the character of the petitioner, the residence of the petitioner or the child, and any other facts which the court may require with respect to the welfare of the interested parties.

Private hearing.

Upon application of the adopting parents made either orally or in writing the court shall hold the hearing in camera.

Decree in evidence.

The entry of a decree of adoption shall be conclusive evidence of the sufficiency of the consent or consents annexed to the petition for such adoption and of the rights, duties and obligations established by such decree, pursuant to the provisions of this chapter, in any suit, action or proceeding not commenced within five years from the date of entry of such decree.

Section amended.

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

All proceedings under seal.

9:3–8. a. All proceedings relating to adoption and all documents filed in any such proceedings, all testimony taken and all orders and decrees made shall be filed under seal by the surrogate and shall not at any time be open to inspection unless the court, upon good cause shown, shall otherwise order. Nor shall the fact of such adoption or the names of the parties thereto or the index thereto be open to inspection or be given out for publication except upon order of the court.

Facts not disclosed.

Reports filed separately.

b. All reports of the investigation submitted hereunder shall be filed separately and apart from all other papers in the case, and shall not at any time be opened to inspection, except by the parties to the adoption and their attorneys, unless the court, for good cause shown, shall otherwise order.

Record certified to bureau of vital statistics.

c. Upon application of the adopting parent or parents, the clerk of the court where the decree of adoption was entered shall certify to the Bureau

of Vital Statistics of this State the date of entry of the decree, the names of the natural parent or parents of the child, if the same appear in the decree of adoption, the names of the adopting parent or parents, the prior name of the child and the new name of the child as changed by the decree of adoption.

3. This act shall take effect immediately.

Approved November 19, 1940.

CHAPTER 211

AN ACT concerning building and loan associations, amending section 17:12–49 of the Revised Statutes.

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

1. Section 17:12–49 of the Revised Statutes is amended to read as follows: Section amended.

17:12–49. The shares of every building and loan association of this State, or doing business herein, may be withdrawn by the holder upon giving such written notice, not exceeding thirty days, as its constitution provides. Upon withdrawal of such shares a reasonable portion of the dividends or profits, if any, credited to such shares may be retained by such association and the remainder of the amounts credited on such shares, less fines and other obligations thereon, paid to the withdrawing member in the manner otherwise provided in this chapter, but no fines shall be deducted from the dues credited on shares which shall be withdrawn. This section shall not be construed to prevent a reduction of the share liability of any such association to its members for the purpose of providing for losses or anticipated losses or of reserving

Withdrawal of shares.

Regarding dividends.

Reduction of liability.

against them as otherwise provided in this chapter.

Agreement as to withdrawal.

The commissioner, if it appears to him that the association is in an unliquid condition, may authorize the making of a written agreement, which shall be binding on assenting members of the association, whereby the assenting members shall agree not to file a notice of withdrawal before a date specified in the agreement. Notice of the agreement shall be printed or stamped upon the face of the certificate or pass book, or both, of each assenting member when the certificate or pass book comes into the possession of the association.

Notice entered upon pass book.

2. This act shall take effect immediately.

Approved November 19, 1940.

CHAPTER 212

AN ACT respecting the enforcement and procedure for the enforcement of the provisions of subtitle one of Title 39 of the Revised Statutes, and amending section 39:5–3 of the Revised Statutes.

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

Section amended.

1. Section 39:5–3 of the Revised Statutes is hereby amended to read as follows:

On complaint of violation summons issued.

39:5–3. A complaint, in writing and duly verified having been made to a magistrate, that a person has violated a provision of this subtitle, the magistrate may, within thirty days after the commission of the offense, issue either a summons or warrant directed to a constable, police officer, an inspector of motor vehicles or the commissioner for the appearance or arrest of the person so charged. The complaint and process shall state what section or provision of this subtitle has been violated by the defendant, and the time, place and nature of the

Violation stated.

violation. Upon return of the summons or warrant or at the time to which the hearing has been adjourned as hereinafter authorized, the magistrate, or the person who sits for him, shall proceed summarily to hear and determine the innocence or guilt of the defendant, and, upon conviction, may impose the penalty prescribed by this subtitle, together with the costs of prosecution for the offense. A complaint may be made to a magistrate for a violation of sections 39:3–34, 39:3–37 or 39:4–129 of this Title at any time within one year after the commission of the offense.

Summary hearing.

Penalty.

Complaint made to magistrate.

All complaints shall be made before a magistrate of the municipality in which it is alleged that the violation occurred but in the event there shall be no magistrate in said municipality, or the magistrate in said municipality shall be disqualified because of his interest in said proceedings, said complaint shall be made to a magistrate in the next nearest municipality to the one in which it is alleged such a violation occurred, except in those counties where a county traffic court has been created or may be created. In such case, complaints may be made before the magistrate of the municipality in which the violation occurred or in the county traffic court, which court shall have concurrent jurisdiction.

Acting magistrate.

Where complaint made.

2. This act shall take effect immediately.

Approved November 19, 1940.

CHAPTER 213

AN ACT concerning building and loan associations, amending section 17:12–107 of the Revised Statutes.

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

Section amended.

1. Section 17:12–107 of the Revised Statutes is amended to read as follows:

Plan of reorganization:

17:12–107. Without limiting the generality of the methods by which an association may reorganize, any plan of reorganization may provide:

Name;

a. For reorganization under the existing name of the association or under a different name;

Date;

b. For the date upon which the reorganization shall be effective. If the plan fails to fix an effective date, the effective date shall be the date upon which the proposed plan is approved by the members of the association as set forth in section 17:12–106 of this Title. Where a petition of dissent has been filed pursuant to section 17:12–106 of this Title, and the Court of Chancery has made an order approving the plan, the date of the order shall be the effective date of reorganization, unless the court has, in its order, fixed a date upon which the plan shall be effective, in which event the date so fixed shall be the effective date of reorganization;

Crediting book value to secure loans;

c. For the crediting of the book value of shares pledged to secure mortgage loans against the principal amount of such loans, in reduction thereof;

Cancellation of withdrawal;

d. For the cancellation of or the postponement of notices of withdrawal on file with the association, for a period not to exceed two years from the effective date of reorganization;

Transfer of assets;

e. For the transfer of such assets, including real estate and defaulted bonds and mortgages, as may be determined by the board of directors with the approval of the commissioner, to a corporation

organized pursuant to section 17:12–109 of this Title for the sole purpose of liquidating such assets in an orderly manner;

Participating reserve;

f. For the transfer of such assets, including real estate and defaulted bonds and mortgages, as may be determined by the board of directors with the approval of the commissioner, to a "participating reserve" account to be set upon the books of the association for the purpose of liquidating such assets in an orderly manner;

Charging off value;

g. If the association shall make a transfer of assets as authorized by paragraphs "e," "f," or "j" of this section, any part of the reserve accounts of the association as shall be set forth in the plan of reorganization may be either charged off against the value of the assets so transferred, or transferred together with such assets, to such corporation, participating reserve account, or association created to receive such assets, as the plan of reorganization shall provide;

Reducing share liability;

h. For the reduction of the share 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;

Expenses;

i. For the manner in which expenses of reorganization shall be paid;

Transfer of assets to new or other association;

j. For the transfer of such sound or liquid assets, including bonds and mortgages in good standing, as the board of directors shall determine with the approval of the commissioner, to a building and loan association to be organized pursuant to the provisions of section 17:12–109.1 of this Title, or to an association already organized or to be organized pursuant to said section 17:12–109.1 by another building and loan association in reorganization pursuant to this article, or to another building and loan association organized under the laws of this State or to a Federal savings and loan association organized pursuant to an act of Congress approved June thirtieth, one thousand nine hundred and thirty-three, entitled "Home Owners' Loan Act of 1933," and which has its principal

Continuation of association; office in this State. Upon such transfer, the reorganizing association shall, without further act of its members, directors, or officers, other than the filing of the certificate hereinafter mentioned, continue as an association for the sole purpose of effecting the plan of reorganization adopted. A

Certificate to be filed; certificate by the association certifying that it has made the transfer of assets authorized by this paragraph, and that thereafter the purposes of the association are limited to carrying out the plan of reorganization, shall be recorded in the office of the clerk of the county wherein the association has its office, and, after being so recorded, shall be filed

Powers and conduct of business; in the office of the commissioner. Thereafter, the existing constitution of the association, as modified by the aforesaid certificate and the plan of reorganization, shall determine and regulate the powers and conduct of the business of the reorganizing

Additional powers; association. In addition to such powers as may be conferred upon the association by its constitution, as modified by the aforesaid certificate and plan of reorganization, the association shall possess all the powers necessary or convenient to accomplish an orderly liquidation of the assets retained by it pursuant to the plan of reorganization, including, by way of description and not by way of

Borrowing, conveying, deferring payment; limitation, power (a) to borrow money, from any source whatsoever, whether within or without the State, without limitation as to amount, and upon such terms and upon such security as the board of directors shall determine; (b) to convey its property, real and personal, upon terms and for a consideration, cash or otherwise, as the board shall determine; and (c) to defer the payment of the purchase price upon such conveyance and to accept

Powers of commissioner; security thereof. The commissioner shall have the same powers of supervision and regulation of the reorganizing association after the transfer of assets pursuant to this paragraph as prior to adoption of the plan of reorganization.

Borrowing; k. For the borrowing, from any source whatsoever, whether within or without the State, of any

sums of money necessary or convenient to effect the reorganization, without limitation as to amount, and upon such terms and upon such security as the plan of reorganization shall provide.

Suspension of payments;

1. For the suspension, for the period beginning with the adoption by the board of directors of a resolution to reorganize the association and ending with the rejection or the going into effect of the plan pursuant to section 17:12–106 of this Title, of payments on account of shares withdrawn and shares matured, and for the segregation by the association, for the same period, of all share dues paid by members, except where such dues are applied in reduction of a debt to the association.

Crediting dues;

If the plan of reorganization becomes effective, the dues so paid shall be credited to the accounts of those members who paid them, without decrease or impairment for any cause.

If plan not effective.

If the plan of reorganization does not become effective for any reason whatsoever, the dues so paid shall, at the option of the members who have paid them, be returned to them in cash or credited to their share accounts without decrease or impairment, except that dues paid by members indebted to the association shall be credited, without impairment, against such indebtedness in reduction thereof.

2. This act shall take effect immediately.

Approved November 19, 1940.

CHAPTER 214

AN ACT concerning banks and trust companies, and amending section 17:4–54 of the Revised Statutes.

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

Section amended.

1. Section 17:4–54 of the Revised Statutes be and the same is hereby amended to read as follows:

Semiannual reports.

17:4–54. Every bank and every trust company shall make to the commissioner not less than two reports during each year, according to the form prescribed by the commissioner, attested by the signatures of at least three directors and verified by the oaths or affirmations of the president or a vice president and, in the case of a bank, the cashier or assistant cashier, and in the case of a trust company, the treasurer or assistant treasurer or secretary or assistant secretary of the corporation. Every report shall state in detail and under appropriate heads the resources and liabilities of the corporation at the close of business on any day past specified by the commissioner, and shall be transmitted to him within ten days in the case of a bank, or twenty days, in the case of a trust company, after the receipt of a request or requisition therefor from him. An abstract or summary of every report, in the form prescribed by the commissioner, shall be published by the corporation once in a newspaper published in the municipality where the bank or trust company is established, or, if there is no such newspaper, then in one published nearest such municipality in the same county. The publication shall be made within two weeks after the filing of the report and the expense thereof is to be borne by the bank or trust company. Proof of publication shall be furnished as the commissioner may require. The commissioner may call for

Verification.

What report to set out.

Summary of report advertised.

When advertised.

Proof.

Special reports.

special reports from any bank or trust company when, in his judgment, they are necessary to a full and complete knowledge of its condition. A bank or trust company which fails to make and transmit a report required under this section shall be subject to a penalty of one hundred dollars ($100.00) for each day after the period herein specified that it delays to make and transmit its report, to be sued for and collected by the commissioner in the name and for the benefit of the State. Penalty for omission.

2. This act shall take effect immediately.

Approved November 19, 1940.

CHAPTER 215

AN ACT relating to birth certificates of adopted children, and amending section 26:8–40.1 of the Revised Statutes.

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

1. Section 26:8–40.1 of the Revised Statutes is amended to read as follows: Section amended.

26:8–40.1. When a request is made for a birth certificate of any person born in New Jersey who has been adopted pursuant to provisions of the laws of any State of the United States, and which adoption has been certified to the State Bureau of Vital Statistics as required by section 9:3–8c of the Revised Statutes, as amended, or there is submitted, with such request, a certification or a certified copy of the decree of the court in such adoption proceedings, the State Registrar of vital statistics shall issue, in lieu of a certified copy of the original birth record, a certificate of birth showing only (a) the name of the adopted person as Issuing certified birth certificate.

changed by the decree of adoption, if changed; (b) the date and place of birth; and (c) the names of the adopting parent or parents.

What certificate to show.

Upon receipt of such a request, certification or certified copy of the decree of a court in an adoption proceeding, the State Registrar shall make a new certificate of birth containing (a) the name of the adopted person as changed by the decree of adoption, if changed; (b) the date and place of birth; and (c) the names of the adopting parent or parents.

Adopted child.

The State Registrar may file such a new certificate for any foundling, for any child born in any State or Country, and for any child for whom an original birth report cannot be located, who has been adopted in New Jersey; *provided,* that there is attached to the decree of the court in such adoption proceeding or is submitted to the State Registrar a certified copy of the original birth record or acceptable evidence of birth. In the case of a foundling, the date and place of birth may be decided by the adopting parent or parents if not decided by the court before which the adoption proceedings were conducted. Such certificate for any child who is not a citizen of the United States shall bear the notation "by adoption" which shall also be shown upon any copy of the certificate issued.

Proviso.

Certificate voted "by adoption."

Substituted certificate.

When a new certificate of birth is made the State Registrar shall cause to be substituted such new certificate for the certificate of birth then on file, if any, and shall notify the local registrar of vital statistics of the place in which the birth occurred who shall enter the new certificate in his local record and place his copy of the original record under seal.

Local registration.

Original papers sealed.

The State Registrar shall cause to be placed under seal the original certificate of birth and all papers pertaining to the new certificate of birth. Such seal shall not be broken except by order of a court of competent jurisdiction. Thereafter whenever a certified copy of the certificate of birth of such person is issued, it shall be a copy of the new

Subsequent certificates.

certificate of birth except when an order of a court of competent jurisdiction shall require the issuance of a copy of the original certificate of birth.

2. This act shall take effect immediately.

Approved November 19, 1940.

CHAPTER 216

AN ACT vesting the title to real estate of which Lillian Bytheway, also known as Lillie Bytheway, died seized, and which is alleged to have escheated to the State of New Jersey in the year one thousand nine hundred and thirty-nine, in the Camden County Welfare Board.

Preamble.

WHEREAS, Lillian Bytheway, also known as Lillie Bytheway, late of the township of Delaware, county of Camden and State of New Jersey, departed this life on the twenty-eighth day of February, one thousand nine hundred and thirty-nine, seized of all that certain lot, tract or parcel of land and premises, situate in the township of Delaware, county of Camden and State of New Jersey, described as follows:

Description of tract.

Known and designated as a part of Lot No. 19 on the Plan of Cooper Farms, bounded and described as follows, to wit:

Boundaries set out.

Beginning at a point in the middle line of Chestnut street distant five hundred and thirty-eight and seven-tenths feet northeastwardly from the northeasterly side line of Maple avenue and corner to lot No. 18; thence (1) South seventy-two degrees and fifteen minutes East, three hundred and fifty feet to a point; thence (2) South seventeen degrees forty-five minutes West, two hundred and thirty-two and thirty-two one-hundredths feet to a point;

thence (3) North seventy-two degrees and fifteen minutes West, three hundred and fifty feet to a point in the middle line of Chestnut street; thence (4) North seventeen degrees and forty-five minutes East, two hundred and thirty-two and thirty-two one-hundredths feet to the place of beginning; and

Preamble. WHEREAS, The said Lillian Bytheway, also known as Lillie Bytheway, left no person or persons capable of inheriting the said lands and premises; and the same are alleged to have escheated to the State of New Jersey; and

Preamble. WHEREAS, The Camden County Welfare Board has a lien against the said premises for more than the value of the equity therein; and

Preamble. WHEREAS, The request and proper notice of intention to apply for the passage of this act has been given and duly published; now, therefore,

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

Vestment of certain real estate. 1. All the estate, right, title and interest of every kind and character of which it is alleged the State of New Jersey is seized in and to certain real estate heretofore belonging to Lillian Bytheway, also known as Lillie Bytheway, more particularly hereinbefore described, be and the same are hereby vested in the Camden County Welfare Board; and

Title. such title so as aforesaid vested under the provisions of this act is validated and confirmed.

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

Approved November 19, 1940.

CHAPTER 217

AN ACT vesting the title to real estate of which William L. Weidler died seized, and which is alleged to have escheated to the State of New Jersey in the year one thousand nine hundred and thirty-seven, in the Camden County Welfare Board.

Preamble.

WHEREAS, William L. Weidler, late of the city of Camden, county of Camden and State of New Jersey, departed this life on the twenty-fourth day of December, one thousand nine hundred and thirty-seven, seized of that certain lot of land and premises situated in the city of Camden, county of Camden and State of New Jersey, described as follows:

Description of escheated tract.

Beginning on the southerly side of Bailey street, one hundred twenty-four feet, ten and one-half inches westwardly from the southwesterly corner of Sixth and Bailey streets and in the extended middle line of party wall between premises Nos. 540 and 542 Bailey street; thence southwardly at right angles to Bailey street and along the middle line of party wall sixty-five feet to a point in the northerly line of alley running parallel with Bailey street; thence westwardly along the northerly line of said alley fourteen feet eight inches to point in the extended middle line of party wall between premises Nos. 538 and 540 Bailey street; thence northwardly along the middle line of said party wall and at right angles with Bailey street, sixty-five feet to point in the southerly line of Bailey street; thence eastwardly along the southerly line of Bailey street, fourteen feet eight inches to the place of beginning.

Being premises known as No. 540 Bailey street; and

Preamble. WHEREAS, The said William L. Weidler left no person or persons capable of inheriting the said lands and premises; and the same are alleged to have escheated to the State of New Jersey; and

Preamble. WHEREAS, The Camden County Welfare Board has a lien against the said premises for more than the value of the equity therein; and

Preamble. WHEREAS, The request and proper notice of intention to apply for the passage of this act has been given and duly published; now, therefore,

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

Vestment of certain real estate. 1. All the estate, right, title and interest of every kind and character of which it is alleged the State of New Jersey is seized in and to certain real estate heretofore belonging to William L. Weidler, more particularly hereinbefore described, be and the same are hereby vested in the Camden County Welfare Board; and such title so as aforesaid vested under the provisions of this act is validated and confirmed.

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

Approved November 19, 1940.

CHAPTER 218

AN ACT concerning State aid to municipalities, and amending section 27:15–10 of the Revised Statutes.

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

1. Section 27:15–10 of the Revised Statutes be and the same is hereby amended to read as follows: Section amended.

27:15–10. There shall be set aside annually on October first or as soon thereafter as available from the net receipts of the motor vehicle fund the sum of five hundred and twenty-five thousand dollars ($525,000.00) which shall be used by the commissioner to pay to the boards of chosen freeholders of the several counties in which roads have been constructed under the provisions of this chapter. The funds shall be paid to the boards of chosen freeholders in such proportions as the commissioner may determine for the purpose of aiding municipalities which have constructed roads under the provisions of this chapter, in the maintenance and repair of such roads. In such distribution the commissioner may take into consideration the number of miles of roads so constructed and the cost to the various municipalities of the maintenance thereof.

Amount of motor vehicle fund set aside for roads.

Payment.

Considerations.

2. This act shall take effect immediately.

Approved November 19, 1940.

CHAPTER 219

AN ACT relating to crime, and amending sections 2:103–7, 2:103–9 and 2:103–10 of the Revised Statutes.

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

Section amended.

1. Section 2:103–7 of the Revised Statutes is amended to read as follows:

Penalty for high misdemeanor.

2:103–7. Any person who has been convicted of a high misdemeanor under the laws of this State, or of a crime under the laws of the United States or of any other State or country, which crime would be a high misdemeanor if committed in this State, and who thereafter is convicted of an offense enumerated in this subtitle may be sentenced to imprisonment in the State Prison for any period of time not exceeding double the maximum period for which he might have been sentenced for a first offense.

Section amended.

2. Section 2:103–9 of the Revised Statutes is amended to read as follows:

Penalty when twice convicted for high misdemeanor.

2:103–9. Any person who has been twice convicted of high misdemeanors under the laws of this State, or of crimes in any other State or country, which crimes would be high misdemeanors under the laws of this State, and who thereafter is convicted of an offense enumerated in this subtitle may be sentenced for any period of time not exceeding three times the maximum period for which he might have been sentenced for a first offense, and no commutation shall be allowed him on the third sentence. In addition thereto, the prisoner shall serve the commutation time earned and allowed under any previous sentence for an offense committed in this State.

Commutation time to be served.

3. Section 2:103–10 of the Revised Statutes is amended to read as follows: Section amended.

2:103–10. Any person who on three separate occasions has been convicted of high misdemeanors in this State, or of crimes under the laws of the United States or of any other State or country, which crimes would be high misdemeanors if committed in this State, or whose convictions for such offenses in this State or under the laws of the United States or of any other State or country shall total three or more, and who shall thereafter be convicted of a subsequent offense enumerated in this subtitle, is hereby declared to be an habitual criminal, and the court in which such fourth or subsequent conviction is had, shall impose a life sentence in the State Prison upon the person so convicted. If thrice convicted. Life sentence.

4. This act shall take effect immediately.

Approved November 19, 1940.

CHAPTER 220

AN ACT concerning the appointment of district supervisors in the Transfer Inheritance Tax Division of the State Tax Department.

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

1. No person shall be appointed a district supervisor in the Inheritance Tax Division of the State Tax Department for any county of this State unless such person has been a resident of said county for at least one year before the date of his appointment. Residence required for district supervisor.

2. This act shall take effect immediately.

Approved November 19, 1940.

CHAPTER 221

AN ACT appropriating to the State Water Policy Commission necessary portions of the unexpended balance in the water supply fund.

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

Balance of water supply fund to water policy commission.

1. There is hereby appropriated to the State Water Policy Commission such portion of the unexpended balance in the water supply fund as may be required from time to time for continuance of the preparation of water supply plans, and for studies in aid of flood control, which are necessary to the conduct of public works financed by Federal, county or municipal appropriation, said balance to be made available in amounts and for the purposes specified by the chairman of the commission with the approval of the Governor.

Approval.

2. This act shall take effect immediately.

Approved November 19, 1940.

CHAPTER 222

AN ACT appropriating the sum of one hundred ten thousand dollars ($110,000.00) to the township of Galloway and the city of Brigantine in Atlantic county, for the purpose of constructing a road from Oceanville in the township of Galloway to the city of Brigantine.

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

Appropriation to Galloway and Brigantine for road construction.

1. There is hereby appropriated to the township of Galloway and the city of Brigantine from State Highway funds the sum of one hundred ten thou-

sand dollars ($110,000.00) for the purpose of assisting in the construction of a road from Ocean-ville in Galloway township to the city of Brigantine; *provided, however,* that the balance of the cost of construction shall be provided by the Federal Government either through the Works Progress Administration or through any other Federal agency, it being understood that the money will not be spent unless sufficient funds are provided to complete the project in its entirety, subject to the approval of the State Highway Commissioner. Proviso.

2. This act shall take effect immediately.

Approved December 11, 1940.

CHAPTER 223

AN ACT concerning municipalities governed by municipal council and municipal manager, and amending section 40:81–1 of the Revised Statutes.

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

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

40:81–1. The municipal council shall consist of three members in municipalities having less than twenty-five thousand inhabitants, save in those cases in which prior to the adoption of the municipal manager form of government the municipal council shall have consisted of five or more members, in which event the municipal council provided for herein shall consist of five members; of five members in municipalities having more than twenty-five thousand and less than forty thousand Membership of municipal council.

inhabitants; of seven members in municipalities having more than forty thousand and less than one hundred thousand inhabitants; and of nine members in municipalities having one hundred thousand or more inhabitants. The number of councilmen shall not be changed by reason of an increase or decrease of population until the regular election for councilmen next following the promulgation of the last legally ascertained enumeration of the people, whether by Federal or State authority.

Change in number of councilmen.

Each member shall have been a citizen and resident of such municipality for at least two years immediately preceding his election.

Qualification.

2. This act shall take effect immediately.

Approved December 11, 1940

CHAPTER 224

AN ACT concerning municipalities governed by municipal council and municipal manager, and amending section 40:81–2 of the Revised Statutes.

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

Section amended.

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

Salary of certain councilmen.

40:81–2. The members of the municipal council, except in cities of the fourth class, shall receive the following annual compensation, payable in equal monthly installments: In every such municipality having less than five thousand inhabitants, one hundred and fifty dollars ($150.00); five thousand or more and less than ten thousand inhabitants, three hundred dollars ($300.00); ten thou-

sand or more and less than forty thousand inhabitants, five hundred dollars ($500.00); forty thousand or more and less than fifty thousand inhabitants, seven hundred and fifty dollars ($750.00); fifty thousand or more and less than one hundred thousand inhabitants, one thousand dollars ($1,000.00); one hundred thousand or more inhabitants, twelve hundred dollars ($1,200.00).

Salary in fourth class cities.

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

2. This act shall take effect immediately.

Approved December 11, 1940.

CHAPTER 225

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 forty-one, and regulating the disbursement thereof," approved June twenty-eighth, one thousand nine hundred and forty.

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

Appropriation for legal assistant in labor department.

1. The following sum is hereby appropriated out of the State fund for the purpose hereinafter specified:

To the Department of Labor for the purpose of engaging a legal assistant to prosecute employers who violate the labor laws of the State of New Jersey, the sum of $1,500.00

2. This act shall take effect immediately.

Approved December 11, 1940.

CHAPTER 226

AN ACT to provide for a partial distribution of the excise taxes imposed for the years one thousand nine hundred and thirty-eight and one thousand nine hundred and thirty-nine by chapters seven and eight of the laws of one thousand nine hundred and thirty-eight and paid to the State Treasurer under chapter eighty-six of the laws of one thousand nine hundred and forty.

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

1. As used in this act,

Definition:

(a) "Taxpayer" means any person, copartnership, association or corporation subject to taxation, in the years one thousand nine hundred and thirty-eight and one thousand nine hundred and thirty-nine, under chapters seven or eight of the laws of one thousand nine hundred and thirty-eight;

Taxpayer;

(b) "Apportionment certificate" means the certificate of the State Tax Commissioner, dated January twenty-fourth, one thousand nine hundred and forty, apportioning the one thousand nine hundred and thirty-eight and one thousand nine hundred and thirty-nine excise taxes of each taxpayer pursuant to chapters two and three of the laws of one thousand nine hundred and forty.

Apportionment certificate.

2. The State Treasurer is hereby authorized and directed to pay to the respective municipalities and to the State Tax Commissioner, out of the tax moneys paid to him by any taxpayer and held by him pursuant to chapter eighty-six of the laws of one thousand nine hundred and forty, the following sums:

Treasurer authorized to make certain payments:

(a) In those cases where the moneys paid to the State Treasurer by any taxpayer are all or part

60% payment of single year's receipts;

of the taxes for a single year, either one thousand nine hundred and thirty-eight or one thousand nine hundred and thirty-nine, sixty per centum (60%) of the amount of such taxes shown to be due to any municipality and to the State Tax Commissioner from such taxpayer for the said year by the applicable apportionment certificate of the State Tax Commissioner, deducting therefrom the amount of all payments, if any, heretofore made by such taxpayer to such municipality or commissioner on account of such taxes.

60% payment of two years' payments.

(b) In those cases where the moneys paid to the State Treasurer by any taxpayer are all or part of the taxes for the two years one thousand nine hundred and thirty-eight and one thousand nine hundred and thirty-nine, sixty per centum (60%) of the aggregate amount of the taxes shown to be due to any municipality and to the State Tax Commissioner from such taxpayer for the said years by the applicable apportionment certificates of the State Tax Commissioner, deducting therefrom the aggregate amount of all payments, if any, heretofore made by such taxpayer to such municipality or commissioner on account of such taxes.

Payment within twenty days.

3. Such payment shall be made within twenty days after the effective date of this act to the collector of taxes or other officer performing like duties in the respective municipalities and to the State Tax Commissioner, who shall receive such payment and give a proper receipt therefor.

Equalizing payments.

4. If it shall be found upon the ultimate distribution of all the excise taxes of any taxpayer held by the State Treasurer under chapter eighty-six of the laws of one thousand nine hundred and forty that any municipality has received more or less than its lawful share of the taxes payable by such taxpayer for the years one thousand nine hundred and thirty-eight and one thousand nine hundred and thirty-nine, the State Tax Commissioner, in apportioning the taxes payable by such taxpayer in the year or years next succeeding such ultimate distribution, shall deduct from or add to the taxes

apportioned to such municipality the amount of such overpayment or underpayment respectively.

5. This act shall take effect immediately.

Approved December 14, 1940.

CHAPTER 227

AN ACT making an appropriation to the clerk in Chancery for expenses incurred in connection with the purchase and installation of filing equipment and providing for the disbursement of the same.

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

Provision for new filing cases in chancery office.

1. There is hereby appropriated from the general fund of the State to the account of the clerk in Chancery the sum of twenty-one thousand dollars ($21,000.00) for the purpose of purchasing and installing new filing equipment for the permanent filing of docket and index books and for the payment of any other expenses incurred in connection therewith. The Comptroller of the Treasury is empowered to allocate the aforementioned sum to the proper appropriation account as may be requested by the clerk in Chancery.

2. This act shall take effect immediately.

Approved December 16, 1940.

CHAPTER 228

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.

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

Employees of South Jersey Port Commission in retirement system.

1. All employees of the South Jersey Port Commission, which organization employs persons engaged in service to the public for which payment is not made from State funds, shall be eligible to participate in the retirement system created by the act of which this act is supplementary. Such organization shall be referred to in this act as the employer. Acceptance of the employees of such employer shall be optional with the board of trustees, and if the board of trustees shall approve participation of the employees, then the employer shall contribute to the contingent reserve fund on account of its members at the same rate per centum as would be paid by the State if the members were State employees.

Acceptance of membership.

Contributions.

Credit for periods of service.

2. Such employees shall be credited with such periods of service for the employer as shall be certified by such employer, with the provision that the employee shall pay or agree to pay to the retirement system the amount which he should have paid with interest added, covering the period of his service for the employer previous to the date of his enrollment. The amount of such required payment shall be determined by the retirement board, and the employee shall pay the same either in a lump sum or in regular semimonthly installments by extra deductions from his salary, under the rules and regulations of the retirement board.

Amount of required payment.

3. An employee of such employer who is also a member of the retirement system by reason of previous participation shall not have his previous credit reduced, and any reserve held on his account in the contingent reserve fund shall be used as an offset against the accrued liability contribution, if any, payable by the employer on his account for any prior service credit, including such previous credit which may be allowed by his employer. An employee of such employer, who by reason of his service is a member of any other governmental retirement system shall not participate in this retirement system on that part of his compensation so covered. Should such employer for any reason become financially unable to make the normal and accrued liability contributions payable on account of its employees, then such employer shall be deemed in default and a certificate to this effect shall be sent by the board of trustees to the employer and to the State Commissioner of Banking and Insurance. All members of the retirement system, who were employees of such employer at the time of default, shall thereupon be entitled to discontinue membership in the retirement system and to a refund of their previous contributions upon demand made within ninety days thereafter. As of a date ninety days following the date of such certificate of default, the actuary of the retirement system shall determine by actuarial valuation the amount of the reserve held on account of each active member and pensioner of such employer and shall credit to each such member and pensioner the amount of reserve so held. The reserve so credited, together with the amount of the accumulated contributions of each active member shall be used to provide a paid up deferred annuity beginning at age sixty for him, and the reserve of each pensioner shall be used in providing such part of his existing pension as the reserve so held will provide, which pension, together with his annuity, shall thereafter be payable to him. The rights and privileges of both active members and pensioners of

As to previous service.

Employee of other system not to participate.

If default.

Discontinuance.

Refund.

Actuarial value determined.

Annuity.

Rights and privileges terminated.

such employer shall thereupon terminate except as to the payment of the deferred annuities so provided for the previous active members and the annuities and the pensions, or parts thereof, provided for the pensioners.

Liability of retirement system.

4. Notwithstanding anything to the contrary, the retirement system shall not be liable for the payment of any pensions or other benefits on account of the employees or pensioners of any employer under this article, for which reserves have not been previously created from funds contributed by such employer or its employees for such benefits.

Percentage rate determined.

5. The board of trustees shall determine the amount payable by the employer expressed as a per centum rate of the total salaries of member employees, toward the cost of administration of the retirement system. The said amount shall be paid to the retirement system by the employer in such installments as the board of trustees shall determine, and when received by the retirement system the money shall be remitted to the State Comptroller to be credited as an additional appropriation for administration of the retirement system, and may be used for such purposes as the board of trustees shall determine.

Installments paid retirement system.

Remission credited to system.

6. This act shall take effect immediately.

Approved December 16, 1940.

CHAPTER 229

AN ACT concerning taxes, and supplementing chapter four of Title 54 of the Revised Statutes.

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

1. If any taxpayer shall have paid the taxes upon any assessment of property under the provisions of chapter four of Title 54 of the Revised Statutes and shall, upon appeal, have obtained a judgment of the county board of taxation granting a reduction in the said assessment from which neither the taxpayer nor the municipality shall have duly appealed, or shall have obtained a judgment of the State Board of Tax Appeals granting a reduction in such assessment or confirming a reduction granted by the county board or any part thereof, such taxpayer may claim and the collector of taxes of the municipality shall allow a credit, in an amount equal to the appropriate refund incident to such reduction of said assessment, against any taxes then due or to become due on such property; *provided,* such property is at that time assessed against the same owner as it was at the time the appealed assessment was made. If said assessment shall be further litigated the taxes found to be due as a result of such litigation, either by way of increase or reduction, shall be adjusted in like manner.

Reduced assessment.

Credit for allowance.

Proviso.

2. This act shall take effect immediately.

Approved December 16, 1940.

CHAPTER 230

AN ACT relating to the protection of trade-mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguishing trade-mark, brand or name, and amending sections 56:4–3 and 56:4–4 of the Revised Statutes.

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

Section amended.

1. Section 56:4–3 of the Revised Statutes is amended to read as follows:

Definitions:

56:4–3. As used in this article:

Producer;

"Producer" means grower, baker, maker, manufacturer or publisher.

Commodity;

"Commodity" means any subject of commerce.

Library.

"Library" means the following nonprofit organizations administering a collection of books for nonprofit purposes: the national, State, county, or municipal governments; universities, colleges, schools, archives offices, museums; and literary, educational, professional, scientific, fine arts or religious societies.

Section amended.

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

Exception—resale.

56:4–4. This article shall not apply to any contract or agreement between wholesalers or between producers or between retailers as to sale or resale prices.

Exception—sale to library.

This article shall not apply to, or fix or limit prices at which any books may be sold or offered for sale to a library located in this State.

3. This act shall take effect immediately.

Approved December 16, 1940.

CHAPTER 231

AN ACT concerning the spread of Bang's disease in livestock (which causes undulant fever in the human race), and amending sections 4:5–76, 4:5–77, 4:5–78, 4:5–79, 4:5–80, 4:5–81, 4:5–83, 4:5–84, 4:5–85, 4:5–87, 4:5–88, 4:5–91 and 4:5–92 of the Revised Statutes, repealing section 4:5–90, and supplementing article three, of chapter five, of Title 4 of the Revised Statutes, and making an appropriation for such purposes.

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

1. Section 4:5–76 of the Revised Statutes is hereby amended to read as follows: Section amended.

4:5–76. As used in this article: Definitions:

"Board" means the State Board of Agriculture. Board;

"Bureau" means the Bureau of Animal Industry. Bureau;

"Condemned" or "positive" applies to livestock giving a reaction sufficient to indicate the presence of Bang's disease and to warrant condemnation. Condemned or positive;

"Department" means the Department of Agriculture. Department;

"Livestock" includes any domestic animal raised on a farm. Livestock;

"Official test" includes all tests for Bang's disease made under the supervision of or authorization from the chief of the bureau. Official test;

"Owner" includes any person, firm, copartnership, association or corporation owning or leasing from another any livestock. Owner;

"Private test" includes all tests for Bang's disease other than official tests and shall be made at the owner's expense. Private test;

Suspicious.

"Suspicious" applies to livestock tested for Bang's disease and giving a reaction not sufficient to justify condemnation.

Section amended.

2. Section 4:5–77 of the Revised Statutes is hereby amended to read as follows:

Veterinarian designated to make inspection.

4:5–77. Whenever the owner of livestock shall request the board to make an inspection of his livestock for Bang's disease, the board may designate a veterinarian to make the inspection and may enter into an agreement with the owner and conduct official tests of his livestock under a plan and methods adopted and approved by the board for the control and eradication of this disease.

Section amended.

3. Section 4:5–78 of the Revised Statutes is hereby amended to read as follows:

Bearing expense.

4:5–78. If the owner complies with the provisions of the agreement and rules and regulations made by the board under section 4:5–79 of this Title, the expense of such inspection and test may be borne by the department, except that in certain instances the department may, with the owner's approval, authorize test to be made without expense to the State.

Section amended.

4. Section 4:5–79 of the Revised Statutes is hereby amended to read as follows:

Regulations respecting tests.

4:5–79. The board shall make rules and regulations respecting the testing of livestock, the disposal by segregation and quarantine or slaughter of condemned or suspicious livestock, the disinfection of the premises, the introduction of livestock into the State of New Jersey and into supervised herds, the control and eradication of Bang's disease, the prevention of the spread thereof to the livestock of this State, the payment of indemnity and other regulations to aid in the proper enforcement of this article.

Section amended.

5. Section 4:5–80 of the Revised Statutes is hereby amended to read as follows:

Certificate of freedom from disease.

4:5–80. Whenever an official test of any herd of livestock is made and such livestock is found to be free from Bang's disease, a certificate, setting forth this fact may be issued by the chief of the

bureau when authorized by the board, providing all rules and regulations and provisions of the agreement under the plan adopted by the board for the control and eradication of Bang's disease in the herd have been complied with.

Section amended.

6. Section 4:5–81 of the Revised Statutes is hereby amended to read as follows:

Failure to comply with regulations.

4:5–81. Whenever the chief of the bureau is satisfied that any owner has failed to comply with any of the provisions of any agreement, rule or regulation made by the board under the provisions of this article, the owner shall be so notified in writing by the chief of the bureau, and shall immediately lose all rights or interest acquired, if any, under the provisions of sections 4:5–77 to 4:5–80 of this Title and the owner shall not be reinstated thereunder except by the authority of the board upon written application made by the owner to the board for that purpose.

Notification to owner.

Section amended.

7. Section 4:5–83 of the Revised Statutes is hereby amended to read as follows:

Report of test.

4:5–83. A report of any test for Bang's disease shall be made in writing to the chief of the bureau within seven days immediately following the completion of the test, upon blanks furnished by the department and signed by the person drawing the blood samples, and also by the director of the laboratory or the person making the test.

Section amended.

8. Section 4:5–84 of the Revised Statutes is hereby amended to read as follows:

Approved marking of cattle.

4:5–84. All livestock passing an official or private test for Bang's disease shall be marked by an approved metal ear tag furnished by the department or designated by the chief of the bureau except purebreds which may be reported for identification by registration name, number and tattoo or chain lock number. No two animals in one lot shall bear the same number.

Section amended.

9. Section 4:5–85 of the Revised Statutes is hereby amended to read as follows:

Condemned livestock marked.

4:5–85. All livestock condemned as the result of a test for Bang's disease shall be plainly and permanently marked for identification by a representative of the bureau or the individual making or assisting with the test in a manner acceptable to or authorized by the chief of the bureau.

Marking not cruelty.

Such marking shall not be construed as cruelty to animals within the meaning of any law of this State.

Section amended.

10. Section 4:5–87 of the Revised Statutes is hereby amended to read as follows:

Mixing livestock.

4:5–87. No livestock shall be brought in contact with any animals that have been classed as positive or suspicious or that have been quarantined under the provisions of this article and the rules and regulations issued by the board, except upon written order issued by the chief of the bureau. If any livestock is added to the quarantined lot, it shall become a part of the lot and held subject to the same rules and regulations.

Section amended.

11. Section 4:5–88 of the Revised Statutes is hereby amended to read as follows:

Certain unlawful acts.

4:5–88. No person shall slaughter, sell, offer for sale, give away or otherwise dispose of or purchase or change the location of any animals classed as positive or suspicious to an official or private test for Bang's disease or which are quarantined, except on written order issued by the chief of the bureau.

Section repealed.

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

Section amended.

13. Section 4:5–91 of the Revised Statutes is hereby amended to read as follows:

Quarantine.

4:5–91. The board may issue any quarantine orders deemed necessary for the control and eradication of Bang's disease, the prevention of the spread of the disease to the livestock of the State and the proper enforcement of this article.

Interfering with tests.

14. No person shall treat any livestock with a material or substance for the purpose of interfer-

ing with a Bang's test or causing or preventing a reaction to a Bang's test, or shall interfere in any way with a representative of the department who is making or assisting with a Bang's test or shall alter or change an ear tag or other mark of identification for the purpose of misrepresenting the true identity of any livestock or shall otherwise attempt to interfere with the identification of any livestock.

Indemnity for destroyed animals.

15. For animals so killed to prevent the spread of Bang's disease, the owner shall receive the net proceeds of the sale of the animal and, in addition thereto, may, subject to the provisions of paragraph twenty of this act and the rules and regulations governing compensation for condemned animals issued by the board, be paid indemnity equal to fifty per centum of the difference between the appraised value of the animal and the said net proceeds of the sale of the animal. The indemnity shall not, however, exceed the sum of one hundred and fifty dollars for a registered animal or seventy-five dollars for any nonregistered animal and no compensation shall be made for steers, nonregistered bulls or for animals considered by the department to have no value; nor shall indemnity be paid unless the entire herd is under supervision and all rules and regulations and provisions of the agreement complied with, nor unless all condemned animals have been slaughtered and the premises cleaned and disinfected in accordance with the recommendations of the department.

Indemnity limited.

Indemnity involves entire herd.

Amount paid limited.

The total amount receivable by the owner from the net proceeds of the sale of the animal, plus indemnity from the Federal Government, and indemnity from the State shall not, however, exceed the appraised value of the animal.

Time and conditions of slaughter.

16. No indemnity shall be paid for condemned animals unless slaughtered within fifteen days of date of appraisal at such time and place as the department shall designate, which must be done under the supervision of a Federal, State or municipal inspector, approved by the department, and

the carcass examined and judged as to fitness for food.

Salvage.

17. The salvage is the net amount received from the sale of the animal or animals, and a report of such sale shall be made on blanks furnished for that purpose by the department, signed by the purchaser or his agent, and in no case shall the owner receive compensation from the State if the statement proves false. Delivery and slaughtering charges may be deducted, but any charges for holding the animal pending slaughter shall not be deducted and any such charges will not be paid by the State.

Report rendered.

Charges deducted.

Market value appraisement.

18. Immediately before commencing the test, if it is deemed advisable by the department, an appraisement may be made by the owner and an authorized agent or representative of the department, of the market value of the animals as of the day of appraisement, and in case the animals so appraised react to such official Bang's test, the amount of the appraisement as agreed upon prior to Bang's testing shall be official and shall be accepted by the owner and the department.

Appraisers.

19. In all cases where no agreement can be reached, there shall be appointed three competent and disinterested freeholders, one by the department, one by the owner, and the third by the first two at the expense of the owner, who shall ascertain and decide upon the appraised value of each animal condemned, and shall sign a certificate of such value in the presence of a witness who shall attest the same, and such valuation shall in each case be made upon the market value of the animal for breeding, dairy or beef purposes as of the day of appraisement.

Animals subject to indemnity.

20. No indemnity shall be paid unless the animal shall have been within the State and owned within the State, for at least sixty days prior to the time of being condemned, proof of ownership to be furnished by the owner to the department upon request; nor unless the animal shall have passed one

authorized Bang's test after entry into the State of New Jersey, nor unless the animal at the time of entry was accompanied by a test chart covering a negative Bang's test conducted in accordance with the regulations of the board within thirty days of the date of shipment, in a laboratory operating under State, Federal or other governmental supervision and approved by the livestock sanitary official of the State or province of origin.

Payment of indemnity.

21. Upon presentation of the appraisement certificate to the State Comptroller, with the approval of the department endorsed thereon, the owner shall be entitled to receive from the State treasury the sum fixed by this article.

Priority.

22. In compensating the owners of livestock condemned and slaughtered under this article, the department or such board, bureau or other agency as may be charged with such duty shall give priority to owners with whom agreements for compensation were made before the date on which an appropriation for such purposes became available.

Section amended.

23. Section 4:5–92 of the Revised Statutes is hereby amended to read as follows:

Co-operation in eradicating disease.

4:5–92. The department may co-operate with any township or county for the control and eradication of Bang's disease within the State or with the Bureau of Animal Industry of the United States Department of Agriculture in any system which may be adopted by such bureau for the prevention of the spread and the control of Bang's disease and its eradication in the State of New Jersey, or any part thereof, or the United States and its territories.

Obtaining information.

24. The department may obtain information regarding the number of cattle owners and the number of cattle in a county, township, municipality or other designated area in order to inaugurate a plan for the testing of cattle for the control and eradication of Bang's disease in co-operation with the United States Department of Agriculture. A record of the information obtained shall be filed in the office of the Department of Agriculture. Ex-

Plan for testing.

Records

penses incurred in procuring this information shall be paid for from funds appropriated to the department.

Departmental co-operation.

25. The department may co-operate with an organization or organizations or recommend the formation of a new organization in a county, township, municipality or other designated area and delegate to such organization or organizations any duties it may deem advisable for the purpose of promoting and carrying out the work in connection with the testing of livestock for the control and eradication of Bang's disease.

Provision for co-operating with owners.

26. The county boards of freeholders in their respective counties and the governing bodies of townships, municipalities or other designated areas may make such appropriations from the general funds of their county, township, municipality or other designated area as will enable them to co-operate effectively with the cattle owners, the State Department of Agriculture and the United States Department of Agriculture in the control and eradication of Bang's disease under the area plan of testing or any other plan.

Special fund.

The money so appropriated shall be placed in a fund to be used in the county, township, municipality or other designated area in which it originated subject to the approval of the State Department.

When testing begins.

27. When a majority of the resident cattle owners, representing seventy-five per centum of the cattle in a county, township, municipality or other designated area have either placed their cattle under supervision or petitioned upon forms issued and approved by the department for Bang's testing of their cattle, the department shall notify the board of freeholders or other governing body of the county, township, municipality or other designated area of such fact and may commence testing under the area or any other approved plan without expense to the owner to the extent of funds available; *provided*, the owners agree to comply with all the provisions of this article and all orders, rules and regulations formulated thereon.

Proviso.

Publication of notice of proposed testing.

28. When seventy-five per centum of the cattle owners in a county, township, municipality or other designated area have filed petitions and agreements with the department for the Bang's testing of their cattle under the area or any other plan of testing approved by the department, the department shall cause a notice of such fact to be published in two newspapers of general circulation in the county or counties where the cattle are maintained and after a period of thirty days from the publication of the notice, the board shall order placed under quarantine all cattle that have not been officially Bang's tested or whose owners have not petitioned for an official Bang's test and under such quarantine no cattle shall be sold, given away or otherwise removed from the premises except on written order issued by the department.

Quarantine.

All owners may apply for test;

All owners of cattle quarantined under this section shall be allowed the same privilege of petitioning the department for the application of an official Bang's test and removal of the quarantine as provided for in this article.

Right of entry to make test.

29. When ninety per centum of the cattle owners of a county, township, municipality or other designated area have filed petitions and agreements with the department for the Bang's testing of their cattle under the area or any other plan of testing approved by the department, the department through its authorized veterinarians may enter the premises of the remaining ten per centum and officially Bang's test and retest all cattle at such times as they may deem advisable and order the quarantine and slaughter of all positive animals found, without the consent of the owner, and compensation or indemnity for such positive animals if eligible to appraisement may be paid as provided for when a petition and agreement signed by the owner has been filed with the department.

Slaughter of positive animals.

Stabling and assistance rendered.

30. The owners of cattle which are to be officially Bang's tested or retested shall, when requested to do so by a representative of the department, stable the cattle and furnish all reasonable assistance to the representative of the department in restrain-

ing, handling and caring for them until the completion of the test.

Notice of special quarantine.

31. Any veterinarian, agent or authorized representative of the department establishing a special quarantine shall transmit to the owner or representative a written notice advising of the establishment of the quarantine. Such quarantine shall continue for such time as may be deemed advisable to accomplish the purpose of the quarantine.

Continuance of quarantine.

Movement of cattle.

32. The movement of cattle into, within or from the area adopting the area plan shall be carried out in accordance with the rules and regulations prescribed by the board.

When "modified accredited area."

33. When the percentage of cattle infected with Bang's disease within a county, township, municipality or other designated area enrolled in the area or any other plan of Bang's disease testing approved by the department, as shown by the last preceding Bang's test of all breeding and dairy cattle within the county, township, municipality or other designated area, is reduced to meet the requirements of a "modified accredited area" or Bang's free area as officially defined by the United States Department of Agriculture, the department shall apply to the United States Department of Agriculture for the certification of such county, township, municipality or other designated area as a "modified accredited area."

Re-testing.

34. Any owner of cattle enrolled in the area or any other plan of testing approved by the department who fails or refuses to have his animals retested when notified by the department shall be considered as violating his agreement and shall become subject to the penalty provided in section 4:5-93 of this article.

Appropriation to carry out R. S. 4:5-3.

35. There is hereby appropriated in order to carry out the provisions of article three of chapter five of Title 4 of the Revised Statutes the sum of fifty thousand dollars ($50,000.00) for the fiscal year commencing July first, one thousand nine hundred and forty.

36. This act shall take effect immediately.

Approved December 16, 1940.

CHAPTER 232

AN ACT concerning banks and trust companies, and supplementing chapter four of Title 17 of the Revised Statutes.

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

Renewal or revival of corporate existence.

1. In all cases where the corporate existence of any bank or trust company has expired by limitation of the period set forth in its charter or certificate of incorporation, or any amendment thereof, and such corporate existence could have been extended under the provisions of any law of this State before the expiration of the period of its corporate existence, such bank or trust company may, subject to the written approval of the Commissioner of Banking and Insurance, and in the manner and subject to the restrictions hereinafter provided, revive, renew, restore and re-establish its corporate existence and extend and continue the same from the date of the expiration of the period provided for in the charter or certificate of incorporation of such bank or trust company, or any amendment thereof, to the date of the commissioner's written approval of the certificate hereinafter mentioned, and for such further and additional period as may be provided for in said certificate, with the same force and effect as if such extension of corporate existence had been effected under such law prior to the expiration of the period provided for in the charter or certificate of incorporation of such bank or trust company, or any amendment thereof.

Certificate of approval

Stockholders' meeting.

2. A meeting of the stockholders shall be called by a notice stating the object of the meeting signed by the holders of at least one-third in value of the outstanding capital stock of the bank or trust company, as the case may be, which notice must be

Notice.

given personally or by mail to each stockholder at least ten days before the day of such meeting; if two-thirds in interest of each class of stockholders having voting powers shall vote in favor of such revival, renewal, restoration and re-establishment of corporate existence and the extension and continuance of the same, a certificate thereof setting forth (a) the name of the bank or trust company; (b) the law under which such bank or trust company was organized; (c) the date of the expiration of its corporate existence; (d) what amendments, if any, were made to the charter of such bank or trust company, the dates of such amendments, and the nature thereof; (e) whether or not, in the case of a bank, such bank was authorized to act in a fiduciary capacity; (f) the fact that it has, since the date of the expiration of its corporate existence, actually and continuously been engaged in the conduct of the business for which it was incorporated and authorized to transact; (g) the place where such business has been carried on, which shall be specifically designated by street and number in the municipality; (h) whether or not any change of location is contemplated; (i) the consent of such bank or trust company to operate under the provisions of chapter four of Title 17 of the Revised Statutes; (j) a statement of its purposes and objects; (k) the presently existing capital structure of such bank or trust company; (l) the names and residences of all stockholders of whatever class, together with the number of shares owned by each and the par value thereof and whether or not the same have been fully paid; (m) the names and residences of the directors of such bank or trust company; (n) a copy of its latest financial statement; and (o) the period, if any, limited for the duration of such bank or trust company, which said certificate shall be signed by the presiding officer and secretary of such meeting, acknowledged or proved as in the case of deeds to real estate, and such certificate, together with the written assent in person or by proxy of two-thirds

Certificate to state:
Name;
Law applicable;
Date;
Amendments;
Fiduciary power;
Continuing business;
Place;
Change;
Consent;
Purposes;
Capital;
Stockholders;
Directors;
Statement;
Period of existence.
Official approval.

in interest of each class of such stockholders, shall be filed with the Department of Banking and Insurance.

Commissioner's approval and authorization.

3. Upon making and filing such certificate and assent, and upon procuring the commissioner's written consent thereto certifying that in his opinion, after due consideration of such certificate, the continuation of the corporate existence of such bank or trust company would be in the public interest, and upon paying the fees imposed upon banks or trust companies for filing certificates of incorporation, the corporate existence of such bank or trust company, as the case may be, shall be deemed to have been revived, renewed, restored, re-established, extended and continued from the date of the expiration of the period provided for in the charter or certificate of incorporation of such bank or trust company, or any amendment thereof, to the date of the commissioner's written approval of such certificate, with the same force and effect as if the corporate existence of such bank or trust company had been duly and lawfully extended prior to the expiration of its corporate existence under the provisions of any law of this State permitting such extension.

Organization, powers, rights.

4. From and after the date of the commissioner's written approval of such certificate, and for such further and additional period as may be declared in such certificate, the bank or trust company therein named shall be deemed to be, in accordance with the purposes and objects expressed in such certificate, a bank or trust company duly organized under the provisions of chapter four of Title 17 of the Revised Statutes, with all the powers therein granted and subject to all restrictions, limitations, duties and obligations imposed thereby, including the right, in the case of a bank, to act in a fiduciary capacity in accordance with, and subject to, the provisions of sections 17:4–35 and 17:4–36 of the Revised Statutes; *provided,* such bank was previously authorized to act in that capacity and has continued so to act down to the

Proviso.

Proviso.

date of the approval of such certificate by the commissioner; *and provided, further,* that the commissioner is satisfied that such bank can continue to exercise such powers with safety to the public and benefit to the community in which it transacts business.

Validating acts.

5. Any and all acts done or things performed by such bank or trust company, and any and all acts done or things performed by any person holding the office of Commissioner of Banking and Insurance, or by any board, bureau, department or agency of this State with respect to such bank or trust company after the expiration of the corporate existence of such bank or trust company and prior to the approval of such certificate by the commissioner are hereby validated; *provided, however,* that such acts done or things performed would have been lawful and proper had the corporate existence of such bank or trust company not expired; and any amendments, changes, alterations or additions made to the charter of such bank or trust company, and any and all acts done or things performed pursuant to and in accordance therewith after the expiration of the corporate existence of such bank or trust company and prior to the approval of such certificate by the commissioner are likewise hereby validated; *provided, however,* that such amendments, changes, alterations or additions to the charter of such bank or trust company, and any and all acts done or things performed pursuant to and in accordance therewith would have been lawful and proper had the corporate existence of such bank or trust company not expired; and, in the case of a bank, any authority granted to it to act in a fiduciary capacity, and any and all acts done or things performed pursuant to and in accordance with such authority after the expiration of the corporate existence of such bank and prior to the approval of such certificate by the commissioner are likewise hereby validated; *provided, however,* that the granting of such authority to act in a fiduciary capacity and the acts done or

Proviso.

Changes, etc. validated.

Proviso.

Other validations.

Proviso.

things performed by the bank pursuant to and in accordance with such authority would have been lawful and proper had the corporate existence of such bank not expired.

Certification of approval valid in courts and legal matters.

6. The certification by the commissioner that such certificate and assent has been filed with the Department of Banking and Insurance and has been approved by him shall be taken and accepted, in all courts and places, as evidence of the revival, renewal, restoration, re-establishment, extension and continuation of the corporate existence of the bank or trust company therein named with the same force and effect as if such revival, renewal, restoration, re-establishment, extension and continuation of corporate existence had been effected prior to the expiration of the period fixed in the charter or certificate of incorporation of such bank or trust company, or any amendment thereof.

Effectiveness.

7. This act shall take effect immediately.

Approved December 17, 1940.

CHAPTER 233

AN ACT concerning fish and game, wild birds and animals, and amending section 23:3–32 of the Revised Statutes.

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

Section amended.

1. Section 23:3–32 of the Revised Statutes is hereby amended to read as follows:

Relative to quail and pheasants.

23:3–32. No pheasants or quail propagated in a semiwild state shall be sold. No such pheasants or quail shall be possessed or transported outside of licensed areas unless each bird shall have been tagged with the special tag prescribed by sections

Tagging.

23:3–28 to 23:3–39 of this Title. Except as to the additional tags hereinafter provided for, no licensee raising pheasants or quail in a semiwild state shall procure from the board during any year of operation more tags to be affixed to the dead bodies of pheasants or quail propagated in a semiwild state than four times the number of female pheasants 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.

Number taken.

The numbers of birds taken in any year, either alive or dead, on lands on which pheasants or quail are propagated in a semiwild state shall not exceed the number of tags obtained from the board.

Season for pheasant.

Pheasants 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 board 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 at least one hundred pheasants for any acreage up to one hundred acres and at least one pheasant for each additional acre, in which case the licensee or any person or persons authorized by him so to do may take pheasants by shooting from November tenth to the next following February twenty-eighth, both days inclusive, on the land described in his license.

Number shot.

The number of pheasants so taken by shooting shall not exceed four-fifths of the total number of pheasants liberated on said land during the year covered by such license. Section 23:4–17 and section 23:4–24 of this Title shall not apply to any person authorized to shoot pheasants under sections 23:3–28 to 23:3–39 of this Title.

As to quail.

Quail propagated in a semiwild state may be taken by shooting only from November tenth to December fifteenth in each year.

Trapping.

No pheasants or quail propagated in a semiwild

state shall be trapped without the written permission of the board.

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

3. This act shall take effect immediately.

Approved December 20, 1940.

CHAPTER 234

AN ACT concerning alcoholic beverages, and amending section 33:1–43 of the Revised Statutes.

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

1. Section 33:1–43 of the Revised Statutes is hereby amended to read as follows: Section amended.

33:1–43. It shall be unlawful for any owner, part owner, stockholder or officer or director of any corporation, or any other person whatsoever interested in any way whatsoever in any brewery, winery, distillery or rectifying and blending plant, or any wholesaler of alcoholic beverages, to conduct, own either in whole or in part, or be directly or indirectly interested in the retailing of any alcoholic beverages except as provided in this chapter, and such interest shall include any payments or delivery of money or property by way of loan or otherwise accompanied by an agreement to sell the product of said brewery, winery, distillery, rectifying and blending plant or wholesaler. Prior to June sixth, one thousand nine hundred and forty-one, the ownership of or mortgage upon or any other interest in licensed premises if such ownership, mortgage or interest existed on December sixth, one thousand nine hundred and thirty-three, shall not be deemed to be an interest in the retail- Retailing. Mortgaged interest not interested.

ing of alcoholic beverages. On and after June sixth, one thousand nine hundred and forty-one, the ownership of or mortgage upon or any other interest in licensed premises if such ownership, mortgage or interest existed on December sixth, one thousand nine hundred and thirty-three, shall not be deemed to be an interest in the retailing of alcoholic beverages; *provided,* none of the products of the brewery, winery, distillery, rectifying and blending plant, or wholesaler, is sold directly or indirectly at the licensed premises.

Proviso.

Retailers not interested in production.

It shall be unlawful for any owner, part owner, stockholder or officer or director of any corporation, or any other person whatsoever, interested in any way whatsoever in the retailing of alcoholic beverages to conduct, own either in whole or in part, or to be a shareholder, officer or director of a corporation or association, directly or indirectly, interested in any brewery, winery, distillery, rectifying and blending plant, or wholesaling or importing interests of any kind whatsoever outside of the State.

As to advertising.

No interest in the retailing of alcoholic beverages shall be deemed to exist by reason of the ownership, delivery or loan of interior signs designed for and exclusively used for advertising the product of or product offered for sale by such brewery, winery, distillery or rectifying and blending plant or wholesaler.

2. This act shall take effect immediately.

Approved December 20, 1940.

CHAPTER 235

AN ACT relating to the appointment, 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 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. Policing by volunteer firemen. Oath. Filing oath.

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. Jurisdiction.

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. Supervision.

The duties of said fire police subject to the supervision aforesaid shall be to: Duties:

(1) Protect property and contents. Protection;

(2) Establish and maintain fire lines. Fire lines;

(3) Perform such traffic duties as necessary until the arrival of a duly authorized police officer. Traffic duty;

Investigation;

(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.

Badge.

(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.

Power of arrest.

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

Penalty.

is extinguished or the drill completed. If the offender is found guilty on complaint before a justice of the peace, he shall be sentenced to pay a fine not exceeding ten dollars ($10.00) and costs.

2. This act shall take effect immediately.

Approved December 21, 1940.

CHAPTER 236

AN ACT providing for the payment of interest to the Teachers' Pension and Annuity Fund pursuant to chapter eighty-eight of the laws of one thousand nine hundred and thirty-eight, and chapter one hundred ninety-six of the laws of one thousand nine hundred and thirty-nine.

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

Payment of interest to teachers' fund.

1. The interest at the rate of three per centum (3%) per annum provided to be paid to the Teachers' Pension and Annuity Fund pursuant to chapter eighty-eight of the laws of one thousand nine

hundred and thirty-eight, and chapter one hundred ninety-six of the laws of one thousand nine hundred and thirty-nine, shall be paid in accordance with the provisions of said acts, notwithstanding the provisions of any later law inconsistent therewith.

2. This act shall take effect immediately.

Approved December 21, 1940.

CHAPTER 237

AN ACT making an appropriation to the Board of Commerce and Navigation for certain purposes.

Preamble. WHEREAS, The Raritan river in the borough of Manville, Somerset county, New Jersey, has been doing irreparable damage by erosion, and has been eroding the land in such quantities that it is now endangering the property of the borough of Manville, to wit: the municipal water supply system, its pumping station and wells, and the street adjoining said river, known as River road, on which there are utilities of the borough of Manville such as water, sewer and gas mains; and

Preamble. WHEREAS, Said River road, or Duke's parkway, is a main thoroughfare connecting the borough of Manville with State Highway No. 31 and the borough of Somerville, its county seat; and

Preamble. WHEREAS, Said encroachments can, in the judgment of the Legislature, be checked and prevented by the construction and maintenance of retaining walls and the like; therefore,

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

Appropriation to protect property in Manville.

1. There is hereby appropriated from the State Highway Fund and directed to be paid by the State Treasurer the sum of thirty-two thousand dollars ($32,000.00), or so much thereof as may be necessary to be expended, under the supervision of the Board of Commerce and Navigation for the construction of retaining walls and other devices as will adequately protect the lands of the borough of Manville and other property situate in said borough.

Appropriation supplemented by county or borough.

The appropriation herein authorized shall not be available unless and until the county of Somerset or the borough of Manville shall have appropriated the sum of eight thousand dollars ($8,000.00) for the aforesaid purpose, and shall have paid the same into the treasury of this State, which said appropriation, together with the appropriation in this act authorized, shall be expended for the purposes of this act.

2. This act shall take effect immediately.

Approved December 21, 1940.

CHAPTER 238

AN ACT creating the New Jersey Defense Council and defining its powers and duties.

Preamble.

WHEREAS, In September of one thousand nine hundred and thirty-nine, at the outbreak of the present European war, the Governor deemed it advisable to create an Emergency Committee to assist him in formulating plans for safeguarding the interest of the State of New Jersey; and

WHEREAS, At that time the Governor created a body known as the Governor's Emergency Committee which was composed of the heads of various departments and agencies of the State government; and Preamble.

WHEREAS, A considerable amount of constructive work was done by the said Governor's Emergency Committee; and Preamble.

WHEREAS, The National Defense Council, which was formed subsequent to the Governor's Emergency Committee of the State of New Jersey, has suggested that a permanent organization be formed in each State to act during the continuance of the national emergency. Preamble.

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

1. There is hereby created the New Jersey Defense Council, which shall be composed of the following State officers: Defense council created: how composed.

State Budget Commissioner
Attorney General
State Treasurer
State Comptroller
State Highway Commissioner
Commissioner of Labor
Superintendent of State Police
Engineer State Water Policy Commission
Commissioner of Institutions and Agencies
Secretary, State Board of Agriculture
Commissioner of Education
Secretary to the Governor
Commanding General, National Guard
Adjutant General
Quartermaster General
Commissioner of Motor Vehicles
Director of Aviation
State Purchase Commissioner

Director, Department Commerce and Navigation
Director, New Jersey Council
Chief Examiner and Secretary, Civil Service Commission
Commissioner of Local Government
A member of the State Housing Authority designated by the Governor
General Solicitor, State Highway Department
Director, Department of Health

Additional members.

The above mentioned officials shall be members of the New Jersey Defense Council by virtue of the above designated offices, and membership on the New Jersey Defense Council of such officers shall not extend beyond the term fixed for such office. In addition to the said officers, the Governor may appoint from among the citizens of the State of New Jersey additional members not exceeding ten in number who shall hold no other State office and who shall continue as members of the New Jersey Defense Council at the pleasure of the Governor.

Chairman.

2. The State Budget Commissioner shall be the chairman of the New Jersey Defense Council. Ten members of the New Jersey Defense Council shall constitute a quorum and action may be taken by the concurring vote of a majority of those present.

Secretary and clerical help.

3. The New Jersey Defense Council may employ an executive secretary and such other clerical assistance as may be required, and fix their compensation as provided in existing law, and may incur any other necessary expenses within the limitation of appropriations provided therefor. Any expenditures made pursuant to this section shall be subject to the approval of the Governor.

Expenditures approved.

Duties:

4. The duties and functions of the New Jersey Defense Council shall be as follows:

Study problems of defense;

To study, through its various advisory committees, the problems of national defense, particularly with respect to the part to be played by the State and local municipalities.

Objectives; To keep informed as to the objectives of the National Defense Council.

Advise Governor; To advise the Governor as to national defense problems, outlining methods and manners by which these problems may best be met.

Furnish certain information; To keep the local and other councils currently informed regarding the National Defense program as it develops, particularly with respect to the specific activities in which the co-operation of local and other agencies is required from time to time.

Projects; To follow up projects initiated for national defense and advise the Governor and the National Defense Council within this State.

Co-ordinate activities; To co-ordinate the activities in the interest of national defense on the part of political subdivisions of the State and all other organizations.

Informative; To serve as the channel of communication between the Council of National Defense and the Local Councils and such other defense units as may be organized.

Receive reports; To receive from Local Defense Councils, and other defense organizations, reports upon problems of co-ordination requiring State and Federal attention, to make recommendations for necessary adjustments in their programs and new activities, and to provide for the proper routing and procedure necessary in order to insure appropriate disposition.

Recommendations;

Clearing house; To act as a clearing house for information between Local Defense Councils in the various municipalities regarding matters of council organization, administration and activity.

Assistance; To guide and assist in the organization and operation of such Local Councils as may be established in the State.

Consider offers; To receive, acknowledge and appraise offers of facilities, services and ideas originating within the State and make appropriate disposition of same.

Other activities.

To undertake any other activity requested by the Governor that will in any manner assist the Governor or the Federal Government in the development of adequate national defense.

Meetings.

5. The New Jersey Defense Council shall meet regularly for the purpose of considering all problems related to national defense. At each meeting it shall act upon recommendations submitted by the various advisory committees, provided for hereafter. The New Jersey Defense Council shall, immediately after each meeting, make a full report to the Governor of the details of all matters considered at such meetings and shall make recommendations to him on any suggestions submitted by the advisory committees which might require executive action.

Result of meeting reported to Governor.

Advisory committee chairman and other members.

6. The Governor is authorized to create advisory committees to the New Jersey Defense Council. The Governor shall designate a chairman of each advisory committee who shall be a member of the New Jersey Defense Council, and shall appoint such other members to said advisory committees as in his judgment are necessary, which members shall hold office at the will of the Governor.

Meeting of advisory committee.

7. The various advisory committees will meet at the call of the respective chairmen for the purpose of studying the problems of national defense and making recommendations to the New Jersey Defense Council concerning such problems. The various advisory committees shall make their report to the New Jersey Defense Council and shall under no circumstance whatsoever take any action except with the approval of the New Jersey Defense Council.

Report.

Administrative committees.

8. The Governor is authorized to create any administrative committees which from time to time in his opinion may be required. The chairmen of such administrative committees shall be designated by the Governor, and the Governor shall make such other appointments to said administrative com-

mittees as in his judgment are deemed advisable, which appointments shall be at the will of the Governor. Other appointments.

9. It shall be the function of the various administrative committees to assist the New Jersey Defense Council in performing its several duties. Assistance.

10. It shall be the duty of every State official and every State agency to keep the New Jersey Defense Council fully informed of each and every activity undertaken or under consideration by such State official or State agency which may in any manner whatsoever affect or have any connection with the problems of national defense, and at all times fully to co-operate with said New Jersey Defense Council on matters affecting such national defense. Nothing contained herein shall be construed to apply to the military or naval forces of this State. Mutual action. Co-operation.

11. This act shall take effect immediately and shall continue during the present emergency, but shall in no event be operative beyond June thirty, one thousand nine hundred and forty-two. Continuance of act.

Approved December 21, 1940.

CHAPTER 239

AN ACT providing that the sum of twenty-five thousand dollars ($25,000.00) appropriated by chapter one hundred eighty-nine of the laws of one thousand nine hundred and forty for the purpose of meeting the expenditures necessary to maintain the bridges on the Delaware and Raritan canal may be expended during the fiscal year ending June thirtieth, one thousand nine hundred and forty-one.

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

Appropriation for canal bridges.

1. The sum of twenty-five thousand dollars ($25,000.00) appropriated by chapter one hundred eighty-nine of the laws of one thousand nine hundred and forty for the purpose of meeting the expenditures necessary to maintain the bridges on the Delaware and Raritan canal may be expended during the fiscal year ending June thirtieth, one thousand nine hundred and forty-one.

2. This act shall take effect immediately.

Approved December 21, 1940.

CHAPTER 240

AN ACT relative to the purchase and retirement of bonds by counties and municipalities, and supplementing article one of chapter one of Title 40 of the Revised Statutes.

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

1. Article one of chapter one of Title 40 of the Revised Statutes is hereby supplemented by adding thereto a new section to read as follows: Article supplemented.

1. Any county or any municipality, by resolution adopted by vote of at least two-thirds of the members of its governing body, may at any time appropriate and apply any unappropriated funds to the purchase and retirement of any of its then outstanding bonds. The purchase price may be the face value, or may be below or above the face value, of such bonds. Any such proposed purchase shall be subject to the following provisions: Retiring bonds. Purchase price. Provisions:

(a) Before adoption of the resolution, the governing body shall cause satisfactory proof to be filed with the State Commissioner of Local Government that such funds then are, or within a reasonable time will be, available. Proof of funds available;

(b) Before contracting to purchase any bonds at a price above their face value, the governing body shall submit such resolution to the commissioner of local government for approval by the local government board created and established by chapter one hundred fifty-eight of the pamphlet laws of one thousand nine hundred and thirty-eight. Before taking definitive action, the said local government board may require the submission of additional information and may require that the governing body of the county or municipality shall call for public tenders of bonds on such Approval of purchase; Information required;

Report.

notice and subject to such rules as the board may prescribe. On receipt of such tenders, the governing body shall report them to the local government board together with a further proposed resolution for approval by that board.

Availability of funds.

In approving or disapproving any proposed purchase of bonds, the said local government board shall find and determine that such appropriation of available funds is in the interest of the county or municipality, having regard for (1) the prospective need of funds for other purposes, (2) reasonableness of the price proposed to be paid, (3) any saving of interest to result from retirement of the bonds at the price proposed to be paid, (4) the equality and reasonableness of the debt service on obligations which will remain outstanding, and (5) fairness to the holders of other obligations.

Need; Price; Savings; Obligations; Fairness.

Cancellation.

After purchase of any bonds, satisfactory proof of cancellation of the bonds and of any coupons thereto annexed shall forthwith be filed with the commissioner of local government by the chief financial officer of the county or municipality.

Act effective.

2. This act shall take effect on the first day of January, one thousand nine hundred and forty-one.

Approved December 21, 1940.

CHAPTER 241

AN ACT supplementing and extending the application of the provisions of section 54:5–45.1 of the Revised Statutes of New Jersey of the year one thousand nine hundred and thirty-seven, and declaring the sale of property sold for unpaid taxes and assessments to be void, establishing and continuing the lien of taxes, assessments and other municipal charges on such property, and validating re-sales of such property, under certain circumstances.

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

Tax sale omitting certain charges void.

1. Whenever heretofore a municipality has conducted a sale for unpaid taxes and assessments and has omitted from the sale of any property certain taxes, assessments or other municipal charges, or any or all of them, which, under the laws of this State, should have been included in said sale, and the municipality while holding the tax sale certificate covering such property sold at said sale, has, by resolution heretofore adopted by its governing body, declared such sale of said property to be void and without effect, then and in that event the provisions of section 54:5–45.1 of the Revised Statutes of New Jersey of the year one thousand nine hundred and thirty-seven shall apply to every such case, notwithstanding the fact that said sale was conducted after the twenty-ninth day of June, one thousand nine hundred and thirty-five, and the said sale of said property shall be void and without effect and the lien of all such taxes, assessments and other municipal charges omitted from such sale, together with the taxes, assessments and other municipal charges included in such sale, shall be and remain liens on said property as if no sale

Lien continues.

had been made and shall continue as such liens until the amount thereof, with interest, shall have been paid, as provided by law, and any and all sales of said property for unpaid taxes, assessments or other municipal charges conducted in accordance with said section 54:5–45.1, after the adoption of said resolution by the governing body of the municipality, are hereby validated and confirmed.

Sale validated.

2. This act shall take effect immediately.

Approved December 21, 1940.

CHAPTER 242

A SUPPLEMENT to an act entitled "An act to provide for the completion, publication, distribution and sale of the Revised Statutes and of a Table of Statutes, Index and Compilation for use in conjunction therewith, and making an appropriation therefor," approved December twentieth, one thousand nine hundred and thirty-seven (P. L. 1937, c. 189).

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

Appropriation for index to Revised Statutes.

1. The further sum of seventy-eight thousand seven hundred sixty-nine dollars and sixty-eight cents ($78,769.68) is hereby appropriated out of the State fund, to the Commission on Revision and Consolidation of Public Statutes, for the purpose of paying the unpaid balance for the printing and binding of five thousand (5,000) sets of the Index to the Revised Statutes and the Compilation of the Acts Saved from Repeal in the Revised Statutes.

Distribution of index.

2. Upon delivery to the Secretary of State of five thousand (5,000) copies of the Index to the Revised Statutes and of the Compilation of the Acts Saved from Repeal in the Revised Statutes as provided in the act to which this act is a supplement, the

Secretary of State is hereby directed to make distribution of such number thereof as may be required to complete the sets of the Revised Statutes and the Final Draft of the Revision and Consolidation of Public Statutes (1937) already distributed or sold, free of charge, to the respective distributees or purchasers thereof and the remaining copies of the Revised Statutes, Table of Statutes, Index and Compilation shall be sold at retail and for cash by the Secretary of State at the price of fifty dollars ($50.00) for each complete set and the proceeds of the sales thereof shall be paid into the State treasury for the purpose of reimbursing the State, as far as practical, for the cost of the same.

Price of future sale of Revised Statutes.

3. This act shall take effect immediately.

Approved December 21, 1940.

CHAPTER 243

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 forty-one, and regulating the disbursement thereof," approved June twenty-eighth, one thousand nine hundred and forty.

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

1. The following sum is hereby appropriated out of the State fund for the purpose hereinafter specified:

Additional appropriation to Department of Labor.

To the State Department of Labor for the purpose of carrying into effect the provisions of chapter one hundred

fifty-three of the laws of one thousand nine hundred and forty, and for the payment of salaries and expenses of employees for research, equipment and any other necessary expenses pertaining to the carrying out and enforcement of the provisions of the said act, the sum of $15,000 00

2. This act shall take effect immediately.
Approved December 21, 1940.

CHAPTER 244

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 forty-one, and regulating the disbursement thereof," approved June twenty-eighth, one thousand nine hundred and forty (P. L. 1940, c. 158).

Preamble. WHEREAS, By the provisions of chapter two hundred and eighty-two of the laws of one thousand nine hundred and thirty-nine, there was appropriated to the State of New Jersey Delaware and Raritan Canal Commission the sum of eight thousand dollars ($8,000.00); and

Preamble. WHEREAS, By inadvertence at the close of the fiscal year June thirtieth, one thousand nine hundred and forty, the balance of such appropriation was lapsed, and it is necessary for the commission to complete the duties assigned to it by the Legislature; therefore,

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

Appropriation to Delaware and Raritan Canal Commission.

1. There is hereby appropriated to the State of New Jersey Delaware and Raritan Canal Commission the balance of said appropriation, to wit, the sum of two thousand three hundred seventy-six dollars and seventy-two cents ($2,376.72), which appropriation shall be expended by the said commission in accordance with legislation heretofore passed creating such commission, and defining its duties and powers.

How expended.

2. The appropriation herein authorized shall be expended in the same manner as appropriations made pursuant to the provisions of the act to which this act is a supplement.

3. This act shall take effect immediately.

Approved December 21, 1940.

CHAPTER 245

AN ACT concerning the borrowing of money and the issuance of notes by municipalities in certain cases.

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

Issuance of negotiable notes.

1. Any municipality the amount of whose total anticipated miscellaneous revenues of any year shall equal or exceed the total amount to be raised by taxation for local purposes, local district school taxes, county taxes and State taxes, as shown by the adopted budget of such year, may, pursuant to a resolution of the governing body, borrow money and issue its negotiable notes, each of which shall be designated "Miscellaneous Revenue Note of 19....." (stating the year).

Designation.

Maximum issue.

2. The maximum amount of such notes which may be issued in any fiscal year shall not exceed the aggregate amount anticipated in the budget of such fiscal year from franchise and gross receipts taxes, less such amounts as may have been received on account of such taxes to the date of authorization of such notes.

Reduction of amount of notes.

3. Such sum or sums as shall be received on account of such franchise and gross receipts taxes subsequent to the issuance of such notes and before the last day of such fiscal year shall be applied in reduction of such notes.

Renewal of notes.

4. Each such note may be renewed from time to time, but all such notes and any renewals thereof shall mature and be paid not later than the last day of the fiscal year next succeeding the fiscal year in which such notes were issued.

Meeting obligation.

5. An amount sufficient to pay such notes as shall be outstanding on the last day of the fiscal year in which the same were issued shall be appropriated in the budget of the fiscal year next succeeding.

Borrowing power.

6. The borrowing power herein provided shall be in addition to all other borrowing power conferred by the provisions of Title 40 of the Revised Statutes of New Jersey.

7. This act shall take effect immediately.

Approved December 21, 1940.

CHAPTER 246

AN ACT concerning the registration and licensing of motor vehicles and drivers thereof, and amending sections 39:3–4 and 39:3–9 of the Revised Statutes.

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

1. Section 39:3–4 of the Revised Statutes is amended to read as follows: Section amended.

39:3–4. Except as hereinafter provided, every resident of this State and every nonresident whose automobile or motorcycle shall be driven in this State shall, before using such vehicle on the public highways, register the same, and no motor vehicle or motorcycle shall be driven unless so registered. Registration of motor vehicles required.

Such registration shall be made in the following manner: A statement in writing shall be made to the commissioner or his lawful agent, containing the name and address of the owner, together with a description of the character of the automobile or motorcycle, including the name of the maker and the manufacturer's number and the motor number. The statement shall be submitted on forms prepared by the commissioner and shall be sworn to by the applicant before anyone authorized to take acknowledgments. Thereupon the commissioner shall have power to grant a registration certificate to the owner of any motor vehicle, application for the registration having been properly made and the fee therefor paid, and the vehicle being of a type that complies with the requirements of this subtitle. The registration certificate to be issued by the commissioner shall be properly numbered and shall state that the motor vehicle or motorcycle is registered in accordance with the law. The commissioner shall cause the name of the owner, with his address and the number of his certificate and Requirement in registration. Granting certificate of registration. Details.

description of the motor vehicle or motorcycle, to be entered on the records of his department in alphabetical and numerical order.

Expiration. Every registration shall expire and the certificate thereof become void on March thirty-first of each year, terminating the period for which such certificate is issued.

When issued. The commissioner shall issue registrations and licenses for the following yearly period, on and after March first of each year, such registrations and licenses to be effective immediately.

Penalty. Any person violating the provisions of this section shall be subject to a fine not exceeding one hundred dollars ($100.00).

Section amended. 2. Section 39:3–9 of the Revised Statutes is amended to read as follows:

Horsepower. 39:3–9. For registration purposes the horsepower of an automobile shall be computed by the formula adopted by the commissioner on March first of each year, which rating shall govern in determining the class to which the automobile belongs.

Certificate of sale. The commissioner, on March first of each year, may compel all dealers, manufacturers, or other persons holding automobiles to provide with each sale a certificate which will indicate the various elements which are comprised in the formula adopted by the commissioner under the provisions of this subtitle.

Standardization. The commissioner shall adopt no formula which is not in general use by the standard trade associations of the United States as a basis of catalogue rating.

3. This act shall take effect immediately.

Approved December 21, 1940.

CHAPTER 247

AN ACT concerning the establishment and administration of unemployment compensation, providing for the levy and collection of contributions therefor, providing penalties and making appropriations, and amending sections 43:21–3, 43:21–4 and 43:21–19 of the Revised Statutes.

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

1. Section 43:21–3 of the Revised Statutes is amended to read as follows: Section amended.

43:21–3. (a) Payment of benefits. Twenty-five months after the date when contributions first accrue under this chapter, benefits shall become payable from the fund; *provided,* that remuneration for services excepted by subparagraph (J) of paragraph (7) of subsection (i) of section 43:21–19 of this chapter, irrespective of when performed shall not be included for purposes of determining eligibility under subsection (e) of section 43:21–4 of this chapter or the weekly benefit rate under subsection (c) of this section for the purpose of any benefit year commencing on or after July first, one thousand nine hundred and thirty-nine, nor shall any benefits with respect to unemployment occurring on and after July first, one thousand nine hundred and thirty-nine, be payable under subsection (d) of this section on the basis of such remuneration. All benefits shall be paid through employment offices, or such other agencies as may be designated in accordance with such regulations as may be prescribed hereunder. When benefits payable. Proviso. How benefits paid.

(b) Weekly benefits for unemployment. Each eligible individual who is unemployed (as defined in subsection (m) of section 43:21–19 of this chapter) in any week shall be paid with respect to such week (except as to final payment) an amount equal Weekly benefit.

to his weekly benefit rate less any remuneration in excess of three dollars ($3.00) paid or payable to him for such week; *provided,* that such amount shall be computed to the next highest multiple of one dollar ($1.00), if not already a multiple thereof.

Proviso.

Determining weekly rate.

(c) Weekly benefit rate. An individual's weekly benefit rate shall be one-twenty-second of his total wages in that calendar quarter in which said total wages were highest during his base year; *provided,* that such rate shall be computed to the next highest multiple of one dollar ($1.00) if not already a multiple thereof, and shall not be more than eighteen dollars ($18.00) nor less than seven dollars ($7.00).

Maximum benefit.

(d) Maximum total benefits. The maximum total amount of benefits payable to any eligible individual during any benefit year shall be either one-fifth of his total wages during his base year, computed to the next highest multiple of one dollar ($1.00), if not already a multiple thereof, or eighteen times his weekly benefit rate, whichever is the lesser; in no event, however, are such total benefits to be less than six times the weekly benefit rate.

Section amended.

2. Section 43:21–4 of the Revised Statutes is amended to read as follows:

Eligibility:

43:21–4. An individual, totally or partially unemployed, shall be eligible to receive benefits with respect to any week only if it appears that:

Registration, reporting for work;

(a) He has registered for work at and thereafter has continued to report at an employment office in accordance with such regulations as the commission may prescribe.

Claims;

(b) He has made a claim for benefits in accordance with the provisions of subsection (a) of section 43:21–6 of this Title.

Ability;

(c) He is able to work, and is available for work.

Unemployment;

(d) Prior to the first week for which he claims benefits in any benefit year he has been totally or partially unemployed for a waiting period of one

week in that benefit year. No week shall be counted as a week of unemployment for the purposes of this subsection:

(1) if benefits have been paid, or are payable, with respect thereto; Benefits;

(2) unless the individual fulfills the requirements of subsections (a) and (c) of this section. Requirements fulfilled;

(e) He has within his base year earned wages of not less than one hundred and fifty dollars ($150.00). Minimum yearly earnings.

3. Section 43:21–19 of the Revised Statutes is amended to read as follows: Section amended.

43:21–19. As used in this chapter, unless the context clearly requires otherwise: Explaining terms:

(a) (1) "Annual payroll" means the total amount of wages payable by an employer (regardless of the time of payment) for employment during a calendar year. Annual payroll.

(2) "Average annual payroll" means the average of the annual payrolls of any employer for the last three or five preceding calendar years, whichever average is higher. Average annual payroll;

(b) "Benefits" means the money payments payable to an individual, as provided in this chapter, with respect to his unemployment. Benefits;

(c) The term "base year" means the first four of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year. Base year;

(d) "Benefit year" with respect to any individual means the fifty-two consecutive week periods 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; *provided,* that no succeeding benefit year shall Benefit year;

commence before the expiration of one full year from and after the first day of the preceding benefit year. Any claim for benefits made in accordance with section six (a) of this act shall be deemed to be a "valid claim" for the purpose of this subsection if the individual has fulfilled the condition imposed by section four (e).

Valid claim;

(e) "Commission" means the Unemployment Compensation Commission established by section 43:21–10 of this Title, and for purposes of this chapter any transaction or exercise of authority by the executive director shall be deemed to be performed by the commission.

Commission;

(f) "Contributions" means the money payments to the State unemployment compensation fund required by this chapter.

Contributions;

(g) "Employing unit" means any individual or type of organization, including any partnership, association, trust, estate, joint-stock company, insurance company or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, which has or subsequent to January first, one thousand nine hundred and thirty-six, had in its employ one or more individuals performing services for it within this State. All individuals performing services within this State for any employing unit which maintains two or more separate establishments within this State shall be deemed to be employed by a single employing unit for all the purposes of this chapter. Whenever any employing unit contracts with or has under it any contractor or subcontractor for any employment which is part of its usual trade, occupation, profession, or business, unless the employing unit as well as each such contractor or subcontractor is an employer by reason of subsection (c) of section 43:21–8 of this Title or subsection (h) of this section, the employing unit shall for all the purposes of this chapter be deemed to employ each individual in the employ of each such contractor or subcontractor for each day dur-

Employing unit;

Single employing unit;

In case of contracts;

ing which such individual is engaged in performing such employment; except that each such contractor or subcontractor who is an employer by reason of subsection (c) of section 43:21–8 of this Title or subsection (h) of this section, shall alone be liable for the contributions measured by wages payable to individuals in his employ, and except that any employing unit who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer by reason of subsection (c) of section 43:21–8 of this Title or subsection (h) of this section, may recover the same from such contractor or subcontractor. Each individual employed to perform or to assist in performing the work of any agent or employee of an employing unit shall be deemed to be employed by such employing unit for all the purposes of this chapter, whether such individual was hired or paid directly by such employing unit or by such agent or employee; *provided,* the employing unit had actual or constructive knowledge of the work.

Exceptions;

Deemed employed.

(h) "Employer" means:

Employer:

(1) Any employing unit which for some portion of a day, but not necessarily simultaneously in each of twenty different weeks, whether or not such weeks are or were consecutive, within either the current or the preceding calendar year, has or had in employment, eight or more individuals (irrespective of whether the same individuals are or were employed in each such day);

Individuals in service;

(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;

Organization and assets;

(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

Other units;

with such other employing unit, would be an employer under paragraph (1) of this subsection;

Controlled interests;

(4) Any employing unit which together with one or more other employing units, is owned or controlled (by legally enforcible means or otherwise), directly or indirectly by the same interests, or which owns or controls one or more other employing units (by legally enforcible means or otherwise), and which, if treated as a single unit with such other employing units or interests, would be an employer under paragraph (1) of this subsection:

Continued employment;

(5) Any employing unit which, having become an employer under paragraph (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

Effective period.

(6) For the effective period of its election pursuant to subsection (c) of section 43:21–8 of this Title any other employing unit which has elected to become fully subject to this chapter.

Employment;

(i) (1) "Employment" means service, including service in interstate commerce performed for remuneration or under any contract of hire, written or oral, expressed or implied.

Entire service;

(2) The term "employment" shall include an individual's entire service, performed within or both within and without this State if:

Local;

(A) The service is localized in this State; or

Explaining localization;

(B) The service is not localized in any State but some of the service is performed in this State, and (i) the base of operations, 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.

Services performed;

(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.

Employment under this paragraph:

(4) Services not covered under paragraph (2) of this subsection, and performed entirely without this State, with respect to no part of which contributions are required and paid under an unemployment compensation law of any other State or of the Federal Government, shall be deemed to be employment subject to this chapter if the individual performing such services is a resident of this State and the commission approves the election of the employing unit for whom such services are performed that the entire service of such individual shall be deemed to be employment subject to this chapter; *provided,* written objections on the part of a substantial proportion of such individuals affected are not presented to the commission within ten days following the filing of such election.

Proviso.

Localized services:

(5) Service shall be deemed to be localized within a State if

Within State;

(A) the service is performed entirely within such State; or

Part State service.

(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.

Deemed employment unless,

(6) Services performed by an individual for remuneration shall be deemed to be employment subject to this chapter unless and until it is shown to the satisfaction of the commission that

Individual freedom;

(A) such individual has been and will continue to be free from control or direction over the performance of such services, both under his contract of service and in fact; and

Business performance;

(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

Usual work.

(C) such individual is customarily engaged in an independently established trade, occupation, profession or business.

Exceptions:

(7) The term "employment" shall not include:

Agriculture;

(A) Agricultural labor;

House service;

(B) Domestic service in a private home;

Navigation;

(C) Service performed as an officer or member of the crew of a vessel on the navigable waters of the United States;

Family service;

(D) 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;

Public service;

(E) 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;

Outside State;

(F) 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;

Corporate or beneficial employment;

(G) Services performed in the employ of a corporation, community chest, fund, or foun-

dation, 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;

Beneficial associations;

(H) 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;

Building and loan associations;

(I) 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;

Railroads;

(J) 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).

Employment office;

(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.

Fund;

(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.

State. (l) "State" includes, in addition to the States of the United States of America, Alaska, Hawaii, and the District of Columbia.

Unemployment: (m) Unemployment.

As to earnings; (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.

Remuneration; (2) The term remuneration, as used in this subsection, shall include only that part of the same which exceeds three dollars ($3.00) for any one (1) week.

Week of unemployment; (3) An individual's week of unemployment shall be deemed to commence only after his registration at an employment office, except as the commission may by regulation otherwise prescribe.

Term explained; (n) "Unemployment compensation administration fund" means the unemployment compensation administration fund established by this chapter, from which administrative expenses under this chapter shall be paid.

Wages; (o) "Wages" means remuneration payable by employers for employment.

Remuneration; (p) "Remuneration" means all compensation payable for personal services, including commissions and bonuses and the cash value of all compensation payable in any medium other than cash.

Week; (q) "Week" means such period or periods of seven consecutive calendar days ending at midnight, as the commission may by regulation prescribe.

Calendar quarter. (r) "Calendar quarter" means the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth, or December thirty-first, excluding, however, any calendar quarter or portion thereof which occurs prior to January first, one thousand nine hundred and thirty-seven, or the equivalent thereof as the commission may by regulation prescribe.

4. This act shall take effect and become operative April first, one thousand nine hundred and forty-one, and shall apply to all benefits payable with respect to benefit years beginning on or after said date, and any benefits accruing to any individual on or after said date with respect to benefit years beginning before said date, shall be paid in accordance with subsection (b) of section 43:21–3 of this chapter. Act effective. Application.

Approved December 23, 1940.

CHAPTER 248

AN ACT making an appropriation to the Department of Labor.

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

1. The following sums or so much thereof as may be necessary are hereby appropriated out of the general State fund for the several purposes herein specified in addition to any appropriation heretofore or hereafter made to the Department of Labor: Appropriation to labor department.

DEPARTMENT OF LABOR

Balance of salaries:

Deputy Commissioners, Workmen's Compensation (three)	$4,300.00
Deputy Commissioner of Labor (one)	$1,400.00
Referees, Workmen's Compensation (three)	$2,100.00
Secretary, Workmen's Compensation Bureau	$1,500.00

2. This act shall take effect on the first day of July, one thousand nine hundred and forty. Act effective.

Approved December 23, 1940.

New Jersey State Library

CHAPTER 249

AN ACT to amend an act entitled "An act to provide for the funding or refunding of notes or bonds of school districts governed by chapter seven of Title 18 of the Revised Statutes of New Jersey," approved April sixth, one thousand nine hundred and forty.

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

Section 1 amended.

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

Issuing refunding bonds.

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

Purpose.

described as "Refunding bonds") for the purpose of paying, funding or refunding either the principal of or interest on any bonds or notes heretofore or hereafter issued by such board of education and to pay the cost of issuing such refunding bonds including printing, advertising, accounting,

Rate.

financial and legal expenses. Such refunding bonds shall bear interest at a rate which shall not exceed

Authority for issue.

six per centum (6%) per annum. The issuance of such bonds shall be authorized by resolution or resolutions adopted on or before December thirty-first, one thousand nine hundred and forty-two, by the vote of two-thirds of the members of such board of

Refunding power unlimited.

education. The power and obligation of the board of education of any school district to pay any refunding bonds issued by it pursuant to this act shall be unlimited and the school district shall levy ad

Property taxable.

valorem taxes upon all the taxable property within the school district for the payment of such refunding bonds and interest thereon, without limitation of rate or amount and provision shall be made for

the payment of such bonds and interest in accordance with the requirements of article seven of chapter seven of Title 18 of the Revised Statutes.

2. This act shall take effect immediately.

Approved January 16, 1941.

CHAPTER 250

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

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

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

40:1–63. Procedure and limitations. All refunding bonds shall be authorized in the case of a county by a county bond resolution, and in the case of a municipality by a municipal bond ordinance, finally passed in the method or mode of procedure prescribed by this article on or before December thirty-first, one thousand nine hundred forty-two. No supplemental debt statement need be made or filed prior to the introduction or final passage of any county bond resolution or municipal bond ordinance authorizing refunding bonds. The powers granted by sections 40:1–61 to 40:1–74 of this Title shall not be affected by any limitations of indebtedness or by the requirements of any other law, except as expressly provided in said sections 40:1–61 to 40:1–74, but any refunding bonds shall be included in an annual or supplemental debt statement thereafter made or filed in determining

Authorization of refunding bonds.

As to debt statement.

Refunding bonds included in debt statement.

the power of a county or municipality issuing such refunding bonds to become otherwise indebted; *provided, however,* that, for the purpose of determining the deductions applicable to any such annual or supplemental debt statement refunding bonds shall be deemed to have been issued in the same amount or amounts for the same purpose or purposes as the outstanding obligations paid, funded or refunded thereby, but no deduction shall be applicable for any issue of refunding bonds if any of the outstanding obligations paid, funded or refunded by such issue of refunding bonds shall have been issued for a purpose for which no deductions can be taken under this article, or if any indebtedness was paid, funded or refunded by such issue of refunding bonds. The powers granted by sections 40:1–61 to 40:1–74 of this Title shall not be affected by the invalidity of or any irregularity in any proceedings for incurring the indebtedness or issuing the outstanding obligations to be paid, funded or refunded by refunding bonds.

Proviso.

Invalidity not affected.

2. This act shall take effect immediately.

Approved January 16, 1941.

CHAPTER 251

AN ACT making an appropriation for the further construction and maintenance of High Point Park in the county of Sussex.

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

Appropriation for improvement at High Point.

1. For the purpose of constructing power and water lines, and for the further necessary development of the Steenykill lake area at High Point Park, there is hereby appropriated the sum of seven thousand five hundred dollars ($7,500.00).

2. This act shall take effect immediately.

Approved January 20, 1941.

CHAPTER 252

AN ACT to provide for the establishment and administration of unemployment compensation, providing for the levy and collection of contributions therefor, providing penalties and making appropriations, and amending sections 43:21–10 and 43:21–11 of the Revised Statutes.

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

1. Section 43:21–10 of the Revised Statutes is hereby amended to read as follows: Section amended.

43:21–10 (a) Organization. There is hereby created a commission to be known as the Unemployment Compensation Commission of New Jersey. It shall consist of seven members who shall be appointed by the Governor, with confirmation by the Senate, not more than four of whom shall be of the same political affiliation. They shall serve without salary; *provided, however,* that their necessary expenses shall be paid. No person may be appointed who is an officer or committee member of any political party organization. First appointees to the commission shall serve as designated by the Governor at the time of appointment, as follows: one for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, one for a term of six years, and one for a term of seven years. At the expiration of initial terms, appointments shall be made for a term of seven years in each case. Any vacancies created by death, resignation or removal shall be filled by appointment for the unexpired portion of the term so vacated.

Commission created.

How composed.

Compensation.

Terms.

Future term.

Vacancies.

The Governor may, at any time after a fair public hearing, remove any member of the commission for gross inefficiency, neglect of duty, malfeasance, misfeasance or nonfeasance in office.

Removal by Governor.

Executive director.

(b) Executive director. The commission shall appoint an executive director who shall be the chief executive and approval officer of the commission and its official agent for all purposes, and who shall hold office at its pleasure. He shall give his full time to the duties of this office, shall be paid a suitable salary to be fixed by the commission and shall have general charge and supervision of the work of all departments of the commission as well as any subdivisions thereof.

Duties.

Administration:

It shall be the duty of the executive director to administer this chapter with the advice of the commission; and to that end, the executive director shall have the following duties and powers:

Regulations;

(1) To formulate necessary rules and regulations, subject to approval by the commission.

Staff;

(2) To appoint and fix the compensation of members of the staff, subject to approval by the commission and subject to the provisions of subsection (d) of section 11 of this chapter.

Expenditures as budgeted;

(3) To make such expenditures as are necessary in the discharge of his functions hereunder as provided for in the budget to be approved annually by the commission, to make requisitions for any funds provided by the Federal government for administration of this chapter, and he is hereby authorized to draw vouchers on the administration fund for the purpose of administering this chapter.

Benefits;

(4) To draw vouchers upon the unemployment compensation fund and the appropriate accounts therein for the payment of benefits.

Delegate powers.

(5) To delegate to other persons any of the powers conferred upon him by this chapter, so far as is reasonably necessary.

Administrative divisions.

(c) Divisions. The executive directors shall establish such administrative divisions as may be necessary to carry out the purposes of this chapter, subject to approval of the commission. Among

such divisions shall be New Jersey State Employment Service Division, established pursuant to section 43:21–12 of this Title. The New Jersey State Employment Service shall be a separate administrative unit with respect to personnel, budget, and duties, except insofar as the commission may find such separation to be impracticable.

Board of review.

(d) Board of review. The executive directors shall appoint, subject to the provisions of Title 11, Civil Service, from civil service eligible lists, subject to approval of the commission, a board of review, consisting of three members whose duties shall be to act as a final appeals board in cases of dispute and to whom shall be delegated the duty of supervising the work of local appeal tribunals to be organized as provided for elsewhere in this chapter. No member of the board of review shall participate in any case in which he is an interested party.

Acting as appeals.

Powers and duties:

(e) Powers and duties. The commission shall have the following specific powers and duties:

Chairman.

(1) To designate its chairman.

Study methods.

(2) To study the operation of this chapter and from time to time prepare recommendations to the Governor and Legislature with respect to any improvements which might be desirable.

Procedure.

(3) To make rules and regulations governing its own procedure.

Advisement.

(4) To advise the executive director and other members of the commission staff with particular respect to policies and procedures.

Quorum.

(f) Quorum. Any four commissioners shall constitute a quorum. No vacancies shall impair the right of the remaining commissioners to exercise all of the powers of the commission.

Section amended.

2. Section 43:21–11 of the Revised Statutes is hereby amended to read as follows:

Policy determined.

43:21–11 (a) Duties and powers of the commission. It shall be the duty of the commission to de-

termine all matters of policy; and it shall have power and authority to adopt, amend, or rescind such rules and regulations, require such reports, make such investigations, and take such other action as it deems necessary or suitable to that end or to administer this chapter; *provided,* that the commission may delegate such power and authority to the executive director subject to their ultimate supervision and control. Such rules and regulations shall be effective upon publication in the manner, not inconsistent with the provisions of this chapter, which the commission shall prescribe. The commission shall determine its own organization and methods of procedure in accordance with the provisions of this chapter, and shall have an official seal which shall be judicially noticed. Not later than the first day of February of each year, the commission shall submit to the Governor a report covering the administration and operation of this chapter during the preceding calendar year and shall make such recommendations for amendments to this chapter as the commission deems proper. Such report shall include a balance sheet of the moneys in the fund in which there shall be provided, if possible, a reserve against the liability in future years to pay benefits in excess of the then current contributions, which reserve shall be set up by the commission in accordance with accepted actuarial principles on the basis of statistics of employment, business activity, and other relevant factors for the longest possible period. Whenever the commission believes that a change in contribution or benefit rates will become necessary to protect the solvency of the fund, it shall promptly so inform the Governor and the Legislature, and make recommendations with respect thereto. The commission shall make a study of the problem of paying partial benefits for partial unemployment.

Proviso.

Rules effective upon publication.

Organization.

Seal.

Annual report.

Balance report.

Reserve.

Changes necessary.

Problems studied.

(b) Regulations and general and special rules. General and special rules may be adopted, amended, or rescinded by the commission. General

General and special rules.

rules shall become effective ten days after filing with the Secretary of State and publication in one or more newspapers of general circulation in this State. Special rules shall become effective ten days after notification to or mailing to the last known address of the individuals or concerns affected thereby. Regulations may be adopted, amended, or rescinded by the commission and shall become effective in the manner and at the time prescribed by the commission. When effective.

(c) Publication. The commission shall cause to be printed for distribution to the public the text of this chapter, the commission's regulations and general rules, its annual reports to the Governor, and any other material the commission deems relevant and suitable and shall furnish the same to any person upon application therefor. Printed matter distributed.

(d) Personnel. Subject to other provisions of this chapter, the commission is authorized to appoint (subject to the provisions of Title 11, Civil Service), fix the compensation, and prescribe the duties and powers of such officers, accountants, attorneys, experts, and other persons as may be necessary in the performance of its duties. All positions shall be filled by persons selected and appointed on a nonpartisan merit basis from lists of eligible persons prepared by the Civil Service Commission, in accordance with the provisions of Title 11, Civil Service, except that any attorney, now or hereafter in office or position of legal assistant for the commission, shall be placed in the exempt class of the civil service and thereafter shall not be subject to removal except for cause and then only in accordance with the provisions of Title 11, Civil Service; *provided, however,* that nothing herein shall be construed to apply to any attorney designated as special counsel in accordance with the provisions of sections 43:21–6, subsection (h), and 43:21–17. The commission shall not employ or pay any person who is an officer or committee member of any political party organization. The commission may Personnel. Various assistants. Appointments on merit basis. Proviso. Politics eliminated.

Delegated powers.

delegate to any such person so appointed such power and authority as it deems reasonable and proper for the effective administration of this chapter, and may in its discretion bond any person handling moneys or signing checks hereunder.

Advisory councils—State and local.

(e) Advisory councils. The commission shall appoint a State advisory council of six members and local advisory councils of four members each, composed in each case of an equal number of employer representatives and employee representatives who may fairly be regarded as representative because of their vocation, employment, or affiliations, and of such members representing the general public as the commission may designate. Such councils shall aid the commission in formulating policies and discussing problems related to the administration of this chapter and in assuring impartiality and freedom from political influence in the solution of such problems. Such advisory councils shall serve without compensation, but shall be reimbursed for any necessary expenses.

Duties.

Expenses met.

Dealing with unemployment situation.

(f) Employment stabilization. The commission, with the advice and aid of its advisory councils, and through its appropriate divisions, shall take all appropriate steps to reduce and prevent unemployment; to encourage and assist in the adoption of practical methods of vocational training, retraining and vocational guidance; to investigate, recommend, advise, and assist in the establishment and operation, by municipalities, counties, school districts, and the State, of reserves for public works to be used in times of business depression and unemployment; to promote the re-employment of unemployed workers throughout the State in every other way that may be feasible; and to these ends to carry on and publish the results of investigations and research studies.

Records to be kept.

(g) Records and reports. Each employing unit shall keep true and accurate employment records, containing such information as may be prescribed. Such records shall be open to inspection and be sub-

ject to being copied by the commission or its authorized representatives at any reasonable time. The executive director may require from any employing unit any sworn or unsworn reports, with respect to persons employed by it, which is deemed necessary for the effective administration of this chapter. Information thus obtained shall not be published or be open to public inspection (other than to public employees in the performance of their public duties) in any manner revealing the employing unit's identity, but any claimant at a hearing before an appeal tribunal, the commission or the board of review, shall be supplied with information from such records to the extent necessary for the proper presentation of his claim. Any employee or member of the commission who violates any provision of this section shall be liable to a fine of not less than twenty dollars ($20.00) nor more than two hundred dollars ($200.00), to be recovered in an action of debt in the name of the commission, said fine when recovered to be paid to the unemployment compensation fund for the use of said fund.

Certain personal information private.

Penalty for violation.

(h) Oaths and witnesses. In the discharge of the duties imposed by this chapter, the chairman of an appeal tribunal and any duly authorized representative or member of the commission, the executive director or any deputy director thereof or member of the board of review shall have power to administer oaths and affirmations, take depositions, certify to official acts, and issue subpœnas to compel the attendance of witnesses and the production of books, papers, correspondence, memoranda, and other records deemed necessary as evidence in connection with a disputed claim or the administration of this chapter. Witnesses subpœnaed pursuant to this section shall in the discretion of the commission be allowed fees at a rate to be fixed by it. Such fees shall be deemed a part of the expense of administering this chapter.

Oaths and witnesses.

Witness fees.

Refusal to answer subpœna.

(i) Subpœnas. In case of contumacy by, or refusal to obey a subpœna issued to any person, any court of this State within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the commission or its duly authorized representative, or the board of review, shall have jurisdiction to issue to such person an order requiring such person to appear before the board of review or a member thereof, a commissioner, the commission, the executive director, or his duly authorized representative, there to produce evidence if so ordered or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof. Any person who shall without just cause fail or refuse to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memoranda, and other records, if it is in his power so to do, in obedience to a subpœna of the commission or of the board of review shall be punished by a fine of not more than two hundred dollars ($200.00) or by imprisonment for not longer than sixty days, or by both such fine and imprisonment, and each day such violation continues shall be deemed to be a separate offense.

Penalty.

Witness' protection.

(j) Protection against self-incrimination. No person shall be excused from attending and testifying or from producing books, papers, correspondence, memoranda, and other records before the commission or the board of review or in obedience to the subpœna of a member of the commission or the executive director thereof, the board of review or a member thereof, or any duly authorized representative of the commission in any cause or proceeding before the commission, the board of review or a member thereof, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or

subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Co-operation to secure results.

(k) State-Federal co-operation. In the administration of this chapter the commission shall co-operate to the fullest extent consistent with the provisions of this chapter, with the Social Security Board, created by the social security act, approved August fourteenth, one thousand nine hundred and thirty-five, as amended; shall make such reports, in such form and containing such information as the Social Security Board may from time to time require, and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports; and shall comply with the regulations prescribed by the Social Security Board governing the expenditures of such sums as may be allotted and paid to this State under Title III of the social security act for the purpose of assisting in the administration of this chapter.

Assistance rendered.

Upon request therefor the executive director shall furnish to any agency of the United States charged with the administration of public works or assistance through public employment, the name, address, ordinary occupation, and employment status of each recipient of benefits and such recipient's rights to further benefits under this chapter.

Certain records available to railroad retirement board.

The commission may make the State's records relating to the administration of this chapter available to the Railroad Retirement Board and may furnish the Railroad Retirement Board, at the expense of such board, such copies thereof as the Railroad Retirement Board deems necessary for its purposes.

General co-operation.

The commission may afford reasonable co-operation with every agency of the United States charged with the administration of any unemployment insurance law.

3. This act shall take effect immediately.

Approved January 20, 1941.

CHAPTER 253

AN ACT changing the name of any religious corporation or church or of any society, conference, board, association or other organization thereof heretofore or now using the name "Methodist Protestant Church," "Methodist Episcopal Church" or "Methodist Episcopal Church South" by substituting therefor the name "Methodist Church," and supplementing Title 16 of the Revised Statutes.

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

Use of words "Methodist Church" authorized.

1. Notwithstanding any other general, special or local law, all religious corporations or churches heretofore authorized to use, or known by, the names "Methodist Episcopal Church," "Methodist Protestant Church" or "Methodist Episcopal Church South," and all societies, conferences, boards, associations or other organizations directly connected therewith, are hereby authorized and empowered to assume and use the name "The Methodist Church."

Existing rights or obligations not affected.

Nothing contained herein shall be deemed to limit, change, affect or alter any other existing right, power, property, obligation, liability or duty of any such religious corporation or church.

2. This act shall take effect immediately.

Approved January 20, 1941.

CHAPTER 254

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 forty-one, and regulating the disbursement thereof," approved June twenty-eighth, one thousand nine hundred and forty.

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

1. The following sum is hereby appropriated out of the State fund for the purpose hereinafter specified: Increase in postmaster's salary.

To the State House Commission for the purpose of an annual increase of $1,600 in the salary of the supervisor of the mails at the State Capitol, the sum of $1,600 00

2. This act shall take effect immediately.

Approved January 20, 1941.

CHAPTER 255

AN ACT to validate proceedings for the issuance of bonds or notes of municipalities.

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

General validating issuance of bonds or notes.

1. All proceedings heretofore had or taken by any municipality for or in connection with the authorization of bonds or notes or both pursuant to the Local Bond Law (section 40:1–1 to 40:1–88, inclusive, of the Revised Statutes) are hereby ratified, validated and confirmed, notwithstanding that the municipal bond ordinance authorizing said bonds or notes or both was finally passed in contravention of the provisions of section 40:1–15 of said law; *provided*, that prior to the issuance of any of said bonds or notes it shall have been found by order of the State Department of Health that the expenditure by said ordinance authorized 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; *and provided*, that such proceedings were in all other respects had to taken in accordance with law.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved January 20, 1941.

CHAPTER 256

AN ACT to define commercial fertilizers so as to exclude peat and peat muck in their natural or cultivated state without the addition of chemical fertilizers, and amending section 4:9–1 of the Revised Statutes.

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

1. Section 4:9–1 of the Revised Statutes is amended to read as follows: Section amended.

4:9–1. As used in this article: Definitions:

"Available phosphoric acid" means the sum of the soluble and reverted phosphoric acid. Available phosphoric acid;

"Brand" means any commercial fertilizer distinctive by reason of name or guaranteed analysis. Brand;

"Commercial fertilizers" include all materials containing nitrogen, phosphoric acid or potash that are sold for a price exceeding five dollars ($5.00) per ton, except lime, limestone, marl, plaster, peat and peat muck in their natural or cultivated state without the addition of chemical fertilizers, and the excrements and litter from domestic animals when sold in their natural state. Commercial fertilizers;

"Experiment station" means the New Jersey Agricultural Experiment Station. Experiment station;

"Fertilizer" means commercial fertilizer. Fertilizer;

"Guaranteed analysis" means the percentage composition as printed on or attached to the package. Guaranteed analysis;

"Package" includes sacks, bags and all other receptacles. Package;

"Phosphoric acid" means phosphoric anhydride (P_2O_5). Phosphoric acid;

"Potash" means potassium oxide (K_2O_5). Potash;

"State Chemist" means the chemist of the New Jersey Agricultural Experiment Station, such State Chemist.

chemist being under the general supervision of the director of the Experiment Station.

2. This act shall take effect immediately.

Approved January 20, 1941.

CHAPTER 257

AN ACT relating to the receipt and custody of municipal tax collections and other public moneys, supplementing chapter forty-six of Title 40 and article seven of chapter four of Title 54 of the Revised Statutes, and amending section 40:46–20 of the Revised Statutes.

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

Purpose of act.

1. The purpose of this act is to further protect and safeguard the proceeds of municipal tax collections and other public moneys while in the custody of the local officer who receives them and to make more certain the existing laws relating to such custody of municipal funds.

Definitions:

2. For the purposes of this act, unless the context clearly requires a different meaning:

Collector;

"Collector" means the municipal officer charged with collection of taxes and his deputies and assistants, if any;

State board;

"State Board" means the State Local Government Board;

Clerk.

"Clerk" means such person as the local governing body may designate, pursuant to sections seven or eight, who may be the municipal clerk or some other suitable person other than the collector.

Deposit of public funds.

3. Tax collections and other public moneys of municipalities shall continue to be deposited in banks or trust companies duly designated pursuant

to the provisions of sections 40:5–3 and 40:5–4, and fiscal officers shall continue to be relieved of any liability for loss thereof, caused by the insolvency or closing of such depositories, pursuant to the provisions of section 40:5–5 of the Revised Statutes.

Clerk's bond.

4. Before entering upon the duties of his office or position, but within ten days after the commencement of his term of office or employment, and thereafter whenever required by the local governing body, the collector of each municipality shall give bond, in such form as shall be approved by the State Board and with a corporate surety authorized to do business in this State, conditioned for the faithful performance of his duties whether by himself or his subordinates. The condition shall include, but shall not be construed as limited to, the rendition at all times of a just and true account to the municipal governing body, when so required by it, of all municipal property which shall come into his hands or be committed to his charge, and the delivery of the same, together with all equipment, documents, papers and books belonging to or for the use of the municipality, to his successor in office.

Conditions.

Penalty of surety bond.

5. The penalty of each collector's surety bond shall be in such amount, not less than a minimum to be fixed by the State Board, as the local governing body shall determine. In fixing minimum penalties the State Board may classify municipalities according to risk on the basis of the largest sum that might normally be in the custody of the collector at any one time. In addition, particular municipalities or groups thereof may be raised or lowered, as the case may be, in the scale of risks on the basis of any knowledge or information that may be in the possession of the State Board relating to:

Classification as to risks.

Scale of risks changeable:

Mechanical methods;

(a) The use of approved mechanical methods of accounting for cash receipts by the collector;

Delays;

(b) Recurring delays, if any, in the making of entries and postings required by law in the collector's books of account;

Recurring delays;

(c) Recurring delays, if any, in the making of bank deposits, in excess of forty-eight hours from the time money is received;

Collecting and accounting;

(d) The collection and accounting for all interest and penalties provided by law on delinquent taxes and assessments;

Annual clearance;

(e) The annual clearing of the collector's tax duplicate not later than December thirty-first of each year succeeding the year of levy, by collection, proper remission or cancellation, or transfer to tax lien of all taxes other than such taxes as are in litigation or under a plan of installment payments;

Safety.

(f) Any other condition or factors affecting the safe-keeping of public moneys for which the collector is responsible.

Checking to insure accuracy.

6. Any municipality, in lieu of complying with the minimum penalties fixed by the State Board, pursuant to section five of this act, may maintain a system of internal checks upon the tax collection process in the manner prescribed by either section seven, section eight or section nine of this act, as the case may be, or in such other manner, adequate to insure verifiable accounting for cash receipts, as the State Board may authorize or approve.

Quarterly lists of delinquent taxpayers.

7. In a municipality having less than an average of three million dollars ($3,000,000.00) in assessed valuations, as set forth in the annual debt statement last filed pursuant to chapter one, Title 40, of the Revised Statutes, the local governing body may designate the clerk to prepare quarterly lists of those persons whose taxes are delinquent according to the records of the collector, and to post copies of such lists in at least ten conspicuous places within the municipality. At the time of the preparation of each quarterly list of delinquents, the clerk shall verify the collector's cash accounts, count cash on hand, and determine whether the col-

List posted.

Verification of accounts.

lector's duplicate is correctly posted and in balance, and shall certify the results of such check to the local governing body and to the collector's surety. In case any default, delinquency or official misconduct is discovered by the clerk as a result of the posting of quarterly lists pursuant to this section, he shall immediately report the same to the local governing body and to the collector's surety.

Misconduct reported.

8. In any municipality, the governing body may require the collector to use a tax bill receipting machine so constructed as to imprint duplicate figures on a continuous record locked within the machine, simultaneously as bills are receipted. Such machine shall be subject to approval as to design, type and function by the State Local Government Board. Access to the recording section of the machine shall be restricted to the clerk, who, not less than once each week, shall remove the recorded figures and compare them with the collector's bank deposits during the same period. Whenever such comparison reveals any default, delinquency or official misconduct, the clerk shall immediately report the results thereof to the local governing body and to the collector's surety. Not less than once each month, the clerk shall certify to the local governing body that he has complied with the requirements of this section during the next preceding thirty days.

Bill receipting machine used.

Approved.

Access to record.

Error reported.

Monthly certification.

9. a. The local governing body of any municipality may, by resolution, from time to time designate a bank or trust company as "Official Tax Receiving Agency of ..... (insert name of municipality)," to receive all tax payments and other public moneys instead of, but as agent for the collector; and the local governing body shall have power to contract for the payment of a reasonable fee for such service. The local governing body shall designate a bank or trust company commonly and generally used by residents of the municipality and shall give preference to any one of such institutions as offers to render the service for the lowest net cost to the municipality. In the event that two or more such offers are equal,

Official depositary.

Fee.

Bank designated.

Preference.

preference shall be given to the bank or trust company that has been the holder of the larger aggregate amount of the municipality's evidences of indebtedness during the period of twelve months next preceding.

Use of official receiving agency.

b. Whenever a bank or trust company has been designated as the official tax receiving agency for a municipality, pursuant to subsection "a" of this section, it shall be unlawful for the collector to accept or receive any payments of taxes or other public moneys otherwise than through such agency so long as such designation remains in force, and every tax bill shall be conspicuously stamped or imprinted with a notice as follows:

Form of notice designating agency.

"Your local governing body has designated ..... (name of bank or trust company) situated at....., as the official tax receiving agency of the ..... (name of municipality), to which all tax payments must be made. The local tax collector is not permitted by law to accept or receive any tax payments so long as this designation remains in force."

Failure to give bond creates vacancy.

10. If any collector, including those appointed or elected to fill vacancies, shall fail to give bond as required by law, his office shall be deemed vacant, and the local governing body shall appoint some other suitable person to serve for the unexpired term and until the election or appointment and qualification of a successor.

Release of surety on bond.

11. The surety on the official bond of a tax collector may apply at any time to the State Board, subject to the board's rules of practice and procedure, to be released from all future accruing liability on such bond, on the ground that the collector has refused or neglected to comply with provisions of law regulating the tax collection process or the administration of the tax collector's office.

Hearing on application.

The board shall conduct a hearing upon such ap-

plication, after notice to the collector and governing body, and at the hearing the collector, the surety, any citizen or taxpayer, or any public agency having an interest in the municipal tax collections may appear and shall have an opportunity to be heard.

Findings:

12. After notice and hearing, as required by section eleven, the State Board shall make, and cause to be recorded in its minutes, appropriate findings of fact, upon the basis of which it shall order that:

Release;

a. the surety shall be released from its bond because of any default occurring subsequent to a date fixed in the order and that the collector be required to furnish new surety within ten days from the date of the order, in default of which the office shall be deemed vacant and the local governing body shall appoint a suitable person to serve for the unexpired term and until the election or appointment and qualification of a successor; or

Fine;

b. the collector shall pay a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) to the Commissioner of Local Government, for the use of the State Department of Local Government, within ten days from the date of the order, in default of which the office shall be deemed vacant and the local governing body shall appoint a suitable person to serve for the unexpired term and until the election or appointment and qualification of a successor; or

Dismissal.

c. that the application be dismissed.

Rules and regulations prescribed.

13. The State Board shall formulate and prescribe appropriate rules and regulations for the administration of the provisions of this act, subject to and in pursuance of its powers and duties under chapter twenty-four-A of Title 52 of the Revised Statutes.

Section amended.

14. Section 40:46–20 of the Revised Statutes is amended to read as follows:

General bonding.

40:46–20. Every officer or employee, by virtue of his office or position, or of any law, intrusted or charged with the receipt, custody or expenditure of moneys or funds of the municipality, and any other officer or employee required so to do by the governing body thereof, shall, before entering upon the duties of his office or position, execute and deliver his bond to the municipality in its corporate name, conditioned for the true and faithful performance of his duties. Except as otherwise provided by law in the case of the municipal tax collector, his deputies and assistants, the surety bond shall be in such form, for such sum and with such surety, as the governing body shall, by ordinance or resolution, require. All such bonds shall be filed with the clerk of the municipality, except that the bond of the clerk shall be filed with the treasurer, and shall remain the property of the municipality.

Form and amount of surety.

Where filed.

Except as otherwise provided by law in the case of the municipal tax collector, his deputies and assistants, upon the failure of any such officer to deliver his bond as aforesaid, within thirty days after the commencement of his term of office, including those elected or appointed to fill vacancies, his office shall be deemed to be vacant.

Failure to deliver bond vacates office.

Affect of this act.

15. This act shall not affect any litigation now pending and shall not be applied in such manner as to impair the obligation of any private contracts heretofore executed. Nor shall the provisions of this act be construed as a limitation or restriction of the powers and duties of the State Department of Local Government otherwise provided by law, or so as to repeal, amend or affect the application of any existing provisions of law not inconsistent with the provisions hereof.

16. This act shall take effect immediately.

Approved January 20, 1941.

CHAPTER 258

AN ACT making an appropriation for the payment of back freight and demurrage charges due the Pennsylvania Railroad Company by the Department of Conservation and Development and the New Jersey Reformatory at Rahway.

Preamble.

WHEREAS, There are numerous claims due the Pennsylvania Railroad Company from the Department of Conservation and Development and the New Jersey Reformatory at Rahway for back freight and demurrage charges during the years 1934, 1935, 1936, 1937, 1938, 1939, and it is deemed desirable that such claims should be settled by adjustment and compromise, and there being no present authority for such adjustment and compromise; therefore,

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

Appropriation for past due freight charges.

1. For the purpose of paying said back freight and demurrage charges, there is hereby appropriated the sum of nine hundred ninety-five dollars and twenty-seven cents ($995.27).

How paid.

The appropriation herein authorized shall be paid by the State Treasurer on warrant of the Comptroller of the Treasury and vouchers approved by the Attorney-General.

2. This act shall take effect immediately.

Approved January 20, 1941.

CHAPTER 259

AN ACT relative to the uniform criminal extradition law, and amending section 2:185–10 of the Revised Statutes.

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

Section amended.

1. Section 2:185–10 of the Revised Statutes relative to the uniform criminal extradition law is hereby amended to read as follows:

Arrest and delivery of criminals.

2:185–10. Subject to the provisions of this article, the provisions of the Constitution of the United States controlling, and any and all acts of Congress enacted in pursuance thereof, it is the duty of the Governor of this State to have arrested and delivered up to the executive authority of any other State of the United States any person charged in that State with treason, felony, or other crime, who has fled from justice and is found in this State;

Proviso.

provided, if the executive authority of any other State or district requests the extradition of any person charged in that State with murder, and that person is imprisoned in a penal institution or jail of this State for a term less than imprisonment for life, the Governor of this State may deliver him or her up to the executive authority of the demanding State or district for the purpose of trial in said

Proviso.

State or district; *provided, however,* that prior to the removal of the person from this State, the executive authority of the demanding State or district shall have agreed that the person so delivered up is to be returned immediately to this State, at the cost of the demanding State or district, to serve the balance of his or her term of imprisonment in the event of his or her acquittal in the demanding State, or in the event of his or her conviction in such State of manslaughter or any degree of mur-

der the punishment for which is less than death or imprisonment for life.

Surrender of prisoner.

The warrant of the Governor of this State shall be sufficient authority to the keeper of the New Jersey State Prison or officer of any other institution to surrender the person named therein and for whom extradition is sought.

2. This act shall take effect immediately.

Approved January 20, 1941.

CHAPTER 260

AN ACT making an appropriation to the Commission on Interstate Co-operation.

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

Additional appropriation.

1. There is hereby appropriated to the Commission on Interstate Co-operation out of the general funds of the State the sum of nine thousand five hundred dollars ($9,500.00) for the fiscal year ending June thirtieth, one thousand nine hundred and forty-one, which sum shall be in addition to any other sums which have been or shall be appropriated to the said commission.

2. This act shall take effect immediately.

Approved January 20, 1941.

CHAPTER 261

AN ACT appropriating seven hundred fifty dollars ($750.00) to the Adjutant-General for the purpose of defraying the cost of acquiring certain lands within the area of the Wilderness Battlefield in Virginia and providing for the acquisition of such lands.

Preamble.

WHEREAS, The National Park Service of the Federal Government will defray the cost of decorating and monumenting certain land within the Wilderness Battlefield area in Virginia as a memorial to the Twelfth New Jersey Regiment of Volunteers who participated with such courage, heroism and devotion to duty in the Wilderness Campaign, provided that the lands are donated, therefore

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

Acquire land in Virginia for memorial.

1. The Adjutant-General is hereby empowered to purchase and acquire lands lying within the area of the Wilderness Battlefield in Virginia as a memorial to the Twelfth New Jersey Regiment of Volunteers, such purchase and acquisition being subject to the appropriation herein made.

Appropriation.

2. There is hereby appropriated the sum of seven hundred fifty dollars ($750.00) to the Adjutant-General for said purpose, and the Treasurer of this State is hereby authorized to pay on the certificate of the Adjutant-General out of any moneys in the Treasury of the State such sum of money not exceeding seven hundred fifty dollars ($750.00) as shall be necessary to defray the cost of such purchase and acquisition.

Title.

3. The Adjutant-General in acquiring said land shall take title in the name of the Federal Government, or any agency thereof, provided that the

Federal Government or such agency will defray the cost of improvement and maintenance thereof as a part of the memorial park that has been established in the area where the Battle of the Wilderness was fought.

4. This act shall take effect immediately.

Approved January 20, 1941.

CHAPTER 262

AN ACT concerning the issuance of bonds and other obligations by counties, cities, boroughs, towns, townships, villages and other municipalities, other than school districts, notwithstanding certain limitations, amending section 40:1–16 of the Revised Statutes, and supplementing article one of chapter one of Title 40 of the Revised Statutes.

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

1. Section 40:1–16 of the Revised Statutes is amended to read as follows: Section amended.

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: Authorization:

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 Commissioner of Local Government has, in his discretion, certified upon a certified copy of such resolution or ordinance as passed on first read- Certain obligations;

ing, that, in his opinion, the expenditure is of such description; or

Renewal notes;

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

Refunding notes;

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

Obligations;

d. Obligations, for purposes permitted by this article, in an aggregate (including all unrescinded authorizations made pursuant to this subsection after December thirty-first, one thousand nine hundred and forty), not exceeding the sum of the annual amounts computed pursuant to section 40:1–16.1 of this Title. 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

When available;

Certain obligations;

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

Obligations deductible;

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

Other obligations;

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 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 constructing, or reconstructing of such dikes, bulkheads, jetties or other devices for the preservation of life or property.

Obligations for protective purposes.

For the purposes of subsection "d" (computed as provided in section 40:1–16.1) and "e" of this section, the Commissioner of Local Government 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 sec-

Detailed debt statement.

tion 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 Commissioner of Local Government shall also prescribe a form of special debt statement to be filed for each of the fiscal years nineteen hundred and thirty-nine and nineteen hundred and forty and thereafter annually with him in accordance with such rules as he may prescribe.

Article 1 supplemented.

2. Article one of chapter one of Title 40 of the Revised Statutes is supplemented by the addition of a new section to be numbered 40:1–16.1 and to read as follows:

Computing borrowing power.

40:1–16.1. Computation of borrowing power under section 40:1–16 d.

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 filed prior to said appropriation.

Appropriation determined.

Fiscal year.

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 sections 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 d.

Explanations:

b. For the purposes of subsection "a" of this section:

Indebtedness;

"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;

"Debt Redemption charges" shall mean required payments for sinking fund purposes as well as payments of principal of obligations maturing in such year.

Per centum of net debt.

"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.

Act effective.

3. This act shall take effect on the first day of January, one thousand nine hundred and forty-one.

Approved January 20, 1941.

CHAPTER 263

AN ACT concerning county and municipal finances.

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

Examination of budget.

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

Proviso.

Subsequent actions approved.

2. This act shall take effect immediately.

Approved January 20, 1941.

INDEX TO ADDITIONAL LAWS OF 1940

(Chapters 191 to 263)

Index to Additional Laws of 1940

A.

PAGE

Adjutant-General—appropriation Wilderness Battlefield Monument, ... 978
Adoption—hearing on petition for, ... 870
birth certificates of children, ... 881
Agriculture—commercial fertilizer defined, ... 967
Alcoholic beverages—wholesalers' interest in retail premises, ... 919
Anti-pneumococcic serum—distribution of, ... 861
Appropriations—additional office space for labor department in Newark, 843
additional troopers, ... 835
Bang's disease control, ... 912
child labor law enforcement, ... 935
Delaware and Raritan canal bridges, ... 930
Delaware and Raritan Canal Commission, ... 936
filing equipment in chancery office, ... 897
freight charges due, ... 975
High Point Park, construction, ... 954
Index for Revised Statutes, ... 934
Interstate Co-operation Commission, ... 977
legal assistant in labor department, ... 894
postmaster's salary increase, ... 965
protection of property in Manville, ... 923
reimbursing school districts for manual training, ... 861
reimbursing school districts for vocational education, ... 860
road from Oceanville to Brigantine, ... 890
salaries, workman's compensation bureau, ... 951
soldiers voting, ... 837
unexpended water supply fund to water policy commission, 890
Wilderness Battlefield Monument, ... 978

B.

Ballots—procedure after election, ... 844
marking or showing, ... 849
Bang's disease, control of, ... 903
Banks—semiannual reports, ... 880
revival of corporate existence, ... 913
Beverages—wholesaler's interest in retail premises, ... 919
Births—certificates of adopted children, ... 881
Bonds—debt limit, borrowing emergency funds, ... 979
refunding by municipalities, ... 953
refunding by school districts, ... 952
retirement of by counties and municipalities, ... 931
validates proceedings for issuance by municipalities, ... 966
Bookmaking—poolselling, betting on horse races, etc., illegal, ... 862
Books, price of sold to libraries, ... 902

PAGE

Boroughs—borrowing, miscellaneous revenue notes, ... 937
budget certification, ... 984
debt limit, borrowing emergency funds, ... 979
issuing refunding bonds, ... 953
partial distribution of excise taxes, ... 895
retirement of bonds, ... 931
tax collectors bond, ... 968
tax sale void, ... 933
validates proceedings for issuance of bonds, ... 966
Breeding horses—act repealed, ... 863
Bridges—maintenance over Delaware and Raritan canal, ... 930
Brigantine—appropriation for road from Oceanville to, ... 890
Budgets—certification of municipal, ... 984
Building and loan associations—withdrawal of shares, ... 873
reorganization, ... 876
Bytheway, Lillian—vesting title to real estate in Camden county welfare board, ... 883

C.

Camden county welfare board—certain real estate vested in, ...883, 885
Cattle—Bang's disease control, ... 903
Chancellor—conversion of stock life insurance corporations into mutual life insurance corporations, ... 864
Chancery—appropriation for filing equipment, ... 897
Change of name of Methodist Episcopal Church, ... 964
Child labor law—appropriation for enforcement, ... 935
Children—adoption, ... 870
birth certificates of adopted, ... 881
Cities—borrowing, miscellaneous revenue notes, ... 937
budget certification, ... 984
debt limit, borrowing emergency funds, ... 979
issuing refunding bonds, ... 953
partial distribution of excise taxes, ... 895
retirement of bonds, ... 931
tax collectors' bond, ... 968
tax sales void, ... 933
validates proceedings for issuance of bonds, ... 966
Clerk in chancery—filing equipment for office, ... 897
Commerce and Navigation—appropriation, erosion by Raritan river, ... 923
Commission—appropriation, Interstate Co-operation, ... 977
Delaware and Raritan canal, appropriation, ... 936
Unemployment Compensation, appointment, duties and salaries, 955
unexpended balance of water supply fund appropriated to water policy, ... 890
Commissioner of banking—semiannual reports made to, ... 880
Commissioner of elections—delivery of poll books, ... 844
Commissioner of insurance—conversion of stock life into mutual life insurance corporations, ... 864
Commissioner of local government—certification of municipal budgets, ... 984
Conservation and development—appropriation for past due freight charges, 975
Corporations—conversion of stock life insurance into mutual life insurance, 864
Council—membership of municipal, ... 891
salaries of certain municipal, ... 892
Counsel—appropriation for legal assistant in labor department, ... 894

PAGE

Counties—amount set aside from motor vehicle fund for roads, ... 887
budget certification, ... 984
compromising certain taxes, ... 836
debt limit, borrowing emergency funds, ... 979
retirement of bonds, ... 931
validates proceedings for issuance of bonds, ... 966
Counties of first class—access to election records, ... 844
County clerks—action in connection with soldiers voting, ... 837
procedure after election, ... 844
Courts—criminal judicial district, ...856, 859
Crimes—habitual criminal, ... 888
extradition law amended, ... 976
Criminal judicial district courts, ...856, 859
Criminals—extradition of, ... 976

D.

Deeds—New Jersey World's Fair building conveyed to city of New York, 869
Defense Council—act creating, ... 924
Delaware and Raritan canal—appropriation for bridges, ... 930
Department of labor—additional space in Newark, ... 843
District boards of election—illegal voting, ... 849
District courts—criminal judicial, ... 856, 859

E.

Elections—order to vote, ... 849
procedure after, ... 844
use of State Police, ... 848
use of voting machines, ... 845
voting in military service, ... 837
Employees—South Jersey Port Commission as members of State's retirement system, ... 898
Escheats—title to certain real estate vested in Camden county welfare board, ...883, 885
Excise taxes—partial distribution to municipalities, ... 895

F.

Fair trade—books sold to libraries, ... 902
Fertilizer—commercial defined, ... 967
Firemen—volunteer, policing by, ... 920
Fish and game—regulates taking of pheasants and quail, ... 917
Fort Dix—law enforcement in vicinity, ... 835
Freeholders—adoption of voting machines, ... 845
funds from motor vehicle receipts for roads, ... 887
quarters for criminal judicial district courts, ... 856

G.

Galloway, township of—appropriation for road from Oceanville to Brigantine, ... 890
Gaming—gambling, bookmaking, poolselling illegal, ... 862

H.

Habitual criminal—sentence, ... 888
Health—distribution of anti-pneumococcic serum, ... 861
Bang's disease control, ... 903
High Point Park—development of Steenykill lake area, ... 954

PAGE

Horse racing—act repealed, ... 863
betting, poolselling, etc., illegal, ... 862
sections concerning repealed, ... 864
Hudson county—criminal judicial district courts, ... 859

I.

Inheritance tax—residence of supervisor, ... 889
Institutions and agencies—adoption of children, ... 870
Insurance—conversion of stock life corporations into mutual corporations, 864
Interstate co-operation commission—appropriation, ... 977

J.

Judges—criminal judicial district courts, ... 856
judicial district criminal courts, ...856, 859

L.

Labor—additional office space for department of, in Newark, ... 843
appropriation for legal assistant, ... 894
appropriation, enforcement of child labor law, ... 935
appropriation, salaries workmen's compensation bureau, ... 951
Licenses—effective date of motor vehicle, ... 939
Livestock—control of Bang's disease, ... 903
Loan associations—withdrawal of shares, ... 873
reorganization, ... 876

M.

Magistrate—issuing summons; hearing, ... 874
Manual training—reimbursing school districts for, ... 861
Methodist Episcopal Church—change of name, ... 964
Military—unemployment compensation not prejudiced by service, ... 837
voting when in service, ... 837
Minors—adoption, ... 870
Motor vehicles—funds set aside for roads, ... 887
registration and licensing, ... 939
Municipal finance commission—compromising certain taxes, ... 836
Municipalities—borrowing, miscellaneous revenue notes, ... 937
budget certification, ... 984
compromising taxes due for various purposes, ... 836
debt limit, borrowing emergency funds, ... 979
funds from motor vehicle receipts to aid road construction, ... 887
issuing refunding bonds, ... 953
issuing summons; hearing, ... 874
membership of council, ... 891
partial distribution of excise taxes, ... 895
procedure after election, ... 844
retirement of bonds, ... 931
salaries of members of certain municipal councils, ... 892
tax collector's bond, ... 968
use of State police, ... 848
validates proceedings for issuance of bonds, ... 966

N.

PAGE
New Jersey Defense Council—act creating, ... 924
New Jersey World's Fair building deeded to city of New York, ... 869
New York, city of—New Jersey World's Fair building deeded to, ... 869

O.

Offices—additional for labor department, ... 843

P.

Parks—appropriation, High Point, ... 954
Pennsylvania Railroad—payment for past due freight charges, ... 975
Pensions—payment of interest to teachers' fund, ... 922
Pheasants—act concerning, ... 917
Pneumonia—distribution of preventive serum, ... 861
Police—additional State, ... 835
required services of State, ... 848
Polling room—presence in, ... 849
Poolselling, betting, etc., illegal, ... 862
Postmaster—appropriation, increase in salary, ... 965
Prisoners—sentences, ... 888

Q.

Quail—act concerning, ... 917

R.

Racing—act repealed, ... 863
betting, gambling, bookmaking, etc., illegal, ... 862
sections repealed, ... 864
Rahway Reformatory—appropriation for past due freight charges, ... 975
Real estate—title to certain, vested in Camden county welfare board, ...883, 885
Registration—motor vehicles, ... 939
Repealers—concerning breeding and racing horses, ... 863
sections concerning horse racing, ... 864
Retirement system—employees of South Jersey port commission as members of State's, ... 898
Revised statutes—index for, ... 934
sale price, ... 935
sections repealed, ... 863, 864
Roads—appropriation for, from Oceanville to Brigantine, ... 890
funds from motor vehicle receipts for, ... 887

S.

Salaries—members of certain municipal councils, ... 892
School districts—refunding bonds, ... 952
Schools—reimbursement for manual training, ... 861
reimbursement for vocational education, ... 860
Secretary of State—soldiers voting, ... 837
Sentences—habitual criminals, ... 888
Serum—distribution of anti-pneumococcic, ... 861
Soldiers—voting when in service, ... 837
South Jersey port commission—employees in State retirement system, ... 898
State house commission—appropriation, postmaster's salary, ... 965
furnishing voting machines, ... 845
State police—additional State, ... 835
required services, ... 848

PAGE

State tax commissioner—partial disbursement of excise taxes, ... 895
Summons—issuing and hearing, ... 874
Superintendent of elections—inspection of records, ... 844
order to vote, ... 849
Supervisor of inheritance taxes—residence, ... 889

T.

Taxes—bond by collector, ... 968
compromising by counties, ... 836
credit on reduction of assessment, ... 901
partial distribution of excise, ... 895
residence of supervisor of inheritance, ... 889
sales, certain void, ... 933
Teachers' pension fund—payment of interest to, ... 922
Towns—borrowing, miscellaneous revenue notes, ... 937
budget certification, ... 984
debt limit, borrowing emergency funds, ... 979
issuing refunding bonds, ... 953
partial distribution of excise taxes, ... 895
retirement of bonds, ... 931
tax collector's bond, ... 968
tax sale void, ... 933
validates proceedings for issuance of bonds, ... 966
Townships—borrowing, miscellaneous revenue notes, ... 937
budget certification, ... 984
debt limit, borrowing emergency funds, ... 979
issuing refunding bonds, ... 953
partial distribution of excise taxes, ... 895
retirement of bonds, ... 931
tax collector's bond, ... 968
tax sale void, ... 933
validates proceedings for issuance of bonds, ... 966
Trade-marks—books sold to libraries, ... 902
Troopers—additional State, ... 835
Trust companies—revival of corporate existence, ... 913
semiannual reports, ... 880

U.

Unemployment compensation—benefit payments, ... 941
commission, appointment, duties and salaries, ... 955
rights not prejudiced by military service, .. 837

V.

Villages—borrowing, miscellaneous revenue notes, ... 937
budget certification, ... 984
debt limit, borrowing emergency funds, ... 979
issuing refunding bonds, ... 953
partial distribution of excise taxes, ... 895
retirement of bonds, ... 931
tax collector's bond, ... 968
tax sale void, ... 933
validates proceedings for issuance of bonds, ... 966

PAGE

Vital statistics—birth certificates of adopted children, ... 881
Vocational education—school districts reimbursed for, ... 860
Volunteer firemen—policing by, ... 921
Voters—when in military service, ... 837
Voting machines—adoption and use, ... 845

W.

Water policy commission—unexpended fund appropriated to, ... 890
Weidler, William L.—vesting title to certain real estate in Camden county welfare board, ... 885
Wilderness battlefield monument—appropriation for, ... 978
Workmen's compensation bureau—appropriation for salaries, ... 951
World's Fair—building deeded to city of New York, ... 869

LAWS
1941

ACTS

OF THE

One Hundred and Sixty-fifth Legislature

OF THE

STATE OF NEW JERSEY

AND

Ninety-seventh Under the New Constitution

1941

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THOMAS A. MATHIS,
Secretary of State.

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LAWS

ACTS

PASSED BY THE

One Hundred and Sixty-fifth Legislature

CHAPTER 1

AN ACT concerning county and municipal finances.

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

Approval of certain items in budget.

1. In the budget of any municipality for the year one thousand nine hundred and forty-one, the Commissioner of Local Government shall be authorized and it shall be his duty to approve an item of anticipated miscellaneous revenue appearing in such budget where such anticipated revenue is set up under the caption of "Franchise and Gross Receipts Taxes of the year one thousand nine hundred and thirty-eight and of the year one thousand nine hundred and thirty-nine" in an amount not in excess of fifty per centum (50%) of the unpaid balance of such taxes. The said commissioner is authorized and it shall be his duty to approve an item of anticipated miscellaneous revenue for the year one thousand nine hundred and forty-one under the caption of "Franchise and Gross Receipts Taxes of the year one thousand nine hundred and forty" in an amount not in excess of the amount shown by the certification of the State Tax Commissioner made for such taxes for the year one thousand nine hundred and forty, less such amount as has been received by such municipality on account of such "Franchise and Gross Receipts Taxes

Amount.

for the year one thousand nine hundred and forty"; *provided,* that such item in a budget, that is not adopted in accordance with the provisions of sections 40:2–25 to 40:2–28 of the Revised Statutes, inclusive, shall not be in excess of the amount of appropriation made in such budget for "Deficit in Miscellaneous Revenues for the year one thousand nine hundred and forty." The said commissioner shall also be authorized and it shall be his duty to approve items of anticipated miscellaneous revenues for the year one thousand nine hundred and forty-one under the captions of "Franchise Taxes of one thousand nine hundred and forty-one" and "Gross Receipts Taxes of one thousand nine hundred and forty-one" in an amount not in excess of the amount set forth for each such item shown by the certification of the State Tax Commissioner made for such taxes of the year one thousand nine hundred and forty.

Proviso.

Approval of other items.

2. This act shall take effect immediately.

Approved January 27, 1941.

CHARLES EDISON,
Governor.

CHAPTER 2

AN ACT to amend an act entitled "An act concerning the disbursement of certain State moneys and making an appropriation for the administration thereof," passed June twenty-fifth, one thousand nine hundred and forty.

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

Section amended.

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

Appropriation to comptroller.

29. There is hereby appropriated to the Comptroller of the Treasury out of the said municipal

aid fund the sum of one hundred thousand dollars ($100,000.00) or so much thereof as may be necessary, for the purpose of conducting continuing audits in the various municipalities of the State to determine that the moneys distributed pursuant to the provisions of this act are disbursed in such manner as provided by this or any other related act.

2. The moneys provided for in this act shall be available for disbursement up to and including the thirtieth day of June, one thousand nine hundred and forty-one. Funds available.

3. This act shall take effect immediately.

Approved January 27, 1941.

CHAPTER 3

AN ACT for extending the time for completing certain railroads.

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

1. Whenever the time limited for the completion of any railroad authorized to be constructed within the State under any special or general act has expired, or shall expire before the thirty-first day of December, one thousand nine hundred and forty-one, such time shall be and the same is hereby extended for the further period of two years from the passage of this act; *provided, however,* that this act shall not apply unless money has actually been expended in surveys or location of route, or in acquisition of right-of-way or in construction since January first, one thousand eight hundred and eighty-six; *provided, further,* that this act shall not apply to any corporation unless such corporation shall first, and as the condition precedent to the exercise of any power granted by this act, file Time for completing railroads extended. Proviso. Proviso, waiver of exemption to be filed.

New Jersey State Library

in the office of the Secretary of State an agreement, to be approved by the Governor and Attorney-General, waiving all right of exemption from taxation and from privileges and advantages arising from any law or contract, if any there be, establishing any special mode of taxation of any such corporation, and the further agreement to be bound by any general law of this State now in existence or that may be hereafter passed taxing such corporations as are now authorized to be taxed by the Legislature of the State under any general law, and further agreeing that the exercise of any power granted by this act, shall not in any way affect the rights of this State, if any there exist, to take the property of such corporations under any existing law of this State, and agreeing further that all laws affecting such corporations shall be subject to alteration or repeal by the Legislature; *provided, however,* that any railroad company that has heretofore filed an agreement such as above described, under the provisions of any previous act of the Legislature for extending the time for completing certain railroads, shall have the time for the completion of its railroad extended as hereinabove provided, without filing another such agreement under this act; *provided, further,* that any agreement that has heretofore been filed by any corporation under any previous act extending the time for completing certain railroads, shall be as binding as if filed under the provisions of this act.

Proviso.

Proviso.

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

Approved February 14, 1941.

CHAPTER 4

AN ACT relating to the North and South Jersey Water Supply Districts, and amending section 58:5–26 of the Revised Statutes.

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

1. Section 58:5–26 of the Revised Statutes is amended to read as follows: Section amended.

58:5–26. After such hearing, the commission, if the water supply under its control is adequate for the supply of the applying municipality, may contract with the municipality for the supply to it of water at such price as shall impose upon the municipality an equitable share of the cost of constructing, acquiring and operating such supply; or the commission may allow the municipality to become part owner of the water supply plant controlled by the commission, or such part thereof as is necessary for the supply of the municipality by means of a contract whereby the municipality shall agree to pay to the commission its proportionate share of the cost of acquisition, construction and operation of the plant. Any money so paid to the commission by the municipality shall be paid over to the municipalities which have theretofore contributed to the cost of the water supply plant, upon such terms and in such proportion as the contracting municipalities have heretofore mutually agreed or as they shall hereafter mutually agree, and as shall be approved by the commission.

May contract to supply water.

May allow municipality to become part owner.

Use of money paid.

2. This act shall take effect immediately.

Approved February 14, 1941.

CHAPTER 5

AN ACT confirming, validating and legalizing deeds of conveyance of lands, tenements and hereditaments heretofore made by corporations where said deeds shall not have been sealed with the corporate seal.

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

Certain corporate deeds validated.

1. Every deed of lands, tenements and hereditaments heretofore made by a corporation shall be held to have vested in the grantee or grantees thereof as full and ample an estate in said lands as was thereby intended to be conveyed, notwithstanding said deed shall not have been sealed with the corporate seal; *provided,* that the attestation clause or the proof or acknowledgment shall recite that the said deed was sealed by said grantor.

Proviso.

Evidence.

2. The record of every such deed shall be admissible in evidence as fully and completely for all purposes as if such deed had been fully sealed.

3. This act shall take effect immediately.

Approved February 14, 1941.

CHAPTER 6

AN ACT concerning the creation and regulation of a separate fund for the operation of radio stations or municipal convention halls, or both, in municipalities bordering on the Atlantic ocean, and amending section 40:62–33 of the Revised Statutes.

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

1. Section 40:62–33 of the Revised Statutes is amended to read as follows: Section amended.

40:62–33. The expenditures shall include the cost of maintenance, upkeep and operation of the station or hall, or both, salaries, heat, light and power, advertising, cost of procuring conventions, employment of performers, attractions, shows, entertainment of every nature and description, amusements, or any other kind of expenditure incident to the maintenance, upkeep and operation of such station or hall, or both. The authority is hereby granted to the municipality to enter into a contract with any person or corporation to whom a debt is owing for any such expenditure and to provide for the payment of such debt in equal installments for a period not to exceed ten (10) years. Any municipality which has already executed a contract for a period of five (5) years, pursuant to the law to which this statute is amendatory, may execute a new contract by extending the aforesaid contract for an additional period of five (5) years, which contract shall provide for equal installment payments of the amount remaining due by the municipality for the remaining period, as extended. After the execution of such contract, it shall be necessary for the municipality to appropriate for such debt in any year, only sufficient money for each installment. Said contract may provide that the amount

Expenditures.

May contract to pay expenditures by installments.

New contract.

Appropriation.

Terms of contract.

of such installment may, when due according to the terms of the contract, be applied by any such person or corporation to the payment of taxes due the municipality by or on the property of such person or corporation, in lieu of payment by the municipality of such installment.

2. This act shall take effect immediately.

Approved February 17, 1941.

CHAPTER 7

AN ACT concerning municipal finances, 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:*

May postpone cash basis operation.

1. The governing body of a municipality which is required by section 40:2–22 of the Revised Statutes to begin operations on a full cash basis with respect to the budget for the year one thousand nine hundred and forty-one may, by resolution, elect to postpone such cash basis operation until the budget for the fiscal year one thousand nine hundred and forty-two.

Revised budget.

In the event that, prior to the taking effect of this act, any municipality shall have adopted its budget for the fiscal year one thousand nine hundred and forty-one or any resolutions approving the same, it shall be lawful for such municipality to rescind such action and substitute therefor a new, amended or revised budget for said year, with appropriate resolutions, in conformity with the local budget law; *provided,* that such new, amended or revised budget and appropriate resolutions be finally approved and adopted and the resolutions supporting the same be passed within ten days after the expiration of the time allowed therefor under the provisions of the local budget law.

Proviso.

2. This act shall take effect immediately.

Approved February 19, 1941.

CHAPTER 8

AN ACT concerning the issuance of bonds and other obligations by municipalities, notwithstanding certain limitations, and supplementing article one of chapter one of Title 40 of the Revised Statutes.

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

C. 40:1-15.2. May authorize bonds for airport.

1. Notwithstanding the provisions of section 40:1–15 of the Revised Statutes, a municipal bond ordinance may be finally passed if said ordinance authorizes only obligations of a municipality to finance the cost of the acquisition of land for an airport; *provided,* that prior to such final passage there shall have been filed in the office of the clerk of the municipality a petition requesting the authorization of such obligations and stating the purpose and amount thereof, signed and acknowledged by persons whose names appear on the latest completed assessment list (as revised, corrected and equalized by the county board of taxation) as the owners of at least ninety per centum (90%) of the total assessed value of the taxable real property (including improvements) within the municipality.

Proviso, taxpayers' petition.

2. This act shall take effect immediately.

Approved February 24, 1941.

CHAPTER 9

AN ACT relating to public schools, and amending sections 18:7–105 and 18:7–106 of the Revised Statutes.

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

Section amended.

1. Section 18:7–105 of the Revised Statutes is hereby amended to read as follows:

Application of moneys received by transfers.

18:7–105. Whenever a board of education of a school district has received moneys transferred to it by the governing body of the municipality from the unappropriated surplus revenue or unappropriated anticipated receipts of the municipality, the board of education shall apply the moneys so received, as far as the same shall be sufficient, first, to the payment of the interest on the bonded indebtedness of the district becoming due and payable during the next ensuing fiscal school year; second, to the payment of the principal of the bonded indebtedness of the district maturing said fiscal year; and third, to the payment of current expenses of the district during said fiscal year.

Section amended.

2. Section 18:7–106 of the Revised Statutes is hereby amended to read as follows:

Amount certified by clerk.

18:7–106. Upon the transfer of funds from the surplus revenue or notice of the appropriation of the anticipated receipts of a municipality by the governing body to the board of education, the district clerk of the school district shall certify to the proper taxing officials the amount of the funds so transferred available for meeting the interest on and the principal of the bonds of the school district becoming due and payable during the next ensuing fiscal year of the district and the amount to be raised by local tax for such purposes shall be reduced accordingly, notwithstanding that the local tax has been voted by said district.

Any balance remaining of such funds or anticipated receipts when received shall be credited upon the amount recommended by the board of education to be voted, or if voted, upon the amount to be levied and collected, to meet the current expenses of the district during the next ensuing fiscal year of the district. Balance.

3. This act shall take effect immediately.

Approved February 24, 1941.

CHAPTER 10

AN ACT concerning municipal finances, and amending section 40:2–17 of the Revised Statutes.

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

1. Section 40:2–17 of the Revised Statutes is amended to read as follows: Section amended.

40:2–17. "Miscellaneous revenues" shall include such amounts as may reasonably be expected to be realized in cash during the budget year from known and regular sources, or from sources reasonably capable of anticipation, and lawfully applicable to the appropriations made in the budget, other than dedicated revenues, revenues from taxes to be levied to support the budget, receipts from delinquent taxes, and surplus revenue. Miscellaneous revenues stated in the budget shall be classified according to their respective sources. A municipality may anticipate as a miscellaneous revenue the total amount of all payments due and payable to the municipality during the budget year directly or indirectly as a result of the sale of property by the municipality, when the obligation to make such payment is entered into before the fortieth day of the budget year but no miscellaneous revenues from any other source shall be included as

Miscellaneous revenue defined.

Classified.

Anticipated miscellaneous revenues.

an anticipated revenue in the budget in an amount in excess of the amount actually realized in cash from the same source during the next preceding fiscal year, unless the State Auditor shall determine upon application by the governing body that the facts clearly warrant the expectation that such excess amount will actually be realized in cash during the budget year and shall certify such determination in writing to the county or municipality, as the case may be.

2. This act shall take effect immediately.

Approved February 24, 1941.

CHAPTER 11

AN ACT to enable municipalities to acquire by purchase or exchange lands additional to and adjoining water lands held by said municipality, for the purpose of the construction of an airport, and to use said lands so held and so acquired for the construction and operation of an airport.

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

C. App. A. 9-12. May acquire land for airport.

1. Where municipalities own water properties that are suitable in whole or in part for the construction and operation of an airport and on which the United States Government desires to establish an air base under the direction of the Civil Aeronautics Authority or other department of the Federal Government, it shall be lawful for any municipality to acquire additional lands adjoining its said properties, by purchase or by exchange of other water lands held by the municipality and not needed for public use; *provided,* that the governing body of such municipality shall first determine by resolution that the lands to be acquired are

Proviso.

needed for the construction of said airport and that the lands to be conveyed in exchange are not needed for public use, and that the lands conveyed to such municipality in the exchange equal in value the lands conveyed by such municipality in such exchange. Said municipality may use said lands so held and so acquired by it for the construction and operation of an airport.

National defense measure. Act operative.

2. This act is deemed to be a national defense measure. It shall take effect immediately. It shall remain in effect for the acquisition of said additional lands only until January first, one thousand nine hundred and forty-four.

Approved February 24, 1941.

CHAPTER 12

AN ACT to amend an act entitled "An act concerning county and municipal finances," approved January twenty-seventh, one thousand nine hundred and forty-one (P. L. 1941, c. 1).

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:

Approval of certain items in budget.

1. In the budget of any municipality for the year one thousand nine hundred and forty-one, the Commissioner of Local Government shall be authorized and it shall be his duty to approve an item of anticipated miscellaneous revenue appearing in such budget where such anticipated revenue is set up under the caption of "Franchise and Gross Receipts Taxes of the year one thousand nine hundred and thirty-eight and of the year one thousand nine hundred and thirty-nine" in an amount not in excess of ninety per centum (90%) of the unpaid

Amount.

balance of such taxes. The said commissioner is authorized and it shall be his duty to approve an item of anticipated miscellaneous revenue for the year one thousand nine hundred and forty-one under the caption of "Franchise and Gross Receipts Taxes of the year one thousand nine hundred and forty" in an amount not in excess of the amount shown by the certification of the State Tax Commissioner made for such taxes for the year one thousand nine hundred and forty, less such amount as has been received by such municipality on account of such "Franchise and Gross Receipts Taxes for the year one thousand nine hundred and forty;" *provided,* that such item in a budget that is not adopted in accordance with the provisions of section 40:2–25 to 40:2–28 of the Revised Statutes, inclusive, shall not be in excess of the amount of appropriation made in such budget for "Deficit in Miscellaneous Revenues for the year one thousand nine hundred and forty." The said commissioner shall also be authorized and it shall be his duty to approve items of anticipated miscellaneous revenues for the year one thousand nine hundred and forty-one under the captions of "Franchise Taxes of one thousand nine hundred and forty-one" and "Gross Receipts Taxes of one thousand nine hundred and forty-one" in an amount not in excess of the amount set forth for each such item shown by the certification of the State Tax Commissioner made for such taxes of the year one thousand nine hundred and forty.

Proviso.

Approval of other items.

2. This act shall take effect immediately.

Approved February 24, 1941.

CHAPTER 13

AN ACT concerning the State Highway Department and providing for an additional route in the State highway system.

WHEREAS, It has been found that it is essential that a new State highway be provided to connect Route No. 39 with Fort Dix; and Preamble.

WHEREAS, Brigadier General I. J. Phillipson, Commanding General of the 2nd Corps Area, has determined that the said route from Route No. 39 to Fort Dix has been placed in the number one position on the priority list for the State of New Jersey; therefore, Preamble.

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

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

Route No. —. Beginning on Route No. 39 at Mansfield Square and from thence to Fort Dix. Route added to highway system.

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

3. The State Highway Commissioner is hereby authorized to accept any funds made available by any Federal agency for the purpose of constructing this route, and the State Highway Commissioner is further authorized to use any funds heretofore or hereafter appropriated under the heading "Federal Aid and State-Matched Moneys" for the purpose of constructing such route. Federal aid.

Acquiring right of way.

4. The State Highway Commissioner is authorized to expend any moneys heretofore or hereafter appropriated for right of way acquisition in order to acquire any right of way needed for the making of this improvement.

5. This act shall take effect immediately.

Approved February 24, 1941.

CHAPTER 14

AN ACT concerning county and municipal finances, and repealing section 40:148–4 of the Revised Statutes.

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

C. 40:48-17.1. Transfer of unappropriated surplus revenue and anticipated receipts.

1. When any municipality, the boundaries of which are identical with the boundaries of the local school district, shall have on hand surplus revenue unappropriated or anticipated receipts unappropriated for municipal purposes, the governing body may, in its discretion, by resolution adopted at a regular or special meeting thereof, authorize the transfer of and cause to be transferred all or any such part of unappropriated surplus revenue or unappropriated anticipated receipts as the governing body shall deem advisable to the board of education of the school district of the municipality; *provided, however,* no transfer of surplus revenue or anticipated receipts by a governing body to the board of education of the local school district, under the authority conferred by this section, shall be made unless and until such proposed transfer or appropriation shall have been included in the local municipal budget for the year in which it is intended to make such transfer available from a prior year's appropriation reserve and shall have been regularly approved, advertised and adopted as a part of such local municipal budget.

Proviso.

2. Section 40:148–4 of the Revised Statutes is hereby repealed. C. 40:48-17.2. Section repealed.

3. This act shall take effect immediately.

Approved February 28, 1941.

CHAPTER 15

AN ACT to limit and regulate the issuance of restraining orders and injunctions and regulating the punishment for violation thereof in disputes concerning terms or conditions of employment.

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

1. No court of the State of New Jersey, nor any judge or judges thereof, shall issue any restraining order or temporary or permanent injunction to prohibit any person or persons (as these terms are hereinafter defined) from doing, whether singly or in concert, any of the following acts: C. 2:29-77.1. Issuance of injunctions limited.

(a) Ceasing or refusing to perform any work or to remain in any relation of employment;

(b) Becoming or remaining a member of any labor organization or of any organization of employers, regardless of any undertaking or promise hereafter made;

(c) Paying or giving to, or withholding from any person or persons any strike or unemployment benefits or insurance or other moneys or things of value;

(d) By all lawful means aiding any person or persons in any labor dispute who is or are being proceeded against in, or is or are prosecuting, any action or suit in any court of this State;

(e) Giving publicity to the existence of, or the facts involved in, any labor dispute, whether by advertising, speaking, patrolling, picketing, without fraud or violence, or by any other method not involving fraud or violence, and not in violation of any other law of the State of New Jersey;

(f) Assembling peaceably to act or to organize to act in promotion of their interests in a labor dispute;

(g) Advising or notifying persons of an intention to do any of the acts heretofore specified;

(h) Agreeing with other persons to do or not to do any of the acts heretofore specified;

(i) Advising, urging, or otherwise causing or inducing without fraud or violence the acts heretofore specified regardless of any undertaking or promise hereafter made;

(j) Requiring as a condition of employment that all employees of a particular employer or group of employers shall be members of a particular labor organization.

(k) The aforesaid acts are hereby declared, as a matter of public policy of the State of New Jersey, to be lawful and in no wise to constitute a tort or a nuisance.

C. 2:29-77.2. Public policy defined.

2. In the interpretation and application of sections three to eight, inclusive, of this act, the public policy of the State of New Jersey is hereby defined and declared as follows:

Procedure that permits a complaining party to obtain sweeping injunctive relief that is not preceded by or conditioned upon notice to and hearing of the responding party or parties, or that issues after hearing based upon written affidavits alone and not wholly or in part upon examination, confrontation and cross-examination of witnesses in open court, is subject to abuse and contrary to the

public policy of the State of New Jersey for the reason that

(a) The status quo cannot be maintained, but is necessarily altered by the injunction.

(b) Determination of issues of veracity and of probability of fact from affidavits of the opposing parties that are contradictory and, under the circumstances, untrustworthy, rather than from oral examination in open court is subject to grave error.

(c) Error in issuing the injunctive relief is usually irreparable to the opposing party, and

(d) Delay incident to the normal course of appellate practice frequently makes ultimate correction of error in law or in fact unavailing in the particular case.

C. 2:29-77.3. Injunctions in labor disputes.

3. No court of the State of New Jersey nor any judge or judges thereof shall issue a temporary or permanent injunction in any case involving or growing out of a labor dispute, as herein defined, except after hearing the testimony of witnesses in open court (with opportunity for cross-examination) in support of the allegations of a bill of complaint made under oath, and testimony in opposition thereto, if offered, and except after findings of all the following facts by the court or judge or judges thereof:

(a) That unlawful acts have been committed and are likely to be continued unless restrained;

(b) That substantial and irreparable injury to complainant's property will follow unless the relief is granted;

(c) That as to each item of relief granted greater injury will be inflicted upon complainant by the denial thereof than will be inflicted upon defendants by the granting thereof;

(d) That complainant has no adequate remedy at law.

Notice of hearing.

Such hearing shall be held after due and personal notice thereof has been given, in such manner as the court shall direct, to all known persons against whom relief is sought; *provided, however,* that if a complainant shall also allege that unless a temporary restraining order shall be issued without notice, a substantial and irreparable injury to complainant's property will be unavoidable, then in that case a temporary restraining order may be issued; *provided,* the complainant presents oral testimony under oath sufficient to justify the court in issuing a temporary injunction upon a hearing after notice.

Proviso.

Proviso.

Order void.

Such temporary restraining order shall be effective for no longer than five (5) days, and at the expiration of said five (5) days shall become void.

Bond filed by complainant.

No temporary restraining order or temporary injunction or permanent injunction shall be allowed, except upon condition that complainant shall first file with the court a bond or undertaking, in favor of the person or persons enjoined or restrained, in an amount to be fixed by the court issuing the restraining order or injunction, sufficient to secure to the person or persons enjoined their court costs, attorney and counsel fees taxed against the complainant, in the event that the injunctive relief sought is subsequently denied by the court or in the event that the order, judgment, or decree granting such injunctive relief is thereafter reversed by an appellate court.

C. 2:29-77.5. Effort made before seeking injunction.

4. No restraining order or injunctive relief shall be granted to any complainant who has failed to comply with any obligation imposed by law which is involved in the labor dispute in question, or who has failed to make every reasonable effort to settle such dispute either by negotiation or with the aid of any available governmental machinery of mediation or voluntary arbitration.

C. 2:29-77.5. Injunction based on finding of fact. Prohibition to be for specific act.

5. (a) No restraining order or temporary or permanent injunction shall be granted in a case involving or growing out of a labor dispute, except on the basis of findings of fact made and filed by

the court in the record of the case prior to the issuance of such restraining order or injunction; and every restraining order or injunction granted in a case involving or growing out of a labor dispute shall include only a prohibition of such specific act or acts as may be expressly complained of in the bill of complaint or petition filed in such case and as shall be expressly included in said findings of fact made and filed by the court as provided herein.

Duration of injunction.

(b) No permanent injunction shall remain in full force more than six (6) months from the date on which the decree and order or either is filed; *provided, however,* that the duration of the injunction might be extended for another six (6) months if after a further hearing initiated and conducted in the same manner as the original hearing, the court shall determine that the injunction shall be continued or modified in accordance with the findings of fact on the subsequent hearing.

Proviso.

C. 2:29-77.6. Contempt or violation—facts determined by jury.

6. Whenever any person or persons shall be cited for disobeying, or shall be directed or ordered to show cause why they should not be adjudged in contempt of court for disobeying the restraining order, temporary injunction, or injunction above mentioned, then the person or persons so cited or directed or ordered to show cause shall, on application to the Chancellor, have the facts concerning such dispute determined by a jury presided over by a judicial officer other than the one who issued such temporary restraining order, temporary injunction, or permanent injunction and shall order such jury trial. Such jury shall be summoned at the direction of the court from the panel of jurors summoned for duty in the court of common pleas from the term when the alleged violation of the order of temporary restraint or injunction, or the contempt, is to be tried; *provided, however,* that if the trial upon such violation or contempt is had at a time when there is no panel of jurors for the court of common pleas, the said jury shall be selected from the last preceding panel used in and for said court

Jury.

Proviso.

Right to challenge jurors.

of common pleas. In selecting the jurors, the person applying for the contempt order, decree or judgment and the person or persons to be tried for such violation or contempt shall each be entitled to challenge six (6) members of the panel peremptorily and without assigning any cause or reason therefor. The procedure before the court presiding at the hearing on the citation in impaneling and selecting the jury and in admitting evidence shall be the same as that provided for civil cases tried in the circuit court. The jurymen so summoned shall be entitled to the same fees for services as are now allowed in other civil trials. In the event that the person cited or directed or ordered to show cause as aforesaid shall not demand a jury trial, then and in that case, such dispute shall be determined and presided over by a judicial officer other than the one who issued such temporary restraining order, temporary injunction or permanent injunction.

Trial procedure.

Jury fees.

Trial by court.

C. 2:29-77.7. Penalty.

7. Punishment for a contempt specified in section six hereof may be by fine, not exceeding one hundred dollars ($100.00), or by imprisonment not exceeding fifteen (15) days, in the jail of the county where the court is sitting, or both, in the discretion of the court; *provided, however,* that this limitation shall not apply to any contempt conviction based on violations committed by a defendant subsequent to his initial conviction for violating any provision of the same injunction. Where a person is committed to jail, for the nonpayment of such a fine, he must be discharged at the expiration of fifteen (15) days; but where he is also committed for a definite time, the fifteen (15) days must be computed from the expiration of the definite time.

Proviso.

Commitment for non-payment of fine.

C. 2:29-77.8. When case held to involve labor dispute.

8. When used in this act, and for the purpose of this act: (a) A case shall be held to involve or to grow out of a labor dispute when the case involves persons who are engaged in industry, trade, craft, employment, or occupation; or who are members of an affiliated organization of employers or employees; whether such dispute is (1) between one

or more employees and one or more employers; (2) between one or more employees and an association or associations of employees or employers; (3) between an association or associations of employees and any other association or associations of employees; (4) between one or more associations of employees and one or more employers or associations of employers; or when the case involves any conflicting or competing interests in a "labor dispute" (as hereinafter defined) of "persons participating or interested" therein (as hereinafter defined).

Person, etc., participating in labor dispute.

(b) A person or association shall be held to be a person participating or interested in a labor dispute if relief is sought against him or it, and if he or it is engaged in the industry, trade, craft, or occupation in which such dispute occurs, or has a direct or indirect interest therein, or is a member, officer, or agent of any association of employers or employees engaged in such industry, trade, craft, or occupation.

Labor dispute defined.

(c) The term "labor dispute" includes any controversy concerning terms or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, or concerning employment relations, or any other controversy arising out of the respective interests of employer and employee, regardless of whether or not the disputants standing in the proximate relation of employer and employee.

Use of words.

(d) The word "person" as used in this act shall include the plural thereof and shall include and be taken to mean any organization of such persons. Wherever used in this act, the words "complainant," "employer," "employee," and "proximate relation of employer and employee" shall include the plural thereof.

C. 2:29-77.9. Constitutionality.

9. If any provision of this act or the application thereof to any person or circumstances is held or declared invalid or unconstitutional, the remainder

of the act and the application of such provisions to other persons or circumstances shall not be affected thereby.

Repealer.

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

11. This act shall take effect immediately.

Approved March 13, 1941.

CHAPTER 16

AN ACT to provide for examinations and investigations of any officer, department, board, bureau or commission of the State.

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

C. 52:15-7. Governor authorized to make investigation.

1. The Governor is authorized at any time, either in person or by one or more persons appointed by him for the purpose, to examine and investigate the management by any State officer of the affairs of any department, board, bureau or commission of the State and to examine and investigate the management and affairs of any department, board, bureau or commission of the State. The Governor and the persons so appointed by him are empowered to subpœna and enforce the attendance of witnesses, to administer oaths and examine witnesses under oath and to require the production of any books or papers deemed relevant or material. Whenever any person so appointed shall not be regularly in the service of the State his compensation for such services shall be fixed by the Governor, and said compensation and all necessary expenses of such examinations and investigations shall be paid from the treasury out of any appropriations made for the purpose upon the order of the Governor.

Compensation.

2. This act shall take effect immediately.

Approved March 15, 1941.

CHAPTER 17

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 forty-one, and regulating the disbursement thereof," approved June twenty-eighth, one thousand nine hundred and forty (P. L. 1940, c. 158).

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

1. The following sums or so much thereof as may be necessary, be and they are hereby appropriated out of the State fund for the respective public purposes herein specified, and shall be available for expenditure in the same manner as other appropriations made pursuant to the act to which this act is a supplement. Appropriations:

B. LEGISLATIVE

B 1. LEGISLATURE

Legislature;

Compensation and expenses of officers and employees	$18,550 00	
Indexing Journal of the Senate, minutes of the House of Assembly and other incidental and contingent expenses	47,500 00	
		$66,050 00

D 5. COUNTY BOARDS OF TAXATION

County tax boards;

For salaries of members of the county boards of taxation	$13,500 00	
		$13,500 00

H. PENSION AND RETIREMENT FUND

H 1. JUDICIAL RETIREMENT FUND

Judicial retirement fund;

For the Judicial Retirement Fund	$3,919 33	$3,919 33

H 2. PENSIONS

Pensions.

For additional amount to pay pensions pursuant to various acts	$7,000 00	$7,000 00

2. This act shall take effect immediately.
Approved March 15, 1941.

CHAPTER 18

AN ACT concerning the validation of certain decrees heretofore entered in the Court of Chancery 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 chancery decrees validated.

1. All final decrees heretofore entered in the Court of Chancery of this State in suits or actions instituted therein for the purpose of foreclosing any municipal liens, tax title liens or tax title lien certificate or certificates, in which suits or actions an order of publication against absent defendants was entered, and in which suits or actions a notice of the order of publication was published in a newspaper of the county where the lands are situated, though not published within the twenty days as

prescribed by law, shall be good, valid and sufficient in law and in equity, for all purposes whatsoever, and such defendants mentioned in said order of publication shall stand absolutely debarred and foreclosed of and from all rights and equity of redemption of, in and to the said lands and premises and every part thereof, and the sale of any lands, tenements, hereditaments, real estate or other property whatsoever heretofore or hereafter made by the complainant or his, her or their successors in right, title and interest, shall be good, valid and legal, and the purchaser or purchasers of such lands, tenements or hereditaments, real estate or other property whatsoever, having paid the price therefor and having received the deed therefor, he, she or they, or his, her or their heirs, successors or assigns, shall be deemed to have as good and complete title thereto as if such notice of the order of publication against absent defendants had been published within the time as prescribed by law; *provided,* that no proceedings shall have heretofore been instituted in any court of law or equity to set aside said sale or the deed or any proceedings in connection therewith; *and provided, further,* that the said final decree is good, valid and legal in all other respects. Proviso. Proviso.

2. This act shall take effect immediately.

Approved March 15, 1941.

CHAPTER 19

AN ACT to provide for the numbering of certain sections of the statutes, and amending section 1:3–1 of the Revised Statutes.

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

Section amended.

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

Marginal notes.

1:3–1. The Secretary of State shall, as soon as practicable after any law shall be passed, cause the same to be copied for the purpose of printing the same, with proper marginal notes to each section.

Numbering chapters.

He shall cause the several acts of each year to be designated as chapters, numbered in Arabic according to the order of time in which they respectively became laws; and shall cause such sections of the several acts of each year, as shall be designated by the Commission on Statutes, to be marked with such compilation numbers as shall be furnished to him by said commission; and he shall, in like manner, cause the joint resolutions of the Senate and Assembly to be copied for printing.

Marking sections of statutes.

Joint resolutions.

Proclamations printed.

The Secretary of State shall also cause the Proclamations of the Governor made during the previous year to be copied and prepared for printing.

Index.

The Secretary of State shall prepare but one index, alphabetically arranged, to all the acts and joint resolutions of the year and the proclamations of the previous year.

2. This act shall take effect immediately.

Approved March 15, 1941.

CHAPTER 20

AN ACT to amend an act entitled "An act imposing an excise tax upon persons, copartnerships, associations or corporations, other than street railway, traction, gas and electric light, heat and power corporations, municipal corporations and corporations taxable under chapters nineteen to twenty-nine, inclusive, of Title 54 of the Revised Statutes, using or occupying public streets, highways, roads or other public places by virtue of a franchise or authority or permission from the State or any municipality thereof, except for the operation of autobuses or autocabs commonly called taxicabs," passed January twenty-third, one thousand nine hundred and forty, being chapter four of the pamphlet laws of one thousand nine hundred and forty.

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

1. In clarification of existing law and declaratory thereof, section two of the act to which this act is an amendment is amended to read as follows: C. 54:30A-17. Section 2 amended.

2. Definitions: As used in this act, Definitions:

(a) "Taxpayer" means any person, copartnership, association or corporation subject to taxation under the provisions of this act. Taxpayer;

(b) "Gross receipts" means all receipts from the taxpayer's business over, on, in, through or from the whole of its lines or mains, excluding therefrom, however, any sum or sums of money received by any taxpayer in payment for such portion of its products as may have been sold and furnished to another Gross receipts;

public utility which is also subject to the payment of a tax based upon gross receipts, and excluding also receipts from the operation of autobuses.

Scheduled property;

(c) "Scheduled property" means only those classes or types of property of a taxpayer set forth in section seven of this act, and which are to be used in computing the apportionment valuation herein defined.

Unit value;

(d) "Unit value" means the value set forth in section seven of this act, to be uniformly applied to each of the several classes or types of scheduled property in computing the apportionment value.

Apportionment value;

(e) "Apportionment value" or "apportionment valuation" means the result obtained by multiplying the quantities of each class or type of scheduled property of a taxpayer by the applicable unit value, and the addition of such results.

Public street, etc.;

(f) "Public street, highway, road or other public place" includes any street, highway, road or other public place which is open and used by the public, even though the same has not been formally accepted as a public street, highway, road, or other public place.

Service connections.

(g) "Service connections"—

(1) in the case of telephone, telegraph or other wire communication facilities, means the wires connecting the instrument or instruments in the building or at the place where the service supplied by the taxpayer is used or delivered or is made available for use or delivery with a pole line, conduit line or cable line in the street, highway, road or other public place, or with such a pole line, conduit line or cable line on private property;

(2) in the case of facilities of taxpayers subject to this act, other than service connections as defined in (1) of this subsection,

means the wires or pipes connecting the building or place where the service or commodity supplied by the taxpayer is used or delivered, or is made available for use or delivery, with a supply line or supply main.

C. 54:30A-18. Section 3 amended.

2. In clarification of existing law and declaratory thereof, section three of the act to which this act is an amendment is amended to read as follows:

To pay excise tax.

3. Every person, copartnership, association or corporation, other than street railway, traction, gas and electric light, heat and power corporations, municipal corporations and corporations which are taxable under chapters nineteen to twenty-nine, inclusive, of Title 54 of the Revised Statutes, using or occupying public streets, highways, roads or other public places by virtue of a franchise or authority or permission from the State or any municipality thereof, except consent, authority or permission for the operation of autobuses or autocabs commonly called taxicabs, shall, in the year one thousand nine hundred and forty-one and annually thereafter, pay for the franchise to use such public streets, highways, roads or other public places in this State an excise tax which shall be in lieu of any and all other tax or taxes upon the franchise or franchises of such taxpayer. The annual excise tax imposed on each taxpayer shall be a sum equal to five per centum (5%) of such portion of the taxpayer's gross receipts as the length of the lines or mains of such taxpayer in this State along, in or over any public street, highway, road or other public place, exclusive of service connections, bears to the whole length of its lines or mains, exclusive of service connections. In case the gross receipts of any such taxpayer for any calendar year shall not exceed the sum of fifty thousand dollars ($50,000.00) the tax on such taxpayer for such calendar year shall be computed at the rate of two per centum (2%), instead of at the rate of five per centum (5%).

Rate.

Rate when gross receipts are less than $50,000.

C. 54:30A-19. Section 4 amended.

3. In clarification of existing law and declaratory thereof, section four of the act to which this act is an amendment is amended to read as follows:

Annual statement, contents:

4. (A) Every taxpayer shall on or before the first day of September, one thousand nine hundred and forty-one, and the first day of September in each year thereafter return to the State Tax Commissioner a statement in such form and detail as the State Tax Commissioner shall require, showing, as of the first day of July preceding:

Scheduled property;

(1) The scheduled property of the taxpayer located in, on or over any public street, highway, road or other public place in this State; and

Length of lines.

(2) The length of the taxpayer's lines or mains in, on, along or over any public street, highway, road or other public place in this State, exclusive of service connections; and

(3) The whole length of the taxpayer's lines or mains, exclusive of service connections.

Statement of gross receipts.

(B) Every taxpayer shall on or before February first, one thousand nine hundred and forty-one, and February first in each year thereafter return to the State Tax Commissioner a statement showing its gross receipts for the preceding calendar year.

Statements sworn to.

(C) The statements herein provided for shall be subscribed and sworn to by the taxpayer or the president, a vice-president, or chief officer of the corporation making such return.

Penalty for failure, etc., to make statement.

Any taxpayer refusing or neglecting to make the statements herein provided for shall forfeit and pay to the State of New Jersey the sum of one hundred dollars ($100.00) per day for each day of such refusal or neglect, to be recovered in an action at law in the name of the State and which, when recovered, shall be paid into the State treasury. It shall be the duty of the State Tax Commissioner to certify any such default to the Attorney-General of the State who, thereupon, shall prosecute an action at law for such penalty.

Perjury.

Any person who shall know-

ingly or willfully falsely make any oath required to be made under this act shall be deemed guilty of perjury and on conviction thereof shall be liable to all penalties prescribed by law therefor.

Statements audited.

(D) The State Tax Commissioner shall audit and verify the statements filed by taxpayers whenever and in such respects as he shall deem necessary or advisable. The State Tax Commissioner may require any taxpayer to supply additional data and information in such form and detail as he shall request, whenever he may deem it necessary or helpful, for the proper performance of his duties under this act.

Additional information.

4. This act shall take effect immediately.

Approved March 24, 1941.

CHAPTER 21

AN ACT to amend an act entitled "An act for the taxation of the gross receipts of street railway, traction, gas and electric light, heat and power corporations using or occupying the public streets, highways, roads or other public places, for the exemption from taxation of the franchises, stock, and certain property of such corporations, and for the taxation of certain of the property of such corporations not so exempted from taxation," passed January twenty-third, one thousand nine hundred and forty, being chapter five of the pamphlet laws of one thousand nine hundred and forty.

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

C. 54:30A-50. Section 2 amended.

1. In clarification of existing law and declaratory thereof, section two of the act to which this act is an amendment is amended to read as follows:

Definitions:

2. Definitions: As used in this act—

Taxpayer;

(a) "Taxpayer" means any corporation subject to taxation under the provisions of this act.

Real estate;

(b) "Real estate" means lands and buildings, but it does not include railways, tracks, ties, lines, wires, cables, poles, pipes, conduits, bridges, viaducts, machinery, apparatus and equipment, notwithstanding any attachment thereof to lands or buildings.

Gross receipts;

(c) "Gross receipts" means all receipts from the taxpayer's business over, in, through or from the whole of its lines or mains but does not include any sum or sums of money received by the taxpayer in payment for gas or electrical energy sold and furnished to another public utility which is also subject to the payment of a tax based upon its gross receipts, nor in the case of a street railway or traction corporation the receipts from the operation of autobuses or vehicles of the character described in Title 48, chapter fifteen, section forty-one to the end of the chapter, of the Revised Statutes (Revised Statutes, section 48:15–41 et seq.).

Scheduled property;

(d) "Scheduled property" means only those classes or types of property of a taxpayer set forth in section ten of this act and which are to be used in computing the apportionment value as herein defined.

Unit value;

(e) "Unit value" means the value set forth in section ten of this act to be uniformly applied to each of the several classes or types of scheduled property in computing the apportionment value.

Apportionment value;

(f) "Apportionment value" or "apportionment valuation" means the result obtained by multiplying the quantities of each class or type of scheduled property of a taxpayer by the applicable unit value, and the addition of such results.

(g) "Public street, highway, road or other public place" includes any street, highway, road or other public place which is open and used by the public, even though the same has not been formally accepted as a public street, highway, road, or other public place. Public street, etc.;

(h) "Service connections" means the wires or pipes connecting the building or place where the service or commodity supplied by the taxpayer is used or delivered, or is made available for use or delivery, with a supply line or supply main in the street, highway, road, or other public place, or with such supply line or supply main on private property. Service connection.

2. In clarification of existing law and declaratory thereof, section six of the act to which this act is an amendment is amended to read as follows: C. 54:30A-54. Section 6 amended.

6. Every street railway, traction, gas and electric light, heat and power corporation using or occupying the public streets, highways, roads or other public places in this State shall in the year one thousand nine hundred and forty-one and annually thereafter pay excise taxes for the privilege of exercising its franchises and using the public streets, highways, roads or other public places in this State, as follows: To pay excise tax.

(a) A tax computed at the rate of five per centum (5%) of such proportion of the gross receipts of such taxpayer for the preceding calendar year as the length of the lines or mains in this State, located along, in or over any public street, highway, road or other public place, exclusive of service connections, bears to the whole length of its lines or mains, exclusive of service connections. In case the gross receipts of any such taxpayer for any calendar year shall not exceed fifty thousand dollars ($50,000.00) the tax on such taxpayer for such calendar year shall be computed at the rate of two per centum (2%) instead of at the rate of five per centum (5%). Rate. Rate when gross receipts are less than $50,000.

Tax upon gross receipts.

(b) A tax computed at the same rate as the average rate of taxation in this State fixed for the current year by the State Tax Commissioner under the provisions of Title 54, chapter twenty-four, of the Revised Statutes (Revised Statutes, section 54:24–1 et seq.) upon the gross receipts of such taxpayer for the preceding calendar year from its business over, on, in, through or from its lines or mains in the State of New Jersey.

C. 54:30A-55. Section 7 amended.

3. In clarification of existing law and declaratory thereof, section seven of the act to which this act is an amendment is amended to read as follows:

Annual statement, contents:

7. (A) Every taxpayer shall on or before the first day of September, one thousand nine hundred and forty-one and on or before the first day of September in each year thereafter return to the State Tax Commissioner a statement in such form and detail as the State Tax Commissioner shall require, showing, as of the first day of July of such year:

Scheduled property;

(1) The scheduled property of the taxpayer located in, on or over any public street, highway, road or other public place in each municipality in this State and the scheduled property not so located in each municipality in this State;

Length of lines over public roads, etc.;

(2) The length of the taxpayer's lines and mains along, in, on or over any public street, highway, road or other public place in this State, exclusive of service connections (but not including in the case of a street railway or traction company the length of the lines operated by autobuses or vehicles of the character described in Title 48, chapter fifteen, section forty-one to the end of the chapter, of the Revised Statutes (Revised Statutes, section 48:15–41 et seq.)); and

Total length of lines;

(3) The whole length of the taxpayer's lines and mains, exclusive of service connections

(but not including in the case of a street railway or traction company the length of the lines operated by autobuses or vehicles of the character described in Title 48, chapter fifteen, section forty-one to the end of the chapter, of the Revised Statutes (Revised Statutes, section 48:15–41 et seq.)).

Gas and electric property shown separately.

(4) Every taxpayer operating both gas and electric facilities shall supply the information required by this subsection (A) in such manner as the State Tax Commissioner shall require so that its gas and electric scheduled property and length of gas and electric lines shall be shown separately.

Gross receipts statement:

(B) Every taxpayer shall on or before the first day of February, one thousand nine hundred and forty-one, and on or before the first day of February in each year thereafter return to the State Tax Commissioner a statement showing:

Receipts preceding calendar year.

(1) The gross receipts for the preceding calendar year from the business over, on, in, through or from the taxpayer's lines and mains in this State, stated separately for each class of business; and

(2) The gross receipts for the preceding calendar year from the business over, on, in, through or from the whole of the taxpayer's lines and mains.

(3) Every taxpayer operating both gas and electric facilities shall supply the information required by this subsection (B) in such manner as the State Tax Commissioner shall require, separating its gross receipts from gas operations from its gross receipts from electric operations.

Statement sworn to.

(C) The statements herein provided for shall be subscribed and sworn to by the president, a vice-president or chief officer of the corporation making such return; any taxpayer refusing or neglecting to make the statements herein provided for shall forfeit and pay to the State of New Jersey the sum of one hundred dollars ($100.00) per day for each day of such refusal or neglect, to be recovered in an action at law in the name of the State and which, when recovered, shall be paid into the State treasury. It shall be the duty of the State Tax Commissioner to certify any such default to the Attorney-General of the State who, thereupon, shall prosecute an action at law for such penalty.

Penalty for failure, etc., to make statement.

Perjury.

Any person who shall knowingly or willfully falsely make any oath required to be made under this act shall be deemed guilty of perjury and on conviction thereof shall be liable to all penalties prescribed by law therefor.

Statements audited.

(D) The State Tax Commissioner shall audit and verify the statements filed by taxpayers whenever and in such respects as he shall deem necessary or advisable. The State Tax Commissioner may require any taxpayer to supply additional data and information in such form and detail as he shall request, whenever he may deem it necessary or helpful, for the proper performance of his duties under this act.

Additional information.

4. This act shall take effect immediately.

Approved March 24, 1941.

CHAPTER 22

AN ACT making an appropriation to the Board of Conservation and Development for the purpose of eradicating weed growth in Cranberry lake, Sussex county.

WHEREAS, The Cranberry lake reservoir of the Morris canal is a State-owned body of water dedicated to public use in perpetuity by statute; and Preamble.

WHEREAS, A rank growth of aquatic vegetation has so occupied a large portion of the lake that it is no longer usable for boating, bathing or fishing; and Preamble.

WHEREAS, This publicly-owned body of water is an important feature for public recreation use; therefore, Preamble.

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

1. There is hereby appropriated to the Board of Conservation and Development the sum of three thousand dollars ($3,000.00) to meet the expenses of eradicating objectionable aquatic vegetation in Cranberry lake, Sussex county. Appropriation.

2. This act is to take effect immediately.

Approved March 24, 1941.

CHAPTER 23

AN ACT for the punishment of crimes, and supplementing subtitle 13 of Title 2 of the Revised Statutes.

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

C. 2:160-14. Prohibits exploiting relief recipients for political purposes.

1. No overseer of the poor, welfare director or other employee of a welfare department shall use his or her position to influence the political action of any other person or in any way exploit recipients of relief for political purposes.

C. 2:160-15. Not to solicit, etc., funds.

2. No overseer of the poor, welfare director or other employee of a welfare department shall, directly or indirectly, demand, solicit, collect or receive, or be in any manner concerned in demanding, soliciting or receiving any assessment, subscription or contribution, whether voluntary or involuntary, intended for any political purpose whatsoever.

C. 2:160-16. Penalty.

3. Any person who shall violate any provision of this act shall be guilty of a misdemeanor and upon conviction thereof forfeit his office, position or employment and be further punished by a fine not exceeding five hundred dollars ($500.00) or by imprisonment for a term not exceeding one year.

4. This act shall take effect immediately.

Approved March 24, 1941.

CHAPTER 24

AN ACT validating, in certain cases, sales and conveyances made under decree of the Court of Chancery of lands in this State, situated in more than one county.

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

Validating certain sales and conveyances.

1. All sales and conveyances of land situated in more than one county of this State, heretofore made under a decree of the Court of Chancery, when the sale and conveyance of the whole of said land have been in one county only, and, in that particular, said sale and conveyance have not been made by such officers, advertisements or proceedings as required by law for the sale and conveyance of the whole of said land, shall be valid sales and conveyances of the whole of said lands against all parties to the suit wherein said decree was made, whose interest in said lands has been thereby foreclosed and cut off, and their heirs, executors, administrators and assigns, notwithstanding such facts, or any or either of such facts, unless within six months after the passage of this act, any party to the suit, who has been thereby foreclosed, cut off or effected in interest, his heirs, executors, administrators or assigns, shall obtain from said court an order in said suit, upon such notice to the present owner, person in possession and other persons as the court may direct, decreeing a resale of the part of said land lying in the county other than that in which the sale was made, but only upon such terms as to redemption and otherwise as the court may direct.

2. This act shall take effect immediately.

Approved March 24, 1941.

CHAPTER 25

AN ACT concerning the government of certain cities in this State and providing for an acting mayor therein in certain cases, and amending section 40:186–15 of the Revised Statutes.

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

Section amended.

1. Section 40:186–15 of the Revised Statutes is amended to read as follows:

Acting mayor.

40:186–15. In case of a vacancy arising in the office of mayor by reason of death, resignation or otherwise or whenever the mayor shall in any way be prevented from attending to the duties of his office, in any city having a board of finance under the act to which this act is a supplement the president of said board of finance of said city shall be the acting mayor of such city and perform all the duties of such office during such vacancy or while said mayor is prevented from officiating as aforesaid; but it shall not be lawful for the acting mayor to sign or approve any resolution or ordinance of any board of aldermen, board of finance, board of public works, board of fire and police commissioners or other board of commission of such city, or to appoint or suspend any city officer, unless such vacancy or disability shall have been continued at least ten days. In case of a vacancy in the office of mayor, the acting mayor shall receive all the emoluments of the office of mayor of such city during the period of his incumbency.

Limits authority.

In case of vacancy.

2. This act shall take effect immediately.

Approved March 24, 1941.

CHAPTER 26

AN ACT respecting shad fishing in the Hudson river, and amending section 23:9–115 of the Revised Statutes.

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

1. Section 23:9–115 of the Revised Statutes is hereby amended to read as follows: Section amended.

23:9–115. Upon application to the Board of Fish and Game Commissioners, and the payment of a fee of twenty-five dollars ($25.00) for each net, the board may issue, in its discretion, a license permitting the licensee to fish for shad, in the Hudson river, from March fifteenth to June fifteenth; *provided, however,* that the said licensed nets shall be lifted at noon on each and every Saturday, and shall not be reset or operated before midnight the following Sunday; *provided further, however,* that the aforementioned thirty-six hour lift period shall be the minimum period and the maximum lift period shall be at the discretion of the Board of Fish and Game Commissioners. License fee and season. Proviso. Proviso.

2. This act shall take effect immediately.

Approved March 27, 1941.

CHAPTER 27

AN ACT relating to explosives, prescribing rules and regulations for their manufacture, having, keeping, storage, sale, transportation and use, providing penalties for all violations of this act and empowering the Commissioner of Labor and the Bureau of Explosives of the Department of Labor to enforce the provisions of the act, and repealing chapter one of Title 21 of the Revised Statutes, excepting only sections 21:1–41, 21:1–42, 21:1–43, 21:1–44, 21:1–50 and 21:1–51 of the Revised Statutes.

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

ARTICLE 1

DEFINITIONS

C. 21:1A-1. Terms defined

1. The term "explosive" whenever used in this act, shall be held to mean and include any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion, that contains any oxidizing and combustible 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.

Explosive;

Blasting caps;

The term "blasting caps," as used in this act, shall mean and include blasting caps, electric blasting caps, detonating or fulminating caps and detonators; "blasting caps" are explosives.

Certain ammunition excepted;

Nothing in this act shall refer to small arms ammunition.

2. A permit is the written or printed authority of the commissioner issued pursuant to this act to have, keep, possess, manufacture, store, sell, transport or use an explosive. C. 21:1A-2. Permit;

3. The term "magazine" as used herein shall mean any building or other structure used for the storage of explosives except a factory building. C. 21:1A-3. Magazine;

4. The term "building" as used herein shall be held to mean and include only a building occupied in whole or in part, as a habitation for human beings, or any church, schoolhouse, railroad station, bus station, store, factory, office or other building or structure where people are accustomed to assemble, except buildings or structures on explosives plants. C. 21:1A-4. Building;

5. The term "explosives plant" as used herein means and includes all lands, with the buildings situated thereon, used in connection with the manufacturing or processing of explosives or in which any process involving explosives is carried on, or the storage of explosives thereat, as well as any premises where explosives are used as a component part or ingredient in the manufacture of any article or device. C. 21:1A-5. Explosive plant;

6. The term "factory building" as used herein shall be held to mean any building or other structure containing explosives (excepting magazines and rest houses), in which the manufacture of explosives or any processing involving explosives is carried on and any building where explosives are used as a component part or ingredient in the manufacture of any article or device. C. 21:1A-6. Factory building;

7. The term "highway" as used herein shall be held to mean and include any public street, public alley, public road or navigable stream. Navigable streams shall be considered as only those streams capable of being used, in their ordinary condition or where improved by authorized agencies, as highways of commerce over which trade and travel are or may be conducted in the customary modes but shall not include streams that are not capable of navigation by barges, tugboats and other large vessels. C. 21:1A-7. Highway;

C. 21:1A-8. Railroad;

8. The term "railroad" or "railway" whenever used herein shall be held to mean and include any steam, electric or other railroad which carries passengers for hire.

C. 21:1A-9. Public conveyance;

9. The term "public conveyance" whenever used herein shall be held to mean and include any vehicle which is carrying passengers for hire such as railroad car, street car, cab, bus, airplane or other vehicle.

C. 21:1A-10. Efficient artificial barricade;

10. The term "efficient artificial barricade" whenever used herein shall be held to mean an artificial mound or properly revetted wall of earth of a minimum thickness of not less than three (3) feet at the top.

C. 21:1A-11. Person;

11. The term "person" as used herein shall be held to mean any person; individual; firm; partnership, or the officers or agents thereof; corporation or the officers or agents of any corporation; companies, associations or societies, or the officers or agents thereof.

C. 21:1A-12. Use of words;

12. Words used in the singular shall include the plural and the plural the singular.

C. 21:1A-13. Sell;

13. The term "sell" as used herein shall mean sell, offer or expose for sale, consign, lease or transfer in any manner.

C. 21:1A-14. Commissioner.

14. The term "commissioner" as used herein shall mean the Commissioner of Labor or any of his authorized representatives.

ARTICLE 2

GENERAL REGULATIONS

C. 21:1A-15. Manufacture, etc., prohibited.

15. It is prohibited for any person to manufacture, process, possess, have, keep, store, sell, discharge, transport, use or dispose of in any manner any explosives in this State, except in compliance with this act. It is prohibited for any person who has been convicted of a crime involving moral turpitude or is or has been disloyal to the United States, to manufacture, process, possess, have, keep, store, sell, discharge, transport, use or dispose of in any manner any explosives in this State.

Permission obtained to manufacture, etc.

Permission may be obtained in writing from the commissioner for the manufacture or demonstration of explosives in experimental or analytical laboratories for the purpose of instruction or investigation. The commissioner may refuse permission when, in his discretion, a dangerous condition is found to exist.

C. 21:1A-16. Discharge of explosives prohibited.

16. It is prohibited for any person to discharge any explosives within this State for purposes other than (1) permissible blasting or permissible demolition operations, (2) testing or experimental investigations when such procedures are necessary in connection with the manufacture of explosives or for experimental purposes.

C. 21:1A-17. To sell, etc., prohibited.

17. It is prohibited for any person to sell, give away or otherwise dispose of or to deliver any explosive to any person not in possession of a permit to have, keep, possess, manufacture, store, sell, transport or use explosives as required by this act.

C. 21:1A-18. Regulations regarding locomotives.

18. No locomotive or other engine burning wood, coal or other substance, the use of which is likely to produce sparks, shall be operated upon or within explosives plants, unless the smokestacks or exhausts of said locomotives or other engines likely to produce sparks are first properly screened in an approved manner.

C. 21:1A-19. Discharging firearms.

19. No person shall discharge any firearm at or against any magazine or factory building.

C. 21:1A-20. Right to enter limited.

20. No person, except an official as authorized herein or a person authorized to do so by the owner thereof, or his agent, shall enter any explosives plant, factory building, magazine or car containing explosives in this State.

C. 21:1A-21. Permit denied or revoked for unsafe conditions.

21. If at any time any governing body or other authority of any locality may know of any reason why a magazine or building in which explosives are used or kept (or are to be used or kept) is not or cannot be conducted in accordance with the provisions of this act and should not be permitted to operate, upon notifying the commissioner in writing, a hearing may be conducted by said commissioner to show cause why a license or permit should not be issued or revoked.

Hearing.

C. 21:1A-22. Matches and intoxicants prohibited.

22. No employee or other person shall attempt to enter any explosives plant with matches or other flame-producing devices, except electric incandescent flash lights, or with liquor or narcotics in his or her possession or control, or while under the influence of liquor or narcotics, or to partake of intoxicants or narcotics while within the plant, under penalty of misdemeanor.

May grant exceptions.

The superintendent may authorize in writing any employee or other person to have approved safety matches in his possession, or to depart from the other provisions in section 22 of this act.

Containers for matches.

It shall be the duty of the superintendent or other person in charge of each plant included within this act to provide safety containers for matches at all entrances of said plant.

C. 21:1A-23. Plan of plant.

23. There shall be kept in the main office on the premises of each explosives plant a plan of said plant showing the location of all factory buildings and the distance they are located from other factory buildings where persons are employed and from magazines, and these plans shall at all reasonable times be open to inspection by duly authorized inspectors of the Department of Labor. Duplicate copies of such plans shall be filed with the commissioner. The superintendent of each plant shall upon demand of said inspector furnish the following information:

Inspection.

Information furnished.

(a) The maximum amount and kind of explosive material which is or will be present in each building at one time.

(b) The nature and kind of work carried on in each building and whether or not said buildings are surrounded by natural or artificial barricades.

C. 21:1A-24. Record of sales.

24. The sale of explosives within this State shall require identification of the purchaser or recipient, or both, and the keeping and filing of records of said sale by the seller or vendor, all in a manner that is satisfactory to the commissioner. The com-

missioner may require copies of records of said identification or sale, or both, to be forwarded to him, where, in his opinion, such action is necessary to effectuate the purposes of this act.

C. 21:1A-25. Keeping of certain smokeless powders.

25. Such smokeless powders as do not come within the definition of an explosive shall, owing to their inflammable nature, be kept in the manner and under the conditions as provided herein.

C. 21:1A-26. Rules and regulation for enforcement of act.

26. The commissioner, guided by considerations of national defense and the defense of this State and by considerations of safety to life and limb of persons, and preservation of property shall make such rules and regulations, to have the force and effect of law, which may be required to facilitate the administration and enforcement of the provisions of this act.

ARTICLE 3

PERMITS

C. 21:1A-27. Separate permits required.

27. Separate and distinct permits shall be required concerning explosives as follows, subject to the conditions specified in this act:

(1) To manufacture explosives, except that explosives plants that have been engaged in the manufacture of explosives prior to the passage of the act and have complied with the existing statutes of this State shall not require such a permit; *provided,* that there are neither changes in ownership or major physical characteristics. A notice of registration as required by labor laws for manufacturing plants as provided in Title 34 of the Revised Statutes of the State of New Jersey must be posted in all explosives plants.

Proviso.

(2) To have, possess, keep or store any explosives.

(3) To sell any explosives.

(4) To transport explosives on highways, by motor truck or any other vehicle.

(5) To use explosives for blasting operations.

(6) To use explosives for other than blasting operations.

C. 21:1A-28. Permits not issued where certain conditions exist.

28. Permits for the storage or sale of explosives shall not be issued for any building where the building or structure is lighted by any artificial means other than electricity; where any manufacturing processes are conducted except those provided for in this act or where the commissioner has expressly granted approval because of the installation of safeguards approved by him; or where paints, oils or varnishes are manufactured or kept for use or sale, unless paints, oils and varnishes are in original unbroken containers; where matches (other than approved safety matches), gasoline or other highly inflammable vapors are used, stored or kept for sale; where stoves or exposed flame are used in the part of the building where explosives are stored or offered for sale.

C. 21:1A-29. Permits not transferable.

29. Permits and notices of registration shall not be transferable.

C. 21:1A-30. Permits posted

30. Permits shall be at all times readily available to inspection by any duly authorized members of the Department of Labor, State police or local police and fire department and shall be posted as directed by the commissioner.

C. 21:1A-31. Permits not issued.

31. Permits required by section 27 of this act shall not be issued for the possession of:

(1) Liquid nitroglycerine.

(2) Dynamite, except gelatine dynamite, containing over sixty per centum (60%) of liquid explosive ingredient.

(3) Dynamite having an unsatisfactory absorbent or one that permits leakage of a liquid explosive ingredient under any conditions liable to exist during storage.

(4) Nitrocellulose in a dry and uncompressed condition.

(5) Fulminate of mercury in bulk in a dry condition and fulminate of all other metals in any condition except as a component of manufactured articles not hereinafter forbidden.

(6) Explosive compositions that ignite spontaneously or undergo marked decomposition when subjected for forty-eight consecutive hours or less to a temperature of seventy-five degrees C.

(7) New explosives until approved by the commissioner.

(8) Explosives condemned by the commissioner.

(9) Explosives not packed or marked in accordance with the requirements of the Inter-State Commerce Commission.

(10) Explosives containing an ammonium salt and a chlorate.

Provided, that nothing in this section shall apply to normal operations and processings carried on in the manufacture of explosives on explosives plants, and that the prohibitions of subsections (1) to (10) inclusive of this section may be waived by the commissioner, where the interest of safety to life and limb and the preservation of property do not require said prohibitions. Proviso.

In any action to be taken by the commissioner regarding subsections (7) and (8) of this section, he shall be guided by the findings of the Bureau of Explosives of the American Association of Railroads, the United States Bureau of Mines or other recognized authoritative agencies. Basis for commissioner's findings.

C. 21:1A-32. Permits to possess nitroglycerine, requirements.

32. Permits to manufacture as required by section 31, subsection (1), of this act shall not be issued unless it has been established by the commissioner that there is complete compliance with all of the requirements of articles seven and eight of this act.

C. 21:1A-33. Permits to have, etc., requirements.

33. Permits to have, possess, keep or store as required by section 27, subsection (2), of this act shall not be issued unless it has been established

Inspection.

by the commissioner that there is complete compliance with all of the requirements of articles eight and nine of this act. The commissioner shall, as soon as may be after receiving the application, cause an inspection to be made of the magazine, if then constructed, and in the case of a new magazine, or the removal of an existing magazine, as soon as may be after the same is found to be constructed or removed in accordance with the specifications provided in this act, and before any explosives may be stored therein the commissioner shall determine the amount of explosives that may be kept or stored in such magazines by reference to the quantity and distance table set forth in this act, and shall issue a permit to the person applying therefor, showing compliance with the provisions of this act, which permit shall set forth the character and maximum quantity of explosives that may be had, kept or stored in said magazine. Such permit shall be valid until cancelled for one or more of the causes hereinafter provided, and a facsimile copy of said permit shall be conspicuously posted on the inside of said magazine near the door. Whenever by reason of change in the physical conditions surrounding said magazine at the time of the issuance or renewal of the permit therefor, such as:

Permit issued.

Change of physical conditions.

(a) The erection of buildings nearer said magazine,

(b) The construction of railroads nearer said magazine, or

(c) The opening for public travel of highways nearer said magazine;

Notice of changed conditions.

then, notice of said change or changes must be given in writing to the commissioner, and the amounts of explosives which may be lawfully had, kept or stored in said magazine must be reduced to conform to such changed conditions in accordance with the quantity and distance table, notwithstanding the permit, and the commissioner shall, after

inspection, modify or cancel such permit in accordance with the changed conditions. Whenever any person to whom a permit has been issued keeps or stores in the magazine covered by such permit any quantity of explosives in excess of the maximum amount set forth in said permit, or whenever any person fails for thirty (30) days to pay the annual license fee hereinafter provided after the same becomes due or otherwise violates any of the provisions of this act, the commissioner may cancel such permit. Whenever a permit is cancelled by the commissioner for any cause hereinbefore specified, the commissioner shall notify in writing the person to whom such permit is issued of the fact of such cancellation, and shall, in said notice, direct the removal of all explosives stored in said magazine within ten (10) days from the giving of said notice. Failure to remove the explosives stored in said magazine within the time specified in said notice shall constitute a violation of this act.

Grounds for canceling.

Notice of cancellation.

34. Permits to sell as required by section 27, subsection (3), of this act shall not be issued unless it has been established by the commissioner that there is complete compliance with all of the requirements of this act.

C. 21:1A-34. Permits to sell, requirements.

35. Permits to transport as required by section 27, subsection (4), of this act shall not be issued unless it has been established by the commissioner that there is complete compliance with all of the requirements of article ten of this act.

C. 21:1A-35. Permits to transport, requirements.

36. Permits to use as required by section 27, subsections (5) and (6), of this act shall not be issued unless it has been established by the commissioner that there is complete compliance with all of the requirements of this act.

C. 21:1A-36. Permits to use, requirements.

37. Permits as required by section 27, subsection (5), of this act shall be issued for maximum quantities of explosives to be shot in any one blast. Any unused explosives shall be returned to an approved magazine for which a permit has been issued.

C. 21:1A-37. Permit to show maximum quantity.

38. Permits to use as required by section 27, subsection (6), of this act shall not be issued for a

C. 21:1A-38. Limits quantity.

quantity of explosives in excess of fifty (50) pounds unless a greater quantity is authorized by the commissioner.

C. 21:1A-39. Renewed annually. Certificates of compliance void.

39. Permits shall be renewed annually beginning with July first, one thousand nine hundred and forty-one. Certificates of compliance issued for magazines before this act has gone into effect shall be void after June thirtieth, one thousand nine hundred and forty-one unless previously cancelled as provided in this act. Fees for all permits required by this act shall terminate in effect on June thirtieth of each year.

Expiration.

ARTICLE 4

APPLICATION FOR PERMITS

C. 21:1A-40. Applications furnished.

40. Permit applications shall be furnished by the commissioner upon request.

C. 21:1A-41. Applicant to furnish information.

41. The applicant for a permit shall, at his own expense, furnish the commissioner with any information the commissioner may require concerning the purpose for which the permit may be issued, as well as any other pertinent information, all in addition to that specified herein. The application must be accompanied by a fee in accordance with article six of this act.

Fee with application.

C. 21:1A-42. Information given in application.

42. An applicant for any permit shall furnish the following information and data on the proper application:

(1) For an individual; name, location of residence, occupation, photographs, fingerprints, citizenship,

(2) For firms, partnerships, corporations, et cetera—name of establishment; location of principal place of business; name and location of residence of such officers, directors, partners, and registered agents, as the commissioner may require, together with a statement of their citizenship; and the nature of the business.

C. 21:1A-43. Report by manufacturer to show:

43. All persons engaged in the manufacture of explosives, or any process involving explosives, or where explosives are used as a component part in the manufacture of any article or device, shall, before so engaging, make a report in writing, subscribed to by such person or his agent, to the commissioner, the report stating:

Location;

(1) Location of place of manufacture or processing,

Type and process.

(2) Kind of explosives manufactured, processed or used.

C. 21:1A-44. Storage report to show:

44. All persons engaging in keeping or storing explosives shall before engaging in the keeping or storing of explosives, make a report in writing, subscribed to by such person, or his agent, to the commissioner, the report stating:

Location;

(1) The location of the magazine, or in case of the removal of any existing magazine, the proposed location of such magazine,

Kind of explosives;

(2) The kind of explosives that are kept or stored, or intended to be kept or stored, and the maximum quantity that is intended to be kept or stored therein,

Distances.

(3) The distance that such magazine is located, or intended to be located, from the nearest factory buildings, magazines, buildings, railroads and highways.

C. 21:1A-45. Application to sell.

45. Any applicant requesting a permit to sell explosives shall furnish the commissioner with the following information:

(1) Location where it is desired to sell explosives with description of building,

(2) Estimated maximum quantity and kind of explosives to be sold.

C. 21:1A-46. Application to transport.

46. Any applicant requesting a permit to transport explosives shall furnish the commissioner with such information regarding each vehicle and its operation as may be deemed necessary.

C. 21:1A-47. Application to use.

47. Any applicant requesting a permit to use explosives shall furnish the commissioner with the following information:

(1) Location where it is desired to use explosives,

(2) Estimated maximum quantity and kind of explosives to be used,

(3) Experience qualifications to act as blaster or to supervise blasting operations;

(4) Application to use explosives shall also be accompanied by the proper application for a permit to store explosives, if necessary, or evidence showing that such a permit has already been acquired, or is not necessary.

ARTICLE 5

INVESTIGATION BEFORE ISSUING PERMIT

C. 21:1A-48. Investigation before issuing permit.

48. Upon receipt of an application for a permit to manufacture any explosives in an explosives plant and before the permit is issued, the commissioner shall make or cause to be made an investigation for the purpose of ascertaining if the explosives plant complies with all the requirements of this act.

C. 21:1A-49. Investigation of storage place.

49. Upon receipt of an application for a permit to have, keep, possess, store, sell or otherwise dispose of, except use any explosives and before the permit is issued, the commissioner shall make or cause to be made an investigation for the purpose of ascertaining if the place where it is desired to have, keep, possess, store, or sell the explosives complies with all the requirements of this act.

C. 21:1A-50. Examination of vehicle.

50. Upon receipt of an application for a permit to transport explosives and before the permit is issued, the commissioner shall make or cause to be made an examination of the vehicle to be used for transporting explosives for the purpose of ascertaining if all the requirements of this act have been fulfilled.

C. 21:1A-51. Examination of applicant.

51. Upon receipt of an application for a permit to use explosives and before the permit is issued, the commissioner shall examine, or cause to be examined, the qualifications of the applicant to use explosives. Such examination may be waived at the direction of the commissioner upon application for succeeding permits. The minimum qualifications shall be as follows:

Examination waived.

Minimum qualifications.

(1) Citizen of the United States of America,

(2) Age shall be at least twenty-one years,

(3) A reasonable understanding of the English language and ability to answer properly such relevant questions as may be asked him upon his examination, which may be a written examination.

(4) Furnish satisfactory evidence of experience in using explosives and be familiar with the general requirements of this act.

C. 21:1A-52. Criminal record investigated.

52. Upon receipt of an application for a permit to perform any of the operations governed by this act, the commissioner shall make or cause to be made, in the most practicable manner, an investigation for the purpose of ascertaining if the person applying for such permit has been convicted of a crime involving moral turpitude or is or has been disloyal to the United States. Any person who has been convicted of a crime involving moral turpitude or is or has been disloyal to the United States shall be denied a permit and shall be subject to the penalties herein provided.

Permit denied.

ARTICLE 6

GRANTING OF PERMITS

C. 21:1A-53. Permits granted. Schedule of fees.

53. If the results of the investigation of the commissioner are found to be in conformity with the requirements of this act, the commissioner shall issue the permit for which an annual fee shall be

payable to the Commissioner of Labor, said fees to be based on the following schedule:

(1) Permit for each location to manufacture, possess, store, keep or otherwise dispose of, except sell or use explosives—not less than five dollars ($5.00) nor more than fifty dollars ($50.00), as provided by regulation.

(2) Permit to sell explosives—not less than one dollar ($1.00) nor more than twenty-five dollars ($25.00), as provided by regulation.

(3) Permit per vehicle to transport explosives—not less than one dollar ($1.00) nor more than five dollars ($5.00), as provided by regulation.

(4) Permit to use explosives—five dollars ($5.00).

C. 21:1A-54. Fee refunded.

54. If permit is denied, fee shall be refunded, except that there shall be no refund where applicant for permit to use explosives has failed to meet with the requirements of section 51 of this act.

C. 21:1A-55. Payment of fees.

55. The annual fee for any permit shall also be construed to be payable for the period between the effective date of this act and June thirtieth, one thousand nine hundred and forty-one, and renewal be payable annually in advance on or before July first of each year.

Article 7

MANUFACTURE OF EXPLOSIVES

C. 21:1A-56. Jurisdiction of commissioner.

56. Notwithstanding anything to the contrary in this act, all explosives plants and factory buildings shall come under the jurisdiction of the commissioner in accordance with the provisions of Title 34 of the Revised Statutes of the State of New Jersey.

C. 21:1A-57. Plan of plant submitted.

57. Before a notice of registration and permit are issued together or separately by the commissioner, a plan of the explosives plant shall be submitted to the commissioner in triplicate for approval and be approved by him. The plan of said plant shall show the location of all factory buildings, the distance they are located from other factory buildings where persons are employed and from magazines and any other information that the commissioner may require. An approved copy of said plan shall be kept in the main office on the premises of each explosives plant and shall be open to inspection by the commissioner.

Plan to show.

C. 21:1A-58. Permit required where materials undergo physical change.

58. All persons engaged in keeping, using or storing any compound, mixture or material, in wet condition, or otherwise, which upon drying out or undergoing other physical changes, may become an explosive within the definition of this act, shall report such material to the commissioner and obtain a permit in the manner prescribed in this act for the storage of explosives; such reports to contain:

(a) The kind of compound, mixture or material kept or stored, and maximum quantity thereof.

(b) Condition or state of compound, mixture or material.

(c) Place where kept or stored.

Inspection.

The commissioner may at any reasonable time cause an inspection to be made to determine whether the condition of the compound, mixture or material is as reported.

C. 21:1A-59. Permit to store smokeless powder.

59. All persons engaged in the keeping or storing of smokeless powder shall report such material to the commissioner and obtain a permit in the manner prescribed in this act. Such reports to contain:

(a) The location of the storage of smokeless powder.

(b) The kind and maximum quantity of smokeless powder to be kept or stored.

(c) The distance that such smokeless powder storage is located from buildings, railroads and highways.

Inspection.

The commissioner may at any reasonable time cause an inspection to be made, to determine whether the smokeless powder storage is maintained in compliance with this act.

ARTICLE 8

QUANTITY AND DISTANCE TABLES

C. 21:1A-60. Intra-explosive plant quantity and distance table.

60. All factory buildings shall be located one from the other and from other buildings on explosives plants in which persons are regularly employed and all magazines shall be located from factory buildings and buildings on explosives plants in which persons are regularly employed, in conformity with the Intra-Explosives Plant Quantity and Distance Table below set forth:

TABLE No. 1

INTRA-EXPLOSIVES PLANT QUANTITY AND DISTANCE TABLE

Quantity of Explosives		*Distance in Feet*	
Pounds Over	*Pounds Not Over*	*Unbarricaded*	*Barricaded*
10	25	40	20
25	50	60	30
50	100	80	40
100	200	100	50
200	300	120	60
300	400	130	65
400	500	140	70
500	750	160	80
750	1,000	180	90
1,000	1,500	210	105
1,500	2,000	230	115
2,000	3,000	260	130
3,000	4,000	280	140
4,000	5,000	300	150
5,000	6,000	320	160
6,000	7,000	340	170
7,000	8,000	360	180
8,000	9,000	380	190
9,000	10,000	400	200
10,000	12,500	420	210
12,500	15,000	450	225
15,000	17,500	470	235
17,500	20,000	490	245
20,000	25,000	530	265
25,000	30,000	560	280
30,000	35,000	590	295
35,000	40,000	620	310
40,000	45,000	640	320
45,000	50,000	660	330
50,000	55,000	680	340
55,000	60,000	700	350
60,000	65,000	720	360
65,000	70,000	740	370
70,000	75,000	770	385
75,000	80,000	780	390
80,000	85,000	790	395
85,000	90,000	800	400
90,000	95,000	820	410
95,000	100,000	830	415
100,000	125,000	900	450
125,000	150,000	950	475
150,000	175,000	1,000	500
175,000	200,000	1,050	525
200,000	225,000	1,100	550
225,000	250,000	1,150	575

Note: Ten (10) pounds or less may be stored in a separate building or in storage space properly separated by substantial dividing walls.

C. 21:1A-61. Factory and magazine quantity and distance table.

61. All factory buildings and magazines in which explosives are had, kept or stored must be located at distances from buildings, railroads, and highways in conformity with the following quantity and distance table, and this table shall be the basis on which applications for a permit, as provided in this act, shall be made and the permit issued; *provided,* that the quantity and distance table may be disregarded and a permit may be issued for two Class B magazines in any building not otherwise prohibited by law, if the contents and location of the magazines are as follows:

Proviso.

(a) One Class B magazine containing not more than fifty (50) pounds of explosives may be allowed if the Class B magazine is placed on wheels, and located not more than ten (10) feet from and on the same floor with and directly opposite to the entrance on the floor nearest to the street level;

(b) One Class B magazine containing not more than five thousand (5,000) blasting caps may be allowed if the said Class B magazine is placed on wheels and located on the floor nearest street level.

The quantity and distance table governing the manufacture, keeping and storage of explosives is as follows:

TABLE No. 2

QUANTITY AND DISTANCE TABLE

Quantity that May Be Had, Kept or Stored						
Blasting Caps		*Other Explosives*				
Number Over	*Number Not Over*	*Pounds Over*	*Pounds Not Over*	*Distance in Feet From Nearest*		
				Building	*Railway*	*Highway*
1,000	5,000	.....	.....	30	20	10
5,000	10,000	.....	.....	60	40	20
10,000	20,000	.....	.....	120	70	35
20,000	25,000	.....	50	145	90	45
25,000	50,000	50	100	240	140	70
50,000	100,000	100	200	360	220	110
100,000	150,000	200	300	520	310	150
150,000	200,000	300	400	640	380	190
200,000	250,000	400	500	720	430	220
250,000	300,000	500	600	800	480	240
300,000	350,000	600	700	860	520	260
350,000	400,000	700	800	920	550	280
400,000	450,000	800	900	980	590	300
450,000	500,000	900	1,000	1,020	610	310
500,000	750,000	1,000	1,500	1,060	640	320
750,000	1,000,000	1,500	2,000	1,200	720	360
1,000,000	1,500,000	2,000	3,000	1,300	780	390
1,500,000	2,000,000	3,000	4,000	1,420	850	420
2,000,000	2,500,000	4,000	5,000	1,500	900	450
2,500,000	3,000,000	5,000	6,000	1,560	940	470
3,000,000	3,500,000	6,000	7,000	1,610	970	490
3,500,000	4,000,000	7,000	8,000	1,660	1,000	500
4,000,000	4,500,000	8,000	9,000	1,700	1,020	510
4,500,000	5,000,000	9,000	10,000	1,740	1,040	520
5,000,000	7,500,000	10,000	15,000	1,780	1,070	530
7,500,000	10,000,000	15,000	20,000	1,950	1,170	580
10,000,000	12,500,000	20,000	25,000	2,110	1,270	630
12,500,000	15,000,000	25,000	30,000	2,260	1,360	680
15,000,000	17,500,000	30,000	35,000	2,410	1,450	720
17,500,000	20,000,000	35,000	40,000	2,550	1,530	760
.....	.....	40,000	45,000	2,680	1,610	800
.....	.....	45,000	50,000	2,800	1,680	840
.....	.....	50,000	55,000	2,920	1,750	880
.....	.....	55,000	60,000	3,030	1,820	910
.....	.....	60,000	65,000	3,130	1,880	940
.....	.....	65,000	70,000	3,220	1,940	970
.....	.....	70,000	75,000	3,310	1,990	1,000
.....	.....	75,000	80,000	3,390	2,040	1,020
.....	.....	80,000	85,000	3,460	2,080	1,040
.....	.....	85,000	90,000	3,520	2,120	1,060
.....	.....	90,000	95,000	3,580	2,150	1,080
.....	.....	95,000	100,000	3,630	2,180	1,090
.....	.....	100,000	125,000	3,670	2,200	1,100
.....	.....	125,000	150,000	3,800	2,280	1,140
.....	.....	150,000	175,000	3,930	2,360	1,180
.....	.....	175,000	200,000	4,060	2,440	1,220
.....	.....	200,000	225,000	4,190	2,520	1,260
.....	.....	225,000	250,000	4,310	2,590	1,300

C. 21:1A-62. Distances may be reduced.

62. Whenever a factory building or magazine is effectively screened in an approved manner from another explosives plant building or magazine, building, railroad or highway, either by natural features of the ground, or by efficient artificial barricade of such height that any straight line drawn from the top of any sidewall of the factory building or magazine to any part of the explosives plant building, magazine or building to be protected, will pass through such intervening natural or artificial barricade, and any straight line drawn from the top of any sidewall of the factory building or magazine, to any point twelve (12) feet above the center of the railroad or highway to be protected, will pass through such intervening natural or artificial barricade, the applicable distances as prescribed by the quantity and distance table, section 61 of this act, and the intra-plant quantity and distance table, section 60 of this act, and the distances separating magazines, section 80 of this act, may be reduced one-half. The efficacy of all natural or artificial barricades shall be approved by the commissioner.

C. 21:1A-63. Limits amount of explosives, etc., in single building.

63. No quantity in excess of two hundred and fifty thousand (250,000) pounds of explosives, or in the case of blasting caps no number in excess of twenty million (20,000,000) blasting caps, shall be had, kept or stored in any factory building or magazine in this State. It shall be unlawful to store in any magazine more than thirty thousand (30,000) pounds of any explosive, unless packed in containers, as provided in this act.

64. Smokeless powders shall be kept or stored at distances from buildings, railroads and highways in compliance with the following table: C. 21:1A-64. Smokeless powder, quantity and distance table.

Quantities that May Be Kept or Stored		*Distance in Feet From Nearest Buildings, Railways, Highways*	*Smokeless Powder Storehouses*
Pounds Over	*Pounds Not Over*	*Feet*	*Feet*
100	1,000	50	25
1,000	5,000	75	35
5,000	10,000	100	50
10,000	50,000	150	75
50,000	100,000	200	100
100,000	200,000	250	125
200,000	300,000	300	150
300,000	400,000	350	175
400,000	500,000	400	200

Where smokeless powder is not in containers, the above distances shall be doubled. Distances doubled.

No quantity in excess of five hundred thousand (500,000) pounds, packed in containers, and three hundred thousand (300,000) pounds in bulk, shall be kept or stored in any one storehouse. Limits quantities.

The commissioner may allow deviation from the above distances where smokeless powder is kept constantly under water. Exceptions granted.

Article 9

STORAGE OF EXPLOSIVES

65. All explosives shall be stored in a magazine complying with the requirements of this act; *provided,* that such explosives may be transported or used as permitted by this act. C. 21:1A-65. Storage, proviso.

66. Magazines shall not be provided with artificial heat or light, except approved portable electric safety battery lamps may be used for lighting. C. 21:1A-66. Magazines, heat and light.

67. All magazines shall be kept closed and locked except when necessarily opened for the purpose of storing or removing explosives therein or therefrom or for inspections, by persons lawfully entitled to enter same. C. 21:1A-67. Magazines locked.

C. 21:1A-68. Persons in charge.

68. All magazines shall be in charge of a competent person who shall be at least twenty-one years of age and a citizen of the United States. Only authorized persons shall have access to the magazine.

C. 21:1A-69. Use of open flame.

69. No fire or open flame of any kind shall be permitted within twenty-five (25) feet of a magazine at any time.

C. 21:1A-70. Smoking prohibited.

70. Smoking shall not be permitted in, or within one hundred (100) feet, of a magazine.

C. 21:1A-71. License refused.

Plans approved before construction.

71. The commissioner is hereby authorized to refuse to license magazines which, in his judgment, are unsuited for the storage of explosives. The commissioner may require plans for magazines to be submitted for approval and approved before magazines are constructed and used.

C. 21:1A-72. Storage in rest houses.

Regulations relative to storage and shipping.

72. Smokeless powder in approved tightly woven bags may be stored in rest houses when no operations other than storage are involved, in accordance with magazine limitations. Except only at a factory building, and except while being used, no person shall have, keep or store explosives at any place within this State unless such explosives are completely enclosed or encased in tight metallic, wooden or fibre containers, and, except while being transported, or used, or in the custody of a common carrier awaiting shipment or pending delivery to consignee during the time permitted by Federal law, explosives shall be kept and stored in a magazine constructed and operated as provided herein, and no person having explosives in his possession or control shall, under any circumstances, permit or allow any grains or particles to be or remain on the outside or about the containers in which such explosives are held. All containers in which explosives are held shall be plainly marked with the name of the explosive contained therein.

Containers marked.

C. 21:1A-73. Magazines painted red.

73. All Class B and Class C magazines for explosives shall be painted red.

C. 21:1A-74. Opening packages of explosives.

74. No package of explosives shall at any time be opened in or within fifty (50) feet of any maga-

zine nor shall any explosive be kept therein except in the original containers.

C. 21:1A-75. Storage of blasting caps.

75. No blasting caps shall be kept or stored in any magazines in which other explosives are kept or stored.

C. 21:1A-76. Classes of magazines.

76. Magazines shall be of three classes only; Class A, Class B and Class C.

C. 21:1A-77. Class A—permanent storage.

77. Class A (permanent storage) magazines shall consist of those with a capacity exceeding fifty (50) pounds of explosives or more than five thousand (5,000) blasting caps. Class A magazines shall be of design approved by the commissioner. Each magazine location shall be conspicuously posted with signs with the words "Explosives—Keep Off" legibly painted in contrasting colors in letters not less than six inches high.

C. 21:1A-78. Class B—dealer storage.

78. Class B (dealer) magazine shall be of design approved by the commissioner, and shall be restricted to a storage not exceeding fifty (50) pounds of explosives nor more than five thousand (5,000) blasting caps. Upon each magazine there shall at all times be kept conspicuously posted a sign with the words "Explosives—Dangerous" legibly painted thereon with white paint, and not more than two (2) such magazines shall be had or kept in any building. One magazine shall be used for storage of explosives and the other for the storage of blasting caps.

C. 21:1A-79. Class C—daily supply storage.

79. Class C (daily supply) magazines to be used in the vicinity of blasting operations shall be of an approved portable type to provide daily storage not in excess of two hundred (200) pounds of explosives or one hundred (100) blasting caps. The commissioner may require a reduction of quantities as aforesaid when conditions require it.

C. 21:1A-80. Regulations governing magazines.

80. Magazines in which more than fifty (50) pounds of explosives are kept and stored must be detached from other structures, and magazines where more than five thousand (5,000) pounds of explosives are kept and stored must be located at least two hundred (200) feet from any other maga-

zine, and magazines where quantities of explosives over twenty-five thousand (25,000) pounds are kept and stored must have an increase over two hundred (200) feet of two and two-thirds (2⅔) feet for each one thousand (1,000) pounds of explosives in excess of twenty-five thousand (25,000) pounds stored therein; *provided,* that the said distance between magazines may be disregarded where the total quantity stored in said magazines, considered as a whole, complies with the quantity and distance table of this act; except that the quantity of explosives contained in blasting cap magazines (table two, section 61 of this act, establishes the equivalence between number of blasting caps and pounds of explosives) shall govern in regard to spacing said blasting cap magazines from magazines containing other explosives, but under no circumstances shall a magazine containing blasting caps be within a less distance than one hundred (100) feet, not barricaded or fifty (50) feet, barricaded, from any magazine other than blasting cap magazines.

Proviso.

ARTICLE 10

TRANSPORTATION

C. 21:1A-81. Regulations governing vehicles.

81. A vehicle when transporting explosives shall be used for that purpose only and such explosives must be transported in the body of the vehicle. Vehicles used for transporting explosives shall be strong enough to carry the load without difficulty and shall bear a valid motor vehicle certificate issued by an authorized Federal or State agency.

C. 21:1A-82. Quantity carried.

82. The quantity of explosives that is carried in any vehicle shall be subject to approval by the commissioner and shall be indicated upon permit when issued.

C. 21:1A-83. Danger signal, etc.

83. Every vehicle, while carrying explosives upon the public highways shall display upon an erect pole at the front end of such vehicle and at such height that it shall be visible from all directions, a red flag with the word "Danger" printed,

stamped or sewed thereon, in white letters at least six (6) inches in height, or in lieu of such flag, the word "Explosives" must be painted or attached to the ends and each side of such vehicle in contrasting colors, the letters to be at least six (6) inches in height, or a placard reading: "Explosives—Handle Carefully—Keep Fire Away."

C. 21:1A-84. Fire extinguishers.

84. Every vehicle, when used for transporting explosives shall be equipped with not less than two (2) one-quart fire extinguishers, suitable for use on oil fires, filled and ready for instant use and located near the driver's seat.

C. 21:1A-85. Daily inspection of vehicle.

85. It shall be the duty of the person to whom a permit has been issued to transport explosives over the highways of this State, or the operator of the vehicle to daily inspect the vehicle used by him to determine that:

(1) Fire extinguishers are filled and in working order,

(2) Electric wiring is completely insulated and firmly secured,

(3) Chassis, motor, body and all other parts of vehicles are clean and free from surplus oil and grease,

(4) Gasoline tank and piping are secure and without leaks,

(5) Brakes and steering equipment are in good condition,

(6) The truck is in proper condition for handling explosives.

C. 21:1A-86. Repairing vehicle.

86. The person making the daily inspection shall be responsible for having the vehicle altered or repaired, before further use, when said inspection reveals any faulty condition as enumerated above.

C. 21:1A-87. Record of inspection.

87. The owner of the vehicle shall be responsible for the keeping of an approved record card of such daily inspection. Said record shall be kept in a place to be designated by the commissioner.

C. 21:1A-88. Storage of vehicle.

88. Vehicles containing explosives shall never be taken into nor be permitted to be taken into a garage, or other repair shop, for repairs or storage.

C. 21:1A-89. Operation of vehicle.

89. It shall be unlawful for any person in charge of a vehicle containing explosives to smoke in, upon or near such vehicle, to drive the vehicle while intoxicated, or under the influence of narcotic drugs, to drive the vehicle in a careless or reckless manner, or to load or unload such vehicle in a careless or reckless manner or to make unnecessary stops.

C. 21:1A-90. Carrying of metal tools.

90. It shall be unlawful for any person to place or carry, or cause to be placed or carried, any metal tool or other similar piece of metal in the bed or body of a vehicle containing explosives, unless contained in a box or other container approved by the commissioner.

C. 21:1A-91. Carrying matches, etc.

91. It shall be unlawful for any person to place or carry, or cause to be placed or carried, in the bed or body of any vehicle containing explosives, blasting caps or other similar explosive material, or to carry in or upon such vehicle any matches or any other flame-producing device, except approved flares and safety matches carried in a container approved by the commissioner.

C. 21:1A-92. Qualification for drivers.

92. Vehicles transporting explosives shall only be driven by and be in charge of a driver at least twenty-one years of age and who is careful, capable, reliable and in possession of a valid motor vehicle operator's license. Such a person shall also be familiar with the section and parts of this act pertaining to the transportation of explosives.

C. 21:1A-93. Trailer prohibited.

93. Explosives shall not be transported in any form of trailer nor shall any trailer be attached to any vehicle hauling explosives.

C. 21:1A-94. Driving regulations.

94. A driver shall not leave the driver's seat until the brakes of the vehicle are securely set and for motor vehicles, until the motor has been stopped. In the event of horse-drawn vehicles, the driver shall securely tie the horse, or team, immediately after setting the brakes. Special ap-

Special approval for horse-drawn vehicle.

proval for using horse-drawn vehicles to transport explosives shall be obtained from the commissioner before use.

C. 21:1A-95. Passengers prohibited.

95. Unauthorized persons, or passengers, shall not ride on a vehicle transporting explosives.

C. 21:1A-96. Avoidance of congested streets.

96. The operator of a vehicle transporting explosives shall avoid, wherever possible, those streets that are congested, or where there is a large number of persons, or where there exists a subway or elevated route.

C. 21:1A-97. Driver not to leave vehicle.

97. The operator of a vehicle transporting explosives shall not leave such vehicle unattended, except when absolutely necessary.

C. 21:1A-98. Space between vehicles.

98. Vehicles transporting explosives shall not be driven nearer than three hundred (300) feet of each other, except as otherwise provided by regulation.

C. 21:1A-99. Loading and unloading.

99. When explosives are loaded upon, or unloaded from, any vehicle, the packages containing the explosives shall not be thrown, or dropped from the vehicle, and shall be carefully deposited or stored in such a manner as to prevent any displacement of the packages.

ARTICLE 11

USE OF EXPLOSIVES

C. 21:1A-100. Blasting.

100. Blasting shall not be undertaken, except by blasters who have a valid permit issued in compliance with this act.

C. 21:1A-101. Handling explosives.

101. The handling of explosives may be performed by other employees provided the work is done under the direct supervision of the person holding the permit to use explosives and providing such employees are at least twenty-one years of age.

C. 21:1A-102. Use of intoxicants prohibited.

102. No person shall handle explosives while under the influence of intoxicating liquors or narcotics.

C. 21:1A-103. To use precaution.

103. Persons authorized to prepare explosive charges or conduct blasting operations shall use every reasonable precaution to insure the safety

of the general public and workmen in a manner as provided by regulation.

C. 21:1A-104. Firing blasts.

104. Blasts shall be fired in an approved manner.

C. 21:1A-105. Prohibits reuse of containers.

105. Empty boxes which have previously been used for high explosives containing a liquid explosive ingredient shall not be used for any purpose, but shall be destroyed by burning in the open air.

C. 21:1A-106. Smoking.

106. No person shall smoke while handling explosives or in the vicinity thereof.

C. 21:1A-107. Open flame.

107. No open-flame lamp or light shall be used in the vicinity of explosives.

C. 21:1A-108. Containers not opened in magazine.

108. Containers of explosives shall not be opened in any magazine, or within fifty (50) feet of any magazine.

Article 12

INDEMNITY BONDS

C. 21:1A-109. Indemnity bond filed.

109. The owner or operator of every explosives plant in which explosives are manufactured, processed or handled, or in which explosives are used as a component part in the manufacture of any article or device, or magazines (not on explosives plant property) in which explosives are stored in excess of thirty thousand (30,000) pounds, within sixty (60) days after demand therefor in writing by the commissioner upon such owner or operator, unless exempted therefrom as hereinafter provided, shall file and keep on file with the commissioner an indemnity bond of approved form payable to the State of New Jersey in

Amount.

such sums as may be determined by the commissioner and set forth in such demand not in excess of two hundred and fifty thousand dollars ($250,000.00), nor less than five thousand dollars ($5,000.00), with surety or sureties legally authorized to do business in the State of New Jersey and satisfactory to the commissioner, conditioned for the payment of all final judgments that may be rendered against said owner or operator for damages caused to persons and property by reason of

any explosion at said explosives plant of the explosives or product or component part or parts thereof there manufactured, processed or handled, or at any magazine not on explosives plant property in which explosives are stored in excess of thirty thousand (30,000) pounds. Any such owner or operator desiring to be exempted from filing such bond shall make application to the State Department of Banking and Insurance showing his financial ability to discharge all such judgments to the amount of said bond required by said commissioner that may be entered against him, whereupon said department, if satisfied with such financial ability of the applicant, shall, by written order, exempt such applicant from the filing of such bond; and said Department of Banking and Insurance may from time to time require further statements from the applicant showing his financial ability aforesaid and, if dissatisfied therewith, may in its discretion revoke such exemption and require the filing of such bond.

Procedure to claim exemption.

ARTICLE 13

ENFORCEMENT

C. 21:1A-110. Use of moneys derived from operation of act for enforcement.

110. Notwithstanding the provisions of any other general, local or special law, all fees and other moneys derived from the operation of this act shall be remitted to the State Treasurer and said moneys shall be placed to the credit of the commissioner and shall be used exclusively for the purpose of carrying into effect the provisions of this act and for the payment of salaries and expenses of employees for research, equipment and for any other necessary expenses pertaining to the carrying out and enforcement of the provisions of this act. This fund shall be kept separate and apart from any other State moneys and shall be disbursed by the State Treasurer upon voucher certified by the commissioner.

C. 21:1A-111. Inspectors and technicians.

111. The commissioner shall appoint one or more inspectors or technicians who shall be subject to

the direction and control of the commissioner to carry out the provisions of this act, and such other duties as may be assigned to them by the commissioner. Such inspectors or technicians shall be appointed in accordance with the provisions of Title 11 of the Revised Statutes, regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a Civil Service Commission and defining its powers and duties.

Civil service.

C. 21:1A-112. Periodic inspections.

112. Subsequent to those inspections made before issuing permits involving explosives, the commissioner shall cause periodic inspections, to be made at least once a year where practicable. Such inspections shall be for the purpose of determining whether or not there has been complete compliance with all the requirements of this act.

Purpose.

C. 21:1A-113. Record of inspections.

113. The commissioner shall keep a record of all inspections and the record shall include the date of the inspections and the violations, if any. Where violations of this act are found to exist, the commissioner shall serve a notice in writing on the owner, or user, the agent of the owner or user, or any person in responsible charge for the owner, or user, requiring compliance within a specified period of time. In the event that the order has not been complied with within the time period specified or at the end of any granted extensions, action as hereinafter provided shall be taken.

C. 21:1A-114. Permit revoked for violation.

114. The commissioner shall have the authority to revoke the permits for a violation of this act if correction is not made within time specified or granted extensions thereof. Upon the revocation of a permit, the commissioner shall have the right to seize all the explosives of the owner at the location in question and dispose of the same at the expense of the said owner until the permit has been reinstated. Should the owner fail to obtain reinstatement of the permit within thirty (30) days of the date of the revocation, or any granted extensions thereof, the commissioner may sell the

Seizure and disposal.

explosives seized and apply the proceeds to the costs involved in seizing and storing the same and shall pay over to the owner any surplus after the payment of said costs. Violations in manufacturing plants shall apply to specific operations only and shall not void the permit to manufacture.

Violations by manufacturer.

C. 21:1A-115. Penalty for continuing violation.

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 action at law in the name of the commissioner, to be instituted in any court of competent jurisdiction; or by compromise.

C. 21:1A-116. Order to seal or close magazines, etc.

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 action at law in the name of the commissioner, to be instituted in any court of competent jurisdiction, or by compromise.

Penalty.

Recovery of penalty.

C. 21:1A-117. Disposal of deteriorated explosives.

117. When the commissioner receives a report of deteriorated or leaking explosives, he shall order them to be disposed of according to the regulations and at the expense and the risk of the possessor.

C. 21:1A-118. Grounds for revoking permit.

118. The commissioner shall have the authority to revoke any permit that has been issued as required by this act, whenever it appears that any person holding such a permit or to whom such a permit has been issued, has been convicted of a crime involving moral turpitude or is or has been disloyal to the United States.

ARTICLE 14

PENALTIES

C. 21:1A-119. Violation a misdemeanor.

119. Any person who fails to comply with or violates any of the provisions of this act, except as hereinbefore provided, shall be guilty of a misdemeanor and upon conviction shall be liable to a fine of not less than one hundred dollars ($100.00) nor more than ten thousand dollars ($10,000.00), or imprisonment not exceeding one (1) year, or both, in the discretion of the court.

Penalty.

C. 21:1A-120. Penalty—person having previous criminal record.

120. Any person with a previous criminal record who violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be liable to a penalty of not less than one thousand dollars ($1,000.00) nor more than ten thousand dollars ($10,000.00), or imprisonment not exceeding five (5) years, or both.

C. 21:1A-121. Possession a high misdemeanor.

121. Any person who shall have in his possession or control, explosives, blasting caps; any bomb, shell or similar device, charged, or filled with one or more explosives; intending to use the same or cause same to be used for an unlawful purpose, shall be deemed guilty of a high misdemeanor, and upon conviction shall be punished by imprisonment in a State prison for a term of not less than five (5) years nor more than twenty-five (25) years. The possession or control by any person of any such material or device shall be deemed prima facie evidence of an intent to use the same, or cause the same to be used, for an unlawful purpose.

Penalty.

Prima facie evidence.

ARTICLE 15

EXCEPTIONS

C. 21:1A-122. Application of act.

122. Nothing contained in this act shall apply to the regular military or naval forces of the United States of America or its legal allies, nor the duly authorized militia of any State or territory thereof, nor to the police or fire departments of this State, providing the same are acting within their official capacity and in the performance of their duties.

123. Nothing contained in this act shall apply to explosives while being transported upon vessels, vehicles or railroad cars or while being held for delivery; *provided,* such transportation and delivery is subject to and in conformity with the regulations prescribed by the Interstate Commerce Commission or the Bureau of Marine Inspection and Navigation, Department of Commerce; *and provided, further,* that nothing in this act shall apply to the receipt, possession and use of signals required for the safe operation of vessels, motor vehicles, railroad cars or aircraft by the operators of such vessels, motor vehicles, railroad cars or aircraft.

C. 21:1A-123. Construing.

Proviso.

Proviso.

124. Nothing contained in this act shall affect any existing ordinance, rule or regulation of any city or municipality not less restrictive than this act governing the manufacture, storage, sale, use or transportation of explosives, or affect, modify or limit the power of cities or municipalities in this State to make ordinances, rules or regulations not less restrictive than this act governing the manufacture, storage, sale, use or transportation of explosives within their respective corporate limits.

C. 21:1A-124. Not to affect existing ordinances.

125. Nothing in this act shall nullify the provisions of chapters two and three of Title 21 of the Revised Statutes or the amendments thereto.

C. 21:1A-125. Not to nullify R. S. 21:2 and 3.

Article 16

126. In case any provision of this act shall be adjudged unconstitutional or void for any reason, such adjudication shall not affect any of the other provisions of this act.

C. 21:1A-126. Provisions severable.

127. Chapter one of Title 21 of the Revised Statutes, excepting only sections 21:1–41, 21:1–42, 21:1–43, 21:1–44, 21:1–50 and 21:1–51, and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

C. 21:1A-127. Repealer.

128. This act shall take effect immediately.

Approved March 28, 1941.

CHAPTER 28

AN ACT concerning the administration of relief.

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

C. 44:8-87. Distributing State aid for relief.

1. State aid for relief for the municipalities of this State for each calendar year beginning with the calendar year one thousand nine hundred and forty-one shall be administered and distributed by the Director of Municipal Aid from the Municipal Aid Fund in the manner prescribed by this act and said fund shall be drawn upon and distributed, for said purposes, on the order of the State Municipal Aid Administration, in accordance with the provisions of this act, as other funds are now disbursed from the State treasury.

C. 44:8-88. Duties of director:

2. In administering State aid for relief the director shall, beginning with the calendar year one thousand nine hundred and forty-one,

Record kept;

a. Keep and maintain such records and accounts as may be necessary and proper for the administration thereof,

Rules and regulations;

b. Promulgate, alter and amend from time to time such rules, regulations and directory orders as may be necessary for the administration of State aid for relief and for the carrying out of any provisions of law regulating the same, including the provisions of this act, which rules, regulations and orders shall be binding upon the various municipalities,

Compliance by municipalities;

c. Determine whether or not the various municipalities are complying with all of the provisions of law, including the provisions of this act, regulating the administration of State aid for relief, which are binding upon them, and

Other powers.

d. Exercise such other powers as may be necessary for the proper and efficient administration of State aid for relief and the carrying out of all of

the provisions of law, including the provisions of this act, regulating the same.

C. 44:8-89. Powers of director:

3. The Director of Municipal Aid shall, beginning with the calendar year one thousand nine hundred and forty-one, also have power in connection with the administration of State aid for relief,

To require municipal reports;

a. To require the making by each municipality of such reports, in such form and containing such information, as he may from time to time determine and to make such investigations as may from time to time be necessary to assure the correctness and verification of the facts stated in such reports,

To investigate administration of relief.

b. To investigate the administration of relief within each municipality and to determine the compliance or noncompliance of such municipality with the provisions of law, including the provisions of this act, governing the administration of State aid for relief and with the standards and requirements prescribed by the State Municipal Aid Administration,

To withhold payment of State aid.

c. To withhold payment of State aid for relief from any municipality neglecting or refusing to make the required reports or to comply with any of the standards and requirements prescribed by the State Municipal Aid Administration or with any provisions of law governing the administration of State aid for relief, including the provisions of this act.

C. 44:8-90. Director's powers as to municipalities:

4. The director shall, beginning with the calendar year one thousand nine hundred and forty-one, have power as to all municipalities in which relief is administered by the director under this act

Prescribe rules for administering relief;

a. To prescribe all rules and conditions under which the funds allotted for State aid for relief shall be administered,

Require sundry information from relief applicants;

b. To require such information from relief applicants, to make such investigation of the merits of applications for relief, to prescribe such forms to be used and to set up, maintain and carry out such procedures as may in his discretion be deemed advisable for the economical and efficient administration of relief in such municipality,

Make direct distribution of State aid;

c. To make direct distribution of sums allotted as State aid for relief in such municipality by orders drawn on the State Comptroller, which sums shall be disbursed and paid out of the Municipal Aid Fund in accordance with said orders as other funds are now disbursed from the State treasury, and

Use local administration to assist.

d. To use all or any part of the local administration for relief to assist him, upon such terms as he may deem fit and proper.

C. 44:8-91. Municipality to comply with following conditions:

5. Each municipality receiving State aid for relief for any calendar year beginning with the calendar year one thousand nine hundred and forty-one shall comply with the following conditions in its administration of relief during said year, namely:

Keep record;

a. Keep such records, on such forms as the director shall direct,

Not to exploit recipients for political purposes;

b. The welfare department of such municipality shall not, directly or indirectly, exploit or permit to be exploited recipients of relief for political purposes,

Employee not to hold political office;

c. No employee of such welfare department whose compensation is paid from funds received or appropriated for relief in any manner, shall hold any office in any political party with the knowledge and consent of such welfare department,

Affidavit by applicant.

d. Each applicant for relief in such municipality shall make an affidavit to the correctness of his or her statements in his or her application for relief.

C. 44:8-92. Not to transfer relief appropriations.

6. No municipality receiving State aid for relief for any calendar year beginning with the calendar year one thousand nine hundred and forty-one shall during said year make any transfer of its current budget appropriation for relief for said year to any other current budget appropriation.

C. 44:8-93. Payment made to municipal treasurer.

7. Every payment made pursuant to this act to a municipality for State aid for relief shall be made to the treasurer of the municipality and shall be deposited by him in a relief trust fund account

Use of fund.

and shall be used only for payment on account of

the cost of relief, excluding the cost of administration thereof, for the year for which such State aid for relief is granted and any balance remaining in such relief trust fund account after all such costs of relief for said year have been paid or provided for shall be used for payment on account of the cost of relief in such municipality for the next succeeding year, excluding the cost of administration thereof.

C. 44:8-94. Director to determine amount of State aid.

8. In each calendar year beginning with the calendar year one thousand nine hundred and forty-one the Director of Municipal Aid shall determine the amount of State aid for relief which each municipality shall receive in such calendar year as hereinafter provided.

C. 44:8-95. Preceding year's ratables.

9. In each calendar year beginning with the calendar year one thousand nine hundred and forty-one the director shall ascertain from the State Comptroller the net valuations in each taxing district of the State as exhibited in column eight of the abstract of ratables of the several counties for the preceding year as made out by the State Tax Commissioner and filed in the office of the State Comptroller and when ascertained and determined such ratables shall be known as the municipality's "preceding year's ratables."

C. 44:8-96. Director to determine:

10. The director shall determine

Preceding year's relief load;

a. In each calendar year beginning with the calendar year one thousand nine hundred and forty-one the cost of relief, exclusive of the cost of administration thereof, for the preceding year in each municipality which shall be known as the municipality's "preceding year's relief load" and

Current year's relief load.

b. For each calendar year beginning with the calendar year one thousand nine hundred and forty-one the cost of relief, exclusive of the cost of administration thereof, for the current year in each municipality which shall be known as the municipality's "current year's relief load."

C. 44:8-97. Preceding year's relief millage.

11. In each calendar year beginning with the calendar year one thousand nine hundred and forty-one the director shall determine the number

of mills on each dollar of the "preceding year's ratables" which would have to be levied in each municipality to raise an amount equal to its "preceding year's relief load." The millage thus determined as to each municipality shall be hereinafter referred to as its "preceding year's relief millage."

C. 44:8-98. Determining amount to be distributed:

12. State aid for relief for each calendar year beginning with the calendar year one thousand nine hundred and forty-one shall be distributed among the various municipalities making written application therefor to the director before July first of such year except those in which relief shall be administered by the director for all or any part of such year, which distribution shall be made by the director by order or orders on the State Comptroller for the payment to each such municipality of an amount to be determined as follows:

10% of current year's relief load;

a. To each municipality whose "preceding year's relief millage" is not more than 1.0 mill, an amount equivalent to ten per centum (10%) of its "current year's relief load";

15% of current year's relief load;

b. To each municipality whose "preceding year's relief millage" is more than 1.0 mill and is not more than 1.2 mills, an amount equivalent to fifteen per centum (15%) of its "current year's relief load";

20% of current year's relief load;

c. To each municipality whose "preceding year's relief millage" is more than 1.2 mills and is not more than 1.4 mills, an amount equivalent to twenty per centum (20%) of its "current year's relief load";

25% of current year's relief load;

d. To each municipality whose "preceding year's relief millage" is more than 1.4 mills and is not more than 1.6 mills, an amount equivalent to twenty-five per centum (25%) of its "current year's relief load";

30% of current year's relief load;

e. To each municipality whose "preceding year's relief millage" is more than 1.6 mills and is not more than 1.8 mills, an amount equivalent to thirty per centum (30%) of its "current year's relief load";

f. To each municipality whose "preceding year's relief millage" is more than 1.8 mills and is not more than 2.0 mills, an amount equivalent to thirty-five per centum (35%) of its "current year's relief load"; 35% of current year's relief load;

g. To each municipality whose "preceding year's relief millage" is more than 2.0 mills and is not more than 2.2 mills, an amount equivalent to forty per centum (40%) of its "current year's relief load"; 40% of current year's relief load;

h. To each municipality whose "preceding year's relief millage" is more than 2.2 mills and is not more than 2.4 mills, an amount equivalent to forty-five per centum (45%) of its "current year's relief load"; 45% of current year's relief load;

i. To each municipality whose "preceding year's relief millage" is more than 2.4 mills and is not more than 2.6 mills, an amount equivalent to forty-eight per centum (48%) of its "current year's relief load"; 48% of current year's relief load;

j. To each municipality whose "preceding year's relief millage" is more than 2.6 mills and is not more than 2.8 mills, an amount equivalent to fifty per centum (50%) of its "current year's relief load"; 50% of current year's relief load;

k. To each municipality whose "preceding year's relief millage" is more than 2.8 mills and is not more than 3.2 mills, an amount equivalent to fifty-two per centum (52%) of its "current year's relief load"; 52% of current year's relief load;

l. To each municipality whose "preceding year's relief millage" is more than 3.2 mills and is not more than 3.4 mills, an amount equivalent to fifty-four per centum (54%) of its "current year's relief load"; 54% of current year's relief load;

m. To each municipality whose "preceding year's relief millage" is more than 3.4 mills and is not more than 3.6 mills, an amount equivalent to fifty-six per centum (56%) of its "current year's relief load"; 56% of current year's relief load;

n. To each municipality whose "preceding year's relief millage" is more than 3.6 mills and 58% of current year's relief load;

is not more than 4.0 mills, an amount equivalent to fifty-eight per centum (58%) of its "current year's relief load";

60% of current year's relief load;

o. To each municipality whose "preceding year's relief millage" is more than 4.0 mills and is not more than 7.0 mills, an amount equivalent to sixty per centum (60%) of its "current year's relief load";

60% of current year's relief load when relief millage exceeds 7.0 mills.

p. To each municipality whose "preceding year's relief millage" is more than 7.0 mills which shall administer its own relief during all of said year, an amount equivalent to sixty per centum (60%) of its "current year's relief load";

Director may make advance payments.

The director may make payments under the above stated formula to any such municipality from time to time in advance of the determination of such municipality's "current year's relief load" on the basis of estimates made by him of such municipality's current year's relief load making such adjustments in later payments to such municipality's actual "current year's relief load" when determined, as may be required.

Director authorized to make deduction.

The director shall deduct from the amount of one thousand nine hundred and forty-one State aid due to any municipality an amount equal to the amount by which State aid for relief paid to the municipality by the State for the year one thousand nine hundred and forty exceeded one hundred per centum (100%) of the cost of relief, exclusive of the cost of administration thereof for the year one thousand nine hundred and forty.

C. 44:8-99, Municipality to administer own relief.

13. In any calendar year beginning with the calendar year one thousand nine hundred and forty-two any municipality, whose "preceding year's relief millage" is more than 7.0 mills and in which relief was being administered by the director at the end of the preceding year, shall administer its own relief in such calendar year if it shall have given notice in writing to the director of its election so to do on or before the first day of January of such year and thereafter during such year such municipality shall administer its own relief and shall be

entitled to receive State aid for relief for such year pursuant to the provisions of this act.

C. 44:8-100. Director to continue relief administration.

14. In any calendar year beginning with the calendar year one thousand nine hundred and forty-two in every municipality whose "preceding year's relief millage" is more than 7.0 mills, and in which relief was being administered by the director at the end of the preceding year and which does not elect to administer its own relief for that year by giving written notice to the director prior to the beginning of such year, the director shall continue to administer relief during such year and in such case.

Municipal appropriation.

a. The municipality shall make an appropriation for the cost of administration of relief in such municipality for such calendar year in an amount not less than the amount appropriated by it for the cost of administration of relief for the preceding year and shall make an appropriation for relief, exclusive of the cost of administration thereof, for such calendar year in an amount not less than 1 mill of its "preceding year's ratables";

Payment of obligations for administration.

b. All obligations incurred for the cost of administration of relief in such municipality in such year shall be paid, from time to time, by the municipality out of its appropriation for administration of relief for such calendar year according to the orders of the director and not otherwise so far as such appropriation will permit and any excess shall be paid, from time to time, by the State Municipal Aid Administration out of the Municipal Aid Fund by an order or orders drawn by the Director on the State Comptroller as hereinbefore provided;

Payment of obligations for relief.

c. All obligations incurred for relief in such municipality in such year shall be paid, from time to time, by the municipality out of its appropriation for relief for such calendar year according to the orders of the director and not otherwise so far as such appropriation will permit and any excess shall be paid, from time to time, by the State Municipal Aid Administration out of the Municipal

Aid Fund by an order or orders drawn by the director on the State Comptroller as hereinbefore provided; but any such municipality may elect to administer its own relief in any such calendar year by giving notice in writing of such election to the director on or before the first day of March of such year and thereafter the limitations imposed upon such municipality by subsections "b" and "c" of this section shall cease and such municipality shall administer its own relief and shall be entitled to receive State aid for relief for such year in an amount equivalent to sixty per centum (60%) of its "preceding year's relief load" less such sum or sums, if any, as have already been paid by the director for the cost of administration of relief and for relief in such municipality from the Municipal Aid Fund and less such obligations, if any, as have already been incurred by the director for the cost of administration of relief and for relief in such municipality and are payable out of the Municipal Aid Fund during such year up to the time when said election shall become effective, which amount of State aid for relief shall be paid by the director by drawing an order or orders on the State Comptroller as hereinbefore provided.

Procedure to administer own relief.

15. During the calendar year one thousand nine hundred and forty-one any municipality whose "preceding year's relief millage" is more than 7.0 mills may apply to the director by making application in writing within ten days after this act takes effect to have him take over the administration of relief for such year in such municipality and in any calendar year beginning with the calendar year one thousand nine hundred and forty-two any municipality whose "preceding year's relief millage" is more than 7.0 mills, in which relief was not being administered by the director at the end of the preceding year may apply to the director, by making application in writing on or before the first day of March of such year, to have him take over the administration of relief for such year in such municipality, and thereupon the director shall take over

C. 44:8-101. Application to have director administer relief.

the administration of relief in such municipality and in such case

a. All books, records, supplies, equipment or other property in the possession or custody of any board, body or official of such municipality, relating to relief, shall be delivered forthwith to the director; Delivery of records, etc.

b. The municipality shall make or shall have made an appropriation for the cost of administration of relief in such municipality for such calendar year in an amount not less than the amount appropriated by it for the cost of administration of relief for the preceding year and shall make or shall have made an appropriation for relief, exclusive of the cost of administration thereof, for such calendar year in an amount not less than 1 mill of its "preceding year's ratables"; Municipal appropriation.

c. All obligations incurred by the municipality for the cost of administration of relief in such municipality in such year prior to the taking over of the administration of relief therein by the director and all obligations incurred for the cost of administration of relief in said municipality thereafter shall be paid, from time to time, by the municipality out of its appropriation for administration of relief for such calendar year according to the orders of the director and not otherwise so far as such appropriation will permit and any excess shall be paid, from time to time, by the State Municipal Aid Administration out of the Municipal Aid Fund by an order or orders drawn by the director on the State Comptroller as hereinbefore provided; Municipality to pay administration expense.

d. All obligations incurred for relief in such municipality in such year prior to the taking over of the administration of relief therein by the director and all obligations incurred for relief in said municipality thereafter shall be paid, from time to time, by the municipality out of its appropriation for relief for such calendar year according to the orders of the director and not otherwise so far as such appropriation will permit and any excess shall be paid by the municipality out of any balance Payment of relief obligations.

from State aid for relief remaining in its Relief Trust Fund Account which is applicable only to the cost of relief in such municipality for that year according to the orders of the director and not otherwise so far as such balance will permit and any further excess shall be paid, from time to time, by the State Municipal Aid Administration out of the Municipal Aid Fund by an order or orders drawn by the director on the State Comptroller as hereinbefore provided.

C. 44:8-102. Payment for sewing project.

16. In the calendar year one thousand nine hundred and forty-one, the director is authorized to pay to each municipality participating in a sewing project an amount to be determined by multiplying the cost of each certified sewing project worker paid by the municipality to the Works Projects Administration by the same percentage under which payment of the one thousand nine hundred and forty-one relief load is made to such municipality for the year one thousand nine hundred and forty-one under section twelve of this act; *provided, however,* that in no case shall said cost of a certified sewing project worker paid by the municipality be computed at more than eight dollars ($8.00) per worker.

Proviso.

C. 44:8-103. Payment of transportation cost.

17. In the calendar year one thousand nine hundred and forty-one, the director is authorized to pay to each municipality incurring transportation costs in furnishing transportation to W. P. A. workers on projects more than five miles from the corporate limits of such municipality, an amount to be determined by multiplying the transportation costs incurred by such municipality in furnishing transportation to W. P. A. workers on projects more than five miles from the corporate limits of such municipality by the same percentage under which payment of the one thousand nine hundred and forty-one relief load is made to such municipality for the year one thousand nine hundred and forty-one under section twelve of this act; *provided, however,* that in no case shall said transportation costs incurred by such municipality be

Proviso.

computed at more than two cents ($0.02) per mile per person.

18. This act shall take effect immediately.

Approved March 28, 1941.

CHAPTER 29

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

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

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 twenty days prior to such municipal election. The petition of nomination shall consist of individual certificates equal in number to at least one-half of one per centum (½ of 1%) of the entire vote cast at the last preceding general election, but in no event less than twenty-five. Filed 20 days before election. Petition for nomination.

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

2. This act shall take effect immediately.

Approved March 28, 1941.

CHAPTER 30

AN ACT concerning the Public Record Office and transferring to the State Librarian the powers and duties now vested in the director of the Public Record Office, and amending section 47:2–2 of the Revised Statutes.

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

Section amended.

1. Section 47:2–2 of the Revised Statutes is amended to read as follows:

Management of public record office.

47:2–2. The board of commissioners shall have general management and control of the Public Record Office and shall make rules and regulations for the administration thereof. The State Librarian shall be the director of the Public Record Office, without additional salary. The director shall also be the secretary of the board.

Director.

Records, personnel and appropriations transferred.

All public records in the custody and control of the Public Record Office are transferred to the State Librarian. The personnel of the Public Record Office and all appropriations made thereto are hereby transferred to the office of the State Librarian.

2. This act shall take effect immediately.

Approved April 1, 1941.

CHAPTER 31

AN ACT concerning motor vehicles and traffic regulation, and supplementing 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. 39:3-24.1. Registering certain vehicles used on farm.

1. The commissioner 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; *provided,* that no such vehicle shall traverse more than five miles of highway in traveling from one farm, or portion thereof, to another farm, or portion thereof; and no such vehicle shall be used to deliver or transport any farm products, goods, wares or merchandise, excepting 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, and no such vehicle shall be operated on the highway between sunset and sunrise; and no such vehicle, which is not equipped with rubber tires on all wheels, shall be operated at a speed exceeding four miles per hour, nor with wheels of a type that will damage or will be likely to damage the highway; and no such vehicle shall draw any other vehicle except that, with the permission of the commissioner, it may draw not more than one vehicle used exclusively on the farm and in such case such drawn vehicle need not be registered.

Proviso:

Use of vehicles.

Equipment.

Use of trailer.

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.

Fee.

2. This act shall take effect immediately.

Approved April 5, 1941.

CHAPTER 32

AN ACT concerning the State Highway Department and providing for an additional route in the State highway system.

Preamble.

WHEREAS, It has been found that it is essential that a new State highway be provided to connect Route No. 1 with the Bayonne Naval Base and the Bayonne Naval Dry Dock, the necessity for this highway has been placed before the United States Navy Department; therefore,

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

Route added to highway system.

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

Description.

Route No. Beginning on Route No. 1 at Bayonne and from thence to Bayonne Naval Supply Base and Bayonne Naval Dry Dock.

Number.

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

Federal aid.

3. The State Highway Commissioner is hereby authorized to accept any funds made available by any Federal agency for the purpose of constructing this route, and the State Highway Commissioner is further authorized to use any funds heretofore or hereafter appropriated under the heading "Federal Aid and State-Matched Moneys" for the purpose of constructing such route.

Acquisition of right-of-way.

4. The State Highway Commissioner is authorized to expend any moneys heretofore or hereafter

appropriated for right-of-way acquisition in order to acquire any right of way needed for the making of this improvement.

5. This act shall take effect immediately.

Approved April 5, 1941.

CHAPTER 33

AN ACT concerning municipalities, and amending section 40:60–25 of the Revised Statutes.

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

1. Section 40:60–25 of the Revised Statutes is amended to read as follows: Section amended.

40:60–25. The governing body may acquire by lease, or erect, maintain and equip such building or buildings as may be suitable for use as a museum of arts and sciences, or as community centers, or for public exhibitions, lectures and assemblages, and may conduct such museums, community centers, lectures and public exhibitions, and may also allow the use of such buildings for public assemblages with or without charge being made therefor. May allow use of certain buildings without charge.

In furtherance of any project for the development and maintenance of a community center, or where such community centers are established in furtherance of national defense activities, the governing body is authorized and empowered, without regard to the provisions of any other law, to apply for and receive from the government of the United States or any agency thereof, grants, subsidies and appropriations for the construction and maintenance of such community centers, or for the maintenance of community centers heretofore established. May apply for federal subsidies.

2. This act shall take effect immediately.

Approved April 5, 1941.

CHAPTER 34

A SUPPLEMENT to an act entitled "An act concerning the administration of relief," approved March twenty-eighth, one thousand nine hundred and forty-one (P. L. 1941, c. 28).

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

C. 44:8-104. Statement to director relating to hospitalization of nonpaying patient.

1. When hospitalization has been rendered during any calendar year beginning with the calendar year one thousand nine hundred and forty-one to any nonpaying patient, who is also a bona fide relief case, by any county maternity hospital, the president of such county maternity hospital may serve upon the director of municipal aid a statement under oath setting forth that such hospitalization has been rendered by such county maternity hospital to such nonpaying patient, who is also a bona fide relief case, such statement to be in such form and to contain such information as may be required by the director of municipal aid.

Form of statement.

Payment.

Upon receipt of such statement and verification of its contents, the director of municipal aid shall make payment to the treasurer of such county as follows: for each day of hospitalization rendered by such county maternity hospital to each nonpaying patient, who is also a bona fide relief case, an amount determined by multiplying a percentage equal to that percentage of its "current relief load" received for such year by the municipality of residence of such patient by the per diem amount currently fixed by the State municipal aid administration for maternity hospitalization for mother or baby, as the case may be.

2. This act shall take effect immediately.

Approved April 5, 1941.

CHAPTER 35

AN ACT providing for a further distribution of the Revised Statutes of this State.

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

Certain members of 1941 Legislature to receive the Revised Statutes.

1. The Secretary of State is hereby authorized to deliver to each member of the Nineteen Hundred and Forty-one Senate and House of Assembly, who has not previously received the same, a copy of the Revised Statutes of this State, together with the supplements thereof and the index thereto.

2. This act shall take effect immediately.

Approved April 14, 1941.

CHAPTER 36

AN ACT relating to the collection of certain delinquent municipal liens.

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

Delinquent municipal liens totaled.

1. Whenever the governing body of any municipality of this State shall, by resolution adopted during the calendar year one thousand nine hundred and forty-one, declare that it is for the best interest of its citizens that the provisions of this act be made available to its property owners, then all taxes, assessments, tax sale certificates held by the municipality, or other municipal liens in arrears on January first, one thousand nine hundred and forty-one, and not yet paid and satisfied, together with the interest and penalties thereon, shall, when brought under the provisions of this act by com-

pliance with section seven of this act, and subject to the conditions hereinafter set out, be totaled as of said date; and the payment of such totaled sum shall be spread over a period not exceeding five years as may be contracted between the taxpayer and such financial officer of the municipality as shall be designated in said resolution for the making of contracts under this act; and the same shall be payable in monthly or quarterly installments as may be contracted between the taxpayer and said financial officer; such installment payments to commence August first, one thousand nine hundred and forty-one, with interest on the several unpaid balances at the rate fixed by the governing body which shall not exceed eight per centum (8%) per annum, from January first, one thousand nine hundred and forty-one payable on the same quarterly dates.

Payment over period of five years.

Installment payments.

Rate of interest and date.

2. A copy of such resolution, certified by the clerk of such municipality, shall be filed in the office of the clerk of the county in which such municipality is located before the provisions of this act shall be applicable therein.

Certified copy of resolution filed.

3. In computing such total of arrears there shall be included, of assessments for local improvement benefits which were payable in installments, only such installments as were in arrears at the date of which the totals were computed, but interest on the entire unpaid balances shall be included.

Computing arrears.

4. In computing such total of arrears, any tax, assessment, tax sale certificate held by the municipality, or other municipal lien, may be apportioned at the request of any party interested, to such parcels of property affected thereby as may be required by diverse ownership, mortgage lien, or otherwise; such apportionment to be upon such equitable basis as may be determined in accordance with the provisions contained in sections 54:7–1 to 54:7–9, inclusive, of the Revised Statutes on at least five days' notice to all persons interested therein.

Apportionment of arrears.

5. The right of any person interested in such property to pay such arrears in such installments

Conditions for right to pay by installments.

shall be conditioned on the prompt payment of the installments of taxes of one thousand nine hundred and forty-one and all subsequent taxes, assessments or other liens imposed or becoming a lien after January first, one thousand nine hundred and forty-one, including all installments thereafter payable on assessments theretofore levied, and also the prompt payment of all installments of arrears as hereinbefore authorized.

Lien of arrears suspended.

6. During the period of the extension of time for payment herein provided for, the lien of such arrears shall be suspended, and the amounts thereof shall not be considered as due, except as the same becomes payable in installments under the terms of this act and the municipality shall have no further right to enforce the payment of such arrears so long as such installment payments shall be made promptly when due as herein provided for, and so long as payment of all subsequent taxes, assessments and other liens shall likewise be made promptly when due.

Conditions for suspension of lien to become effective.

7. The extension of time for payment and the suspension of the lien of existing arrears herein authorized shall not be effective as to any parcel of property until the first half of the one thousand nine hundred and forty-one taxes thereon has been paid, together with any assessments for local improvements, or installments thereof, falling due after January first, one thousand nine hundred and forty-one, and before the date of actual payment of said first half of one thousand nine hundred and forty-one taxes.

Total amount due upon failure to pay promptly.

8. In case any such installment of arrears or any new taxes, assessments or other liens are not promptly paid, that is to say, within thirty days after the date when the same is due and payable, then the whole amount of arrears theretofore suspended with interest thereon and penalties shall immediately become due and payable, and the liens thereof be reinstated, and the municipality shall have all the powers of enforcing its liens for such arrears that it would have had if this act had not

been passed, and the time of such municipality for any action on its part shall at its option be extended for as much additional time as the period during which this act shall have been in force, as to such arrears.

Notice on tax search.

9. Any arrears, payment of which has been extended under this act, shall be noted on any official tax search thereafter issued, but shall be noted thereon as "payment extended under laws of one thousand nine hundred and forty-one; total present balance of extended arrears is $..... with interest on the unpaid balance."

Conveyance to be subject to extended arrears.

10. The existence of any extended arrears affecting any property conveyed after this act becomes effective, shall be construed as a violation of any warranty or covenant against encumbrances in such conveyance unless made expressly subject to extended arrears of taxes, assessments or other municipal liens.

Payment credited against oldest arrears.

11. Any installment of arrears paid under the provisions of this act shall be credited to the arrears oldest in point of time, and the moneys paid shall be so applied; but no entry of payment or satisfaction or cancellation of record of the same, except by way of part payment, shall be made on or in respect to any item of arrears until the same is fully paid with the interest thereon, after which the same shall be satisfied or cancelled or marked paid of record as if this act had not been passed.

Prohibits use of arrears as security.

12. The municipality shall have no right to make any such arrears the basis of security for any type of municipal obligation, except for renewals of existing obligations, and for funding bonds.

Payment before foreclosure.

13. Nothing herein shall be construed to relieve the holders of any outstanding certificate of tax sale from the requirement that all arrears of municipal charges must be paid as a condition of foreclosure of such certificate.

Application of act.

14. Nothing in this act shall apply to water or sewer rents.

Lien holder may make payments, etc.

15. Any holder of a lien by way of mortgage or otherwise may pay any installment of any tax, or

tax sale certificate, assessment, including any installment of arrears extended under this act, at any time after the same has been assessed or levied upon filing with the collecting officer a certificate stating his name and address and lien, and shall then be entitled to add to the amount of his lien, the sum so paid with interest thereon from the date of payment; but in such case if the owner or any other prior party in interest shall thereafter pay the same to the collecting officer, the latter shall give a special receipt for such payment, and shall immediately notify the lienholder who made the first payment thereof; and said lienholder shall be entitled to receive from the collecting officer the amount of such payment with such additional interest as may be collected from the owner or any other prior party in interest; and all further rights of such lienholder under such payment shall immediately cease.

List of properties kept.

16. The collecting officer of any municipality acting under the provisions hereof shall make up and keep a list of the properties which are brought under the provisions of this act by payment of the first installment of the taxes of the year one thousand nine hundred and forty-one and shall keep the records of payments hereunder, all in such form as shall be prescribed by the Commissioner of Local Government.

Record of payments.

Act not to apply.

17. The extension of time for payment and the suspension of the lien of existing arrearages herein authorized shall not apply to any parcel of property which has heretofore been included in any plan heretofore adopted by any municipality of this State under and pursuant to the provisions of any public statute of this State whereunder prior extensions for the payment of delinquent taxes were heretofore duly authorized.

18. This act shall take effect immediately.

Approved April 14, 1941.

CHAPTER 37

AN ACT concerning county hospitals for the care of the insane, and supplementing chapter nine of Title 30, of the Revised Statutes.

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

C. 30:9-3.1. May maintain commissary.

1. Boards of chosen freeholders are empowered to maintain a commissary or store for the sale of commodities to patients, patients' visitors and employees of any county hospital for the insane under rules to be adopted by the board. The cost of establishing the commissary or store may be defrayed out of any funds appropriated for current maintenance. Any profit accruing may be used by the board for recreational entertainment or any other like purpose.

Establishing.

Use of profits.

2. This act shall take effect immediately.

Approved April 14, 1941.

CHAPTER 38

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

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

New route added to State highway system.

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

Route No. . Beginning in Millville at the intersection of Broad street and Delsea drive and thence passing in the vicinity of Milmay to a point on Route 48, at or near Mays Landing. Location.

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

3. This act shall take effect immediately.

Approved April 14, 1941.

CHAPTER 39

AN ACT concerning the photographing and destruction of the documents and records of banks and trust companies, and supplementing chapter four of Title 17 of the Revised Statutes.

WHEREAS, The banks and trust companies of this State have accumulated and are accumulating large quantities of documents and records, and the preserving and handling thereof have become and will continue to be a source of great and increasing difficulty and expense; and Preamble.

WHEREAS, It is now possible to reproduce documents and records by photography so that the photographs thereof will be true and accurate reproductions of the originals, and the photographs can be preserved and handled with greater safety and with less difficulty and expense than the originals, and the substitution of photographs for the originals will be of benefit to the banks and trust companies, and the depositors therein, and in the public interest; therefore Preamble.

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

C. 17:4-31.9. May make photographic copies of certain documents.

1. Any bank or trust company, in the conduct of its business, may make a photographic copy of any of its documents and records relating to the accounts of its depositors and the operation of its business, other than its notes, bonds, mortgages and other securities and investments, and may substitute the copy for the original thereof. Thereafter the 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 bank or trust company may destroy or otherwise dispose of the original; but no copy of any deposit slip or withdrawal order relating to the account of any depositor shall be deemed to be an original counterpart of the original thereof until six years after the date appearing on the original, which date shall be deemed to be the date appearing on the copy.

May destroy originals.

Construing.

Nothing in this section contained shall be deemed to apply to any of the documents and records relating to transactions by or with a bank or trust company in a fiduciary capacity, except documents and records in its banking department relating to accounts which the bank or trust company, as fiduciary, may maintain as a depositor in its banking department.

2. This act shall take effect immediately.

Approved April 14, 1941.

CHAPTER 40

AN ACT concerning evidence, and supplementing article five of chapter ninety-eight of Title 2 of the Revised Statutes.

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

C. 2:98:27.1. Photographic copies of State bank's records, etc., admissible as evidence.

1. Any photographic copy, or a positive print thereof if the same be a negative, of any of the documents or records of any bank, savings bank or trust company organized under the laws of this State, which shall be deemed to be an original counterpart of the original thereof under the provisions of Title 17 of the Revised Statutes, or any supplement thereto or amendment thereof, shall be as admissible in evidence as the original thereof, whether or not the original shall have been destroyed, for all purposes in any action, proceeding or matter of a civil or criminal nature in any court of this State.

C. 2:98-27.2. Photographic copies of national bank's records admissible as evidence.

2. Any photographic copy, or a positive print thereof if the same be a negative, of any of the documents or records of any national bank authorized to do business in this State, which would be deemed to be an original counterpart of the original thereof under the provisions of Title 17 of the Revised Statutes, or any supplement thereto or amendment thereof, if such national bank were a bank, savings bank or trust company organized under the laws of this State, shall be as admissible in evidence as the original thereof, whether or not the original shall have been destroyed, for all purposes in any action, proceeding or matter of a civil or criminal nature in any court of this State.

3. This act shall take effect immediately.

Approved April 14, 1941.

CHAPTER 41

AN ACT concerning the photographing and destruction of the documents and records of savings banks, and supplementing chapter six of Title 17 of the Revised Statutes.

Preamble. WHEREAS, The savings banks of this State have accumulated and are accumulating large quantities of documents and records, and the preserving and handling thereof have become and will continue to be a source of great and increasing difficulty and expense; and

Preamble. WHEREAS, It is now possible to reproduce documents and records by photography so that the photographs thereof will be true and accurate reproductions of the originals, and the photographs can be preserved and handled with greater safety and with less difficulty and expense than the originals, and the substitution of photographs for the originals will be of benefit to the savings banks, and the depositors therein, and in the public interest; therefore,

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

C. 17:6-24.1. May make photographic copies of certain documents.

1. Any savings bank, in the conduct of its business, may make a photographic copy of any of its documents and records relating to the accounts of its depositors and the operation of its business, other than its notes, bonds, mortgages and other securities and investments, and may substitute the copy for the original thereof. Thereafter the 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 savings bank may destroy or otherwise dispose of the original; but no copy of any deposit

May destroy originals.

slip or withdrawal order relating to the account of any depositor shall be deemed to be an original counterpart of the original thereof until six years after the date appearing on the original, which date shall be deemed to be the date appearing on the copy.

Construing.

Nothing in this section contained shall be deemed to apply to any of the documents and records relating to transactions by or with a savings bank in a fiduciary capacity, except documents and records in its banking department relating to accounts which the savings bank, as fiduciary, may maintain as a depositor in its banking department.

2. This act shall take effect immediately.

Approved April 14, 1941.

CHAPTER 42

AN ACT regulating the manufacture, handling, sale and distribution of ice cream, custards, sherbet and ices, and amending section 24:10–66 of the Revised Statutes.

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

Section amended.

1. Section 24:10–66 of the Revised Statutes is amended to read as follows:

Ice cream, etc., deemed adulterated.

24:10–66. Ice cream, custard ice cream, French ice cream, French custard, frozen custard, sherbet, ice and fruit ice shall be deemed to be adulterated within the meaning of this article:

First. If it contains boric acid, formaldehyde, saccharin or any other added substance or compound that is deleterious to health.

Second. If it contains salts of copper, iron, ochres or any coloring substance deleterious to

health, but this paragraph shall not be construed to prohibit the use of harmless coloring matter when not used for fraudulent purposes.

Third. If it contains any deleterious flavoring matter or flavoring matter not true to name.

Fourth. If it contains any fats, oils, or paraffin other than milk fats added to or blended or compounded with it, but the coating of coated ice cream may contain cocoa butter or cocoanut oil or both; chocolate ice cream may contain cocoa butter.

Fifth. If it is an imitation ice cream, ice cream substitute or coated imitation ice cream as defined in section 24:10–63 of this Title.

Sixth. If it is offered for sale from any container, compartment or cabinet which contains any article other than ice cream, custard ice cream, French ice cream, French custard, frozen custard, sherbet, ice or fruit ice.

Seventh. If it falls below the standards or any of them fixed for the particular product by the definition thereof contained in this article or is falsely labeled or labeled contrary to the provisions of this article.

2. This act shall take effect immediately.
Approved April 14, 1941.

CHAPTER 43

AN ACT authorizing boards of chosen freeholders of any county, having a population of not less than one hundred and twenty thousand nor more than one hundred and thirty thousand according to the one thousand nine hundred and forty census, to make appropriations for junior colleges.

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

C. 40:23-8.2. May make appropriation for junior college.

1. It shall be lawful for the board of chosen freeholders of a county having a population of not less than one hundred and twenty thousand nor more than one hundred and thirty thousand, according to the one thousand nine hundred and forty census, and they are hereby authorized and empowered to make appropriations for and pay to any junior college established and located in said county, for the maintenance, support and operation of said educational institution.

Previous appropriations validated.

2. Any appropriations or payments heretofore made by the board of chosen freeholders of any such county, to any junior college therein established and located, is hereby validated.

3. This act shall take effect immediately.

Approved April 14, 1941.

CHAPTER 44

AN ACT to regulate elections and to enable persons absent for active military service during a period of national emergency to vote at certain municipal elections, and supplementing Title 19 of the Revised Statutes and chapter one hundred ninety-four of the laws of one thousand nine hundred and forty.

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

Title supplemented.

1. Title 19 of the Revised Statutes and chapter one hundred ninety-four of the laws of one thousand nine hundred and forty are hereby supplemented as follows:

C. 19:54-14. Act to apply.

1. Whenever any national emergency exists whereby, in the judgment of the President of the United States and the Governor of this State, or pursuant to the terms of any statute of the United States or a statute of the State of New Jersey, it may become necessary to concentrate, either within or without this State in active service in the military forces of this State or of the United States, citizens of this State who are legal voters herein, this act shall apply.

C. 19:54-15. Governor's order filed with Secretary of State.

2. Whenever such national emergency exists, the Governor shall file an order with the Secretary of State, which order shall set out the nature of such emergency and direct that the provisions of this act be enforced. If the Governor of this State has filed an order with the Secretary of State under the provisions of chapter one hundred ninety-four of the laws of one thousand nine hundred and forty, it shall not be necessary to file an order under this section. An order filed under this act, or heretofore or hereafter filed under the provisions of chapter one hundred ninety-four of the laws of one thousand nine hundred and forty, shall be con-

clusive evidence that the national emergency, mentioned in section one of this act, exists and shall constitute notice to all municipal clerks and county clerks, and elections boards and officials, that such order has been filed; and after the filing of such order the existence of such national emergency, for the purposes of this act, shall be conclusively deemed to exist, until an order of the Governor to the contrary is filed with the Secretary of State.

Emergency deemed to exist.

C. 19:54-16. Purpose of act.

3. The purpose of this act is to afford every qualified legal voter of every municipality of this State who is in active service in the military forces of this State or of the United States the right to vote in municipal elections other than municipal elections held at the time of any primary, general or special election held in this State and as to which municipal elections held at the time of such primary, general or special election the provisions of chapter one hundred ninety-four of the laws of one thousand nine hundred and forty are applicable, notwithstanding the fact that such person may be absent on said election day from the election district in which he resides, whether such person is within or without the State, or within or without the United States. Any person shall be deemed to be in active service in the military forces of this State or of the United States if actually in active service as a member of the national guard, or any branch or department of the army or navy or marine corps of the United States.

Persons in active service

C. 19:54-17. To ascertain names of qualified electors.

4. Twenty days prior to any municipal election the clerk of the municipality in which such election is to be held shall ascertain, either from the Adjutant-General of New Jersey, or from the Adjutant-General or proper authority of the United States, the names and post office and service addresses of every qualified elector of such municipality in active service in the military forces as aforesaid.

C. 19:54-18. Ballots forwarded.

5. At least eight days prior to any such municipal election, the clerk of the municipality shall forward by mail to each person in such active serv-

ice at his service address, as aforesaid, a ballot conveniently prepared, upon which ballot shall be printed the names of the candidates to be voted upon at such municipal election and any public question to be submitted to the voters at said election. Such printed ballot shall provide sufficient space, wherein the voter may vote for or write in his choice for any such municipal office to be voted for at such municipal election.

C. 19:54-19. Directions for voting.

Regulations relative to envelopes.

6. The clerk of the municipality shall send with each ballot either a printed copy of this act or printed directions for voting and transmitting the ballot as required by this act. The municipal clerk shall also send with each ballot, mailed as aforesaid, two envelopes, the outer one of which shall be addressed to the board of elections of the county in which the municipality is situated, and shall contain a space upon the back thereof for the name of the military organization to which such person belongs and the home address in which such person is entitled to vote. Such outer envelope shall contain United States postage stamps in an amount sufficient to carry through the mails the inner envelope hereinafter mentioned and the ballot, from the place to which the ballot is mailed by the municipal clerk, to the address of the county board of elections of the county where the municipal election is to be held. The inner envelope shall be plain and contain no marks whatever.

C. 19:54-20. To establish military file.

7. The municipal clerk shall certify to the commissioner of registration the names and addresses of qualified electors to whom ballots are mailed. The said commissioner of registration, upon the receipt of such information from the municipal clerk, shall remove the names of such qualified voters from the permanent registration binders, if such names appear thereon, and retain such names for the purpose of said municipal election in a special file designated "military file."

C. 19:54-21. Voting and mailing of ballot.

8. Any qualified elector, as aforesaid, intending to vote, shall mark said ballot and mail the same as hereinafter provided not later than the fourth

day preceding the holding of any such municipal election; it being the intent and meaning of this act that all such ballots shall be so cast that they may be counted by the respective county boards of election and canvassed by the respective municipal clerks on the day of the holding of any such municipal election. Such ballot, after having been prepared by the person intending to vote same, shall be placed in the inner envelope, which envelope shall then be sealed and placed in the outer envelope, to which reference has above been made. Such qualified voter shall then write upon the outer envelope in the space provided the name of the military organization to which such qualified voter belongs, and the home address of such qualified voter at which he would be entitled to vote, and beneath which he shall sign his name. All ballots not received by the county board of elections by the day preceding the date of any such municipal election shall be void and of no effect.

C. 19:54-22. Envelope for mailing ballot.

9. All ballots shall be mailed by the voter to the county board of elections of the county in which the municipal election is to be held, in the outer envelope mentioned in section six of this act.

C. 19:54-23. Investigation by county boards.

10. The county board of elections shall promptly upon receipt of ballots pursuant to this act make such investigation as may be necessary to ascertain whether or not the persons whose names appear on the outside of the outer envelopes are actually entitled to vote at such election. Should any dispute arise as to whether or not such person is entitled to vote, the county board shall refer the matter to the court of common pleas for determination.

Court of common pleas to settle disputes.

Outer envelopes kept for one year.

On the day of such municipal election the said county boards of election, except in the case of those ballots which such county boards of election or the court of common pleas has rejected, shall remove the outer envelopes in which the ballots are contained and keep them for a period of one year, at the expiration of which time they shall be destroyed. After removing the outer envelopes

Canvass.

the county boards of election shall then remove the inner envelopes in which the ballots are contained and then proceed to count and canvass the votes cast on said ballots. After the canvass is completed, the county boards of election shall certify the result of said canvass to the municipal clerk. Said certification shall show the results of the canvass by ward and district in order to enable the municipal clerk to add the result of the canvass made by the county boards of election to the total vote cast in each ward and district by voters other than those in military service.

Certification of results.

Ballots kept for one year.

The county board of elections shall keep for a period of one year all of the aforesaid ballots counted by them and all of the outer envelopes, together with their contents, which have not been opened because the county board or the court of common pleas has rejected them.

C. 19:54-24. Title 19 of R. S. to apply.

11. The provisions of Title 19 of the Revised Statutes, as supplemented and amended, shall likewise be applicable to such election to the extent that they be not inconsistent with the provisions of this act.

12. This act shall take effect immediately.

Approved April 14, 1941.

CHAPTER 45

AN ACT concerning national defense, providing for the creation of local defense councils in the municipalities of this State, and defining the powers and duties of such local defense councils.

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

C. App. A:9-14. Provides for creation of local defense councils.

1. The mayor or chief executive officer of each municipality in this State shall appoint a local defense council for the said municipality of not to exceed fifteen members, all of whom shall be residents of the said municipality. The members of the local defense council shall organize by selecting a chairman, vice-chairman and secretary. The defense council shall meet regularly, at least once each month, and at such other times as the chairman of such defense council or the chief executive officer of the municipality shall direct. Each local defense council shall have power: (a) To undertake, supervise or direct the making of studies and surveys of all matters and things which are or may be related to or in the interest of State and national defense; (b) to create subcommittees, subject to the approval of the New Jersey Defense Council, composed of members and nonmembers of the local defense council, to aid and assist in the work of the local defense council; (c) to request and obtain such co-operation, assistance and data from the various municipal departments, boards, bureaus, commissions and other agencies as may be reasonably necessary in order to carry out its work; (d) to make recommendations, devise plans and suggest ways and means to meet the various problems having to do with State and national defense.

Organization.

Meetings.

Powers.

C. App. A:9-15. Purpose of local defense councils.

2. The local defense councils are created for the sole purpose of advising each municipality on defense problems and to devise plans and make

New Jersey State Library

suggestions with reference to local, State and national defense, and such local defense councils shall not create any agencies for the purpose of administering and executing any of the plans suggested as a result of their studies. The creation of such agencies shall be the sole duty and obligation of the governing body of each municipality or other governmental agencies. Nothing contained herein shall prevent any member of any local defense council from becoming a member of any other municipal agency created for the purpose of meeting emergency conditions.

C. App. A:9-16. Subcommittees.

3. The mayor or chief executive officer of each municipality may create such subcommittees to the local defense council as in his opinion are advisable, subject to the approval of the New Jersey Defense Council, for the purpose of assisting the local defense council in its work. The chairman of each subcommittee shall be selected from among the membership of each respective local defense council, but the mayor or chief executive officer may appoint to membership on such subcommittees nonmembers of the local defense council who are residents of such municipality. No subcommittee shall be composed of more than ten members. Each subcommittee shall be empowered only to advise its own defense council and shall have no other power of any nature whatsoever.

C. App. A:9-17. N. J. defense council notified of activities.

4. It shall be the duty of each local defense council to advise the New Jersey Defense Council of all its activities and it shall be the further duty of each defense council fully to co-operate with the New Jersey Defense Council and through the New Jersey Defense Council with the National Defense Council and other Federal agencies. The local defense council shall not carry on any activities with the National Defense Council or any other Federal agency except with the approval of and through the New Jersey Defense Council.

C. App. A:9-18. Appropriations.

5. Each municipality of this State is hereby authorized and empowered to appropriate and make available to its local defense council such

sums of money as may be deemed necessary to defray its expenses, and the activities of such local defense councils are hereby declared to be proper purposes for which the moneys of the municipality may be expended.

C. App. A:9-19. Act inoperative.

6. This act shall take effect immediately and shall be operative during the present emergency, but shall become inoperative on and after the thirtieth day of June, one thousand nine hundred and forty-three.

Approved April 14, 1941.

CHAPTER 46

A SUPPLEMENT to an act entitled "An act creating the New Jersey Defense Council and defining its powers and duties," approved December twenty-first, one thousand nine hundred and forty.

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

C. App. A:9-11.1. Authorized to create community defense service councils.

1. The New Jersey Defense Council is empowered to authorize the creation of community defense service councils organized for the purpose of affording entertainment and recreation and providing for the health and welfare of service men and other persons engaged in defense activities. No such organization shall operate within the State of New Jersey without first having received the approval of the New Jersey Defense Council.

C. App. A:9-11.2. Social service organization to obtain approval.

2. Any existing social service organizations or other organization which desires, in addition to its regular activities, to engage in activities having to do with the recreation and entertainment and the making of provision for the health and welfare of service men and other persons engaged in defense activities shall before undertaking any such activities receive the approval of the New Jersey

Defense Council. Any such social service or other organization already carrying on such defense activities shall request the approval of the New Jersey Defense Council immediately upon the passage of this act. If such approval has not been obtained within sixty days from the passage of this act, such organization shall cease to carry on all activities having to do with the above-mentioned matters.

To cease activities.

C. App. A:9-11-3. Approval of council required.

3. No motor corps, ambulance unit, first aid squad, or other such agency, shall be created to assist in the present State and national emergency without first receiving the approval of the New Jersey Defense Council. Any such organization which has already been created for this purpose shall immediately upon the passage of this act request the approval of the New Jersey Defense Council and if such approval has not been obtained within sixty days from the passage of this act, such organization shall cease to carry on all activities having to do with State and national defense.

To cease activities.

C. App. A:9-11.4. Existing agencies to obtain approval.

4. Any motor corps, ambulance unit, first aid squad, or other like agency, which was created prior to the existence of the present emergency must receive the approval of the New Jersey Defense Council before it shall undertake any work outside of its regular functions which have to do in any wise with the problems of local, State and national defense. Any such existing organizations which are already carrying on activities having to do with the present emergency shall immediately request the approval of the New Jersey Defense Council. Unless such approval has been obtained within sixty days from the passage of this act, such organization or organizations shall cease to carry on such activities.

To cease activities.

C. App. A:9-11.5. Act inoperative.

5. This act shall take effect immediately and shall become operative during the present emergency, but shall become inoperative on or after the thirtieth day of June, one thousand nine hundred and forty-three.

Approved April 14, 1941.

CHAPTER 47

AN ACT concerning municipalities.

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

C. App. A:9-20. Authorized to create supplemental agency.

1. When a local defense council shall have recommended to a municipality that an agency be created to supplement an existing municipal agency in the interest of local, State or national defense and such recommendations shall have received the approval of the New Jersey Defense Council, a municipality is authorized and empowered to create such agency to supplement and assist in the work of an existing municipal agency. Any agency created pursuant to this act shall cease to exist upon the expiration of this act.

Existence to cease.

C. App. A:9-21. Membership.

2. No person shall be a member of any agency created pursuant to this act which shall have for its functions the doing of police work, fire work, or the use of any motor equipment, unless such person shall have resided in such municipality for a period of three years or shall have been recommended by three residents of such a municipality who have been residents of such municipality for a period of at least five years. Each such person before becoming a member of such agency shall be fingerprinted. A copy of the fingerprint records shall be filed with the New Jersey State Police.

Fingerprinted.

C. App. A:9-22. May create agency for entertainment of service men.

3. A municipality may authorize any group of individuals or organization created to afford entertainment and recreation and to provide for the health and welfare of service men and other persons engaged in defense activities to operate within such municipality, in cases where such group of individuals or organization shall operate only within a single municipality and where all of the persons connected with such group or organization are residents of that municipality. Where the aforementioned groups of individuals or

Approval of N. J. defense council.

organizations shall operate in more than one municipality, or where nonresidents shall seek to carry on such activities within a municipality, the approval of the New Jersey Defense Council must first be obtained.

C. App. A:9-23. Act inoperative.

4. This act shall take effect immediately and shall become operative during the present emergency, but shall become inoperative on or after the thirtieth day of June, one thousand nine hundred and forty-three.

Approved April 14, 1941.

CHAPTER 48

AN ACT to relieve the loss, damage, distress and suffering caused by a general conflagration in any county and in one or more municipalities thereof and providing the method of raising and disbursing the necessary moneys for such purpose.

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

C. 40:5-2.1. County may make appropriation.

1. Whenever a general conflagration shall have taken place in any county, and in one or more municipalities thereof, such county shall be and is hereby authorized to appropriate, raise and expend a sum of money, not exceeding twenty-five thousand dollars ($25,000.00), to relieve the loss, damage, distress and suffering caused by said general conflagration.

Limits amount.

C. 40:5-2.2. Requirements:

2. No county shall raise or expend any moneys for the purpose aforesaid unless and until:

Municipality to raise like sum;

(a) The borough, township, city, village or other municipality in which such loss, damage, distress and suffering has occurred shall ap-

propriate and raise a like sum for the same purpose.

Establish joint commission;

(b) A joint commission has been established by and between such county and municipality, on which commission the county and municipality shall have equal representation and which commission shall, after proper investigation, recommend, in writing, to the county and municipality the expenditure of the funds so raised; neither said county nor any municipality shall expend all or any part of said funds, unless and until such recommendation is received and followed.

Resolution.

(c) A resolution making an appropriation of the necessary funds by the board of chosen freeholders of such county, by at least a two-thirds affirmative vote of the members thereof.

C. 40:5-2.3. Requirements for municipality to expend moneys:

3. No borough, township, city, village or other municipality shall expend any moneys for the purpose aforesaid unless and until:

County to make a like appropriation;

(a) The county in which such loss, damage, distress and suffering has occurred shall appropriate a like sum for the same purpose.

Joint commission created;

(b) The joint commission aforesaid has been created and its recommendation or recommendations as to the expenditure of such funds has been made.

Resolution.

(c) A resolution making an appropriation of the necessary funds by the borough, township, city, village or other municipality has been passed by the governing body thereof, by at least a two-thirds affirmative vote of the members of such governing body.

C. 40:5-2.4. General conflagration defined.

4. The term "general conflagration" as used herein shall be construed, for the purposes hereof, to mean and include: any monetary damage to the improved property of or physical suffering to twenty-five or more families, or both, in any county, whether in one or more municipalities in such county.

C. 40:5-2.5. Making appropriation.

5. Any county, borough, township, city, village or other municipality may raise and appropriate said moneys by resolution as aforesaid, notwithstanding the provisions of sections 40:1–14 and 40:1–15 of the Revised Statutes of New Jersey; *provided,* that in the next annual budget of such county and borough, township, city, village or other municipality a similar amount shall be included to retire and pay off the obligation or obligations so incurred.

Proviso.

C. 40:5-2.6. Form of note.

6. Any county, borough, township, city, village or other municipality is hereby authorized to execute and deliver its note or other obligation to raise the funds contemplated herein, which note or other obligation shall recite:

(a) The general nature of the purpose of raising said moneys.

(b) That the note or other obligation is in the nature of an emergency and shall be retired within one year from its issuance.

(c) That said note or other obligation is issued pursuant to this law.

(d) That such note or obligation is an exception to the general laws of this State relative to limitation on county and municipal indebtedness.

C. 40:5-2.7. Construing.

6. This act shall be liberally construed to enable the several counties and municipalities to expeditiously relieve the loss, damage, distress and suffering caused by a general conflagration.

C. 40:5-2.8. Application of act.

7. This act shall not apply to any general conflagration which occurred before April first, one thousand nine hundred and forty-one.

8. This act shall take effect immediately.

Approved April 23, 1941.

CHAPTER 49

AN ACT confirming, validating and legalizing deeds of conveyance of lands, tenements, hereditaments or real estate by executors in certain cases.

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

Certain deeds, etc., validated.

1. Any deed or deeds of conveyance of any lands, tenements, hereditaments or real estate heretofore made and delivered by executors of a will, duly probated, which will authorized the executors to sell said lands, tenements, hereditaments or real estate with the consent of the life tenant named in said will, are hereby confirmed, validated and legalized although the consent of the life tenant required by the will was not had and obtained; *provided, however,* that said deed or deeds are otherwise good, legal, valid and effectual; *provided, further,* that the said life tenant whose consent was required by said will predeceased the testator; *and provided, further,* that no proceedings shall have heretofore been instituted in any court of law or equity to set aside said sale or sales, or the deed or deeds, or any proceedings in connection therewith.

Proviso.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 23, 1941.

CHAPTER 50

AN ACT concerning the method of sale of funding and refunding bonds and notes by municipalities in which the local government board (as municipal finance commission) is or may be functioning, and amending sections 52:27–20 and 52:27–31 of the Revised Statutes.

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

Section amended.

1. Section 52:27–20 of the Revised Statutes is hereby amended to read as follows:

Method of sale.

52:27–20. All such notes or bonds shall be sold in such manner as may be determined by resolution approved in writing by the commission, at public or private sale before or after public offering, or in exchange before or after public offering for any notes or bonds, including interest thereon, to be funded or refunded thereby, at such price or prices, computed in the manner or mode of procedure described by "Acme Tables of Bond Value" (published by Financial Publishing Company, Boston, Massachusetts), as will yield to the purchasers or the holders of the notes or bonds or interest thereon surrendered in exchange income at a rate not exceeding six per centum (6%) per annum to the maturity dates of the several notes or bonds so sold on the money paid or the face amount of notes, bonds and interest surrendered therefor. Such notes or bonds of any authorized issue or any authorized maturity may be sold or exchanged as hereinabove provided from time to time and in such blocks as may be deemed advisable.

Section amended.

2. Section 52:27–31 of the Revised Statutes is hereby amended to read as follows:

Issuing expense.

52:27–31. The expense of issuing and selling any notes or bonds under this chapter including

estimated cost of printing, advertising, attorneys' fees, execution, certification, exchange and delivery, and provision for any estimated discount to be incurred upon the sale or exchange of such notes or bonds, may be included by the commission in the amount of indebtedness to be funded or refunded under this chapter, or, in whole or in part, may be provided for by appropriation made by the resolution authorizing the issuance of such notes or bonds of available cash on hand.

3. This act shall take effect immediately.

Approved April 23, 1941.

CHAPTER 51

AN ACT to continue for a period of one year the commission created for the purpose of studying the causes of juvenile delinquency, and supplementing chapter twenty of Title 9 of the Revised Statutes.

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

1. The commission to investigate and determine the causes of juvenile delinquency created by chapter twenty of Title 9 of the Revised Statutes is hereby continued for a period of one year from the effective date of this act. Commission continued.

2. The members of the commission heretofore appointed shall continue to serve in their respective capacities without compensation for the additional year of the existence of the commission and shall be vested with all powers and duties heretofore enjoined upon them. Present members continued.

3. This act shall take effect June fifth, one thousand nine hundred and forty-one. Act effective.

Approved April 24, 1941.

CHAPTER 52

AN ACT concerning county and municipal institutions, and supplementing chapter nine of Title 30 of the Revised Statutes.

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

C. 30:9-23.1. Appoint medical director.

1. Whenever a city of the first class has established or establishes a city hospital or medical center with a capacity of more than one thousand beds and the said city of the first class is located in a county of the first class which has established or establishes hospitals and institutions rendering medical care, the governing bodies of the county and municipality, in the management of their respective hospitals may jointly agree to appoint a medical director who shall have supervision over all the county and municipal hospitals, centers, or institutions which render medical treatment or care to patients. The said governing bodies shall fix or regulate the salary to be paid to such medical director, determine the proportion to be paid by the county and the municipality and shall have the power to make any and all other necessary agreements and contracts to carry out the purposes of this act. The person so appointed as medical director shall have the following qualifications: he must be a graduate of a recognized medical college, holding a diploma therefrom; must be admitted to practice as a physician, and must have been practicing medicine or associated with medical institutions, or both, for a period of at least fifteen years.

Salary, payment of.

Qualification.

C. 30:9-23.2. Scope of director's supervision.

2. Notwithstanding anything to the contrary in any of the statutes or any provisions thereof, should a city and a county of the first class jointly appoint a medical director under the provisions hereof, the said medical director shall have supervision of all the medical boards, boards of

managers, hospital committees, advisory boards or any other boards now or hereafter in charge of the medical institutions, in the city and county, and he is herewith cloaked with the authority of supervising all of the said medical institutions of which he shall be appointed as medical director with the right and power to approve and reject any acts of said boards or officials now acting or hereafter appointed to such medical boards, boards of managers, hospital committees, advisory boards, or any other boards.

C. 30:9-23.3. May appoint assistant.

3. The said medical director when appointed jointly by the county and municipality under the provisions of this act shall have power to appoint one assistant who shall possess qualifications as those herein described as applicable for the appointment of a medical director. If the medical director appoints as his assistant a person who is now connected with the medical institutions of the county or the municipality, the compensation agreed to be paid to the said assistant shall be assumed and paid by the governing body under whom he is employed at the time of his appointment. If the assistant so appointed is not at the time of his appointment connected with either the medical institutions of the city or county, entering into the joint agreement, the county and the city shall each pay one-half of the compensation agreed to be paid to said assistant.

Compensation.

C. 30:9-23.4. Clerical assistants.

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 city 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

May suspend employee.

Removal after hearing.

by him or his assistant, 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 by the courts as heretofore.

5. This act shall take effect immediately.

Approved April 24, 1941.

CHAPTER 53

AN ACT to validate certain deeds, mortgages and other instruments in writing in which the seals were omitted to be affixed.

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

Certain deeds, etc., validated.

1. All deeds, mortgages, and other instruments in writing heretofore executed, wherein the seal or seals opposite the signature of an individual or individuals, or the seal of a corporation were omitted, shall be taken and held to be good and sufficient in law, and are hereby validated; *provided, however,* that all such deeds, mortgages, and other instruments in writing have been recorded for a period of at least five years.

Proviso.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 54

AN ACT concerning disorderly persons, and amending sections 2:206–11 and 2:206–12 of the Revised Statutes.

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

1. Section 2:206–11 of the Revised Statutes is amended to read as follows: Section amended.

2:206–11. Any person convicted under any provision of this subtitle who shall desire to appeal from the conviction hereunder by a magistrate may appeal to the special sessions court of the county in which the conviction was had. May appeal to special sessions court.

A defendant appealing to the special sessions court shall file with the county clerk of the county wherein his conviction was had, within twenty days from the time of conviction, a written notice of his appeal from such conviction and within five days thereafter, serve a copy thereof upon the magistrate so convicting him and the prosecutor of the pleas of the county wherein the conviction was had. Filing notice of appeal.

An appeal to the special sessions court under authority of this section shall not operate to bring up for review the proceedings before the magistrate from whose conviction the appeal is taken but shall operate as an application for a trial de novo in the special sessions court. The special sessions court shall summarily hear the matter and try and determine the cause. If the defendant is convicted in the special sessions court, such court shall impose such sentence as it is prescribed by this subtitle may be imposed by the court of first instance. If the defendant is acquitted in the special sessions court, that court shall order the conviction below set aside and shall order the return of all fines and costs paid by the defendant, and order the discharge of the offender from custody. Appeal to operate as an application for a trial de novo. Imposing sentence. Conviction set aside.

Bail set pending determination.

Pending the determination of such appeal from a conviction by a magistrate the special sessions court may order the defendant admitted to bail, and upon the defendant entering into a recognizance with sufficient surety conditioned that he shall appear before the special sessions court, and abide the judgment thereof, the said special sessions court shall forthwith discharge him from custody.

Notice of hearing.

The trial on appeal shall be noticed for hearing by the defendant for a day not more than thirty days after he has completed his appeal, and if the special sessions court is not in session, for a day as soon thereafter as such court will fix to hear the appeal; and the defendant shall serve on the prosecutor of the pleas of the said county wherein said conviction was had at least five days' written notice of the time of hearing of said appeal. The prosecutor of the pleas of said county shall appear at said hearing on appeal and represent the complainant.

Service upon prosecutor.

Section amended.

2. Section 2:206–12 of the Revised Statutes is amended to read as follows:

Appeal not to stay execution of judgment.

2:206–12. An appeal from a conviction for a violation of 2:202–16.1 of this Title shall not act as a stay of the execution of the judgment or the sentence of the magistrate imposed unless the special sessions court shall certify that there is reasonable ground to believe that the conviction is erroneous, in which case and in no other shall an appeal act as a stay of the execution of the sentence aforesaid.

3. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 55

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

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

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

Route No. ..... Beginning in Morris Plains on State Highway Route No. 5N, and from thence to a point on Route No. 2 near the New York State line. Location.

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

3. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 56

AN ACT relative to taxes and assessments owing by any corporation in bankruptcy or under receivership proceedings in any municipality of this State.

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

C. App. A:4-12.25. Governing body may abate, etc., taxes, etc.

1. It shall be lawful for the governing body of any municipality of this State to make such abatement, revision, alteration, adjustment and settlement of taxes and assessments, both of principal and of any or all interest and penalties thereon, as such governing body shall deem equitable and just, and to be for the best interest of such municipality; *provided,* such abatement, revision, alteration, adjustment and settlement shall be approved by the Commissioner of Local Government; *and provided, also, however,* that this act shall apply only to the abatement, revision, alteration, adjustment and settlement of taxes and assessments, both of principal and of any or all interest and penalties thereon, as may now or hereafter be owing to such municipality from any corporation under the jurisdiction of receivers or trustees appointed by any district court of the United States under its general equity power or by virtue of the bankruptcy laws of the United States of America or by the Court of Chancery of the State of New Jersey.

Proviso.

Proviso, application of act.

C. App. A:4-12.26. Application to fix rental value of property.

2. Whenever any trustee in bankruptcy or any receiver for a corporation, appointed by a court of competent jurisdiction, shall proceed, under an order of such court, to operate, use or occupy all or any portion of the property of any such bankrupt corporation or of one under receivership proceedings, either the municipality or such receiver or trustee may apply to the court having jurisdiction of said bankruptcy or receivership proceed-

ings to fix the rental value of any such property, so used or occupied, as a part of the expense of such operation in lieu of said trustee or receiver being liable or required to pay out of operating income or receipts the full amount of taxes or assessments laid or levied against the property of such corporation during such operation, use or occupancy. And if such rental value shall be so fixed by the court having jurisdiction over such bankruptcy or receivership proceedings, then and in such case, such municipality may receive the amount of said rental value from such receiver or trustee out of income coming into the hands of such trustee or receiver by reason of the operation, use or occupancy of such property, and shall then apply same as a credit or credits on account of any taxes or assessments owing to it by any such corporation or on account of any taxes or assessments which may be adjusted or abated as herein provided.

Authorized to receive rental value as credit against taxes, etc., owed.

3. It shall be the duty of the collector of such municipality, upon receiving a certified statement of the amount which the governing body shall have agreed to accept in full satisfaction of such taxes and assessments, or either, to receive such sum so agreed to be accepted, in full satisfaction of such taxes and assessments, and to give a receipt for the amount paid in satisfaction thereof to the person paying the same; which receipt, accompanied by said statement, shall be sufficient evidence of the payment and satisfaction of such taxes and assessments, and upon presentation thereof, with the bill annexed, to the clerk of the county he shall satisfy the tax or assessment record if any there shall be in the office relating to unpaid taxes and assessments, or either or both of them, so far as relates to the payment of the said tax or assessments.

C. App. A:4-12.27. Receipt given by collector.

Receipt as evidence of payment.

4. In case a reduction of any tax, taxes, assessments or assessment be made by the governing body upon any application presented to it under this act, such reduction shall be null and void, unless the unpaid tax and assessment, or either, as reduced, be paid within ninety days thereafter, un-

C. App. A:4-12.28. Reduction void unless paid in 90 days.

less such governing body, for good cause shown, shall by resolution extend the time for such payment for a further period of not over thirty days.

C. App. A:4-12.29. Act inoperative.

5. This act shall be deemed a public act, and take effect immediately, and it shall be inoperative and of no effect after January second, one thousand nine hundred and forty-two.

C. App. A:4-12.30. Repealer.

6. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed; *provided, however,* that this act shall not be construed to amend or repeal any of the provisions of sections 54:4–99 to 54:4–102, both inclusive, of the Revised Statutes.

Proviso, construing.

C. App. A:4-12.31.

7. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 57

AN ACT concerning district courts, and amending section 2:32–34.1 of the Revised Statutes.

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

Section amended.

1. Section 2:32–34.1 of the Revised Statutes is amended to read as follows:

Commissioner of Motor Vehicles agent for nonresident operators.

2:32–34.1. Any chauffeur, operator or owner of any motor vehicle, not licensed as required by the provisions of article two of chapter three of Title 39, Motor Vehicles and Traffic Regulation (§39:3–3 et seq.), who shall accept the privilege extended by law to nonresident chauffeurs, operators and owners of driving such a motor vehicle or having the same driven or operated in this State without a New Jersey registration or license, shall, by the acceptance and the operation of such motor vehicle within this State, make and constitute the Commissioner of Motor Vehicles of the State of New Jersey his or their agent for the acceptance of process

in any civil action or proceeding, which process may be issued out of any district court of this State, against such chauffeur, operator or the owner of such motor vehicle, arising out of or by reason of any accident or collision occurring within this State, in which a motor vehicle operated by such chauffeur or operator or such owner is involved. The acceptance of such privilege or the operation of such motor vehicle shall be the signification of such chauffeur or operator or such owner of his or their agreement that any such process issuing out of any district court as aforesaid against him or them which is so served shall be of the same legal force and validity as if served upon him or them personally.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 58

AN ACT concerning the protection of waterfowl in the South Shrewsbury river, and repealing section 23:9–100 of the Revised Statutes.

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

1. Section 23:9–100 of the Revised Statutes is repealed. R. S. 23:9-10 repealed.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 59

AN ACT to validate certain ordinance for construction, repair and maintenance of roads with the assistance of State or county aid by the several municipalities of this State.

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

Certain ordinances relative to roads validated.

1. All ordinances for the construction, repair or maintenance of any roads by any of the several municipalities of this State with either State or county aid, and all ordinances providing for the payment for any such construction, repair or maintenance, and all actions taken or directed to be taken pursuant to such ordinances are hereby ratified, validated, approved and confirmed; *provided, however,* notice of public hearing was given before the passage of such ordinance; *and provided, further,* that a public hearing on such ordinance was held. Nothing herein contained shall, however, in any wise affect any proceeding heretofore duly instituted in any of the various courts of this State involving any such ordinance or ordinances.

Proviso.

Proviso.

Not to affect proceedings.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 60

AN ACT to provide that reports be made to the Commissioner of Motor Vehicles concerning the use of motor vehicles in the commission of a penal offense or crime, and amending section 39:5–42 of the Revised Statutes.

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

1. Section 39:5–42 of the Revised Statutes is amended to read as follows: Section amended.

39:5–42. Every judge or magistrate shall make a report, in writing, to the commissioner (1) of all cases heard before him for violation of chapter three of this Title (R. S. 39:3–1 et seq.), or for any other violation in which a motor vehicle was used in any way, and (2) of the conviction of any person of having committed a penal offense or crime in the commission of which a motor vehicle was used, within three days after the disposition of the case before him as a judge or magistrate, upon blanks provided by the commissioner for that purpose. The report shall state the nature of the violation, the full facts concerning the use of the motor vehicle in the commission of the penal offense or crime, the disposition of the case by the judge or magistrate and any recommendations which the judge or magistrate may deem of value to the commissioner in determining whether action should be taken against the license of the driver or owner of the motor vehicle. Judge, etc., to make report to commissioner. Contents of report.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 61

AN ACT to provide for the devolution of title to plots and lots in cemeteries in certain cases upon the death of the owner or owners thereof leaving a will and amending section 8:2–21 of the Revised Statutes.

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

Section amended.

1. Section 8:2–21 of the Revised Statutes is amended to read as follows:

Title to vest in heirs.

8:2–21. When any of the lands acquired for cemetery purposes by a cemetery association incorporated under sections 8:1–1 to 8:1–5 of this Title or under any special act are laid off into plots or lots, and they, or any of them, are transferred to individual holders or proprietors, the plots or lots so transferred, after an interment has been made therein, shall be forever inalienable, except as hereinafter provided, and shall, upon the death of the holder or proprietor thereof, descend or go to the heirs at law or devisees of the holder or proprietor; but any one or more of such heirs at law may release and convey to any other of the heirs at law, or to the widower, widow or next of kin of any deceased person interred in such plots or lots, his or their interest therein, on such conditions as shall be agreed on and specified in the conveyance, which release and conveyance may be recorded in the office of the clerk or register of deeds and mortgages of the county within which the lands of the association are situate.

Release by heirs.

Disposition of when holder dies intestate.

If the holder or proprietor or owner of any such cemetery plot or lot, or of any interest or share therein, shall die leaving a will in which he shall not have made any specific disposition of such plot or lot or interest or share, or any specific provision in regard thereto, such plot or lot shall descend to

the heirs at law of such holder or proprietor or owner, and shall not go to the devisee or devisees of such holder or proprietor or owner under any residuary or other clause or provision of such will which merely provides for the disposition generally of real property of which the testator shall have died seized.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 62

AN ACT to supplement an act entitled "An act in relation to the powers and duties of municipalities in which the Municipal Finance Commission may be functioning, and supplementing chapter twenty-seven of Title 52 of the Revised Statutes," approved May sixteenth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 56).

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

C. 52:27-45.10. Exchange of warrants.

1. Any municipality which has issued or may hereafter issue warrants, under the authority of an act entitled "An act in relation to the powers and duties of municipalities in which the Municipal Finance Commission may be functioning and supplementing chapter twenty-seven of Title 52 of the Revised Statutes," approved May sixteenth, one thousand nine hundred and thirty-nine, is hereby empowered and shall, upon the request of a registered holder of any such warrant, issue a new warrant or warrants, of like form and tenor as the warrant originally issued but of such different denomination or denominations as requested by the registered holder.

C. 52:27-45.11. Written request for change of denomination.

2. A registered holder of any warrant issued by any municipality in accordance with said act desiring a warrant or warrants of different denomination or denominations shall request in writing the issuance of such new warrant or warrants, stating the denomination or denominations desired, and file such request with the chief financial officer of the municipality. When any such request is so filed, said financial officer of the municipality shall cause a warrant or warrants of like tenor and effect as those originally issued to be prepared, of the denomination or denominations requested by the registered holder of the warrant or warrants originally issued, but not exceeding in aggregate the amount of the warrants originally issued and referred to in said request. Said new warrant or warrants shall be executed in the same manner as the warrants originally issued, by the persons holding the offices of the officers who originally executed the outstanding warrants. When a new warrant or warrants have been prepared and executed, the same shall be delivered by said financial officer of the municipality to the registered holder of the warrant or warrants originally issued upon surrender of such warrants originally issued, which shall thereupon be cancelled. The municipality shall be permitted to make a reasonable charge for such services as rendered.

Execution of new warrants.

Old warrant cancelled.

Charge for service.

3. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 63

AN ACT concerning birth certificates, and amending section 26:8–38 of the Revised Statutes.

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

1. Section 26:8–38 of the Revised Statutes is amended to read as follows: Section amended.

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 as follows: Procedure to record birth.

a. By filing in the bureau a certificate over the signature of the physician or midwife who attended the birth or over the signature of the father or mother of the child.

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.

c. 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.

d. The affidavit shall be taken before the judge of the court of common pleas of the county where the birth occurred or a judge having similar powers in the county where the person making the affidavit resides.

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 Proof required.

which appears to contain false or insufficient information.

Penalty. 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 the name of the State department.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 64

AN ACT to add a route to the State highway system.

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

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

Location. Beginning at a point in the Absecon boulevard in the city of Atlantic City between Duck thoroughfare and Newfound thoroughfare and proceeding thence in a northeasterly and easterly direction, crossing to and over Mankiller island also Mankiller bay, thence to and over Rum Point island, connecting with Atlantic County Road No. 38.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 65

AN ACT providing for distribution of Volumes IV and V of the Revised Statutes in certain cases.

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

Certain members of 165th Legislature to receive volumes IV and V of R. S.

1. The Secretary of State is hereby authorized to deliver to each member of the one hundred and sixty-fifth Legislature, who has not previously received the same, one copy of Volume IV and one copy of Volume V of the Revised Statutes.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 66

AN ACT to validate and confirm certain conveyances to corporations, either domestic or foreign, whose charters have expired by their own limitation or been annulled by the Legislature, or which have been otherwise dissolved.

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

Validates certain conveyances made by defunct corporations.

1. Any conveyance, or conveyances, made to any corporation, domestic or foreign, affecting lands located in the State of New Jersey, are hereby validated and confirmed notwithstanding that the corportion's charter has been forfeited for nonpayment of taxes, has expired by its own limitation, or has been annulled by the State Legislature, or that it has been otherwise dissolved, provided, such conveyance, or conveyances, shall have been recorded

in the clerk's or register's office of the county wherein such lands are situated for five (5) years last past.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 67

AN ACT concerning free public libraries, and supplementing article one of chapter fifty-four of Title 40 of the Revised Statutes.

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

C. 40:54-19.1. May loan money to municipality.

1. The board of trustees of the free public library may, upon the application of the governing body of the municipality, loan, upon "tax anticipation notes" of the municipality, any funds heretofore or hereafter received, either by the board of trustees of the free public library or by the governing body, as a gift or bequest for free public library purposes and being held and managed by the board of trustees, or subject to their direction pursuant to the provisions of article one of chapter fifty-four of Title 40 of the Revised Statutes, pending the use thereof for the purposes for which the gift or bequest was made.

C. 40:54-19.2. Provisions regulating loan.

2. In the making of any such loan authorized by the provisions of section one of this act the provisions of article one of chapter two of Title 40 of the Revised Statutes shall, in all respects, be strictly complied with.

3. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 68

AN ACT concerning the resale of real estate acquired by mistake by a fiduciary, validating certain sales heretofore made and deeds heretofore given, and amending section 3:17–42 of the Revised Statutes.

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

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

3:17–42. When, under a mistake or misapprehension of his right or power so to do, a fiduciary has, prior to January third, one thousand nine hundred and forty-one, purchased, acquired and taken title to real estate as such fiduciary or as "estate of (name of deceased)," and such fiduciary was not permitted by law or by his trust to make the investment or acquire and take title to the real estate as such, the fiduciary may sell the real estate at public or private sale in his name as such fiduciary, or as fiduciary of the estate, or otherwise, and give a good and sufficient deed of conveyance therefor conveying a marketable title in fee simple in such real estate. Fiduciary permitted to sell mistakenly acquired property.

All sales and transfers of real estate heretofore made by a fiduciary who purchased, acquired or took title to real estate under the aforementioned circumstances, are hereby confirmed and made valid, legal and effectual in law. All deeds of conveyance therefor are hereby made good, valid, legal and effectual in law as of the date thereof as conveying a marketable title in fee simple in such real estate. Transfers validated. Deeds, etc., validated.

This section shall not be construed to release from liability to the estate such fiduciary by reason of such improper investment. Construing.

Approved April 28, 1941.

CHAPTER 69

AN ACT concerning mechanics', materialmen's and laborers' liens, and amending section 2:60–107 of the Revised Statutes.

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

Section amended.

1. Section 2:60–107 of the Revised Statutes is hereby amended to read as follows:

Property to and services for which lien attaches.

2:60–107. Except as otherwise provided in this article, the property herein enumerated shall be liable for the payment of any debt contracted or owing to any person for any of the purposes herein specified, which debt shall be a lien upon such property; that is to say:

a. Every building, together with the land whereon it stands, including the lot or curtilage whereon the same is erected, for labor performed or materials furnished for the erection, construction or completion of such building, or any alteration or repair thereof or addition thereto;

b. Every building or part thereof removed from its situs and located on another lot or curtilage so as to constitute a complete structure or part of a structure upon the lot or curtilage to which it is removed, together with the building to which the same shall be attached or with which it shall be incorporated and the land whereon the building shall be removed, including the lot or curtilage to which the removal is had for labor performed or materials furnished in the removal of the building and the erection, construction and repair of the foundation or superstructure upon which the building is placed or the structure to which the building is annexed or attached or with which it is incorporated;

c. Every dock, wharf, pier, bulkhead, return, jetty, piling, groin and boardwalk erected upon any

navigable waters of this State, including the Atlantic ocean, together with the lots of land in front of which or upon which such dock, wharf, pier, bulkhead, return, jetty, piling, groin or boardwalk may be erected, and all the interest of the owner or owners of such land in the soil or waters of such navigable waters in front of such lands for all debts contracted by the owner or owners thereof, or by any person with the consent of such owner or owners, in writing, for labor performed or materials furnished for or about the erection or filling in of such dock, wharf, pier, bulkhead, return, jetty, piling, groin or boardwalk;

d. Lands whereon improvements to the same have been made by drainage, dredging, filling in, irrigation work or the erection and construction of banks and the making of channels thereon, for all debts contracted by the owner or owners thereof for labor performed or material furnished in and about any such improvements and constructions;

e. All mills and factories of whatever description, together with the lots of land or curtilages whereon the same are erected for all debts contracted by the owner or owners thereof, or by any other person with the consent of such owner or owners, in writing, for labor performed or materials furnished for or about the repair of fixed machinery, gearing or other fixtures for manufacturing purposes on the same;

f. Every building, together with the land whereon it stands, including the lot or curtilage whereon the same is erected, for labor performed or materials furnished in or about the sinking, driving, digging or drilling of a well or wells, whether the same be in the building or on the lands whereon it stands; and

g. Lands whereon improvements to the same have been made by sodding, seeding or planting thereon any shrubs, trees, plants, flowers or nursery products of any kind or description, or by grading, filling and landscaping, for all debts contracted by the owner or owners thereof for labor

performed or materials furnished in and about such improvements.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 70

AN ACT concerning criminal procedure, and supplementing subtitle fourteen of Title 2 of the Revised Statutes.

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

C. 2:178-7.1. Money seized as evidence.

1. Whenever any money of the United States, currency, or cash, shall be seized or captured by the police, constabulary or other officers in connection with any arrest for the playing of the game of faro, roulette, rouge et noir or any unlawful game, the said money, currency, or cash shall be deemed prima facie to be contraband of law as a gambling device, or as part of a gambling operation, and it shall be unlawful to return the said money, currency, or cash to the person or persons claiming to own the same, or to any other person, except in the circumstances and manner hereinafter provided.

C. 2:178-7.2 Money deposited.

2. Pending trial or ultimate disposition of the charge or charges, indictment or indictments, growing out of any arrest in connection with which any such money, currency, or cash was seized or captured, the same shall be accounted for and deposited with the county treasurer of the county in which said arrest occurred, by and under the supervision of the prosecutor of the pleas of the county.

C. 2:178-7.3. Application to have money forfeited.

3. If the trial or other ultimate disposition of such charge or charges, indictment or indictments result in a record of conviction being entered against the person or persons so arrested as aforesaid, in connection with which arrest, the said

money, currency or cash was seized or captured, as aforesaid, then, the county treasurer, may, after six months from the date of the record of the entry of such conviction, make application without prior notice to a judge of the court of oyer and terminer or quarter sessions of said county, for an order declaring and ordering that such money, currency, or cash, in the custody of the county treasurer, be forfeited to the sole use and gain of the county; *provided, however,* that proof, to the satisfaction of the court, shall first be established that no suit or proceeding, then pending and undetermined, has been filed in any court of competent jurisdiction, against said county treasurer seeking a recovery or return of the money, currency, or cash, so held in custody, as aforesaid. Proviso.

C. 2:178-7.4. Return of money seized upon failure to convict.

4. If the trial or other ultimate disposition of such charge or charges, indictment or indictments, result in an acquittal or other final termination of such proceedings in favor of the person or persons so arrested, as aforesaid, in connection with which arrest the said money, currency or cash was seized or captured, as aforesaid, then, the person or persons claiming to own the said money, currency, or cash, may, after six months from the date of such acquittal or other final termination, in addition to any other remedy now provided by law, make application, on giving ten days' prior notice thereof to said county treasurer, to a judge of the court of oyer and terminer or quarter sessions of said county, for an order declaring such money, currency, or cash to be the property of such person or persons, and ordering the same to be returned by the said county treasurer.

C. 2:178-7.5. Copy of order filed.

5. A certified copy of the order of any court, made in compliance with the provisions of this act, shall be kept on file by said county treasurer.

C. 2:178-7.6. Repealer.

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

7. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 71

AN ACT concerning county bridge commissions, and amending section 27:19–33 of the Revised Statutes.

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

Section amended.

1. Section 27:19–33 of the Revised Statutes is amended to read as follows:

May create bridge commission.

27:19–33. When it has been determined by the governing body of any such county, by resolution in the exercise of its discretion that in the exercise of the powers conferred by this article it is expedient to create a bridge commission, the board of chosen freeholders of such county shall pass a resolution creating such commission and appointing three persons who shall constitute a bridge commission, which shall be a public body corporate and politic under the name of (insert name of county) bridge commission, and shall have power to contract, to sue and be sued and to adopt a seal and alter same at pleasure, but shall not have power to pledge the credit or taxing power of the county. No officer or employee of the county, whether holding a paid or unpaid office, shall be eligible for membership on the commission. Such appointees shall be originally appointed for terms of one year, two years, three years, respectively. Upon the expiration of such terms appointments shall be made in like manner except that the terms of the three appointees shall be for three years. Not more than two of such appointees shall be members of the same political party. Vacancies shall be filled for any unexpired term in the same manner as the original appointment.

Membership.

Forms.

Vacancies.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 72

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

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

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

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 73

AN ACT making an appropriation of two thousand dollars ($2,000.00) to the New Jersey Defense Council.

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

1. There is hereby appropriated out of the general State fund the sum of two thousand dollars ($2,000.00) to the New Jersey Defense Council. Appropriation.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 74

AN ACT to amend the title and body of an act entitled "An act authorizing the county of Cape May to construct, operate and maintain a ferry; providing for the creation of the Cape May County Commission and conferring powers and imposing duties on such commission; authorizing the issuance of ferry revenue bonds of the county, payable solely from earnings, to pay the cost of such ferry; making such bonds and the ferry exempt from taxation in the State and making such bonds eligible for certain investments; providing for the collection of ferry tolls for the payment of such bonds, and for the cost of maintenance, operation and repair of the ferry; prescribing conditions upon which such ferry shall become public property; providing that no debt of the county or of the State shall be incurred in the exercise of any of the powers granted by this act; providing for condemnation; and authorizing the issuance of ferry revenue refunding bonds," approved December twenty-third, one thousand nine hundred and thirty-eight (P. L. 1938, c. 426).

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

Title amended.

1. The title of the act entitled "An act authorizing the county of Cape May to construct, operate and maintain a ferry; providing for the creation of the Cape May County Commission and conferring powers and imposing duties on such commission; authorizing the issuance of ferry revenue bonds of the county, payable solely from earnings, to pay the cost of such ferry; making such bonds and the

ferry exempt from taxation in the State and making such bonds eligible for certain investments; providing for the collection of ferry tolls for the payment of such bonds, and for the cost of maintenance, operation and repair of the ferry; prescribing conditions upon which such ferry shall become public property; providing that no debt of the county or of the State shall be incurred in the exercise of any of the powers granted by this act; providing for condemnation; and authorizing the issuance of ferry revenue refunding bonds," approved December twenty-third, one thousand nine hundred and thirty-eight, is amended to read as follows: "An act authorizing the county of Cape May to construct, operate and maintain a ferry; providing for the creation of the Cape May County Ferry Commission and conferring powers and imposing duties on such commission; authorizing the issuance of ferry revenue bonds of the county, payable solely from earnings, to pay the cost of such ferry; making such bonds and the ferry exempt from taxation in the State and making such bonds eligible for certain investments; providing for the collection of ferry tolls for the payment of such bonds, and for the cost of maintenance, operation and repair of the ferry; prescribing conditions upon which such ferry shall become public property; providing that no debt of the county or of the State shall be incurred in the exercise of any of the powers granted by this act; providing for condemnation; and authorizing the issuance of ferry revenue refunding bonds." New title.

2. Section three of the act of which this act is amendatory is amended to read as follows: C. 32:13B-3. Section 3 amended.

3. Definitions: As used in this act, the following words and terms shall have the following meanings: Terms defined:

(a) The word "commission" shall mean the Cape May County Ferry Commission hereinafter provided for or, if said commission Commission;

shall be abolished, any board or officer succeeding to the principal functions thereof or upon whom the powers given by this act to said commission shall be given by law.

Ferry; (b) The word "ferry" shall be deemed to include all property, rights, easements, and franchises relating thereto and deemed necessary or convenient for the operation thereof, and to include the approaches thereto.

Cost of ferry; (c) The term "cost of ferry" shall embrace the cost of construction, including the amount to be paid under any contract for such construction which may theretofore have been entered into by any person, firm or corporation whose property, rights, easements, choses in action and franchises shall be acquired by the commission or by the county, and shall also embrace the cost of all land, property, real and personal, rights, easements, choses in action, and franchises acquired which are deemed necessary for such construction, the cost of all machinery and equipment, financing charges, interest prior to and during construction and for six months after completion of construction, cost of traffic estimates and of engineering and of legal expenses, plans, specifications, surveys, estimates of cost and of revenues, other expenses heretofore or hereafter incurred and necessary or incident to determine the feasibility or practicability of the enterprise, administrative and other expenses of the commission, and such other expenses as may be necessary or incident to the financing herein authorized and the construction of the ferry and the placing of the same in operation.

Owner; (d) The word "owner" shall include all individuals, incorporated companies, copartnerships, societies or associations having any title or interest in any property, rights, easements or franchises authorized to be acquired by this act.

C. 32:13B-6. Section 6 amended.

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

May acquire property by condemnation or eminent domain.

6. Condemnation of property. If, for any of the purposes authorized by this act, the commission shall find it necessary or convenient to acquire any real property in the State of New Jersey, whether for immediate or future use, the commission may find and determine that such property, whether a fee simple absolute or a lesser interest, is required for public use, and, upon such determination, such property shall be deemed to be required for a public use until otherwise determined by the commission. If the commission shall be unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property in the State of New Jersey for any reason whatsoever, or if the owner or owners shall be legally incapacitated or be absent or be unable to convey valid title or are unknown, then the commission may acquire, and is hereby authorized to acquire, such property, whether a fee simple absolute or a lesser interest, by condemnation or the exercise of the right of eminent domain, under and pursuant to the provisions of chapter one of the Title "Eminent Domain" of the Revised Statutes (R. S. 20:1–1 et seq.).

Continuing powers.

The power of commission to acquire real property by condemnation or the exercise of the power of eminent domain in the State of New Jersey shall be a continuing power and no exercise thereof shall be deemed to exhaust it.

Right of entry.

The commission and its duly authorized agents and employees may enter upon any land in the State of New Jersey in advance of the filing of a petition for the acquisition of the same by condemnation, for the purpose of making such surveys, maps or other examinations thereof as it may deem necessary or convenient for its authorized purposes.

Consent to take public property.

Anything to the contrary contained in this act notwithstanding, no property now or hereafter vested in or held by any county, city, borough,

village, township or other municipality or port district shall be taken by the commission without the consent of such municipality or port district. All counties, cities, boroughs, villages, townships and other municipalities and all public agencies and commissions of the State of New Jersey, notwithstanding any contrary provisions of law, are hereby authorized and empowered to grant and convey to the commission upon its request, but not otherwise, for an adequate consideration upon reasonable terms and conditions, any real property which may be necessary or convenient to the effectuation of its authorized purposes, including real property already devoted to public use.

Term real property defined.

The term "real property" as used in this act includes lands, structures, franchises, and interests in land, including lands under water and riparian rights, and any and all things and rights usually included within the said term, and includes not only fee simple absolute but also any and all lesser interests such as easements, rights-of-way, uses, leases, licenses and all other incorporeal hereditaments, and every estate, interest or right, legal or equitable, including terms of years and liens thereon by way of judgments, mortgages, or otherwise, and also claims for damage to real estate.

Paying for condemned property.

Neither the commission nor the county shall be under any obligation to accept and pay for any property condemned or any costs incidental to any condemnation proceedings, and shall, in no event, pay for the same except from the funds provided by this act; and in any condemnation proceedings, the court having jurisdiction of the suit, action or proceeding, may make such orders as may be just to the commission or to the county and to the owners of the property to be condemned, and may require an undertaking or other security to secure such owners against any loss or damage to be sustained by reason of the failure of the commission to accept and pay for the property, but such undertaking or security shall impose no liability upon the county or upon the commission

except such as may be paid from the funds provided under the authority of this act.

C. 32:13B-7. Section 7 amended.

4. Section seven of the act of which this act is amendatory is amended to read as follows:

Revenue bonds.

7. Ferry revenue bonds. The commission hereby is authorized to provide by resolution at one time or from time to time, for the issuance of ferry revenue bonds of the county of Cape May for the purpose of paying the cost as hereinabove defined of the ferry, which resolution shall recite an estimate of such cost. The principal and interest of such bonds shall be payable solely from the special fund herein provided for such payment. The bonds shall be dated, shall bear interest at such rate or rates not exceeding six per centum (6%) per annum, payable semiannually, shall mature at such time or times not exceeding forty years from their date, as may be determined by the commission, and may be made redeemable before maturity, at the option of the commission, at such price or prices, not exceeding the par value thereof and a premium of five per centum (5%) and under such terms and conditions as may be fixed by the commission prior to the issuance of the bonds. The commission shall determine the form of the bonds, including the interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof, which may be at any bank or trust company within or without the State. The bonds shall be signed by the chairman of the board of chosen freeholders of the county and by the chairman of the commission, under the official seal of the commission, attested by the secretary and treasurer of the commission, and the coupons attached thereto shall bear the facsimile signature of the chairman of the commission. All bonds issued under this act shall contain a statement on their faces that the county shall not be obligated to pay the same or the interest thereon except from the revenues of the ferry. In case any officer whose signature shall

Issuing details.

appear upon the bonds and coupons shall cease to be such officer before the delivery of such bonds, such signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. All ferry revenue bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the State. Provision may be made for the registration of any of the bonds in the name of the owner as to principal alone and also as to both principal and interest. The commission may sell such bonds in such manner and for such price as it may determine to be for the best interests of the county, taking into consideration the financial responsibility of the purchaser and the terms and conditions of the purchase, and especially the availability of the proceeds of the bonds when required for payment of the cost of the ferry, but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than six per centum (6%) per annum, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values. The proceeds of such bonds shall be used solely for the payment of the cost of the ferry and shall be checked out by the chairman of the commission under such restrictions, if any, as the commission may provide. If the proceeds of such bonds, by error of calculation or otherwise shall be less than the cost of the ferry, additional bonds may in like manner be issued to provide the amount of such deficit, and unless otherwise provided in the trust indenture hereinafter mentioned, shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued for the ferry. If the proceeds of the bonds shall exceed the cost of the ferry, the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of such bonds. Prior to the

Negotiable.

Sale.

Rate.

Use of proceeds.

Additional bond in case of deficit.

Surplus.

preparation of definitive bonds, the commission may, under like restrictions, issue temporary bonds, with or without coupons, exchangeable for definitive bonds upon the issuance of the latter. The commission may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost. Such ferry revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings, conditions and things which are specified and required by this act, any other law to the contrary notwithstanding.

Temporary bonds.

Replacement of bonds.

5. Section eight of the act of which this act is amendatory is amended to read as follows:

C. 32:13B-8. Section 8 amended

8. Exemption from taxation. As the construction of the ferry is and will be in all respects for the benefit of the people of the State of New Jersey, for the increase of their commerce and prosperity and for the improvement of their health and living conditions, and as the construction and operation of the ferry will constitute the performance of essential governmental functions, the commission or the county shall not be required to pay any taxes or assessments upon property acquired or used for such purposes, and the ferry revenue bonds issued under the provisions of this act, their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the State of New Jersey.

Tax exempt.

6. Section twelve of the act of which this act is amendatory is amended to read as follows:

C. 32:13B-12. Section 12 amended.

12. Trust indenture. In the discretion of the commission, the bonds may be secured by a trust indenture by and between the commission and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or outside of the State, but such trust indenture shall not convey or mortgage the ferry or any part thereof. Either the resolution providing for the issuance of ferry revenue bonds or such trust indenture may contain such provisions for

Trust indenture.

protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the commission in relation to the construction, maintenance, operation, repair and insurance of the ferry, and the custody, safeguarding and application of all moneys, and may also provide that the ferry shall be constructed and paid for under the supervision and approval of consulting engineers employed or designated by the commission and satisfactory to the original purchasers of the bonds issued therefor, who may be given the right to require that the security given by contractors and by any depository of the proceeds of the bonds or revenues of the ferry or other moneys pertaining thereto be satisfactory to such purchasers. It shall be lawful for any bank or trust company incorporated under the laws of this State to act as such depository and to furnish such indemnifying bonds or to pledge such securities as may be required by the commission. Such indenture may set forth the rights and remedies of the bondholders and of the trustee, and may restrict the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of corporations. Except as in this act otherwise provided, the commission may provide by resolution or by such trust indenture for the payment of the proceeds of the sale of the bonds and the revenues of the ferry to such officer, board or depository as it may determine for the custody thereof, and for the method of disbursement thereof, with such safeguards and restrictions as it may determine.

Depository.

Form of indenture.

Proceeds.

All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance, operation and repairs of the ferry.

C. 32:13B-14. Section 14 amended.

7. Section fourteen of the act of which this act is amendatory is amended to read as follows:

May contract with public authorities.

14. Notwithstanding any of the other provisions of this act or of any act supplemental thereto, the commission may contract with any county in the

State of Delaware or with any authority or other public corporation organized by such county, each thereof being herein sometimes termed a public authority, to provide for the construction, operation and maintenance of the ferry by the commission or jointly by the commission and such public authority or by the commission with the approval of such public authority, to the extent provided by such contract. Such contract may also provide for the financing of such ferry by the issuance of revenue bonds of the commission under the provisions of this act or by such public authority, or by the commission and authority jointly, such bonds to be payable solely from the revenues of such ferry, and for the pledging of the revenues of such ferry as security for such bonds, and for the execution of a trust indenture in accordance with the provisions of this act or with the provisions of the laws of the State of Delaware in case such bonds shall be issued by such public authority, which trust indenture may among other things express the terms of such pledge and of the pledge of the proceeds of the bonds and may define the rights and remedies of the bondholders and of the trustee. The commission and any such public authority entering into such contract may jointly exercise in Delaware, to the extent permitted by the laws thereof and by such contract, any and all powers with respect to the construction, operation and maintenance of such ferry conferred upon such public authority by the laws of Delaware, and may jointly exercise in Delaware any and all powers with respect to the acquisition of franchises, permits and other rights and real and personal property, conferred upon such public authority by the laws of Delaware, and any such public authority entering into such contract may exercise in the State of New Jersey, but only jointly with the commission or with the approval of the commission, to the extent provided by such contract, any and all powers with respect to the construction, operation and maintenance of

such ferry and with respect to the acquisition therefor of franchises, permits and other rights and real and personal property, which are conferred upon the commission under the provisions of this act; *provided, however,* that the right of eminent domain may be exercised in the State of New Jersey only by the commission.

Proviso.

Fixing charges.

So long as there shall be no default in the performance of any covenant, condition, agreement or provision contained in such bonds or in the resolution or indenture under which such bonds may be issued or in such contract, tolls for transit over such ferry and other charges for the use thereof shall be fixed jointly by the commission and by such public authority in accordance with the provisions of this act or with the provisions of the laws of the State of Delaware in case such bonds shall be issued by such public authority. But in the event of any such default and during the continuance thereof, the fixing of such tolls and other charges shall be governed by the provisions of this act or by the provisions of the laws of the State of Delaware in case such bonds shall be issued solely by such public authority, and by the provisions of the resolution or the trust indenture under which such bonds may be issued. The commission or such public authority issuing such bonds may pledge such tolls and other charges to the payment of such bonds and the interest thereon subject to provision for payment of the cost of maintaining, repairing and operating such ferry and the bondholders and the trustee, if any, shall have a first lien on all revenues so pledged in accordance with the terms of the resolution or indenture under which such bonds are issued and such pledge is made and such tolls and other charges shall at all times be so fixed and adjusted as to provide a sinking fund sufficient to pay such bonds and the interest thereon and to provide an additional fund to pay the cost of maintaining, repairing and operating such ferry, and such tolls may be continued until and only until such bonds and any

Tolls pledged as security.

bonds issued to refund the same, and the interest thereon, and all claims outstanding against the commission or such public authority with respect to such ferry, shall have been paid, and thereupon such ferry and its appurtenances shall vest jointly in the State of Delaware and the State of New Jersey.

Ownership vested in Delaware and New Jersey.

8. Section fifteen of the act of which this act is amendatory is amended to read as follows:

C. 32:13B-15. Section 15 amended.

15. Remedies of bondholders and trustee. Any holder of any of 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, either at law or in equity, by suit, action, mandamus, 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 act, 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 ferry.

Remedies of bondholders.

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 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 Cape May 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

Remedies granted are additional.

Appointment of trustee.

Procedure when trustee fails to enforce remedies.

in such resolution or such trust indenture, after written request by the holder or holders of fifteen per centum 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 suit, action, mandamus, or other proceeding, either at law or in equity, 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 ferry. 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 Delaware relating to the construction, operation or maintenance of the ferry 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 reso-

Apply for appointment of receiver.

lution or such trust indenture after written request by the holder or holders of twenty-five per centum 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 ferry, 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 ferry. 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 ferry and shall have and be entitled to exercise all the appropriate rights and powers of a receiver in equity, 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 ferry and its facilities and each and every part thereof and to have, hold, use, operate, manage and control the ferry 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.

Rights and powers of receiver.

Whenever all default 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 ferry to the parties entitled thereto. The same rights to secure the appointment of a receiver shall exist upon any subsequent default as hereinabove provided.

Discharge of receiver.

Notwithstanding anything in this section to the contrary, such receiver shall have no power to sell, assign, mortgage or otherwise dispose of any as-

Limits powers of receiver.

sets of whatever kind or character constituting the ferry 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 ferry and no court shall have jurisdiction to enter any order or decree requiring or permitting such receiver to sell, mortgage or otherwise dispose of any such assets.

9. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 75

A SUPPLEMENT to an act entitled "An act concerning the supervision, by the State Department of Local Government, over certain political subdivisions in the State," approved May fifth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 127), as said Title was amended by pamphlet laws of one thousand nine hundred and thirty-nine, chapter three hundred sixty-four.

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

C. 52:27A-79.1. Purpose.

1. Purpose. This act supplements chapter one hundred twenty-seven of the laws of one thousand nine hundred and thirty-eight, as amended, known as the "Fiscal Supervision Act," by providing a specialized method of remedial treatment for certain municipalities that are subject thereto, and that are in definitely unsound fiscal condition.

Use of powers granted.

It is the intent that the powers granted herein to the State Board shall be exercised, as the board in its judgment finds appropriate for the rehabilitation of the municipalities to which this supplement applies, subject to the conditions hereinafter set forth.

C.52:27A-79.2. Terms defined:

2. Definitions. For the purposes of this supplement:

Administrator;

"Administrator" means a local administrator of finance.

Cash deficit;

"Cash deficit" means the amount, if any, by which liabilities and cash disbursements of a municipality for lawful yearly expenditures (as defined in section 40:2–26 of the Revised Statutes) exceed the cash receipts in a budget year, whether the municipality is operating under a cash basis budget or not.

Commissioner;

"Commissioner" means the Commissioner of Local Government.

Department;

"Department" means the State Department of Local Government.

Fiscal year;

"Fiscal year" or "year" means the calendar year beginning January first and ending December thirty-first.

Governing body;

"Governing body" means the body exercising general legislative authority within the municipality.

Municipality;

"Municipality" includes a city, town, village, borough, township, special district or other municipal corporations other than a school district or a county.

Municipality under supervision;

"Municipality under supervision" means a municipality to which the provisions of the act to which this act is a supplement apply by virtue of a resolution of the State Board made in accordance with section four of that act.

State board.

"State Board" means the Local Government Board of New Jersey.

C.52:27A-79.3. Powers of State board.

3. Powers of State Board; when to apply. The powers and duties conferred upon the State Board by this supplement shall apply to, and may be exercised with respect to, a municipality under supervision, whenever the State Board finds, in accordance with section four of this supplement, that such municipality has incurred a cash deficit, in each of two of the last three years, of not less than ten per centum (10%) of the amount levied for all purposes on real and personal property.

C. 52:27A-79.4. Board to determine application of act.

4. Determination by State Board. The State Board shall, from time to time, determine whether the conditions set forth in section three exist in a municipality. If the board finds that such conditions exist, it shall by resolution determine that the provisions of this supplement apply to that municipality.

C. 52:27A-79.5. Investigations

5. Investigations by State Board. If the board finds that the provisions of this supplement apply to a municipality, the commissioner shall make a complete analysis of the causes of unsound condition; the economic capacity of the community; and the need for local governmental services. He shall submit his findings to the State Board. The board may make further investigations and shall hold at least one public hearing at which interested parties shall be given an opportunity to be heard. The board, after the hearing, shall determine by resolution which, if any, of the methods of action authorized by this supplement are applicable to the municipality.

Hearing.

C. 52:27A-79.6. Supervision of revenue administration.

6. Supervision of revenue administration. If the State Board finds that tax assets are not being realized upon because of weak or inadequate revenue administration, it may supervise and control the methods and procedures used for the assessment, collection, and enforcement of taxes upon real and personal property; and the administration of licenses and other miscellaneous revenues.

Determining changes in revenue administration.

The board shall determine the specific changes in revenue administration that are necessary in the municipality. The measures determined by the State Board as necessary may be enforced by order of the State Board in the same manner as authorized for other orders of the board. But the concurrence of the State Tax Commissioner shall be a condition precedent to the enforcement by the State Board of such orders as fall within the scope of the tax commissioner's supervisory powers.

C. 52:27A-79.7. Tax lists prepared.

7. Separation of assessment lists. If the State Board finds that unsound fiscal conditions result in whole or in part from the continued treatment of

taxes levied upon delinquent property as liquid tax assets, it may order that tax lists be prepared and used in accordance with sections eight to eleven inclusive, of this supplement.

C.52:27A-79.8. Assessment lists.

8. Preparation of assessment lists. The board may require that two separate assessment lists, an active list and an inactive list, be prepared:

(1) The inactive list shall include all property on which taxes levied during the three years immediately preceding have not been paid in whole or in part.

(2) The active list shall include all other taxable property.

C.52:27A-79.9. Collector to prepare inactive list.

9. Inactive lists; preparation and effect. a. After the board orders the preparation of tax lists pursuant to its powers under sections seven and eight of this act, the collector shall for each year prepare and certify to the county board of taxation a list of all properties, real and personal, upon which no tax payments have been made during the three fiscal years immediately preceding, to be known as the "inactive list." In each municipality in which the collector is required by this section to prepare an inactive list, the assessor shall file his duplicate with the collector at least ten days before he is required to file his assessment list and duplicate with the county board of taxation. The collector shall indicate by a check mark in the left-hand margin of each page at the appropriate lines those properties which are on his inactive list. The collector shall attend before the county board of taxation upon two days' notice from the county board, but not less than ten days after the duplicate is delivered to him, and at such time he shall file with the board the assessor's duplicate together with his complete inactive list and a true copy thereof, such list and copy to be verified by affidavit of the collector. The county board shall cause the inactive list and the copy thereof to be annexed to the appropriate tax list and duplicate, respectively.

Inactive list valuations deducted.

b. The county board of taxation shall deduct from the valuations upon the assessor's tax list and duplicate the aggregate valuations of properties appearing upon inactive lists prior to fixing and adjusting the amount of State, State school and county tax to be levied in each taxing district and prior to causing the tax rate to be entered as provided by law. The amount of tax at the rate so entered, however, shall also be extended on the tax duplicates against each assessment on the inactive lists, and shall be and remain payable and enforceable in accordance with the provisions of Title 54 of the Revised Statutes. The table of aggregates, as required by section 54:4–52 of the Revised Statutes, shall not include items appearing upon the inactive lists.

Construing.

c. Nothing in this section shall be construed to relieve an assessor of any duty or obligation otherwise imposed by law, except that an assessor shall not incur any penalty for failure to file his duplicate with the county board of taxation during such period and only so long as it is actually in the physical possession of the collector pursuant to this act.

C.52:27A-79.10 Apportionment of receipts from inactive properties.

10. Apportionment of receipts from inactive properties. The local governing body shall cause to be paid to the county treasurer and to the custodian of school funds, at such time and in such manner as the commissioner may prescribe, amounts collected from properties on an inactive list, less reasonable costs of collection, in the proportion that the amounts levied for State, State school, county and school district purposes, respectively, during the fiscal year of such collections bore to the total levy for all purposes upon real and personal property within the municipality.

C.52:27A-79.11 Rate of tax collections.

11. Rate of tax collections. The rate of tax collections, for whatever purpose used, shall be computed as the percentage that all tax collections were of amounts levied against both active and inactive lists.

C.52:27A-79.12 Notice to State board of proceedings.

12. Notice of proceedings of county tax board. The county board of taxation shall not revise, correct or equalize the assessed value of property in a municipality to which the provisions of this supplement apply, nor shall the county board hear or determine an appeal concerning an assessment in such a municipality, without first giving at least five days' notice in writing to the commissioner so that the State Board or its representative may be heard as a party in interest in behalf of the State.

C.52:27A-79.13 Appointment of local administrator of finance.

13. Local administrator of finance. If the State Board finds that unsound conditions in a municipality to which this supplement applies are due, in whole or in part, to a failure to liquidate old obligations, the board may recommend to the local governing body that a local administrator of finance be appointed. If the board recommends the appointment of an administrator, it shall submit to the governing body the names of not less than three persons who are found by the board to be qualified to perform the duties of administrator for that municipality. The governing body shall, thereupon, appoint as administrator one of the persons so named.

Administrator's compensation.

The administrator shall receive compensation for his services to be paid out of the funds of the municipality in an amount fixed by the governing body and approved by the State Board.

Bond.

He shall give bond for the faithful performance of his duties in an amount fixed by the governing body and approved by the State Board.

Termination of employment.

An administrator shall continue his employment until his services are terminated by the governing body, with the approval of the State Board.

C.52:27A-79.14 Powers and duties of local administrator.

14. Local administrator; powers and duties. An administrator shall have such of the powers and duties authorized by sections fifteen to twenty, inclusive, of this supplement, as are specifically assigned to him by the governing body upon the recommendation of the State Board. An administrator shall exercise his powers and perform his

duties under the general supervision of the State Board.

C.52:27A-79.15 Liquidation of liabilities and unrealized assets.

15. Administration of assets and liabilities. A local governing body, upon the recommendation of the State Board, may authorize and direct the administrator to liquidate all of the municipality's liabilities which are due and unpaid for more than two years and all of its unrealized assets which have been outstanding for two years, computed in the case of taxes and assessments from December first of the year of levy or assessment, other intangible property from the date of accrual, and tangible property from the date of acquisition of title. The several officers of the municipality shall thereafter, immediately upon request by the administrator, certify to him all assets and liabilities of the municipality which have been placed under his administration pursuant to this section and shall at the same time deliver to him all evidences and records of the existence and legality of such assets and liabilities as may be in their possession or control.

Enforcement of obligations.

The administrator shall exercise, in the name of the municipality, all powers pertaining to the enforcement of obligations that are vested by law in the municipality. But the administrator shall have no power to accept less than the full amount in satisfaction of the obligations, nor to agree to the transfer of title of property to the municipality in lieu thereof without the prior approval of the governing body. The administrator shall forthwith pay all moneys coming into his hands to the treasurer.

Money paid to treasurer.

C.52:27A-79.16 Liquidation fund created.

16. Liquidation fund. In a municipality not operating on a full cash basis, the treasurer shall place such moneys, paid to him pursuant to section fifteen, in a separate "liquidation fund." The administrator may apply the proceeds of the "liquidation fund" to the payment of obligations placed under his administration.

C.52:27A-79.17 Co-operative agreements.

17. Study of co-operative agreements. An administrator, when so instructed by the State Board

or by the local governing body, shall fully investigate and determine the possibilities of maintaining the services of the municipality at lower cost through the use of contractual agreements with other municipalities or with the county. He shall report his conclusions to the governing body and to the State Board. When so designated by the governing body, he shall act as the agent of the municipality in the negotiations of agreements with other jurisdictions.

The commissioner and the State Board shall render all possible guidance and assistance to the administrator for the purpose of effectuating sound interjurisdictional agreements.

C.52:27A-79.18 Administrator may act as controller.

18. Administrator may act as controller. If the State Board finds that sound fiscal conditions will be promoted by the exercise of a control function in a municipality to which this supplement applies, and that the function is not, or cannot be, maintained in a practical manner by regular local officers, the board may recommend to the governing body that the administrator perform the control function. When the State Board so recommends, it shall be the duty of the governing body to authorize and direct the administrator to act in accordance with section eighteen.

C.52:27A-79.19 Procedure of control.

19. Procedure of control. The State Board may prescribe the procedure to be followed in each municipality in which the administrator is authorized and directed to exercise the control function. The board shall prescribe a procedure that so far as possible will restrict expenditures and commitments for expenditure to actual cash available and will safeguard the payment of commitments and regular expenses.

C.52:27A-79.20 Preparation of annual budget.

20. Preparation of budgets. A municipality to which this supplement applies may, with the approval of the State Board, prepare and adopt its annual budget in accordance with this section.

If the State Board finds that the appropriation of the amounts required by chapter two, Title 40, of the Revised Statutes for "deferred charges and

statutory expenditures'' other than debt service, cannot be made without a probable increase in the cash deficit, the board may authorize by written order an appropriation of less than the full amount required for ''deferred charges and statutory expenditures'' but not less than the greatest amount that the board finds possible without an anticipated increase in the cash deficit. If a liquidation fund has been created in the municipality, in accordance with section sixteen of this supplement, the board may authorize the appropriation to be made to the liquidation fund in lieu of that for ''deferred charges and statutory expenditures.''

Section construed.

This section shall not be construed to authorize the appropriation of less than the full amount required for the payment of debt services, for a judgment, or for any other item for which the municipality is obligated by contract to appropriate a specific sum.

C.52:27A-79.21 Agent of State board.

21. Administrator agent of State Board. The administrator shall perform as the agent of the State Board such duties with respect to the fiscal affairs of the municipality as the board, in the exercise of its powers, may require.

C.52:27A-79.22 Duties of State board.

22. General duties of State Board. The State Board shall exercise its powers, shall offer guidance and assistance, and shall in every other respect promote the rehabilitation of the financial affairs of a municipality to which this supplement applies.

C.52:27A-79.23 May delegate powers.

23. Delegation of powers to commissioner. The powers and duties vested by this supplement in the State Board may be exercised by the commissioner under the supervision of the board when so authorized by resolution of the board.

C.52:27A-79.24 Supervision terminated.

24. Termination of supervision. The application of this supplement to a municipality shall terminate when:

(1) The provisions of the act to which this act is a supplement no longer apply to the municipality; or

(2) The municipality has operated for three successive years without incurring a cash deficit in excess of five per centum (5%) of the amount levied for all purposes upon real and personal property within the municipality.

25. Effective date. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 76

AN ACT to amend an act entitled "An act authorizing municipalities, counties and boards of education of any school district in this State to extend the maturity of any of its bonds, or other obligations either temporary or permanent, by an agreement with the holders thereof," approved May twenty-fifth, one thousand nine hundred and thirty-eight.

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:

C. App. A:4-72. May extend maturity of certain bonds.

2. Any municipality, county or board of education of any school district of this State shall have the power to enter into an agreement with the holder or holders of any obligations of said municipality, county or school district payable in the year one thousand nine hundred and thirty-eight, one thousand nine hundred and thirty-nine, one thousand nine hundred and forty, one thousand nine hundred and forty-one and one thousand nine hundred and forty-two, extending the time for the payment of the principal of said obligations for a period of not exceeding five years from the date of

payment provided for in the original obligation or in any extension agreement endorsed thereon or made part thereof pursuant to any law.

Rate. Said agreement may provide for the payment of any interest on said obligation not exceeding six per centum (6%) per annum, notwithstanding the rate of interest provided on said bonds or other obligations.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 77

AN ACT concerning the copying or reproduction of certain records, documents, papers or instruments in writing and the destruction of the originals in certain cases, and amending section 47:3–2 of the Revised Statutes.

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

Section amended. 1. Section 47:3–2 of the Revised Statutes is amended to read as follows:

Condition for destroying certain papers. 47:3–2. Whenever (1) any ancient papers of the character hereinafter described have been deposited in any State office or in the vaults subject to the use of such office for more than ten years, or (2) any papers of the character hereinafter described deposited in any such office or in the vaults subject to the use of such office have been copied or reproduced by any photostatic, photographic or miniature photographic process, which correctly and accurately reproduces or forms the medium of copying or reproducing the same so that an exact copy thereof may be reproduced at any time, ten days' written notice of intention to destroy the same with a description of the matter to be de-

Notice to public record office.

stroyed and a statement of the reasons for the destruction thereof first having been given to the Public Record Office;

Nature of papers to be destroyed.

The State official or head of the State department, commission or agency having charge of the office may direct such papers to be removed and destroyed, if such papers are in the nature of any of the following:

a. Ordinary disbursement or receipt vouchers and cancelled checks and warrants;

b. Financial statements from various municipalities;

c. Reports by foreign or domestic railroad and canal companies, on capital stock issued, or of their expenses and receipts including operating expenses and maintenance of way;

d. Reports or statements rendered by insurance and banking corporations, associations or individuals, building and loan associations, provident loan associations, money transmitters, small loan brokers, firemen's relief associations and insurance agents;

e. Reports of examinations of any of the corporations, associations or individuals mentioned in paragraph "d";

f. Tax returns of insurance companies and agents;

g. Policy valuation lists of life insurance companies;

h. Applications for licenses;

i. Reports to, and employment, wage and benefit records of, the Unemployment Compensation Commission;

j. Inheritance tax reports, including all statements, affidavits, correspondence and other data pertaining thereto, index and accounting cards, accounting records, bound as well as looseleaf, cancelled checks and bank statements of record in the Transfer Inheritance Tax Bureau;

k. Ordinary correspondence; and

l. Such other reports and papers of a similar nature as are otherwise printed and kept of record for the information of the State or any department thereof, or of the public

Copy or reproduction as evidence.

And in any such case in which any such paper has been copied or reproduced as hereinbefore provided the copy or reproduction thereof shall be preserved in the place and stead of and shall have the same force and effect as the original thereof, and transcripts or copies thereof or made therefrom shall be received in evidence in any court or proceeding in this State in like manner and to the same effect as though the original were there produced and proved, and any such transcript or certified copy of any such copy or reproduction shall be deemed to be a transcript or certified copy of such original.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 78

AN ACT concerning the retirement on pension of any policeman or fireman or member of the police or fire department of any municipality, including all police officers having supervision or regulation of traffic upon county roads, and concerning pensions for the widows, children and sole dependent parents of deceased members of said departments, and amending section 43:16–5 of the Revised Statutes.

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

1. Section 43:16–5 of the Revised Statutes is amended to read as follows: Section amended.

43:16–5. For the purpose of paying such pensions a fund shall be created as follows: Fund created:

a. There shall be deducted from every payment of salary to each member of the police and fire departments in such municipality four per centum (4%) of the amount thereof if he entered the service on or before attaining the age of thirty-five years, and if he enters the service after the age of thirty-five years, the percentage shall be increased to such an amount as shall be determined by the pension commission to correspond to the risk arising by his additional age. Deductions from salary;

b. The municipality shall raise by taxation and pay into the fund yearly an amount equal to four per centum (4%) of the total salaries paid to the members of the police and fire departments. Payment by municipality;

c. There shall be added to the fund all fines imposed on any member of the police and fire departments, moneys given or donated to the Fines, penalties, etc., added to fund;

funds, moneys deducted from the salary of any member of the police or fire department because of absence or loss of time and one-half of all rewards paid for any purpose.

Portion of certain insurance premiums added to fund.

d. In addition, there shall be added one-half of the two per centum (2%) tax paid to the State Tax Commissioner, pursuant to the provisions of chapters seventeen and eighteen of the Title, Taxation (sections 54:17–1 et seq. and 54:18–1 et seq.), from insurance companies of other States and foreign countries on premiums of insurance against automobile liability, automobile property damage, automobile collision and automobile fire and theft insurance risks in this State.

Distribution of insurance fund.

The State Tax Commissioner shall distribute the funds so collected as follows: There shall first be deducted one per centum (1%) of such fund, which shall be distributed pro rata among the several counties now or hereafter maintaining county police pension funds, payment being made to the county treasurer of such counties for the use of such funds. The balance of the fund remaining in the hands of the commissioner shall be distributed among the municipalities now or hereafter maintaining pension funds pursuant to this subtitle, in proportion to the membership of each of such funds on December thirty-first of the year preceding the distribution, as such membership bears to the total membership of all such funds on that date.

Report.

Every such pension fund shall annually, on or before March first, make a report to the State Tax Commissioner, subscribed and sworn to by its president and secretary or treasurer, showing the membership of the fund on December thirty-first of the preceding year. For the purposes of this section a widow or dependent children or parent of a deceased member drawing a pension at the time shall be considered as one member. Any fund failing to make the report in any year shall for-

feit its right to share in the distribution for that year and the State Tax Commissioner shall be relieved of any responsibility in that case.

Tax levy to meet fund's deficit.

If there is not sufficient money in the pension fund, the governing body shall include in the tax levy for the next fiscal year a sum sufficient to meet the requirements of the fund for the time being.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 79

AN ACT to amend an act entitled "A further supplement to an act entitled 'An act to establish a Department of Banking and Insurance,' approved February tenth, one thousand eight hundred and ninety-one," approved May sixteenth, one thousand nine hundred and thirty-six (P. L. 1936, c. 98).

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

Section 9 amended.

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

Act inoperative.

9. This act shall take effect immediately, and shall become inoperative after May sixteenth, nineteen hundred forty-two.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 80

AN ACT concerning the basis of distribution to creditors having security upon assets of insolvent estates, and to make uniform the law with reference thereto.

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

C. 2:61A-1. Terms defined:

1. Definitions. As used in this act, unless the context or subject matter requires otherwise:

Liquidation proceeding;

(a) "Liquidation proceeding" includes all assignments for the benefit of creditors, whether voluntary or by operation of law; administration of insolvent decedents' estates; liquidations of insolvent banks; equity receiverships where the subject under receivership is insolvent; and any other proceedings for distribution of assets of any insolvent debtor, whether a person, decedent's estate, partnership, corporation or business association.

Liquidator;

(b) "Liquidator" means any person administering assets in any liquidation proceeding as defined in this act.

Insolvent debtor;

(c) "Insolvent debtor" means any insolvent person, decedent's estate, partnership, corporation or business association involved in a liquidation proceeding as defined in this act.

Secured creditor;

(d) "Secured creditor" means a creditor who has either legal or equitable security for his debt upon any property of the insolvent debtor of a nature to be liquidated and distributed in a liquidation proceeding, or a creditor to whom is owed a debt for which such security is possessed by some indorser, surety, or other person secondarily liable.

Creditor's sale.

(e) "Creditor's sale" includes any sale effected by the secured creditor by judicial process or otherwise under the terms of his contract or the applicable law for the purpose of realizing upon his security.

C. 2:61A-2. Nature of security shown.

2. Secured creditor's claim must disclose security. In a liquidation proceeding every secured creditor's claim against the general assets shall disclose the nature of the security. When a decedent's estate already in the course of administration is judicially declared insolvent or when in an equity receivership it is determined that the subject under receivership is insolvent, secured creditors having claims on file which do not comply with this section shall make disclosure within a time to be fixed by the court.

C. 2:61A-3. Concealment to act as bar to collection.

3. Effect of concealment. Any secured creditor who with intent to evade the provisions of this act fails to disclose the existence of the security shall not be entitled to receive or retain dividends out of the general assets, unless he thereafter releases or surrenders to the liquidator the security which he has failed to disclose, or unless he procures such release or surrender if the security is in the possession of an indorser, surety, or other person secondarily liable for the insolvent debtor.

C. 2:61A-4. Computing dividends.

4. Value of security credited upon claims. Dividends paid to secured creditors shall be computed only upon the balance due after the value of all security not exempt from the claims of unsecured creditors and not released or surrendered to the liquidator, is determined and credited upon the claim secured by it.

C. 2:61A-5. Determining value by secured creditor.

5. Determination of value by secured creditor.

(1) By collection. When the asset constituting the security is an obligation for the payment of money, the secured creditor may determine its value by collection or by exhausting his remedies thereon and then surrendering the obligation to the liquidator.

(2) By creditor's sale. When the asset constituting the security is something other than an obligation for the payment of money, the secured creditor may determine its value by creditor's sale.

C. 2:61A-6. Alternative determinations of value.

6. Alternative determinations of value. Where valuation under the provisions of section five is

impracticable or would cause undue delay, the court, upon petition by either the secured creditor or the liquidator, may order the value of the security determined by any of the following methods:

(1) By compromise, if the secured creditor and the liquidator agree upon a value. The liquidator may redeem such assets by payment of the agreed value, if authorized by the court.

(2) By litigation, through proceedings in the liquidation proceeding. The liquidator may redeem such assets by paying the value so determined, if authorized by the court.

(3) By liquidator's sale of the assets which, when completed and approved by the court, shall pass to the purchaser good title, free and clear of all liens of the secured creditor, such liens to be transferred to the proceeds of the sale. The order of sale may be either

(a) Conditional, requiring the sale to be made by the liquidator only if the secured creditor does not complete a determination by collection or creditor's sale as set forth in section five of this act within a time fixed by the court; or

(b) Absolute, requiring the sale to be made by the liquidator within a time fixed by the court.

C. 2:61A-7. Exempt security not credited.

7. Exempt security not credited. When any creditor has legal or equitable security upon assets which are exempt from process for the satisfaction of unsecured debts and are duly claimed as exempt by the insolvent debtor, the value of such security shall not be credited upon the claim. Amounts realized by the creditor from such security after liquidation proceedings are begun shall be disregarded in computing dividends, unless the dividend so computed exceeds the sum actually owing upon the claim, in which event only the amount owing shall be paid.

C. 2:61A-8. Constitutionality.

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

C. 2:61A-9. Construing.

9. Uniformity of interpretation. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those States which enact it.

C. 2:61A-10. Short title.

10. Short title. This act may be cited as uniform act governing secured creditors' dividends in liquidation proceedings.

Repealer.

11. Repeal. All acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed.

C. 2:61A-11. Application.

12. This act shall take effect immediately, but shall not apply to contracts and transactions already existing upon that date.

Approved April 28, 1941.

CHAPTER 81

AN ACT providing for uniform judicial notice of foreign law, and supplementing chapter ninety-eight of Title 2 of the Revised Statutes.

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

C. 2:98-28. Courts to take judicial notice.

1. Judicial notice. Every court of this State shall take judicial notice of the common law and statutes of every State, territory and other jurisdiction of the United States.

C. 2:98-29. Obtaining information.

2. Information of the court. The court may inform itself of such laws in such manner as it may deem proper, and the court may call upon counsel to aid it in obtaining such information.

C. 2:98-30. Ruling reviewable.

3. Ruling reviewable. The determination of such laws shall be made by the court and not by the jury, and shall be reviewable.

C. 2:98-31. Evidence as to laws of other jurisdictions.

4. Evidence as to laws of other jurisdictions. Any party may also present to the trial court any admissible evidence of such laws, but, to enable a party to offer evidence of the law in another jurisdiction or to ask that judicial notice be taken thereof, reasonable notice shall be given to the adverse parties either in the pleadings or otherwise.

C. 2:98-32. Foreign country.

5. Foreign country. The law of a jurisdiction other than those referred to in section one shall be an issue for the court, but shall not be subject to the foregoing provisions concerning judicial notice.

C. 2:98-33. Construing.

6. Interpretation. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

C. 2:98-34. Short title.

7. Short title. This act may be cited as to the Uniform Judicial Notice of Foreign Law act.

Repealer.

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

9. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 82

AN ACT for the punishment of crimes, and supplementing Title 2, chapter one hundred thirty-four, of the Revised Statutes.

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

C. 2:134-28. Misrepresentation a misdemeanor.

1. Any person who shall knowingly misrepresent:

a. the period for redemption of any tax sale certificate;

b. the amount required for redemption of any tax sale certificate; or

c. that the holder of any tax sale certificate other than a municipal corporation is entitled to possession of the premises sold, or to the rents, issues or profits therefrom, shall be guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 83

AN ACT concerning unpaid taxes, assessments and other municipal charges on real property, and providing for the collection thereof by the creation and enforcement of liens thereon, and supplementing chapter five of Title 54 of the Revised Statutes.

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

C. 54:5-63.1. Tax sale certificate forfeited.

1. Any holder of a tax sale certificate, excepting any municipal corporation, his agent, servant, employee or representative, who knowingly charges or exacts any fee or charge in connection with the redemption of any tax sale certificate owned by him, in excess of the amounts permitted by chapter five of Title 54 of the Revised Statutes, shall forfeit such tax sale certificate to the person who was charged such excessive or unlawful fee and the person paying such unlawful charge shall become vested with all the right, title and interest of such tax sale certificate holder in and to such tax lien. In addition thereto the person aggrieved shall have a right of action to recover back the full amount paid by him to such tax lien holder, by an action at law in any court of competent jurisdiction.

Action by aggrieved party.

Collection of excessive charge, prima facie evidence.

The collection of any excessive charge or fee in connection with the redemption or assignment of a tax sale certificate shall be deemed prima facie evidence of the fact that such tax sale certificate holder did knowingly charge and exact such excessive fee or charge within the intent of this act.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 84

AN ACT concerning the assessment and collection of taxes, and amending section 54:5–62 of the Revised Statutes.

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

Section amended.

1. Section 54:5–62 of the Revised Statutes is amended to read as follows:

Affidavit of expenses incurred.

54:5–62. No such fees or expenses incurred as aforesaid shall be collectible, unless such redemption is made by payment to the collecting officer and unless the holder of the tax title shall have made and filed with such collecting officer affidavits showing the amount or amounts of such expenses actually disbursed or incurred, affidavits of service, including copies of the notices served, and certificates of the searches made in the form of an abstract of title covering a period of not less than twenty years.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 85

AN ACT amending the workmen's compensation security fund by amending section 34:15–115 of the Revised Statutes.

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

1. Section 34:15–115 of the Revised Statutes is amended to read as follows: Section amended.

34:15–115. Whenever the mutual fund, less all its known liabilities, shall exceed five per centum (5%) of the loss reserves of all mutual carriers for the payments of losses under the workmen's compensation act, as of December thirty-first next preceding, no further contributions to the fund shall be required to be made. Contributions to fund not required. But whenever thereafter the amount of the fund shall be reduced below five per centum (5%) of such loss reserves as of said date by reason of payments from and known liabilities of the fund, then contribution to the fund shall be resumed forthwith, and shall continue until the fund, over and above its known liabilities, shall be equal to five per centum (5%) of such reserves. Contributions resumed. If and when all liabilities of all mutual carriers for workmen's compensation losses in this State shall have been fully liquidated, distribution shall be made of the remaining balance of the mutual fund in the proportion in which each such mutual carrier made contributions to the mutual fund. Distribution of fund.

Approved April 28, 1941.

CHAPTER 86

AN ACT concerning the investment of moneys in the pension funds of policemen and firemen, and amending section 43:16–7 of the Revised Statutes.

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

Section amended.

1. Section 43:16–7 of the Revised Statutes is amended to read as follows:

Management and control of pension fund.

43:16–7. The pension commission shall have control and management of the fund and of the retirement of members of the departments, and may make all necessary rules and regulations with regard thereto the same not inconsistent with this subtitle. All moneys belonging to the pension fund shall be received and paid over to the treasurer of the municipality, whose official bond shall cover the same. No moneys shall be paid out of the fund except upon the warrant of the commission, signed by its president and secretary. All moneys not needed for the immediate payment of the pensions shall be invested by the pension commission in interest bearing bonds of the United States or of any State, county or municipality.

Surplus invested.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 87

AN ACT validating certain final decrees heretofore entered in the Court of Chancery against the State of New Jersey, in suits to foreclose certificates of sale for taxes or other municipal liens.

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

Certain final decrees validated.

1. All final decrees heretofore entered in the Court of Chancery against the State of New Jersey on bill to foreclose the equity of redemption of certificates of sale for taxes or other municipal liens, are hereby validated and confirmed, although no sale was made under said decrees as provided by section 2:61–4 of the Revised Statutes, relating to procedure where the State of New Jersey has any lien or encumbrance, in any suit arising out of any previous lien or encumbrance; *provided, however,* that such decrees shall otherwise be valid and effective; *and provided, further,* that any pending appeal or right of appeal of the State from any such decree, shall not be affected by this act.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 88

UNIFORM ACT to secure the attendance of witnesses from within or without the State in criminal proceedings.

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

C. 2:97-27. Terms defined.

1. "Witness," as used in this act shall include a person whose testimony is desired in any proceeding or investigation by a grand jury or in a criminal action, prosecution or proceeding.

The word "State" shall include any territory of the United States and District of Columbia.

The word "summons" shall include a subpœna, order or other notice requiring the appearance of a witness.

C. 2:97-28. Summoning witness to testify in another state.

2. Summoning witness in this State to testify in another State. If a judge of a court of record in any State which by its laws has made provision for commanding persons within that State to attend and testify in this State certifies under the seal of such court that there is a criminal prosecution pending in such court, or that a grand jury investigation has commenced or is about to commence, that a person being within this State is a material witness in such prosecution, or grand jury investigation, and his presence will be required for a specified number of days, and that same cannot be ensured voluntarily, upon presentation of such certificate to any judge of a court of record in the county in which such person is, such judge shall fix a time and place for a hearing, and shall make an order directing the witness to appear at a time and place certain for the hearing.

Issuing summons.

If at a hearing the judge determines that the witness is material and necessary, that it will not cause undue hardship to the witness to be compelled to attend and testify in the prosecution or a grand jury investigation in the other State, and

that the laws of the State in which the prosecution is pending, or grand jury investigation has commenced or is about to commence (and of any other State through which the witness may be required to pass by ordinary course of travel), will give to him protection from arrest and the service of civil and criminal process, he shall issue a summons, with a copy of the certificate attached, directing the witness to attend and testify in the court where the prosecution is pending, or where a grand jury investigation has commenced or is about to commence at a time and place specified in the summons. In any such hearing the certificate shall be prima facie evidence of all the facts stated therein.

Witness taken into custody.

If said certificate recommends that the witness be taken into immediate custody and delivered to an officer of the requesting State to assure his attendance in the requesting State, such judge may, in lieu of notification of the hearing, direct that such witness be forthwith brought before him for said hearing; and the judge at the hearing being satisfied of the desirability of such custody and delivery, for which determination the certificate shall be prima facie proof of such desirability may, in lieu of issuing subpœna or summons, order that said witness be forthwith taken into custody and delivered to an officer of the requesting State.

Failure of witness to heed summons.

If the witness, who is summoned as above provided, after being paid or tendered by some properly authorized person the sum of ten cents ($0.10) a mile for each mile by the ordinary traveled route to and from the court where the prosecution is pending and five dollars ($5.00) for each day, that he is required to travel and attend as a witness, fails without good cause to attend and testify as directed in the summons, he shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court of record in this State.

C. 2:97-29. Summoning witnesss from another state to testify.

3. Witness from another State summoned to testify in this State. If a person in any State,

New Jersey State Library

which by its laws has made provision for commanding persons within its borders to attend and testify in criminal prosecutions, or grand jury investigations commenced or about to commence, in this State, is a material witness in a prosecution pending in a court of record in this State, or in a grand jury investigation which has commenced or is about to commence, a judge of such court may issue a certificate under the seal of the court stating these facts and specifying the number of days the witness will be required. Said certificate may include a recommendation that the witness be taken into immediate custody and delivered to an officer of this State to assure his attendance in this State. This certificate shall be presented to a judge of a court of record in the county in which the witness is found.

Pay of witness.

If the witness is summoned to attend and testify in this State he shall be tendered the sum of ten cents ($0.10) a mile for each mile by the ordinary traveled route to and from the court where the prosecution is pending, and five dollars ($5.00) for each day that he is required to travel and attend as a witness. A witness who has appeared in accordance with the provisions of the summons shall not be required to remain within this State a longer period of time than the period mentioned in the certificate, unless otherwise ordered by the court.

Punishment for failure to attend and testify.

If such witness, after coming into this State, fails without good cause to attend and testify as directed in the summons, he shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court of record in this State.

C. 2:97-30. Exempt from arrest, etc.

4. Exemption from arrest and service of process. If a person comes into this State in obedience to a summons directing him to attend and testify in this State he shall not, while in this State pursuant to such summons be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this State under the summons.

If a person passes through this State while going to another State in obedience to a summons to attend and testify in that State or while returning therefrom, he shall not while so passing through this State be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this State under the summons. Not subject to arrest.

5. Uniformity of interpretation. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of the States which enact it. C. 2:97-31. Construing.

6. Short title. This act may be cited as "Uniform Act to Secure the Attendance of Witnesses from Within or Without a State in Criminal Proceedings." C. 2:97-32. Short title.

7. Inconsistent laws repealed. All acts or parts of acts inconsistent with this act are hereby repealed. Repealer.

8. Constitutionality. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable. C. 2:97-33. Constitutionality.

9. This act shall take effect immediately.

Approved April 28, 1941.

CHAPTER 89

AN ACT concerning the apprehension of certain criminals.

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

1. Any peace officer of this State in fresh pursuit of a person who is reasonably believed by him to have committed a high misdemeanor in this C. 2:180B-1. Authorizes peace officer to arrest anywhere in State.

State or has committed, or attempted to commit, any criminal offense in this State in the presence of such officer, or for whom such officer holds a warrant of arrest for a criminal offense, shall have the authority to arrest and hold in custody such person anywhere in this State.

C. 2:180B-2. Disposition of prisoner.

2. If such an arrest is made in obedience to a warrant, the disposition of the prisoner shall be as in other cases of arrest under a warrant; if the arrest is without a warrant, the prisoner shall without unnecessary delay be taken before a municipal court or a justice of the peace or other magistrate of the county wherein such an arrest was made, and such court shall admit such person to bail, if the offense is bailable, by taking security by way of recognizance for the appearance of such prisoner before the court having jurisdiction of such criminal offense.

C. 2:180B-3. Fresh pursuit defined.

3. The term "fresh pursuit" as used in this act shall include fresh pursuit as defined by the common law and also the pursuit of a person who has committed a high misdemeanor or is reasonably suspected of having committed a high misdemeanor in this State, or who has committed or attempted to commit any criminal offense in this State in the presence of the arresting officer referred to in section one of this act or for whom such officer holds a warrant of arrest for a criminal offense. It shall also include the pursuit of a person suspected of having committed a supposed high misdemeanor in this State, though no high misdemeanor has actually been committed, if there is reasonable ground for so believing. Fresh pursuit as used herein shall not necessarily imply instant pursuit, but pursuit without unreasonable delay.

C. 2:180B-4. Lawful arrest.

4. Section one of this act shall not make unlawful an arrest which would otherwise be lawful.

C. 2:180B-5. Citing act.

5. This act may be cited as the "uniform act on intrastate fresh pursuit."

Approved April 28, 1941.

CHAPTER 90

AN ACT relating to the publication of the sale of bonds, and amending section 40:1–43 of the Revised Statutes.

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

1. Section 40:1–43 of the Revised Statutes is amended to read as follows: Section amended.

40:1–43. All bonds issued under this article, except bonds of authorized issues of ten thousand dollars ($10,000.00) or less, shall be sold at public sale upon sealed proposals after at least seven days' notice published at least once in a publication carrying municipal bond notices and devoted primarily to financial news or the subject of State and municipal bonds, published in New York City or New Jersey, and at least seven days' notice published at least once in a newspaper published at the county seat in the case of county bonds, or in a newspaper published in the county and having a substantial circulation in the municipality in the case of municipal bonds. Bonds of authorized issues of ten thousand dollars ($10,000.00) or less may be sold at private sale without previous public offering. Publication and sale of bonds. Exception.

2. This act shall take effect immediately.

Filed April 28, 1941.

CHAPTER 91

AN ACT concerning certain persons holding positions, offices or employment under the government of this State, having tenure, and supplementing Title 11 of the Revised Statutes.

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

C. 11:4-3.5. Certain employees given tenure under classified service.

1. Each person who holds a position, office or employment under the government of this State and who now has tenure by reason of the provisions of chapter sixteen of Title 38 of the Revised Statutes, but who is not in the classified service of Civil Service, and who has held such position, office or employment for not less than three consecutive years, shall continue to hold, from the effective date of this act, his position, office or employment within the classified service of Civil Service and such position, office or employment shall become a part of the classified service.

C. 11:4-3.6. Subject to provisions of civil service law.

2. Each such person shall be subject to the provisions of the Civil Service law and shall not be removed except for cause and then only in accordance with the Civil Service law; and the emoluments of the holder of such position, office or employment shall in no wise be reduced except in the case of general retrenchment.

3. This act shall take effect immediately.

Filed April 28, 1941.

CHAPTER 92

AN ACT to permit municipalities to license and regulate real estate auctioneers and real estate brokers who sell at auction, and amending section 40:52–1 of the Revised Statutes.

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

1. Section 40:52–1 of the Revised Statutes is amended to read as follows: Section amended.

40:52–1. The governing body may make, amend, repeal and enforce ordinances to license and regulate: Power to license:

a. All vehicles used for the transportation of passengers, baggage, merchandise, and goods and chattels of every kind, and the owners and drivers of all such vehicles; and the places and premises in which or at which the different kinds of business or occupation mentioned herein are carried on and conducted. Nothing herein contained shall be construed as modifying or repealing any of the provisions of chapter four of the Title Public Utilities (§48:4–1 et seq.); Vehicles;

b. Autobuses, and the owners and drivers of all such vehicles, and to fix the fees for such licenses, which may be imposed for revenue, and to prohibit the operation of all such vehicles in the public streets or places of such municipality, unless such ordinances are complied with, whether such vehicles are operated over routes wholly or partly within the territorial limits of such municipality; the powers conferred by this section shall not be in substitution of but in addition to whatever other right, power and authority any such municipality may at any time have as to licensing, regulating, or control of the operation of such autobuses, commonly called jitneys, and this section shall not be construed as modifying or repealing any of the Autobuses;

provisions of chapter four (§48:4–1 et seq.) or article three of chapter sixteen (§48:16–23 et seq.) of the Title Public Utilities;

Various public servants; c. Cartmen, expressmen, baggagemen, porters, common criers, hawkers, peddlers, employment agencies, pawnbrokers, junk shop keepers, junk dealers, motor vehicle junk dealers, street sprinklers, bill posters, bill tackers, sweeps, scavengers, itinerant vendors of merchandise, medicines and remedies; and the places and premises in which or at which the different kinds of business or occupation mentioned herein are conducted and carried on;

Hotels and restaurants; d. Hotels, boarding houses, lodging and rooming houses, and all other places and buildings used for sleeping and lodging purposes, restaurants and all other eating places, and the keepers thereof;

Garages, etc.; e. Automobile garages, dealers in secondhand motor vehicles and parts thereof, bathhouses, swimming pools, and the keepers thereof;

Places of amusement; f. Theatres, cinema and show houses, opera houses, concert halls, dance halls, pool or billiard parlors, bowling alleys, exhibition grounds, and all other places of public amusement, circuses and traveling or other shows, plays, dances, exhibitions, concerts, theatrical performances, and all street parades in connection therewith;

Merchants and business; g. Lumber and coal yards, stores for the sale of meats, groceries and provisions, dry goods and merchandise, and goods and chattels of every kind, and all other kinds of business conducted in the municipality other than herein mentioned, and the places and premises in or at which the business is conducted and carried on; street stands for the sale or distribution of newspapers, magazines, periodicals, books, and goods and merchandise or other articles;

Signs; h. Street signs and other objects projecting beyond the building line, into or over any public street or highway;

Auctioneers; i. Auctioneers and their business, whether the auctioneers be real estate brokers engaged in sell-

ing at auction or real estate auctioneers licensed by the New Jersey Real Estate Commission; fix their fees, and license and regulate public auctions; make such regulations, as the governing body of the municipality shall deem necessary, to protect the public against fraud at public auction sales, and for the safety and protection of the property of the municipality and its inhabitants, including the power to require from auctioneers a bond to the municipality, not exceeding the penal sum of five thousand dollars, conditioned as the governing body shall require;

Gypsies;

j. Roving bands of nomads, commonly called gypsies; and,

Barber shops.

k. The opening and closing of barber shops on Sunday and legal holidays, and the hours of opening and closing on week days, and to impose a penalty for the violation of any such ordinance, not exceeding a fine of twenty-five dollars ($25.00), or imprisonment in the municipal lockup, or in the county jail, not exceeding ten days.

Construing.

Nothing in this chapter contained shall be construed to authorize or empower the governing body of any municipality to license or regulate any person holding a license or certificate issued by any department, board, commission, or other agency of the State; *provided, however,* that the governing body of a municipality may make, amend, repeal and enforce ordinances to license and regulate real estate auctioneers or real estate brokers engaged in selling at auction and their business as provided in this section despite the fact that such real estate auctioneers or brokers may be licensed by the New Jersey Real Estate Commission and notwithstanding the provisions of this act or any other act.

Proviso, real estate brokers and auctioneers.

2. This act shall take effect immediately.

Approved April 29, 1941.

CHAPTER 93

AN ACT concerning the licensing of real estate auctioneers, and amending section 45:15–30 and section 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 45:15–30 of the Revised Statutes is amended to read as follows:

To be licensed as auctioneer.

45:15–30. A person who, for pecuniary gain, conducts a public or private competitive sale of lands or any interest in lands, shall be licensed as an auctioneer by the New Jersey Real Estate Commission; *provided, however,* that this act shall not be construed to affect the powers granted to municipalities to regulate and license auctioneers and real estate brokers who sell at auction and to regulate auction sales of real estate, and notwithstanding the provisions of this act or any other act, said powers are hereby expressly given to the municipalities in the manner provided in section 40:52–1 of the Revised Statutes.

Proviso, construing.

Section amended.

2. Section 45:15–33 of the Revised Statutes is amended to read as follows:

Act not to apply.

45:15–33. This article shall not apply to any trustee, receiver, executor, administrator, attorney-at-law, or any person authorized to sell lands under any will.

3. This act shall take effect immediately.

Approved April 29, 1941.

CHAPTER 94

AN ACT making an additional appropriation of money for the National Guard and regulating the disbursement thereof.

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

Appropriation for alterations, etc., to armories.

1. The sum of two hundred eighteen thousand nine hundred twenty dollars ($218,920.00), or so much thereof as may be necessary, is hereby appropriated to the Quartermaster-General of the State of New Jersey, to cover the cost of plans, specifications, materials, et cetera, required in connection with a State-wide Works Progress Administration Program approved by the Secretary of War, and for alterations and additions to existing State-owned armories for the housing of additional personnel and equipment, at the following locations in this State, to wit:

Atlantic City,
Bridgeton,
Burlington,
Camden Artillery,
Camden Infantry,
Camden Naval Militia,
Dumont,
East Orange,
Elizabeth,
Englewood,
Hackensack,
Jersey City,
Morristown,
Mount Holly,
New Brunswick,
Newark Airport,
Newark Cavalry,
Newark Infantry,
Orange,
Passaic,
Paterson,
Perth Amboy,
Plainfield,
Salem,
Sea Girt,
Somerville,
Teaneck,
Trenton Garage,
Trenton Infantry,
Westfield,
West Orange,
Woodbury,
Trenton Artillery.

Disbursement. The appropriation herein authorized shall be disbursed as other State appropriations made under the general appropriation law.

2. This act shall take effect immediately.

Approved April 30, 1941.

CHAPTER 95

AN ACT to amend an act entitled "An act concerning the supervision by the State Department of Local Government, over certain political subdivisions in the State," approved May fifth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 127), as heretofore amended and supplemented by chapter three hundred sixty-four of the laws of one thousand nine hundred and thirty-nine.

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

C. 52:27A-67. Section 3 amended.

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

Effective conditions:

3. Application of act. The provisions of this act shall take effect in a municipality when, at the end of a fiscal year, any of the following conditions exist:

Default upon obligations;

(1) A default exists in the payment of principal or interest upon bonded obligations or bond anticipation obligations, for which no funds or insufficient funds are on hand and segregated in a special trust fund.

Payments due and unpaid;

(2) Payments due and owing the State, county, school district or special district, or any of them, are unpaid for other than the year just closed and the year next preceding that year.

(3) An appropriation for "cash deficit of preceding year" in an amount in excess of five per centum (5%) of the total amount of taxes levied upon real and personal property for all purposes in such preceding year, is required to be included in the next regular budget and was required to be included in the budget for the year just closed; *provided, however,* in establishing the excess, if any, over the said five per centum (5%) there shall first be deducted from such appropriation the amount, if any, that was caused by the failure to receive miscellaneous anticipated revenue from franchise and gross receipts taxes. Appropriation for cash deficit; Proviso;

(4) Less than fifty per centum (50%) of the total amount of taxes levied for all purposes upon real and personal property in the taxing district, in the year just closed and in the year next preceding that year, respectively, were collected during the year of levy. This subsection shall apply only if more than twenty-five per centum (25%) of the amount of such taxes for such year next preceding remained outstanding at the end of the year just closed. Shortage in collections; Limitations;

(5) The appropriation required to be included in the next regular budget for the liquidation of floating debt in accordance with sections 40:2–21 (d) and 40:2–23 (b) of the Revised Statutes exceeds twenty-five per centum (25%) of the total of appropriations for operating purposes (except dedicated revenue appropriations) in the budget for the year just ended. Appropriation exceeding budget.

2. Section four of the act to which this act is an amendment is amended to read as follows: C. 52:27A-68. Section 4 amended.

4. Determination by the State Board: Notice and hearing. If the commissioner finds in the course of his annual examination of the approved budget, the statement of current liabilities, the annual financial statement, or any other report, Determination by State board.

regular or special, filed with the department by a governing body or a municipal officer, that any of the conditions listed in section three exist in a municipality not subject to supervision under sections 52:27–1 to 52:27–66, inclusive, of the Revised Statutes, he shall forthwith give notice to the governing body that the question of the application of this act to that municipality will be placed before the State Board for its determination at a time and place which shall be stated in the notice.

Hearing.

The State Board, at the time and place stated in the notice, shall give the local governing body and any other interested parties an opportunity to be heard. If the State Board finds, after hearing, that any of the conditions listed in section three exist in the municipality, it shall by resolution determine that the provisions of this act are, from and after the date of such resolution, in effect within that municipality.

Notice of hearing.

Notice shall be given by registered mail to the clerk of the municipality. Upon receipt of such notice the governing body and municipal officers shall observe the provisions of this act and shall comply with all orders of the commissioner issued under it while the municipality remains subject to its provisions.

C. 52:27A-69. Section 5 amended.

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

Debt limitation.

5. Limitation on debt. In a municipality subject to this act, obligations, bonded or otherwise, shall not be issued or authorized by the municipality, school district, or any special district except as expressly authorized by this section.

Powers not affected.

This section shall not affect the power:

Issuing current obligations;

(1) To issue tax anticipation, tax revenue, or any other obligations of a strictly current character, except emergency obligations.

Funding;

(2) To fund outstanding obligations in accordance with sections 40:1–61 to 40:1–74, both inclusive, of the Revised Statutes.

Complying with orders;

(3) To issue obligations in order to comply with an order issued in accordance with law by a State Board, department or other agency.

Borrowing for relief projects.

(4) To issue obligations, with the prior written approval of the State Board, in accordance with any law authorizing borrowing to finance the relief of the poor, the operation of work relief projects, or other measures for the relief of unemployment; and for emergencies.

C. 52:27A-70. Section 6 amended.

4. Section six of the act to which this act is an amendment is amended to read as follows:

Limits appropriations.

6. Limitation upon appropriations. In a municipality subject to this act, the amount to be raised by taxes on real and personal property for municipal purposes, school purposes, and any special district purposes shall not be increased by more than five per centum (5%) in excess of such amount, respectively, for the year next preceding the year in which this act takes effect in that municipality.

Debt service met.

This section shall not be construed to authorize an appropriation of less than the full amount required for the payment of debt service; or to authorize the abrogation of any covenant entered into with bondholders.

State board may authorize exception.

The State Board, upon application of the governing body setting forth the circumstances in full, may authorize a municipality to adopt a budget in excess of the limitation of this section. The State Board shall authorize such a budget only if it finds that the appropriation of an amount in excess of the limitation is necessary for:

Conditions for authorizing budget.

(1) Appropriations required by law or for purposes made mandatory by law, including debt service, judgments and deferred charges.

(2) The protection of the public health, safety, morals or welfare.

(3) The prevention of irreparable damage to public property or the realization upon municipal assets.

Proviso.

(4) The meeting of any lawful yearly expenditure of the municipality; *provided,* the State Board shall first hold a public hearing after five days' notice published at the expense of the municipality in a newspaper published or circulating in said municipality.

To fix total amount.

If the board grants an authorization, it shall determine the amount necessary to meet the need of the municipality and shall fix the total amount of all municipal appropriations including the excess above the limitation of this section.

C. 52:27A-70.1. Section 6 (a) amended.

5. Section six (a) of the act to which this act is an amendment is amended to read as follows:

Provisions of sections 5 and 6 to apply.

6 (a). Limitations upon counties. The provisions of section five (for the purpose of limiting the issuance of county obligations bonded or otherwise) and of section six (for the purpose of limiting the amount to be raised by taxation for county purposes) shall apply to a county when and so long as:

(1) The limitations of sections five and six apply to three or more municipalities within the county because of the operation of section three; and five or more per centum of the average of assessed valuations of taxable real property (including improvements) of the county, as stated in the annual debt statements for the preceding fiscal year (in accordance with subsection two, section 40:1–80 of the Revised Statutes) are located in each of two of such municipalities;

and, in addition, either of the following exists:

(2) Fifty or more per centum of the average of assessed valuations of taxable real property (including improvements) of the county, as stated in the annual debt statements, for the preceding fiscal year (in accordance with subsection two, section 40:1–80 of the Revised Statutes) are located in such three or more municipalities, or

(3) Fifty or more per centum of the number of municipalities in the county are affected by the limitations of sections five and six.

Notice and hearing.

The commissioner shall give notice, and the State Board shall give interested parties an opportunity to be heard and shall make its determinations as to the application of this section to counties at the same time and in the same manner as required by sections four and eleven in the case of municipalities.

C.52:27A-72. Section 8 amended.

6. Section eight of the act to which this act is an amendment is amended to read as follows:

Liquidation of current debt.

8. Liquidation of floating debt. The State Board may, under this section, authorize a municipality subject to this act to liquidate its current debt other than as required by sections 40:2–21 (d), and 40:2–23 (b) of the Revised Statutes.

The State Board may:

Rate and completion of liquidation.

(1) Authorize liquidation at a different rate or in different installments but in accordance with a plan which will permit liquidation to be completed on or before January first, one thousand nine hundred and forty-four.

Liquidation continued.

(2) Authorize liquidation to continue for as many years as may be necessary to avoid an appropriation for the liquidation of all current obligations in any one year, prior or subsequent to one thousand nine hundred and forty-four, of more than twenty-five per centum (25%) of the total of appropriations for operating purposes (except dedicated revenue appropriations) in the budget for the year just ended.

Payments to other jurisdictions.

(3) Authorize the payment of amounts due other jurisdictions in accordance with an agreement entered into between the governing body of the municipality and such other jurisdictions.

Plan for liquidations.

Liquidations under this section shall be in accordance with a plan of liquidation adopted by resolution of the governing body and approved by the State Board. A plan so adopted and approved shall be binding upon the municipality and annual appropriations as required by the plan shall be mandatory. A plan shall not be amended except with the prior written consent of the State Board.

Supervision to continue.

Whenever a municipality is operating under an approved plan of liquidation and none of the conditions listed in subsections one, three and four of section three exist in that municipality, the limitations of sections five and six shall not apply. The supervision of the State Board, however, shall continue for the duration of the liquidation plan.

C. 52:27A-75. Section 11 amended.

7. Section eleven of the act to which this act is an amendment is amended to read as follows:

Supervision.

11. Duration of supervision. A municipality shall remain subject to this act as long as any of the conditions listed in section three exist; and until the municipality has operated during the last fiscal year without incurring a cash deficit (as computed in the manner provided by section 40:2–27 of the Revised Statutes).

Application of act.

When the commissioner finds, in his annual examination of the approved budget, the statement of current liabilities, the annual financial report, or any other report, regular or special, of financial condition filed in his office, that none of the conditions listed in section three exist in a municipality subject to this act, and he finds that the municipality operated during the last fiscal year without incurring a cash deficit (as computed in the manner provided by section 40:2–27 of the Revised Statutes), he shall give notice to the local governing body that the question of the application of this act to that municipality will be placed before the State Board for its determination at a time and place which shall be stated in the notice.

Determination by State board.

The State Board, at the time and place stated in the notice, shall, after giving the local governing body and other interested parties an opportunity

to be heard, determine whether any of the conditions listed in section three of this act continue to exist in the municipality, and whether the municipality operated during the last fiscal year without incurring such cash deficit. If the board finds that none of such conditions exists, and that the municipality operated during said year without incurring such cash deficit, it shall, by resolution, determine that the provisions of this act are no longer in effect in the municipality.

Certification that provisions not in effect.

The commissioner shall forthwith certify to the governing body that the provisions of this act no longer affect that municipality.

Notice.

Notice shall be given by registered mail to the clerk of the municipality.

8. This act shall take effect immediately.

Approved April 30, 1941.

CHAPTER 96

A SUPPLEMENT to "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and forty-one, and regulating the disbursement thereof," approved June twenty-eighth, one thousand nine hundred and forty (P. L. 1940, c. 158).

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

Appropriation.

1. There is hereby appropriated to the Commissioner of Education out of the general funds of this State the sum of one thousand six hundred eighty-five dollars ($1,685.00) for the purpose of printing blanks and forms required for carrying into effect

the provisions of chapters one hundred fifty-three and one hundred fifty-four of the laws of one thousand nine hundred and forty.

2. This act shall take effect immediately.

Approved April 30, 1941.

CHAPTER 97

AN ACT concerning alcoholic beverages, and amending section 33:1–25 of the Revised Statutes.

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

Section amended.

1. Section 33:1–25 of the Revised Statutes is amended to read as follows:

Issuing retail licenses to persons, requirements.

33:1–25. Applicants for licenses shall answer such questions and make such declarations as shall be prescribed by rules and regulations. No retail license shall be issued to a natural person unless he is a citizen of the United States and shall have been a resident of the State of New Jersey for at least five years continuously immediately prior to the submission of the application. No license of any class shall be issued to any individual who is an alien; to any person under legal age; or to any person who has been convicted of a crime involving moral turpitude or who has been convicted in a court of criminal jurisdiction of any violation of this chapter or has been convicted of three violations before any other authority pursuant to this chapter.

Issuing retail licenses to corporations, requirements.

In case of applications by corporations, except applications for club licenses, the names and addresses of, and the amount of stock held by, all stockholders holding one or more per centum of any of the stock thereof, of all officers and of all members of the board of directors must be stated in the application, and if one or more of such offi-

cers or members of the board of directors or any holder directly or indirectly, whether through an intermediary corporation or otherwise, of ten per centum (10%) or more in beneficial interest of the capital stock of the corporation would fail to qualify as an individual applicant in all respects, except as to citizenship, residence or age, no license of any class shall be granted.

Club licenses, requirements.

In case of applications for club licenses, the names and addresses of all officers, trustees, directors, or other governing officials, together with the names and addresses of all members of the corporation, association, or organization must be stated in the application.

Partnership licenses, requirements.

In the case of application by a partnership, the application shall contain the names and addresses of all of the partners. No license shall be issued unless all of the partners would qualify as individual applicants.

Evidence of Federal license, etc., and fee to accompany application.

A photostatic copy of all Federal licenses, permits and stamps necessary to the lawful conduct of the business for which a State license is sought and which relate to alcoholic beverages, or other evidence in lieu thereof satisfactory to the commissioner, must accompany the license application, together with a deposit of the full amount of the required license fee, which deposit to the extent of ninety per centum (90%) thereof shall be returned to the applicant by the commissioner or other issuing authority if the application is denied, and the remaining ten per centum (10%) shall constitute an investigation fee and be disposed of as hereinafter provided.

Notice of intention published.

Every applicant for a license shall cause a notice of intention to make such application to be published in a form prescribed by rules and regulations, once a week for two weeks successively in a newspaper, printed in the English language, published and circulated in the municipality in which the licensed premises are located; but if there shall be no such newspaper, then such notice shall be published in a newspaper, printed in the English

language, published and circulated in the county in which the licensed premises are located. No publication shall be required with respect to applications for transportation or public warehouse licenses.

Application sworn to.

All applications shall be duly sworn to by each of the applicants, except in cases of applications by corporations which shall be duly sworn to by the president or vice-president. All statements in said applications required to be made by law or by rules and regulations shall be deemed material, and any person who shall knowingly misstate any material fact, under oath, in said application shall be guilty of a misdemeanor. Fraud, misrepresentation, false statements, misleading statements, evasions or suppression of material facts in the securing of a license are grounds for revocation.

Misstatements a misdemeanor.

2. This act shall take effect immediately.

Approved April 30, 1941.

CHAPTER 98

AN ACT to amend and supplement an act entitled "An act relating to the creation of local housing authorities, including the definition of their functions and powers, and to public housing projects undertaken by public bodies, and adding a new chapter to the Revised Statutes, to be known as chapter 14A of Title 55," being chapter nineteen of the laws of one thousand nine hundred and thirty-eight, approved March eighth, one thousand nine hundred and thirty-eight.

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, being 55:14A–3 of the Revised Statutes, is hereby amended to read as follows:

4. 55:14A–3. Definitions. The following terms, wherever used or referred to in this chapter, shall have the following respective meanings, unless a different meaning clearly appears from the context: Terms defined:

(a) "Authority" or "housing authority" or "authorities" or "housing authorities" shall mean any of the public corporations created by this chapter. Authority;

(b) "Municipality" shall mean any city of any class, any town, township, village, borough or any municipal subdivision of this State. "County" shall mean any county in the State. "The municipality" shall mean the particular municipality or municipalities for which a particular housing authority is created. "The county" shall mean the particular county for which a particular housing authority is created. Municipality;

(c) "Governing body" shall mean in the case of a municipality the common council or the board of commissioners or the body managing its affairs, and in the case of a county the board of chosen freeholders; *provided, however,* that in the case of cities of the second class having a population of not less than one hundred and thirty-three thousand nor more than two hundred thousand inhabitants, the board of finance of such city shall be the "governing body" for the purpose of this act. Governing body; Proviso;

(d) "Clerk" shall mean the clerk of the municipality or the clerk of the county, as the case may be, or the officer charged with the duties customarily imposed on such clerk. Clerk;

(e) "Area of operation": (1) in the case of a housing authority of a municipality shall include the area of such municipality; (2) in the case of a regional housing authority of a group of two or more municipalities, shall include such municipalities; (3) in the case of a housing authority of a county, shall include all of the county except that portion which lies Area of operation;

within the territorial limits of a municipality or group of municipalities for which a housing authority has been created; with respect to any municipality which has not created or joined in the creation of an authority, a housing authority of a county shall not include such municipality within its area of operation, unless it has first secured the approval of such action by said municipality (such approval to be evidenced by an ordinance adopted by the governing body of the municipality).

Federal government;

(f) "Federal Government" shall include the United States of America, the United States Housing Authority or any other agency or instrumentality, corporate or otherwise, of the United States of America.

Public body;

(g) "Public body" shall mean the State, or any county, city, town, township, borough, village, school district, authority or any other political subdivision of the State.

Slum;

(h) "Slum" shall mean any area where dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitation facilities, or any combination of these factors, are detrimental to safety, health or morals.

Housing project;

(i) "Housing project" shall mean any work or undertaking; (1) to demolish, clear or remove buildings from any slum area; such work or undertaking may embrace the adaptation of such area to public purposes, including parks or other recreational or community purposes; (2) to provide decent, safe and sanitary urban or rural dwellings, apartments or other living accommodations for persons of low income; such work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, health, recreational, educational, welfare or other

purposes; or (3) to accomplish a combination of the foregoing. The term "housing project" also may be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work in connection therewith; *provided,* nothing in this chapter shall authorize the construction of any public utility service or facility which would be competitive with any existing public utility as the same is defined by section 48:2–13 of the Title Public Utilities.

Proviso;

(j) "Persons of low income" shall mean persons or families who are in the lowest income group and who cannot afford to pay enough to cause private enterprise in their locality to build or furnish an adequate supply of decent, safe and sanitary dwellings so as to enable them, without financial assistance, to live in such dwellings, without overcrowding.

Persons of low income;

(k) "Bonds" shall mean any bonds, notes, interim certificates, debentures, or other obligations issued by an authority pursuant to this chapter.

Bonds;

(l) "Real property" shall include all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise and indebtedness secured by such liens.

Real property;

(m) "Obligee of the authority" or "obligee" shall include any bondholder, trustee or trustees for any bondholders, or lessor demising to the authority property used in connection with a housing project, or any assignee or assignees of such lessor's interest or any part thereof, and the Federal Government when it is a party to any contract with the authority.

Obligee of the authority;

(n) "Director" shall mean the executive officer of the State Housing Authority.

Director.

Previous proceedings in certain second class cities validated.

2. All proceedings, acts and things heretofore undertaken, performed or done with reference to the creation and establishment of housing authorities by boards of finance in second class cities of this State having a population of not less than one hundred and thirty-three thousand nor more than two hundred thousand inhabitants, are hereby validated, ratified, confirmed, approved and declared legal in all respects, to the same extent as though undertaken, performed or done by the body managing the affairs or governing body of such municipality by virtue of the local housing authorities law and as though the said boards of finance had been given full power and lawful authority in the premises, and the local housing authorities so created and established shall function as provided by the said local housing authorities law and the amendments thereof and supplements thereto, and shall be and continue to be bodies corporate and politic.

Previous proceedings of local housing authorities validated.

3. All proceedings, acts and things heretofore undertaken, performed or done by such local housing authorities and the commissioners thereof are hereby validated, ratified, confirmed, approved and declared legal in all respects to the extent of the powers, authority, duties and obligations conferred on local housing authorities and the commissioners thereof by the local housing authorities law and the amendments thereof and supplements thereto.

C. 55:14A-3.1. Act not to validate.

4. Nothing in this act shall validate or authorize any act or thing which is expressly prohibited by the provisions of the local housing authorities law or any other statute of this State.

Legislative intention.

5. Notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provision of this chapter or the application thereof to any person or circumstances, is held invalid, the remainder of the chapter and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

6. This act shall take effect immediately.

Approved April 30, 1941.

CHAPTER 99

AN ACT concerning the Passaic valley sewerage district and the Passaic Valley Sewerage Commissioners, and amending section 58:14–3 of the Revised Statutes.

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

1. Section 58:14–3 of the Revised Statutes is amended to read as follows: Section amended.

58:14–3. The board shall consist of five members who are residents of the district. Upon the expiration of the term of office of a commissioner, his successor shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of five years. The Governor may remove any commissioner from office for cause. Membership.

Each commissioner shall hold his office until his successor has been appointed, and any vacancy in the membership of the commission because of death, resignation or removal, shall be filled for the unexpired term in the manner provided for on original appointment. In making any appointment hereunder, either for a full term or to fill a vacancy, regard shall be had to ability and fitness, and also locality, so that each section of the district may be represented as far as practicable. Vacancies. Locality to be considered in making appointments.

2. This act shall take effect immediately.

Approved April 30, 1941.

CHAPTER 100

AN ACT to promote the mediation, conciliation and arbitration of labor disputes and the creation of a board of mediation for the promotion thereof.

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

C. 34:13A-1. Short title.

1. Short title. This act shall be known and may be cited as the "New Jersey Labor Mediation Act."

C. 34:13A-2. Declaration of public policy.

2. Declaration of policy. It is hereby declared as the public policy of this State that the best interests of the people of the State are served by the prevention or prompt settlement of labor disputes; that strikes and lockouts and other forms of industrial strife, regardless where the merits of the controversy lie, are forces productive ultimately of economic waste; that the interests and rights of the consumers and the people of the State, while not direct parties thereto, should always be considered, respected and protected; and that the voluntary mediation of such disputes under the guidance and supervision of a governmental agency will tend to promote permanent industrial peace and the health, welfare, comfort and safety of the people of the State. To carry out such policy, the necessity for the enactment of the provisions of this act is hereby declared as a matter of legislative determination.

C. 34:13A-3. Terms defined:

3. Definitions. When used in this act:

Board;

(a) The term "board" shall mean New Jersey Labor Mediation Board.

Employer;

(b) The term "employer" includes an employer and any person acting, directly or indirectly, on behalf of or in the interest of an employer with the employer's knowledge or ratification, but a labor organization, or any officer or agent thereof, shall be considered an employer only with respect to individuals employed by such organization.

(c) The term "employee" shall include any employee, and shall not be limited to the employees of a particular employer unless this act explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of or in connection with any current labor dispute or because of any unfair labor practice and who has not obtained any other regular and substantially equivalent employment. This term, however, shall not include any individual taking the place of any employee whose work has ceased as aforesaid, nor shall it include any individual employed by his parent or spouse, or in the domestic service of any person in the home of the employer, or employed by any company owning or operating a railroad or railway express subject to the provisions of the Railway Labor Act. Employee:

(d) The term "representative" is not limited to individuals but shall include labor organizations, and individual representatives need not themselves be employed by, and the labor organization serving as a representative need not be limited in membership to the employees of, the employer whose employees are represented. Representative.

4. State Board of Mediation; establishment; membership. There is hereby established in the Department of Labor a board to be known as the New Jersey State Board of Mediation. The membership of such board shall consist of five persons to be appointed by the Governor, by and with the advice and consent of the Senate. Of the members first appointed, one shall be appointed for a term of one year; two for a term of two years and two for a term of three years. Their successors shall be appointed for terms of three years. The Governor shall designate one member to serve as chairman of the board. A vacancy occurring in the membership of the board for any cause shall be filled by the Governor and the person so appointed shall hold office for the unexpired term of the member whose office has become vacant.

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

Membership.

Terms.

Chairman.

Vacancies.

C. 34:13A-5. Objective of board.

5. Objective. It shall be the objective of the board hereby established to take such steps as will most effectively and expeditiously carry out the policy declared in section two of this act and the powers and duties conferred and imposed upon the board by this act or by law shall at all times be performed and discharged with the accomplishment of such objective as the ultimate goal.

C. 34:13A-6. Powers and duties:

6. Powers and duties. (1) Upon its own motion, in an existing, imminent or threatened labor dispute, the board may, and, upon the request of the parties or either party to the dispute, the board must take such steps as it may deem expedient to effect a voluntary, amicable and expeditious adjustment and settlement of the differences and issues between employer and employees which have precipitated or culminated in or threaten to precipitate or culminate in such labor dispute. To this end, it shall be the duty of the board: (a) to arrange for, hold, adjourn or reconvene a conference or conferences between the disputants or one or more of their representatives or any of them; (b) to invite the disputants or their representatives or any of them to attend such conference and submit, either orally or in writing, the grievances of and differences between the disputants; (c) to discuss such grievances and differences with the disputants and their representatives; and (d) to assist in negotiating and drafting agreements for the adjustment in settlement of such grievances and differences and for the termination or avoidance, as the case may be, of the existing or threatened labor dispute. In carrying out any of its work under this act, the board may designate one of its members or an officer of the board to act in its behalf and may delegate to such designee one or more of its duties hereunder and, for such purpose, such designee shall have all of the powers hereby conferred upon the board in connection with the discharge of the duty or duties so delegated.

Hold conferences;

Hear grievances;

Discuss grievances;

Negotiating and drafting agreements;

(2) The board may also appoint and designate other persons or groups of persons to act for and on its behalf and may delegate to such persons or groups of persons any and all of the powers conferred upon it by this chapter so far as it is reasonably necessary to effectuate the purposes of this act. Such persons shall serve without compensation but shall be reimbursed for any necessary expenses. Delegate its powers.

7. Arbitration. Whenever a controversy shall arise between an employer and his employees which is not settled either in conference between representatives of the parties or through mediation in the manner provided by this act, such controversy may, by agreement of the parties, be submitted to arbitration, one person to be selected by the employer, one person to be selected by the employees, and a third selected by the representatives of the employer and employees, and in the event of any such appointment or selection not being made upon the request of the parties in the controversy, the department may select the third person to arbitrate the matter submitted; *provided, however,* that the failure or refusal of either party to submit a controversy to arbitration shall not be construed as a violation of the policy or purpose of this act, or of any provision thereof, nor shall failure or refusal to arbitrate constitute a basis for any action at law or suit in equity. C. 34:13A-7. Controversy submitted to arbitration. Proviso.

8. Strikes. Nothing in this act shall be construed to interfere with, impede or diminish in any way the right of employees to strike or engage in other lawful concerted activities. C. 34:13A-8. Construing act as to strikes.

9. Personnel; compensation. (1) For the performance of its work, under this act, the board may request and shall avail itself of and utilize the services of any officer or employee of the Department of Labor who shall render such assistance as the board may require without additional compensation. The board may, within the amount available therefor by appropriation, appoint a sec- C. 34:13A-9. May utilize services of existing employees. May appoint a secretary.

retary and such other assistants and employees as it may require for the consummation of its work, prescribe their duties and fix their compensation.

Compensation of board members.

(2) Each member of the board shall be entitled to be reimbursed for his traveling and other expenses actually and necessarily incurred by him in the performance of his duties, and, in addition, shall receive a per diem allowance of twenty-five dollars ($25.00) for each day, or part thereof, spent in the rendition of service to or for the board under this act.

C. 34:13A-10. Disqualifications.

10. Disqualifications. No member or officer of the board having any financial or other interest in a trade, business, industry or occupation in which a labor dispute exists or is threatened and of which the board has taken cognizance, shall be qualified to participate in any way in the acts or efforts of the board in connection with the settlement or avoidance thereof.

C. 34:13A-11. Rules.

11. Rules. The board shall have power to adopt, alter, amend or repeal such rules in connection with the voluntary mediation of labor disputes as may be necessary for the proper administration and enforcement of the provisions of this act.

C. 34:13A-12. Construing.

12. Construction. Nothing contained in this act shall be construed as interfering with, impeding or diminishing in any way any right guaranteed by law or by the Constitution of the State or of the United States.

C. 34:13A-13. Provisions separable.

13. Separability of provisions. If any clause, sentence, paragraph or part of this act, or the application thereof to any person or circumstances, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this act, and the application of such provisions to other persons or circumstances, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof, directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstances involved. It is hereby declared to be the legislative

intent that this act would have been adopted had such invalid provisions not been included herein.

14. This act shall take effect immediately.

Approved April 30, 1941.

CHAPTER 101

AN ACT concerning district courts and transferring the boroughs of Cresskill and Demarest from the Fifth Judicial District to the First Judicial District in the County of Bergen.

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

To become part of first judicial district.

1. The territory embraced within the corporate limits of the Borough of Cresskill and the Borough of Demarest in the County of Bergen, and now forming part of the Fifth Judicial District of said county, are hereby transferred to and shall hereafter be and become a part of the territory comprising the First Judicial District of the County of Bergen.

2. This act shall take effect immediately.

Approved April 30, 1941.

CHAPTER 102

AN ACT concerning savings banks, and amending section 17:6–25 of the Revised Statutes.

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

Section amended.

1. Section 17:6–25 of the Revised Statutes is amended to read as follows:

Board of managers.

17:6–25. The business of every savings bank shall be managed and directed by a board of managers of not less than nine (nor more than fifteen), the persons named in the certificate of incorporation being the first managers. The board shall elect from its number a president and at least one vice president, and shall elect or appoint from its own number, or otherwise, such other officers (which may include one or more other vice presidents) and agents as it may see fit.

Organization.

Vacancies.

All vacancies in the board shall be filled by the board of managers, on approval by the commissioner, with persons duly qualified by this chapter, as soon as practicable, at a regular meeting after the vacancies occur. If the managers fail to fill a vacancy within six months, the commissioner shall fill it, subject to the provisions of this chapter. If all the managers of a savings bank abandon the conduct of its business the commissioner shall, as soon as practicable, appoint other persons in their places as managers.

Failure to fill vacancies.

2. This act shall take effect immediately.

Approved April 30, 1941.

CHAPTER 103

AN ACT concerning free public schools and making appropriations therefor.

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

Appropriation for free public schools.

1. There is hereby appropriated for the support of free public schools the sum of two million, three hundred ninety-eight thousand, eight hundred forty-six dollars and twenty-nine cents ($2,398,-846.29), out of the general funds of this State. The sum hereby appropriated shall be transferred by the State Treasurer to the reserve fund of the State school tax, and when so transferred the sum of money hereby appropriated shall be paid out of the treasury of this State, on the warrant of the Commissioner of Education, in order that all school districts of the State shall receive from State apportionments for the school year 1940-1941 the quotas prescribed to be paid by the provisions of sections 18:10–22, 18:10–23, 18:10–24, 18:10–25, 18:10–40, 18:10–41 and 18:10–42 of the Revised Statutes, and an amount equivalent to three cents ($0.03) for each day of school attendance.

Fund transferred.

Rate of apportionment.

2. This act shall take effect immediately.

Approved April 30, 1941.

CHAPTER 104

AN ACT concerning municipalities, 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. 40:60-36.2. Referendum to determine public's desire.

1. In any municipality where lands have been conveyed to a municipality and no consideration has been paid therefor, with conditions, limitations and restrictions contained in such conveyance upon said lands to the effect that said lands shall be used for public or park purposes and prohibiting the municipality from erecting structures upon the same or from using said lands other than for public purposes, and providing that said lands shall revert to the grantor or his heirs or assigns upon breach of any of such conditions, whether said lands have been accepted by the municipality or not, the governing body at any time after five years from the date said lands were acquired, when no improvements upon, damages to or changes in said lands have been made, may cause to be put upon the ballots of any general election a question to determine whether or not the general public desire to retain said lands with said conditions, limitations and restrictions thereon.

C. 40:60-36.3. Procedure governed by result of referendum.

2. If a majority of the votes cast at such election are in favor of retaining said lands with said conditions, limitations and restrictions thereon, the said lands shall be so retained; but, if a majority of the votes so cast shall be against so retaining said lands, the governing body of said municipality shall offer to convey all the right, title and interest of the municipality to the person who conveyed said lands to the municipality or to his or her heirs or assigns or to such person or persons who may then have the reversionary interest in the same. The word "person" as used in this paragraph and

The term "person" defined.

in the succeeding paragraph hereof shall be construed to include the heirs-at-law, next of kin, devisees, administrators, executors, successors and assigns of the individual or individuals who conveyed said lands to the municipality, and where the grantor to the municipality was a corporation, the word "person" shall include such corporation, its successors and assigns.

C. 40:60-36.4. Restrictions waived upon failure to accept.

3. If the person who conveyed the lands to the municipality refuses or neglects, for ninety days after tender of conveyance from the municipality, to accept said conveyance, as described in the preceding paragraph hereof, the said municipality may consider said conditions, limitations and restrictions waived and ineffectual and proceed, at any time thereafter, to make such use, sale, lease or rental of said lands as, in the opinion of its governing body, are for the best public interest.

4. This act shall take effect immediately.

Approved April 30, 1941.

CHAPTER 105

AN ACT concerning the location and construction of State highway route No. 31A, and amending that part of section 27:6–1 of the Revised Statutes entitled "Route No. 31A."

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

Section amended.

1. That part of section 27:6–1 of the Revised Statutes entitled Route No. 31A is amended to read as follows:

Route No. 31A.

Route No. 31A. Beginning in State Highway route No. 31 in or near Princeton, and thence to a point at or near Hightstown and connecting there with State highway route No. 33 eastwardly of Hightstown.

2. This act shall take effect immediately.

Approved April 30, 1941.

CHAPTER 106

AN ACT authorizing all banks, trust companies and savings banks organized under the laws of this State, and bankers authorized to transact banking business under the laws of this State to be depositories of Federal funds, to act as financial agents of the United States, and to give security for such deposits and for the faithful performance of their duties as such financial agents, and supplementing Title 17, chapter nine, of the Revised Statutes.

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

C. 17:9-9.1. Depositories for Federal funds.

1. All banks, trust companies and savings banks organized under the laws of this State and all bankers authorized to transact banking business under the laws of this State may, when designated for that purpose by the Secretary of the Treasury of the United States of America, be depositories of Federal funds under such regulations as may be prescribed by the Secretary, and may also be employed as financial agents of the United States, and they may perform all such reasonable duties as depositories of Federal funds and financial agents of the United States as may be required of them; and all banks, trust companies and savings banks organized under the laws of this State and all bankers authorized to transact banking business under the laws of this State may, as required by the Secretary of the Treasury, give satisfactory security by the deposit of United States bonds or otherwise for the safe-keeping and prompt payment of the Federal funds deposited with them and for the faithful performance of their duties as financial agents of the United States.

Security.

2. This act shall take effect immediately.

Approved April 30, 1941.

CHAPTER 107

AN ACT to amend an act entitled "An act relating to the incurring of indebtedness and the issuance of notes and bonds for the relief of the poor and for the funding of indebtedness heretofore or hereafter incurred and notes heretofore or hereafter issued for such relief of the poor, by cities, boroughs, towns, townships, villages and other municipalities other than school districts," approved the seventeenth day of August, one thousand nine hundred and thirty-nine, as said Title was amended by pamphlet laws of one thousand nine hundred and thirty-nine, chapter three hundred ninety-five (P. L. 1939, c. 332).

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

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

1. Any city, borough, town, township, village or other municipality (other than school districts), may incur indebtedness, borrow money and issue its negotiable bonds for the relief of the poor, including direct relief, expense of administration, the payment of any indebtedness heretofore or hereafter incurred for relief of the poor, the financing of any emergency appropriations heretofore or hereafter made for the relief of the poor, the payment of any emergency notes heretofore or hereafter issued pursuant to the local budget law to finance any such emergency appropriation, the cost of issuance of such bonds and other incidental expenses. The term "relief of the poor" as used herein, shall include expenditures or proposed expenditures for projects or work, other than the construction of utility plants or facilities which C. App.A:2-14. Supplying municipal relief. Term "relief of the poor" defined.

will compete with an existing utility plant or facility, assented to or approved by the Work Projects Administration or any other agency or department of the Federal Government, where the project or work so assented to or approved is primarily designed to provide work relief.

Section amended.

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

C. App.A:2-15. Authority for bond issue.

2. Any bonds issued under this act shall be authorized by ordinance, finally adopted on or before the thirty-first day of December, one thousand nine hundred and forty-one, by the governing body of the municipality in the manner or mode of procedure prescribed by the local bond law, constituting sections 40:1–1 to 40:1–88 of the Revised Statutes, and said bonds shall be issued in the manner or mode of procedure prescribed by said law,

Exceptions.

except that (1) no supplemental debt statement need be filed and said bonds may be issued notwithstanding any debt or other limitation prescribed by the said law, (2) no down payment shall be required, (3) said bonds shall mature in annual installments, commencing not more than one year from the date of said bonds and ending not more than five years from the date of the adoption of such ordinance, or, in case such bonds are issued wholly or partly to fund emergency notes, not more than five years from the date of the earliest emergency notes to be so funded, and no annual installment shall exceed the amount of the smallest prior annual installment of such issue. The ordinance authorizing such bonds need state only the amount of bonds thereby authorized for relief of the poor, the amount of emergency notes, if any, to be funded thereby, the date of the earliest emergency notes to be so funded, and the rate or maximum rate of interest the bonds shall bear.

Form of ordinance.

3. This act shall take effect immediately.

Approved May 3, 1941.

CHAPTER 108

AN ACT concerning the practice of medicine and surgery, and amending section 45:9–8 of the Revised Statutes of New Jersey.

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

1. Section 45:9–8 of the Revised Statutes is hereby amended to read as follows: Section amended.

45:9–8. Except as otherwise provided in this chapter (45:9–1 et seq.), every applicant for admission to examination for a license to practice medicine and surgery shall, in addition to the requirements set forth in sections 45:9–6 and 45:9–7 of this Title, prove to the board that he has received a diploma from some legally incorporated professional school or college of the United States, which school or college, in the opinion of the board, was in good standing at the time of the issuance of the diploma, or a diploma or license conferring the full right to practice all of the branches of medicine and surgery in some foreign country, or if the said foreign country is engaged in war at any time during the next three years and the said applicant before June thirtieth, one thousand nine hundred and forty-four, satisfactorily proves to the board that he has been a resident of the State of New Jersey for the past ten years, he shall present a diploma from a professional school or college which in the opinion of the board was in good standing at the time of the issuance of the diploma, and shall further prove that, prior to the receipt of such diploma from any such professional school or college of the United States, or such diploma or license, as aforesaid, he had studied not less than four full school years, including four satisfactory courses of lectures of at least eight months each, in four different calendar years, in some legally incorporated Requirements to practice medicine and surgery.

and registered American or foreign professional school or schools, college or colleges in good standing in the opinion of the board, which courses shall have included a thorough and satisfactory course of instruction in medicine and surgery; and such applicant, if he has graduated from a professional school or college after July first, one thousand nine hundred and sixteen, shall further prove to the board that, after receiving such diploma or license, he has completed an interneship acceptable to the board for at least one year in a hospital approved by the board, or in lieu thereof he has completed one year of post-graduate work acceptable to the board in a school or hospital approved by the board. Any applicant who after July first, one thousand nine hundred and thirty-nine, commences the service of an interneship in a hospital situate in this State, or in lieu thereof enters upon a course of post-graduate study, as hereinbefore provided, shall, before commencing such interneship or course of post-graduate study, apply to the board on a form or forms provided by the board for a certificate which shall certify said applicant has qualified to commence said interneship or for permission to attend courses of study in post-graduate work in lieu of interneship, as the case may be. The certificate required by this section shall be presented by any such applicant to the board when he applied for admission to examination for a license to practice medicine and surgery.

2. This act shall take effect immediately.

Approved May 3, 1941.

CHAPTER 109

AN ACT concerning the militia of the State, amending sections 38:1–1, 38:2–2, 38:2–8, 38:2–15, 38:5–1, 38:5–2, 38:5–3, 38:5–4, 38:5–5, 38:5–6, 38:5–7, 38:5–8, 38:7–1, 38:11–1, 38:11–4, 38:11–5, 38:12–2, 38:12–4, 38:13–3, 38:13–4, 38:13–5 and 38:14–6 of the Revised Statutes, and supplementing chapter five of Title 38 of the Revised Statutes.

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

1. Section 38:1–1 of the Revised Statutes is amended to read as follows: Section amended.

38:1–1. The militia shall consist of all able-bodied male citizens of this State, and, except as hereinafter provided, all other able-bodied male persons, who have or shall have declared their intentions to become citizens of the United States, who, in the case of the naval militia shall be more than seventeen years of age and in the case of the National Guard, the New Jersey State Guard and the unorganized militia shall be more than eighteen years of age, and who, except in the case of the New Jersey State Guard and as otherwise hereinafter provided, shall be not more than forty-five years of age, and such other persons as may upon their own application be enlisted or commissioned therein. Persons subject to militia duties.

The militia shall be divided into four classes: the National Guard, the naval militia, the New Jersey State Guard, when organized, and the unorganized militia. Classes of militia.

The word "militia" as used in this subtitle shall mean all of the military and naval forces of this State, whether organized or unorganized, or active or inactive. Militia defined.

Section amended.

2. Section 38:2–2 of the Revised Statutes is amended to read as follows:

Governor's staff.

38:2–2. The staff of the Governor shall consist of:

a. Administrative. The Adjutant-General and the Quartermaster-General.

b. Personal: Six personal aides-de-camp who shall be detailed from among the commissioned officers of the National Guard, the commissioned officers of the naval militia and the commissioned officers of the New Jersey State Guard, not more than one of whom shall be of the military rank of colonel or the naval rank of captain, and the remainder of whom shall be of military rank below that of colonel or naval rank below that of captain. Their detail shall operate as an assignment to duty as aides-de-camp, but shall not change their rank. Aides-de-camp shall not be relieved from assignment with their respective organizations or from routine duty therewith when not actually performing duty as aides-de-camp.

Section amended.

3. Section 38:2–8 of the Revised Statutes is amended to read as follows:

Adjutant-General's department.

38:2–8. The Adjutant-General's department shall consist of:

a. The Adjutant-General, with the rank of Brigadier-General;

b. One deputy Adjutant-General, with rank not above that of colonel, who shall perform such duties as may be assigned by the Adjutant-General;

c. Such officers of the organized militia, active or inactive, as may be authorized by the Governor for duty therein; and

d. Such clerks and employees as may be required, who may be detailed from the organized militia, active or inactive.

Duties exercised by deputy.

During the absence of the Adjutant-General from the State and during any period when he shall be unable to perform his duties, the deputy Adjutant-General shall exercise the powers and perform the duties of the Adjutant-General. If

the office of Adjutant-General shall become vacant by reason of the death, resignation or removal of the incumbent, or for any other cause, the deputy Adjutant-General shall exercise the powers and perform the duties of the Adjutant-General until a successor Adjutant-General shall have been appointed and shall have qualified. Vacancy.

4. Section 38:2–15 of the Revised Statutes is amended to read as follows: Section amended.

38:2–15. The Quartermaster-General's department shall consist of: Quartermaster's department.

a. The Quartermaster-General, with the rank of Brigadier-General;

b. One deputy Quartermaster-General, with rank not above that of colonel, who shall perform such duties as may be assigned by the Quartermaster-General;

c. Such officers of the organized militia, active or inactive, as may be authorized by the Governor for duty therein; and

d. Such clerks and employees as may be required, who may be detailed from the organized militia, active or inactive.

During the absence of the Quartermaster-General from the State or during any period when he shall be unable to perform his duties, the deputy Quartermaster-General shall exercise the powers and perform the duties of the Quartermaster-General. If the office of Quartermaster-General shall become vacant by reason of the death, resignation or removal of the incumbent, or for any other cause, the deputy Quartermaster-General shall exercise the powers and perform the duties of the Quartermaster-General until a successor Quartermaster-General shall have been appointed and shall have qualified. Duties exercised by deputy. Vacancy.

5. Section 38:5–1 of the Revised Statutes is amended to read as follows: Section amended.

38:5–1. Whenever any part of the National Guard of the State is in active Federal service, the Governor may organize and maintain within the State, during such period, under such regula- Governor may organize New Jersey State Guard.

tions as the Secretary of War of the United States may prescribe for discipline in training, such military forces as the Governor may deem necessary to defend the State. Such forces shall be additional to and distinct from the National Guard and naval militia and shall be known as the "New Jersey State Guard." Such forces shall be uniformed.

Forces uniformed.

Section amended.

6. Section 38:5–2 of the Revised Statutes is amended to read as follows:

How composed.

38:5–2. The New Jersey State Guard shall be composed of the officers commissioned therein or assigned thereto, and such able-bodied male citizens of the State as shall volunteer for service therein, supplemented, if necessary, by men of the unorganized militia enrolled by draft or otherwise as provided by law. No person shall be enlisted for more than one year, but each enlistment may be renewed. No civil organization, society, club, post, order, fraternity, association, brotherhood, body, union, league, or other combination of persons or civil group shall be enlisted in the New Jersey State Guard as an organization or unit. No person shall be commissioned or enlisted in the New Jersey State Guard who is not a citizen of the United States or who has been expelled or dishonorably discharged from any military or naval organization of this State, or of another State, or of the United States.

Period of enlistment.

Bars enlistment of certain groups and persons.

Section amended.

7. Section 38:5–3 of the Revised Statutes is amended to read as follows:

Regulations.

38:5–3. The Governor may prescribe regulations not inconsistent with the provisions of this act governing the enlistment, organization, administration, equipment, maintenance, training and discipline of the New Jersey State Guard. Such regulations, in so far as practicable, shall conform to existing laws of this State governing and pertaining to the National Guard and the regulations promulgated thereunder.

8. Section 38:5–4 of the Revised Statutes is amended to read as follows: Section amended.

38:5–4. The New Jersey State Guard, except the State staff, departments and detachment, shall be commanded by such line officer of the National Guard or the New Jersey State Guard as may be assigned for that purpose by the Governor. Such commanding officer shall have all the powers in respect to the New Jersey State Guard conferred by law or regulations upon the commanding general of the National Guard in respect to the National Guard. Command of New Jersey State Guard. Powers of commanding officer.

9. Section 38:5–5 of the Revised Statutes is amended to read as follows: Section amended.

38:5–5. All officers of the New Jersey State Guard shall be appointed or elected and commissioned in accordance with the provisions of sections 38:3–11 to 38:3–16, inclusive, of this Title. They shall be commissioned by the Governor, subject to the requirements and conditions prescribed by the relevant laws and regulations. In time of war or other emergency, the requirements of the law in respect to existing rank or service and prior service may be suspended by the Governor. Appointment of officers. Commissioning officers.

The oath to be taken by commissioned and warrant officers of the New Jersey State Guard shall be substantially in the form prescribed in section 38:3–10 of this Title, substituting the words "New Jersey State Guard" where necessary. Oath of officers.

10. Section 38:5–6 of the Revised Statutes is amended to read as follows: Section amended.

38:5–6. The oath to be taken upon enlistment in the New Jersey State Guard shall be substantially in the form prescribed in section 38:3–32 of this Title, substituting the words "New Jersey State Guard" where necessary. Oath taken upon enlistment.

11. Section 38:5–7 of the Revised Statutes is amended to read as follows: Section amended.

38:5–7. The New Jersey State Guard, or any part thereof, may be disbanded by the Governor at any time. Those units which shall be organized in time of war or emergency shall not continue in Disbanding of New Jersey State Guard.

service beyond the period of such war or emergency. When all parts of the National Guard allotted to this State shall have been relieved of active Federal service and shall have returned to this State, the New Jersey State Guard and all parts thereof shall be disbanded.

Section amended.

12. Section 38:5–8 of the Revised Statutes is amended to read as follows:

National Guard regulations to apply.

38:5–8. The provisions of law and the regulations, including those relating to courts martial, their jurisdiction, powers, procedures and limits of punishment, in respect to the National Guard of the State, where applicable, shall apply to the New Jersey State Guard, except as otherwise prescribed in this chapter.

C. 38:5-5.1. R. S. 38:5 supplemented.

13. Chapter five of Title 38 of the Revised Statutes is supplemented as follows:

Pay of officers.

Any commissioned officer or warrant officer of the New Jersey State Guard ordered for duty by the Governor shall receive for every day actually on duty the pay and allowances prescribed by Federal regulations for an officer or warrant officer of the National Guard of equal grade and length of service when called or ordered into the active service of the United States; *provided, however,* that officers shall not receive said pay and allowances when ordered for duty for drill, instruction, inspection, parade or review.

Proviso.

C. 38:5-6.1. R. S. 38:5 supplemented.

14. Chapter five of Title 38 of the Revised Statutes is supplemented as follows:

Pay of enlisted men.

Each enlisted man of the New Jersey State Guard ordered to duty by the Governor shall be paid, in addition to allowances for rations in money or kind, at the following daily rate, according to his grade: noncommissioned officers of the first grade, four dollars and twenty cents ($4.20); second grade, two dollars and eighty cents ($2.80); third grade, two dollars and forty cents ($2.40); fourth and fifth grades, one dollar and eighty cents ($1.80); privates of the sixth and seventh grades, one dollar and fifty cents ($1.50); band musicians, horseshoers and cooks, four dollars ($4.00). En-

listed men shall not receive pay under this section when ordered for duty for inspection, instruction, drill, parade or review. Enlisted men ordered for duty, but not at the time serving with troops, shall receive in addition to their pay their actual traveling expenses and subsistence.

C. 38:5-7.1. R. S. 38:5 supplemented.

15. Chapter five of Title 38 of the Revised Statutes is supplemented as follows:

Construing, as to U. S. military service.

Nothing herein contained shall be construed as authorizing the New Jersey State Guard, or any part thereof, to be called, ordered or in any manner drafted, as such, into the military service of the United States, but no person, by reason of his enlistment or commission in the New Jersey State Guard, shall be exempt from military or naval service under any law of the United States.

C. 38:5-4.1. R. S. 38:5 supplemented.

16. Chapter five of Title 38 of the Revised Statutes is supplemented as follows:

Exemptions granted.

Every officer and enlisted man of the New Jersey State Guard, during his service therein, shall be exempt from service upon any posse comitatus and from jury duty.

C. 38:5-7.2. R. S. 38:5 supplemented.

17. Chapter five of Title 38 of the Revised Statutes is supplemented as follows:

Premises and equipment made available.

The Governor may make available to the New Jersey State Guard the facilities of the State armories and their equipment and such other State premises and property as may be available, and he may requisition from the Secretary of War, for the use of the New Jersey State Guard, such arms and equipment as may be in possession of and can be spared by the War Department. The governing body of every county, municipality, board, body, commission or district, including school districts, may make available to the New Jersey State Guard any premises, facilities, equipment or other property belonging to, or in the possession or control of, any such county, municipality, board, body, commission or district.

Section amended.

18. Section 38:7–1 of the Revised Statutes is amended to read as follows:

State military board

Organization.

38:7–1. There shall be a board of officers to be known as the State Military Board. Such board shall consist of the commanding general of the National Guard, who shall be the president thereof, the Adjutant-General, who shall be secretary thereof, the Quartermaster-General, the brigade commanders, the commanding officers of the several regiments and separate battalions of the National Guard, the senior officer of the naval militia and the commanding officer of the New Jersey State Guard. When all of the National Guard shall be in the active Federal service, the Adjutant-General of the State shall be the president of the board and three members of the board shall constitute a quorum. The board shall convene on the call of the president, for the consideration of matters of interest to the militia, and for the execution of such laws and regulations with which it is charged.

Quorum under certain conditions.

Meetings.

Section amended.

19. Section 38:11–1 of the Revised Statutes is amended to read as follows:

Medical service and compensation for injury, etc

38:11–1. Any member of the National Guard, naval militia or New Jersey State Guard, who, while at drill or in the performance of any duty ordered by competent authority, shall receive any injury or incur or contract any disability or disease by reason of such duty or exposure incident thereto, not due to any voluntary act or traceable to willful neglect, fault or his own vicious habits, shall receive from the State, payable from appropriation for the maintenance of the National Guard, naval militia or New Jersey State Guard, as the case may be, medical service and compensation therefor in accordance with article two of chapter fifteen of the Title Labor and Workmen's Compensation (§34:15–7 et seq.).

Section amended.

20. Section 38:11–4 of the Revised Statutes is amended to read as follows:

Compensation when injured in line of duty.

38:11–4. If any member of the National Guard, naval militia or New Jersey State Guard, shall be

injured or disabled at drill or in line of ordered duty in the active service of the State, and such injury or disability shall be of a permanent nature the person so injured or disabled shall receive the same compensation as is provided in article two of chapter fifteen of the Title Labor and Workmen's Compensation (§34:15–7 et seq.) for injuries of a similar nature. The earnings of the injured person in his civil vocation shall be the basis for such compensation, but the basis shall not be less than the pay such person was earning in the active military or naval service of the State.

Basis of compensation.

21. Section 38:11–5 of the Revised Statutes is amended to read as follows:

Section amended.

38:11–5. If any member of the National Guard, naval militia or New Jersey State Guard shall receive injuries at drill or in line of ordered duty in the active service of the State resulting in death, the dependent members of the family of the deceased, if there be such, shall receive the same compensation as is provided in article two of chapter fifteen of the Title Labor and Workmen's Compensation (§34:15–7 et seq.). The earnings of the deceased in his civil vocation shall be the basis for such compensation but the basis shall not be less than the pay the deceased was earning in the active military or naval service of the State.

Compensation in case of death.

Basis of compensation.

22. Section 38:12–2 of the Revised Statutes is amended to read as follows:

Section amended.

38:12–2. No person belonging to the military or naval forces of this State shall be arrested on any warrant or other process, except for treason or a high misdemeanor, while going to, remaining at or during the performance of any duty of a military or naval character or returning from any place at which he may be required by competent authority to attend for military or naval duty.

Exempt from arrest.

23. Section 38:12–4 of the Revised Statutes is amended to read as follows:

Section amended.

38:12–4. All officers and employees of this State or of any county or of any municipality in the State or of any board or commission of the State

Leave of absence with pay.

or of any county or municipality who are members of the National Guard, naval militia or New Jersey State Guard shall be entitled to leave of absence from their respective duties without loss of pay or time on all days during which they shall be engaged in field training or other duty ordered by the Governor.

Leave of absence in addition to regular vacation.

Leave of absence for military or naval duty shall be in addition to the regular vacation allowed to such employees by the State, county or municipal law, ordinance, resolution, or regulation.

Section amended.

24. Section 38:13–3 of the Revised Statutes is amended to read as follows:

Discrimination against uniform a misdemeanor.

38:13–3. Any person who shall exclude a person lawfully wearing the uniform of the National Guard, naval militia, or New Jersey State Guard from the equal enjoyment of any accommodation, facility or privilege furnished by innkeepers or common carriers or by owners, managers, or lessees of theatres or other places of amusement or resort, because of that uniform, shall be guilty of a misdemeanor.

Section amended.

25. Section 38:13–4 of the Revised Statutes is amended to read as follows:

Depriving members of employment, etc., a misdemeanor.

38:13–4. Any person who, either by himself or with another, willfully deprives a member of the National Guard, the naval militia or the New Jersey State Guard of his employment or prevents his being employed by himself or another, or obstructs or annoys such member in his employ in respect to his trade, business or employment because he is a member of the National Guard, the naval militia or the New Jersey State Guard or is performing or about to perform some duty in connection therewith or dissuades any person from enlistment therein by threat or injury to him in respect to his business, employment or trade, in case he shall enlist, shall be guilty of a misdemeanor.

Section amended.

26. Section 38:13–5 of the Revised Statutes is amended to read as follows:

Unlawful wearing of uniforms a misdemeanor.

38:13–5. Any person who shall wear the uniform or designation of grade similar to those issued

or authorized for use by the National Guard, naval militia or New Jersey State Guard, and who is not a member of the National Guard, naval militia or New Jersey State Guard, except such members of organizations specially authorized so to do by the Federal statutes, shall be guilty of a misdemeanor.

Section amended.

27. Section 38:14–6 of the Revised Statutes is amended to read as follows:

Officers may administer oath of enlistment.

38:14–6. Any officer duly commissioned in the National Guard, naval militia or New Jersey State Guard may administer the oath of enlistment to enlisted men.

28. This act shall take effect immediately.

Approved May 12, 1941.

CHAPTER 110

AN ACT making an appropriation for expenses incurred and to be incurred in the prevention and control of forest fire and protection to improved property adjacent thereto from loss or destruction by forest fires.

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

Additional emergency appropriation, forest fire control.

1. To defray expenses heretofore and hereafter incurred in the purchase, repair and replacement of fire-fighting equipment and all necessary expenses heretofore and hereinafter incurred in the operation thereof, and for necessary additional fire-fighting emergency supplies and equipment and for deficits in the sums heretofore appropriated to pay fire fighters for fire-fighting services, the sum of fifty thousand dollars ($50,000.00) is hereby appropriated from the treasury of this State to the Department of Conservation and De-

velopment to be disbursed and paid by the State Treasurer on warrant of the Comptroller of the Treasury on vouchers properly signed and approved by the director of the Department of Conservation and Development.

Limitations not to apply.

2. This additional emergency appropriation shall not be subject to the time limitations of the regular State budgets.

3. This act shall take effect immediately.

Approved May 12, 1941.

CHAPTER 111

AN ACT concerning the shipment of nursery stock, and amending sections 4:7–25, 4:7–31 and 4:7–33, and repealing sections 4:7–27 and 4:7–28 of the Revised Statutes.

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

Section amended.

1. Section 4:7–25 of the Revised Statutes is amended to read as follows:

Certificate attached to shipment.

4:7–25. Every nurseryman growing stock within this State, and every dealer in nursery stock, shall attach to every car, box, bale or parcel of stock sent out or delivered by him, a written or printed copy of the certificate issued to him by the department.

Sec. 4:7-27 repealed.

2. Section 4:7–27 of the Revised Statutes is repealed.

Sec. 4:7-28 repealed.

3. Section 4:7–28 of the Revised Statutes is repealed.

Section amended.

4. Section 4:7–31 of the Revised Statutes is amended to read as follows:

Inspection of shipment.

4:7–31. The department may inspect nursery stock entering this State that might be capable of disseminating or carrying injurious insects. If,

upon inspection, any such stock is found to be infested, it may be destroyed, returned to the point of origin or submitted under supervision of the department to the treatment necessary to destroy the pests that may be in or on it. The disposition of such cases shall be within the discretion of the department.

Section amended.

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

Carrier to require certificate.

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.

Carrier to refuse transportation.

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.

Penalty.

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 secretary of agriculture in the manner provided in article one of chapter twenty-three of this Title (section 4:23–1 et seq.) except that such proceed-

ings may be had only in any district court in any city or judicial district or before any justice of the peace in any county or police justice or recorder in any municipality.

6. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 112

AN ACT authorizing the Department of Agriculture, through the Secretary of Agriculture, to make reciprocal agreements with other States covering shipments of nursery stock.

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

C. 4:1-20.1. May make reciprocal agreements.

1. The Department of Agriculture through the Secretary of Agriculture shall have power to make reciprocal agreements with the responsible officials of other States under which nursery stock or plants from any other State may be sold or delivered in New Jersey under the same conditions required for the sale or delivery of New Jersey nursery stock or plants in the States concerned.

2. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 113

AN ACT making an appropriation to the New Jersey State Planning Board.

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

1. There is hereby appropriated to the New Jersey State Planning Board from the general funds of the State the sum of seven thousand five hundred dollars ($7,500.00) to be expended by the board, during the fiscal year 1940-1941, in the performance of duties placed upon the said board by law. Appropriation.

2. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 114

AN ACT to amend "An act concerning the establishment and administration of unemployment compensation, providing for the levy and collection of contributions therefor, providing penalties, and making appropriations, and amending sections 43:21–3, 43:21–4 and 43:21–19 of the Revised Statutes," approved December twenty-third, one thousand nine hundred and forty (P. L. 1940, c. 247).

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 follow: Section amended.

43:21–4. An individual, totally or partially unemployed, shall be eligible to receive benefits with respect to any week only if it appears that: Eligibility.

Registration, and reporting;

(a) He has registered for work at, and thereafter continued to report at, an employment office in accordance with such regulations as the commission may prescribe, except that the commission may, by regulation, waive or alter either or both of the requirements of this subsection as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which the commission finds that compliance with such requirements would be oppressive, or would be inconsistent with the purpose of this act; *provided,* that no such regulation shall conflict with subsection (a) of section 43:21–3 of the Revised Statutes.

Proviso;

Claims;

(b) He has made a claim for benefits in accordance with the provisions of subsection (a) of section 43:21–6 of this Title.

Ability;

(c) He is able to work, and is available for work.

Unemployed;

(d) Prior to the first week for which he claims benefits in any benefit year he has been totally or partially unemployed for a waiting period of one week in that benefit year. No week shall be counted as a week of unemployment for the purposes of this subsection:

Benefits;

(1) if benefits have been paid, or are payable, with respect thereto;

Requirements fulfilled;

(2) unless the individual fulfills the requirements of subsections (a) and (c) of this section.

Earnings.

(e) He has within his base year earned wages of not less than one hundred fifty dollars ($150.00).

Section amended.

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

C. 43:21-19.2. Application of act.

4. This act shall take effect and become operative immediately, and shall apply to all benefits payable with respect to benefit years beginning on or after said date, and any benefits accruing to any individual on or after said date with respect to benefit years beginning before said date, shall not be recomputed under this act as to the total amount or

weekly rate thereof, and shall be paid for either total or partial unemployment, in accordance with subsection (b) of section 43:21-3 of this chapter, without the necessity of serving any additional waiting period.

3. This amendatory act shall take effect and become operative immediately. Act effective

Approved May 16, 1941.

CHAPTER 115

AN ACT providing for the use of military and naval forces of this State in another State, for fresh pursuit into another State by military and naval forces of this State and for fresh pursuit into this State by military and naval forces of another State, in certain cases.

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

1. Use without this State. The New Jersey National Guard, when not in active Federal service, the New Jersey Naval Militia, when not in active Federal service, the New Jersey State Guard and any other military or naval forces of this State shall not be required to serve outside the boundaries of this State except: C. 38:14A-1. Conditions for use outside of State:

(a) Upon the request of the Governor of another State, the Governor of this State may, in his discretion, order any portion or all of such forces to assist the military, naval or police forces of such other State who are actually engaged in defending such other State. Such forces may be recalled by the Governor at his discretion. Requested by another governor;

When in fresh pursuit;

(b) Any organization, unit, detachment or member of such forces, upon order of the officer in immediate command thereof, may continue in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces beyond the borders of this State into another State until they are apprehended or captured by such organization, unit, detachment or member or until the military, naval or police forces of the other State or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons; *provided,* such other State shall have given authority by law for such pursuit by such forces of this State. Any such person who shall be apprehended or captured in such other State by an organization, unit, detachment or member of the forces of this State shall without unnecessary delay be surrendered to the military, naval or police forces of the State in which he is taken or to the United States, but such surrender shall not constitute a waiver by this State of its right to extradite or prosecute such person for any crime committed in this State.

Proviso, surrender of prisoner.

C. 38:14A-2. Permission given to forces of other States.

2. Permission to forces of other States. Any military or naval forces or any organization, unit, detachment or member thereof of another State who are in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces may continue such pursuit into this State until the military, naval or police forces of this State or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons and are hereby authorized to arrest or capture such persons within this State while in fresh pursuit. Any such person who shall be captured or arrested by the military or naval forces of such other State while in this State shall without unnecessary delay be surrendered to the military, naval or police forces of this State to be

Prisoner delivered to local authorities.

dealt with according to law. This section shall not be construed so as to make unlawful any arrest in this State which would otherwise be lawful, and nothing contained in this section shall be deemed to repeal any of the provisions of the Uniform Act on the Fresh Pursuit of Criminals. Construing.

3. Severability. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable. C. 38:14A-3. Provisions of act separable.

4. Repeal. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, except as hereinbefore provided. C. 38:14A-4. Repealer.

5. Short title. This act may be cited as Military Forces Fresh Pursuit Act. C. 38:14A-5. Short title.

6. Time of taking effect. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 116

AN ACT concerning evidence, and amending section 2:98–19 of the Revised Statutes.

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

1. Section 2:98–19 of the Revised Statutes is amended to read as follows: Section amended.

2:98–19. Any public record of any foreign State or territory, province, county or city, or of any court therein or any copy thereof, which is admissible in such State, territory, province, county or city, or in any court therein, to prove the facts therein contained, or any duly certified public Public records of other States, etc., as evidence.

record of any department of the United States government or of any Federal court which is admissible in any Federal court or by virtue of any Federal statute to prove the facts therein contained, shall be admitted in evidence in the courts of this State, and shall be evidence of the facts therein contained, to the same extent as though the original paper or papers, of which the record thereof is a copy, had been produced and proved;

Proviso. *provided,* that whenever a copy of such record, other than a duly certified copy of any public record of any department of the United States government or of any Federal court, shall be offered in evidence, the same shall not be admitted, unless the same shall have been first exemplified according to

Proviso. the Acts of Congress of the United States; *and provided, further,* that printed copies of schedules and classifications and tariffs of rates, fares and charges, and supplements thereto, filed with the Interstate Commerce Commission, which show respectively an Interstate Commerce Number, which may be stated in abbreviated form, as I. C. C. No. ....., and an effective date, and tariffs, rates, rules and supplements thereto of companies subject to the supervision of the Federal Communications Commission may be received in evidence without certification, and shall be presumed to be correct copies of the original schedules, classifications, tariffs or supplements.

2. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 117

AN ACT reconstituting Joint Legislative Committee on North Jersey Transit and requesting the Legislature of the State of New York to create or designate a similar committee.

WHEREAS, At the request of the Legislature, the Port of New York Authority is engaged in the preparation of physical plans for a North Jersey Transit System, estimates of costs and revenues, plans for financing, and drafts of appropriate enabling legislation; and Preamble.

WHEREAS, During the past session of the Legislature, a Joint Legislative Committee was appointed to confer with the Port of New York Authority with respect thereto, and to advise the Port of New York Authority regarding questions of State policy arising in connection therewith, and Preamble.

WHEREAS, Said Joint Legislative Committee has reported that the questions of State policy involved require further study, and that any transit system serving North Jersey must necessarily have adequate terminal facilities in the city of New York, including trackage and other structures, and that it will be impossible to devise a practicable plan without the co-operation of the State of New York, and has recommended that said State be requested to appoint a similar committee in order that the problem may be studied jointly by the two committees; now, therefore, Preamble.

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

Committee continued.

1. The Joint Legislative Committee on North Jersey Transit (created by Joint Resolution No. 5, approved June 7, 1939), is hereby reconstituted and continued—the membership of said committee as reconstituted to consist of two members appointed by the President of the Senate, two members appointed by the Speaker of the Assembly, and one member appointed by the Governor. Appointments to fill vacancies shall be made in the same manner as the original appointments.

Membership.

Vacancies.

To confer with New York committee.

2. Said Joint Legislative Committee on North Jersey Transit, as reconstituted, shall confer with such committee as may be created or designated by the Legislature of the State of New York for that purpose, and with the Port of New York Authority, with respect to matters of State policy arising in connection with surburban transit in North Jersey or elsewhere in the Port of New York District.

Request New York to create committee.

3. The State of New York is hereby requested to create or designate a legislative committee to confer with said Joint Legislative Committee, and the Governor, the President of the Senate and the Speaker of the Assembly are authorized to communicate this request to the Governor and the Legislature of the State of New York.

Time to report extended.

4. The time within which the Port of New York Authority is requested to report upon a North Jersey Transit System is hereby extended until the next session of the Legislature.

5. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 118

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.

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

C. 17:22-5.1. Agents to have certificate of authority.

1. No agent of any insurance company organized under any law of this State shall make or procure to be made, or act or aid in any manner in the negotiation of any insurance with the company covering risks of any kind in this State until he procures from the commissioner a certificate of authority so to do, which shall state in substance that the company is organized under the laws of this State, and that the person named therein is the constituted agent of the company for the transaction of the business. Upon receipt of a certificate by the company of its appointment of a suitable person to act as its agent in this State, the commissioner shall, if the facts warrant it, grant the certificate, which shall continue in force until May first next after its issue, and by renewal thereof before May first of each year until revoked by the commissioner for noncompliance with the laws, or until the appointment of the agent is revoked by written notice from the company to that effect, filed with the commissioner.

Contents of certificate.

Granting certificate.

Term.

Renewal.

Section amended.

2. Section 17:33–1 of the Revised Statutes is amended to read as follows:

Schedule of fees.

17:33–1. Fees. On filing any certificate, executed by an insurance company of this State, in the department, there shall be paid to the commissioner, for the use of the State, fees as follows:

Certificate of incorporation, for each thousand dollars ($1,000.00) of the total amount of the capital stock authorized, but in no case less than

twenty-five dollars ($25.00), twenty cents ($0.20).

Increase of capital stock, for each thousand dollars ($1,000.00) of the total increase authorized, but in no case less than twenty dollars ($20.00), twenty cents ($0.20).

Consolidation and merger of companies, twenty dollars ($20.00).

Extension of corporate existence, the same as required by this section for the original certificate of incorporation.

Dissolution of company, change of name, change of nature of business, or for amended certificates of incorporation (other than those authorizing increase of capital stock), decrease of capital stock, increase or decrease of par value of shares, twenty dollars ($20.00).

In all cases where several amendments are contained in one certificate, for each amendment, twenty dollars ($20.00).

All certificates not hereby provided for, five dollars ($5.00).

The commissioner shall also charge and collect for his services under this subtitle, in addition to any other fees and charges due and payable into the State treasury for any of his official acts or services, and pay into the State treasury the following fees:

Filing the certified copy of the charter, deed of settlement or certificate of organization of an insurance company of another State or foreign country, twenty dollars ($20.00).

Filing the statement of any such company on admission, twenty dollars ($20.00).

Filing each annual statement of each insurance company, twenty dollars ($20.00).

Each certificate of authority to an agent of an insurance company of this State, one dollar ($1.00).

Each certificate of authority to an agent of an insurance company of another State or foreign country, two dollars ($2.00).

Each license to an agent to procure insurance in unauthorized fire insurance companies, twenty dollars ($20.00).

Computing the value of policies of life insurance companies, thirty cents ($0.30) per thousand dollars ($1,000.00) of value so computed for the first million dollars ($1,000,000.00) of the value, ten cents ($0.10) per thousand for the next nine million dollars ($9,000,000.00), five cents ($0.05) per thousand for the next two hundred and forty million dollars ($240,000,000.00), two cents ($0.02) per thousand for the next two hundred and fifty million dollars ($250,000,000.00) and one cent ($0.01) per thousand for that part of the value so computed in excess of five hundred million dollars ($500,000,000.00), except that, until the time the fee so computed exceeds the fee paid for the one thousand nine hundred and thirty valuation, the latter amount shall be paid instead.

Each certificate of valuation of the policies, one dollar ($1.00).

Each certificate of the condition or qualification of an insurance company, one dollar ($1.00).

Each service of lawful process upon the commissioner as attorney, two dollars ($2.00).

Each copy of any paper filed in the department, for each sheet or folio of one hundred words, twenty cents ($0.20).

Certifying the same, one dollar ($1.00).

For services in connection with deposits of securities by domestic insurance companies, the depositing company shall pay to the commissioner an annual fee of ten dollars ($10.00) on January first of each year and on each substitution of securities an additional fee of five dollars ($5.00).

C. 17:22-5.2. Act effective.

3. This act shall take effect May first, one thousand nine hundred and forty-two.

Approved May 16, 1941.

CHAPTER 119

AN ACT concerning persons holding office, position or employment, other than for a fixed term or period, under the government of this State or of any county, municipality, school district or other political subdivision of this State or of any board, body, agency or commission of this State or of any county, municipality or school district thereof, who after July first, one thousand nine hundred and forty, has entered, or hereafter shall enter, the active military or naval service of the United States or of this State, in time of war or an emergency, or for or during any period of training, or pursuant to or in connection with the operation of any system of selective service.

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

C. 38:23-4. Leave of absence to be granted.

1. Every person holding office, position or employment, other than for a fixed term or period, under the government of this State or of any county, municipality, school district or other political subdivision of this State, or of any board, body, agency or commission of this State or any county, municipality or school district thereof, who after July first, one thousand nine hundred and forty, has entered, or hereafter shall enter, the active military or naval service of the United States or of this State, in time of war or an emergency, or for or during any period of training, or pursuant to or in connection with the operation of any system of selective service, shall be granted leave of absence for the period of such service and for a further period of three months after receiving his discharge from such service. If any such person shall

Extension of leave.

be incapacitated by wound or sickness at the time of his discharge from such service, his leave of absence shall be extended until three months until his recovery from such wound or sickness, or until the expiration of two years from the date of his discharge from such service, whichever shall first occur.

Not to be discharged during leave.

In no case shall such person be discharged or separated from his office, position or employment during such period of leave of absence because of his entry into such service.

Rights to continue.

During the period of such leave of absence such person shall be entitled to all the rights, privileges and benefits that he would have had or acquired if he had actually served in such office, position or employment during such period of leave of absence except, unless otherwise provided by law, the right to compensation.

Right to resume employment.

Such leave of absence may be granted with or without pay as provided by law. Such person shall be entitled to resume the office, position or employment held by him at the time of his entrance into such service, provided he shall apply therefor before the expiration of his said leave of absence. Upon resumption of his office, position or employment, the service in such office, position or employment of the person temporarily filling the same shall immediately cease.

Rights to cease upon dishonorable discharge.

No person who shall have been separated from the military or naval service of the United States, of this State, or of any other State, by a dishonorable discharge shall be entitled to any of the rights, privileges or benefits herein conferred.

2. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 120

AN ACT to ratify, confirm, validate and make legal and effectual sales for taxes and other municipal liens held by municipalities pursuant to chapter two hundred thirty-seven, pamphlet laws of one thousand nine hundred and eighteen, and the acts amendatory to and supplementary thereof, subsequent to the adoption of the Revised Statutes.

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

Certain sale for taxes validated.

1. Whenever a sale for unpaid taxes, assessments and other municipal charges on real property has heretofore been held in any municipality since the date of the adoption of the Revised Statutes, and the notices or advertisements of said sale have recited that said sale was held pursuant to chapter two hundred thirty-seven of pamphlet laws of one thousand nine hundred and eighteen, and the acts amendatory to and supplementary thereof, instead of reciting that said sales were held pursuant to chapter five of Title 54 of the Revised Statutes, said sales shall be valid and effectual in all respects; *provided,* that in all other respects the said sales and all proceedings in connection therewith were held in compliance with existing statutes.

Proviso.

2. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 121

AN ACT to enable the State of New Jersey to accept the gift from "High Fields," an association not for pecuniary profit, incorporated under the laws of the State of New Jersey, of certain lands and premises situate, lying and being in the township of East Amwell, county of Hunterdon, and partly in the township of Hopewell, county of Mercer, and State of New Jersey, and further providing for the use to be made thereof.

WHEREAS, "High Fields," an association not for pecuniary profit, incorporated under the laws of the State of New Jersey, is desirous of making a gift to the State of New Jersey of certain lands and premises situate, lying and being in the township of East Amwell, county of Hunterdon, and partly in the township of Hopewell, county of Mercer, and State of New Jersey; therefore, Preamble.

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

1. The gift from "High Fields," an association not for pecuniary profit, incorporated under the laws of the State of New Jersey, to the State of New Jersey, of certain lands and premises approximately four hundred (400) acres, be the same more or less, situate, lying and being in the township of East Amwell, in the county of Hunterdon, and partly in the township of Hopewell, in the county of Mercer, and State of New Jersey, be and the same is hereby accepted by the State of New Jersey for the uses of the Department of Institutions and Agencies, being the same lands and premises which were conveyed to "High Fields" by Anne Morrow Lindbergh and Colonel Charles A. Lindbergh by Deed dated July 5, 1933, and re- Provides for acceptance of gift from "High Fields" of certain land.

corded in the office of the Clerk of Hunterdon county in Book 399 of Deeds for said county on pages 229, etc., and by Deed dated July 5, 1933, and recorded in the office of the Clerk of the county of Hunterdon in Book 399 of Deeds for said county on pages 224, etc., and which said Deed was also recorded in the office of the Clerk of the county of Mercer in Book 721 of Deeds for said county on pages 502, etc.

2. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 122

AN ACT vesting the title to real estate of which William S. Parker died seized, and which is alleged to have escheated to the State of New Jersey, in the year one thousand nine hundred and thirty-three in the township of Haddon, in the county of Camden, a municipal corporation of the State of New Jersey.

Preamble.

WHEREAS, William S. Parker, late of the township of Haddon, in the county of Camden and State of New Jersey, departed this life on the twentieth day of June, one thousand nine hundred and thirty-three, seized of a certain lot, tract or parcel of land and premises in the township of Haddon, in the county of Camden and State of New Jersey, described as follows:

Land and premises situate in the township of Haddon, in the county of Camden and State of New Jersey:

Beginning in the southwesterly line of Utica avenue, 600 feet northwestwardly from the westerly corner of Center street and Utica ave-

nue, and extending thence northwestwardly, along said line 50 feet in front to Lot No. 28, by southwestwardly 125 feet in depth.

Being Lot No. 27, Section "H," Plan of Westmont Annex No. 2; and

Preamble.

WHEREAS, The said William S. Parker left no person or persons capable of inheriting the said lands and premises; and

Preamble.

WHEREAS, The request and proper notice of intention to apply for the passage of this act has been given and duly published; now, therefore,

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

Title vested in Haddon township.

1. All the estate, right, title and interest of every kind and character of which it is alleged the State of New Jersey is seized in and to certain real estate heretofore belonging to William S. Parker, more particularly described in the preamble to this act, are hereby vested in the township of Haddon, in the county of Camden, a municipal corporation of the State of New Jersey; such title so as aforesaid vested under the provisions of this act is validated and confirmed.

Title validated.

Private act.

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

Approved May 16, 1941.

CHAPTER 123

AN ACT concerning the administration of personal property of nonresident absentees, and amending sections 3:42–15 and 3:42–16 of the Revised Statutes.

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

Section amended.

1. Section 3:42–15 of the Revised Statutes is amended to read as follows:

Administration of absentee nonresident's personal property.

3:42–15. When a nonresident of this State having personal property in this State absents himself from the place of his domicile for seven years successively, the ordinary or the surrogate of the county in which the property is situate shall, upon written application made by the husband or wife or any next of kin of the nonresident or some other fit and proper person, make an order to show cause before him at a certain time and place therein designated, not less than thirty days nor more than three months from the making thereof, why letters of administration should not be granted to the person making the application, or some other fit and proper person. The order shall be published in such manner as the ordinary or surrogate who grants the order shall direct.

Order published.

Section amended.

2. Section 3:42–16 of the Revised Statutes is hereby amended to read as follows:

Presumption of death.

3:42–16. Upon proof to the satisfaction of the ordinary or surrogate, as the case may be, by the husband or wife or next of kin or other fit and proper person, at the time and place designated in the order mentioned in section 3:42–15 of this Title, or to which the same may be adjourned, that the nonresident has absented himself from the place of his domicile seven years then last past successively and has not been heard of or from during that period, he shall then be presumed dead, and if

Letters of administration granted.

no sufficient cause is shown to the contrary, such ordinary or surrogate may grant letters of administration of the personal property of the nonresident to the person making application or to some fit and proper person, upon his giving a bond to the ordinary in the manner required in granting letters of administration in other cases.

3. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 124

AN ACT vesting the title to real estate of which Joseph Love died seized, and which is alleged to have escheated to the State of New Jersey, in the year one thousand nine hundred and forty in the township of Haddon, in the county of Camden, a municipal corporation of the State of New Jersey.

WHEREAS, Joseph Love, late of the township of Haddon, in the county of Camden and State of New Jersey, departed this life on the fifth day of April, one thousand nine hundred and forty, seized of a certain lot, tract or parcel of land and premises in the township of Haddon, in the county of Camden and State of New Jersey, described as follows: Preamble.

Land and premises situate in the township of Haddon, in the county of Camden and State of New Jersey:

Beginning in the southeasterly line of East Walnut avenue, 187.04 feet northeastwardly from stone in angle in the southeasterly line of East Walnut avenue, said angle and stone being 103.38 feet northeastwardly from the northeasterly line of Haddon avenue at right angles there-

from; thence northeastwardly along the southeasterly line of East Walnut avenue, 40 feet; thence southeastwardly at right angles to East Walnut avenue, 147.39 feet; thence southwestwardly making an interior angle of 96 degrees, 24 minutes, 44 seconds with last mentioned course, 40.25 feet; thence northwestwardly at right angles with East Walnut avenue, 151.88 feet to the place of beginning.

Being No. 16 East Walnut avenue; and

Preamble. WHEREAS, The said Joseph Love left no person or persons capable of inheriting the said lands and premises; and

Preamble. WHEREAS, The request and proper notice of intention to apply for the passage of this act has been given and duly published; now, therefore,

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

Title vested in Haddon township. 1. All the estate, right, title and interest of every kind and character of which it is alleged the State of New Jersey is seized in and to certain real estate heretofore belonging to Joseph Love, more particularly described in the preamble to this act, are hereby vested in the township of Haddon, in the county of Camden, a municipal corporation of the State of New Jersey; such title so as aforesaid vested under the provisions of this act is validated and confirmed.

Title validated.

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

Approved May 16, 1941.

CHAPTER 125

AN ACT to provide for the annexation of an unpopulated area in Camden county to the borough of Laurel Springs, in Camden county.

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

1. The following described unpopulated area of land, situate in the township of Clementon, in the county of Camden, is hereby annexed to and made a part of the borough of Laurel Springs, situate in Camden county: Annexed to Laurel Springs borough.

Beginning at a point in the center line of Laurel Mill Road where the same intersects the center line of the North Branch of Big Timber Creek, said point having the following co-ordinates: Description.

x=1,902,028.34
y= 359,140.80

and extending:

Thence S 35°-14′-50″ E 192.74 feet to a point, said point having the following co-ordinates:

x=1,902,223.10
y= 359,080.21

Thence S 4°-31′-34″ E 100.04 feet to a point, thence S 41°-16′-47″ E the distance of 58.61 feet to a point, said point having the following co-ordinates:

x=1,902,249.93
y= 358,916.33

Thence S 41°-16′-47″ E the distance of 41.54 feet to a point, thence N 86°-11′-44″ E the distance of 79.73 feet to a point, thence N 62°-11′-31″ E the distance of 42.15 feet to a point, thence N 37°-46′-41″ E the distance of 120.65 feet to a point, thence S 88°-32′-11″ E the distance of 112.75 feet to a point, thence S 32°-52′-30″ E the distance of 110.76 feet to a point, thence S 47°-7′-31″ E the distance of 562.88 feet to a point, said point having the following co-ordinates:

x=1,903,098.18
y= 358,549.87

Thence S 38°-32′-5″ E the distance of 249.55 feet to a point, thence S 89°-52′-39″ E the distance of 35.8 feet to a point, said point having the following co-ordinates:

x=1,903,289.45
y= 358,354.58

Thence S 89°-52′-39″ E the distance of 99.66 feet to a point, thence N 50°-74′-37″ E the distance of 288.68 feet to a point, thence S 39°-51′-3″ E the distance of 283.32 feet to a point, thence N 7°-41′-18″ E the distance of 85.14 feet to a point, thence N 55°-39′-42″ E the distance of 263.99 feet to a point, thence S 73°-14′-24″ E the distance of 99.61 feet to a point, said point having the following co-ordinates:

x=1,904,223.41
y= 358,489.88

Thence S 15°-19′-25″ E the distance of 99.61 feet to a point, said point having the following co-ordinates:

x=1,904,306.09
y= 358,188.14

Thence N 76°-19′-20″ E the distance of 161.59 feet to a point, thence N 59°-2′-50″ E the distance of 117.61 feet to a point, thence S 76°-25′-11″ E the distance of 120.06 feet to a point, thence S 63°-53′-29″ E the distance of 152.16 feet to a point, thence N 86°-53′-22″ E the distance of 86.99 feet to a point, thence N 45°-52′-45″ E the distance of 117.53 feet to a point, thence N 35°-44′-47″ E the distance of 88.34 feet to a point, thence S 58°-11′-21″ E the distance of 55.09 feet to a point, thence S 45°-53′-47″ E the distance of 185.33 feet to a point, thence N 58°-48′-46″ E the distance of 197.4 feet to a point, thence S 88°-11′-44″ E the distance of 99.72 feet to a point, thence S 82°-14′-1″ E the distance of 120.77 feet to a point, said point having the following co-ordinates:

x=1,905,608.34
y= 358,274.60

and extending:

Thence on a course of S 1°-19′-38″ E the approximate distance of 50 feet to the point of intersection of the center line of said North Branch of Big Timber Creek with the Borough line between Laurel Springs and Lindenwold.

Thence North-eastwardly an unmeasured distance along an extension of said boundary line to a point in the line of the North Branch of Big Timber Creek or Laurel Lake Creek and extending thence in a generally North-westwardly direction along the high-water line of the North Branch of Big Timber Creek or Laurel Lake Creek and Laurel Lake, be the distance what it may, to a point in the center line of Laurel Mill Road and thence extending South-westwardly along the center line of Laurel Mill Road, be the distance what it may, to the point and place of beginning.

2. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 126

AN ACT changing the location of the center line of Cooper creek between certain points and establishing the center line as changed as the boundary line between the borough of Somerdale and the township of Voorhees.

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

Empowered to change line of Cooper creek.

1. The borough of Somerdale, in connection with its W. P. A. project for sewerage control, is hereby authorized to divert and change the line of Cooper creek between the points hereinafter described, and according to plan by Perring & Remington, Engineers, 21909, dated December twenty-eighth, one thousand nine hundred and forty, so that the center line of said creek shall be fixed, established and defined as follows:

Description of center line.

Beginning at a point 544.73 feet northeastwardly at right angles from the center line of Maple boulevard in the borough of Somerdale, Camden county, New Jersey, said point being also 98.86 feet northwestwardly at right angles from the center line of Crestwood avenue, if extended, also in the borough of Somerdale, New Jersey, said point being on the present center line of Cooper creek which now forms the boundary line between the borough of Somerdale and Voorhees township, Camden county, New Jersey, thence southeastwardly and deflecting 3 degrees 03 minutes to the east from a line parallel with Maple boulevard the distance of 209.0 feet more or less to its intersection with the present center line of Cooper creek and boundary line between the two above-mentioned municipalities.

2. That said center line as so described shall be and the same is hereby fixed, established and defined between the points hereinbefore designated as the boundary line between the borough of Somerdale and the township of Voorhees. Fixes boundary line

3. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 127

AN ACT concerning the office of fire marshal in counties of the fourth class, and amending section 40:22–16 of the Revised Statutes.

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

1. Section 40:22–16 of the Revised Statutes is amended to read as follows: Section amended.

40:22–16. In counties of the second, third, fourth and fifth classes, the board of chosen freeholders may by resolution create the office of fire marshal. The fire marshal shall be appointed by the board and shall hold office for one year, from January fifteenth of each year, except the first appointee, whose term shall terminate on January fifteenth following his appointment. The board may fix the annual salary of the fire marshal at not more than one thousand dollars ($1,000.00). Office of fire marshal created. Appointment, term and salary.

2. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 128

AN ACT to validate proceedings for the issuance of bonds or notes of municipalities.

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

Certain municipal bonds, etc., validated.

1. All proceedings heretofore had or taken by any municipality for the authorization or issuance of bonds or notes pursuant to the local bond law (section 40:1–1 to section 40:1–88, inclusive, of the Revised Statutes) are hereby ratified, validated and confirmed notwithstanding that no supplemental debt statement or complete executed original thereof was filed in the office of the clerk of the municipality prior to the passage on first reading of the municipal bond ordinance authorizing said bonds or notes or in the office of the Commissioner or Department of Local Government prior to final passage of said municipal bond ordinance;

Proviso.

provided, that such a supplemental debt statement prepared as of the date of such final passage shall have been filed in the office of the clerk of the municipality prior to the issuance of bonds pursuant to said municipal bond ordinance and the percentage of the net debt as stated therein does not exceed seven per centum (7%);

Proviso.

and provided, further, that such proceedings were in all other respects had or taken in accordance with law.

2. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 129

AN ACT making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and forty-two, and regulating the disbursement thereof.

ANTICIPATED REVENUES OF THE GENERAL STATE FUND FOR THE FISCAL YEAR 1941-42

Estimated free surplus, July 1, 1941	$14,000 00	Free surplus.
Revenues		
Transfer inheritance taxes	$7,000,000 00	Anticipated revenues.
Main Stem R. R. taxes	9,200,000 00	
Miscellaneous corporation taxes	3,000,000 00	
Foreign corporations	450,000 00	
Beverage taxes	9,107,225 00	
Beverage licenses	550,000 00	
Foreign insurance corporation tax	2,260,000 00	
Fertilizer inspection fees, et cetera	60,000 00	
Department of Banking and Insurance	945,100 00	
Attorney-General's Department	34,000 00	
Commissioner of Finance	2,100 00	
Secretary of State	250,000 00	
Clerk in Chancery	380,000 00	
Clerk of the Supreme Court	105,000 00	
Interest on deposits	15,000 00	
Real Estate Commission	93,000 00	
Department of State Police	3,425 00	
State Board of Beauty Culture Control	73,000 00	
Board of Barber Examiners	35,000 00	
Commissions	45,000 00	
Judicial fees	25,000 00	
Board of Commerce and Navigation	12,000 00	

Shell fisheries	34,000 00
Department of Labor	75,000 00
Dividends	20,000 00
Athletic Commissioner	60,000 00
State Department of Local Government	85,000 00
Department of Health	74,000 00
Tenement House Supervision	12,500 00
Board of Fish and Game Commissioners	380,000 00
Department of Conservation and Development	35,000 00
State Tax Department, Public Utility Division	16,550 00
Department of Weights and Measures	74,000 00
Health Officers, Port of Perth Amboy	500 00
State Board of Tax Appeals	300 00
Racing Commission	1,000,000 00
Academic Certificate Fund	18,000 00
Manual Training and Industrial School for Colored Youth	67,000 00
School for the Deaf	1,500 00
State Teachers College, Glassboro:	
Extension course fees	12,000 00
Tuition fees	36,850 00
State Teachers College, Jersey City:	
Extension course fees	2,000 00
Tuition fees	43,750 00
State Teachers College, Newark:	
Extension course fees	38,000 00
Tuition fees	48,000 00
State Teachers College, Paterson:	
Extension course fees	10,000 00
Tuition fees	35,125 00
State Teachers College, Montclair:	
Extension course fees	41,000 00
Tuition fees	51,760 00
Boarding hall fees	60,000 00

State Teachers College, Trenton:	
Extension course fees	14,200 00
Tuition fees	64,000 00
Boarding hall fees	121,000 00
State Board of Examiners	14,500 00
Agricultural Experiment Station	56,000 00
Department of Agriculture	6,350 00
State Employees' Retirement System	4,000 00
Rehabilitation Commission	5,500 00
Colony for Feeble-Minded Males, New Lisbon	160,000 00
Colony for Feeble-Minded Males, Woodbine	123,000 00
Commission for the Blind	8,000 00
Home for Disabled Soldiers, Menlo Park	14,600 00
Home for Disabled Soldiers, Vineland	24,000 00
North Jersey Training School, Totowa	122,000 00
Reformatory, Annandale	2,000 00
Reformatory, Rahway	300 00
Sanatorium for Tuberculous Diseases	125,000 00
State Home for Boys	3,000 00
State Home for Girls	1,000 00
State Hospital, Greystone Park	1,025,000 00
State Board of Children's Guardians	149,177 00
State Hospital, Marlboro	400,000 00
State Hospital, Trenton	600,000 00
State Prison	500 00
Village for Epileptics	267,500 00
Vineland State School	215,000 00
Miscellaneous Sources	75,000 00
Total revenues	$39,577,312 00

Transfers

Transfers.

Commerce and Navigation, from School Fund	$103,105 20
State Water Policy Commission, from Water Supply Fund	49,915 00
Rehabilitation Commission, from Federal Aid	65,385 00
Total transfers	$218,405 20
Total anticipated in the State Fund	$39,809,717 20

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

Annual appropriations.

1. The following sums or so much thereof as may be necessary, be and they are hereby appropriated out of the State fund for the respective public officers and for the several purposes herein specified, for the fiscal year ending on the thirtieth day of June, in the year one thousand nine hundred and forty-two, and 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, unless specifically held by contracts on file with the Comptroller of the Treasury, shall lapse into the State treasury, or in case of appropriations from special funds shall lapse to the credit of such special funds.

Unexpended balances to lapse.

A. Executive and Administrative

A 1. Attorney-General's Department

Attorney-General's Department.

Salaries:		
Attorney-General ...	$7,000 00	
Assistant Attorney-General	4,000 00	
Second Assistant Attorney-General	9,000 00	
Assistant Attorney-General	5,000 00	
Assistant Attorney-General	6,000 00	
Assistant Attorney-General	6,000 00	
Assistant Attorney-General	6,000 00	
Senior legal assistant	6,500 00	
Senior legal assistant	6,500 00	
Legal assistant	5,500 00	
Legal assistant	3,840 00	
Principal law clerk ..	3,000 00	
Legal assistant	2,400 00	
Senior law clerk-stenographer	2,640 00	
Senior law-clerk stenographer	2,280 00	
Compensation for other assistants ...	9,950 00	
		$85,610 00
Materials and Supplies:		
Stationery and office supplies	$800 00	
Law books	500 00	
Vehicular transportation supplies	1,800 00	
Office equipment replacement	400 00	
Replacement of motor vehicles	550 00	
		4,050 00

Services Other Than Personal:		
Traveling expenses .	$400 00	
Miscellaneous expenses	800 00	
Insurance (other than fire)	300 00	
Expenses in connection with escheat cases	300 00	
		1,800 00

Division of Securities

Securities division.

Salaries:		
Assistant Attorney-General	$7,500 00	
Special Assistant Attorney-General	4,000 00	
Investigator	2,220 00	
Compensation for clerks and stenographers	6,240 00	
		19,960 00
Materials and Supplies:		
Stationery and office supplies	$300 00	
Office equipment replacement	100 00	
		400 00
Services Other Than Personal:		
Expenses of investigations	$5,000 00	
Postage	200 00	
		5,200 00
		$117,020 00

A 2. BUDGET COMMISSION

Budget Commission.

Salaries:		
Budget Commissioner	$10,000 00	
Compensation for assistants	10,920 00	
		$20,920 00
Materials and Supplies:		
Stationery and office supplies	$250 00	
Vehicular transportation supplies	350 00	
Office equipment replacement	450 00	
		1,050 00
Services Other Than Personal:		
Printing	$4,200 00	
Miscellaneous expenses	700 00	
		4,900 00
		$26,870 00
Less State Highway Fund credit		3,000 00
		$23,870 00

A 3. CIVIL SERVICE COMMISSION

Civil Service Commission.

Salaries:		
Commissioners	$18,000 00	
Chief examiner and secretary	10,000 00	
Compensation for other officers and employees, present, $175,600.00; new, $4,860.00	180,460 00	
		$208,460 00

Materials and Supplies:		
Stationery and office supplies	$13,000 00	
Office equipment replacement	4,500 00	
Replacement of motor vehicles	750 00	
Vehicular transportation supplies	900 00	
		19,150 00
Services Other Than Personal:		
Traveling expenses	$3,000 00	
Advertising	2,000 00	
Rent	1,500 00	
Printing, binding, photographing and blueprinting	600 00	
Miscellaneous expenses	750 00	
		7,850 00
		$235,460 00

A 4. Comptroller's Department

Comptroller's Department.

Salaries:		
Comptroller	$6,000 00	
Chief clerk and deputy comptroller	7,000 00	
Chief auditor	6,000 00	
Chief accountant	6,000 00	
Assistant chief accountant	3,600 00	
Head clerk-bookkeeper	3,600 00	
Assistants and clerical services	70,620 00	
		$102,820 00

Materials and Supplies:		
Stationery and office supplies	$4,600 00	
Office equipment replacement	1,310 00	
		5,910 00
Services Other Than Personal:		
Premium on surety bonds	$300 00	
Traveling expenses ..	1,150 00	
Miscellaneous expenses	900 00	
		2,350 00
		$111,080 00
Less State Highway Fund credit ...		3,000 00
		$108,080 00

A 5. Commissioner of Finance

Finance Commissioner.

Salaries:		
Commissioner	$10,000 00	
Deputy commissioner	5,000 00	
Compensation for assistants	13,180 00	
Services pursuant to R. S. 52:23-16	4,620 00	
		$32,800 00
Materials and Supplies:		
Stationery and office supplies	$650 00	
Office equipment replacement	250 00	
Vehicular transportation supplies	750 00	
		1,650 00

	Services Other Than Personal:	
	Other miscellaneous expenses	400 00
	The balance in the reclamation expense account as of June 30th, 1941, is hereby reappropriated.	

Capitol Post Office

Post office.	Salaries:	
	Compensation for employees	15,980 00
	Materials and Supplies:	
	Vehicular Transportation Supplies	200 00
	Services Other Than Personal:	
	Postage	113,500 00

Telephone and Telegraph

Telephone and telegraph.	Salaries:	
	Compensation for operators and employees	27,747 00
	Services Other Than Personal:	
	Telephone and telegraph	94,000 00
		$286,277 00

A 6. Emergency Fund

Governor's Emergency Fund.	For the Governor, to enable him to meet any emergency requiring the expenditure of money not otherwise appropriated, and to cover any incidental personal expense or the expenses of commissioners appointed by him under statute, or in his discretion	$10,000 00

A 7. EXECUTIVE DEPARTMENT

Executive Department.

Salaries:		
Governor	$20,000 00	
Secretary to Governor	5,000 00	
Executive Secretary	3,600 00	
Assistant secretary to Governor	4,000 00	
Compensation for assistants	17,000 00	
		$49,600 00
Materials and Supplies:		
Stationery and office supplies		2,000 00
Services Other Than Personal:		
Maintenance, cottage at Sea Girt and entertainment therein	$15,000 00	
Maintenance of Secretary to the Governor during encampment	1,000 00	
Miscellaneous expenses	1,300 00	
		17,300 00
Salaries and expenses in connection with defense co-ordination		16,100 00
		$85,000 00

A 8. SECRETARY OF STATE

Secretary of State.

Salaries:		
Secretary	$6,000 00	
Assistant Secretary of State	3,600 00	
Chief clerk	7,000 00	
Head clerk	4,500 00	
Confidential clerk	3,700 00	
Compensation for assistants, present, $34,560.00; new, $960.00	35,520 00	
		$60,320 00

Materials and Supplies:		
Stationery and office supplies	$9,000 00	
Vehicular transportation supplies	400 00	
		9,400 00
Services Other Than Personal:		
Election expenses ...	$26,500 00	
Printing copies of corporation act	3,000 00	
Photostating copies of certificates of incorporation	1,750 00	
Refund Federal Electric Co., Inc.	100 00	
Refund I. B. Kleinert Rubber Co.	112 00	
Doctor expenses	15 50	
		31,477 50
		$101,197 50

A 9. State Auditor's Department

State Auditor's Department.

Salaries:		
State Auditor	$7,500 00	
Secretary and confidential clerk	2,500 00	
Supervising auditor..	4,500 00	
Field supervisors (3)	9,360 00	
Auditors (3)	7,020 00	
Junior auditors (8) ..	15,360 00	
Audit clerks (4)	5,760 00	
Compensation for assistants, present, $3,540.00; new, $5,760.00	9,300 00	
		$61,300 00

Materials and Supplies:		
Stationery and office supplies	$500 00	
Office equipment replacement	400 00	
		900 00
Services Other Than Personal:		
Traveling expenses	$7,750 00	
Printing and binding.	100 00	
Miscellaneous expenses	150 00	
		8,000 00
		$70,200 00

A 10. State House Commission

State House Commission.

Salaries:		
Custodian, State House	$5,000 00	
Assistant custodian	3,000 00	
Chief engineer—electrician	3,400 00	
Superintendent of State House Annex and State Office Building	4,500 00	
Compensation for assistants and helpers	217,740 00	
		$233,640 00
Materials and Supplies:		
Heat, light, power and electricity	$59,300 00	
Stationery and office supplies, furniture and office equipment	4,500 00	
Other materials and supplies	12,000 00	
		75,800 00
Current repairs		25,000 00

Services Other Than Personal:		
Insurance (other than fire)	$1,200 00	
Freight and express	2,000 00	
Maintenance of Stacy Park and Capitol and annex grounds	3,500 00	
Miscellaneous expenses	500 00	
		7,200 00

Rentals.

Rentals for State Departments in Newark:		
Industrial Office Building	$109,420 00	
Department of Alcoholic Beverage Control	11,000 00	
Rentals for State Departments in Trenton:		
Budget Commission	1,625 00	
Department of Weights and Measures	2,400 00	
Department of Agriculture	15,500 00	
State Employees' Retirement System	3,600 00	
Department of Labor	21,900 00	
Rental for building for State exhibits at Trenton Fair	5,000 00	
Department of Conservation and Development	780 00	
State Tax Department, Beverage Tax Division	3,300 00	
State Tax Department, Engineer's Division	4,320 00	
Crippled Children's Commission	1,860 00	

Old Age Assistance Commission	4,200 00	
Department of Local Government	4,554 00	
Department of Aviation	900 00	
Rentals in Other Cities:		
Associate Justices of Supreme Court offices, Camden, Jersey City, Atlantic City, Somerville, Morristown and Newark	6,300 00	
Rooms for Courts, Atlantic City, Jersey City, Camden, Elizabeth, Toms River and Newton	44,877 00	
State Board of Children's Guardians, Trenton, Jersey City and Morristown	7,433 00	
Chancellor, Rooms for W. P. A. Project ..	900 00	
		249,869 00
		$591,509 00
Less State Highway Fund Credit		20,000 00
		$571,509 00

A 11. Treasurer's Department

Treasurer's Department.

Salaries:		
Treasurer	$6,000 00	
Cashier and deputy treasurer	6,000 00	
Secretary	3,000 00	
Compensation for other assistants ...	30,800 00	
		$45,800 00
Materials and Supplies:		
Stationery and office supplies	$1,500 00	
Office Equipment Replacement	1,250 00	
		2,750 00
Services Other Than Personal:		
Insurance (other than fire)	$1,426 20	
Miscellaneous expenses	400 00	
		1,826 20
		$50,376 20

A 12. State Purchasing Department

Printing

State Purchasing Department.

Services Other Than Personal:		
Legislative printing ..	$100,000 00	
Printing and binding public documents ..	3,000 00	
Printing and circulating laws	18,850 00	
Binding Chancery and law reports	3,150 00	
		$125,000 00

A 13. STATE ATHLETIC COMMISSIONER

State Athletic Commissioner.

Salaries:		
Commissioner	$5,000 00	
Compensation for other assistants ...	25,000 00	
		$30,000 00
Materials and Supplies:		
Stationery, office supplies and equipment		600 00
Services Other Than Personal:		
Traveling and incidental expenses		3,800 00
		$34,400 00

A 14. STATE DEPARTMENT OF LOCAL GOVERNMENT

Local Government Department.

Salaries:		
Commissioner	$10,000 00	
Members of board ...	18,000 00	
Supervising auditor and secretary	6,000 00	
Refunding consultant.	1,500 00	
Field supervisors	13,500 00	
Assistant field supervisors	6,600 00	
Assistant supervisors	16,860 00	
Office manager	3,000 00	
Auditors	20,700 00	
Statistician	1,440 00	
Confidential clerk	1,800 00	
Special services	1,500 00	
Supervisors of accounts	6,480 00	
Other employees	39,700 00	
		$147,080 00

Materials and Supplies:		
Stationery and office supplies	$2,100 00	
Office equipment replacement	900 00	
		3,000 00
Services Other Than Personal:		
Traveling expenses ..	$23,500 00	
Printing and binding.	4,500 00	
Miscellaneous expenses	1,200 00	
		29,200 00
		$179,280 00

A 15. State Defense Council

State Defense Council.

Salary and expenses incurred by Emergency Committee appointed by the Governor	$11,200 00

B. Legislative

B 1. Legislature

Legislature.

Salaries:		
Senators and members of General Assembly	$40,833 32	
Compensation for officers and employees	25,000 00	
		$65,833 32
Materials and Supplies:		
Manuals of the Legislature		4,000 00

Services Other Than Personal:		
Indexing Journal and Minutes and other incidental and contingent expenses		35,000 00
		$104,833 32

C. Judicial

C 1. Clerk in Chancery

Clerk in Chancery.

Salaries:		
Clerk in Chancery	$6,000 00	
Chief clerk	5,500 00	
Law clerks (2)	7,100 00	
Compensation for assistants	93,060 00	
		$111,660 00
Materials and Supplies:		
Stationery and office supplies	$7,000 00	
Office equipment replacement	1,200 00	
		8,200 00
Services Other Than Personal:		
Premium on surety bonds	$500 00	
Miscellaneous expenses	800 00	
		1,300 00
		$121,160 00

C 2. Clerk of the Supreme Court

Supreme Court Clerk.

Salaries:		
Clerk of the Supreme Court	$6,000 00	
Chief clerk	5,500 00	
Compensation for assistants	43,340 00	
		$54,840 00

Materials and Supplies:		
Stationery and office supplies	$3,250 00	
Other materials and supplies	400 00	
		3,650 00
Services Other Than Personal:		
Miscellaneous expenses		900 00
Additions and Improvements:		
Vault Equipment including rent ..		3,000 00
		$62,390 00

C 3. Court of Chancery

Court of Chancery.

Salaries:		
Chancellor	$19,000 00	
Vice-Chancellors	180,000 00	
Secretaries to Vice-Chancellors	22,400 00	
Chancellor's secretary	2,500 00	
Compensation and traveling expenses of sergeants-at-arms	40,240 00	
Compensation and allowance of advisory masters and their official stenographers	22,980 00	
Compensation of stenographers, and for services pursuant to R. S. 2:2–25 and 2:2–28	55,500 00	
Compensation of law assistants to Vice-Chancellors	15,800 00	
		$358,420 00

Materials and Supplies:		
Stationery and office supplies	$3,500 00	
Office equipment replacement	1,000 00	
Library supplies	1,500 00	
Vehicular transportation supplies	400 00	
		6,400 00
Services Other Than Personal:		
Traveling expenses for casual court attendants	$350 00	
Miscellaneous expenses	250 00	
		600 00
		$365,420 00

C 4. COURT OF ERRORS AND APPEALS

Court of Errors and Appeals.

Salaries:		
Compensation of judges of the Court of Errors and Appeals, at $40.00 per diem	$54,000 00	
Compensation of officers	3,500 00	
		$57,500 00
Services Other Than Personal:		
Printed or typewritten copies of draft of opinions under the direction of the presiding judge ...	$1,500 00	
Binding State cases, briefs, et cetera, and printing list of causes, et cetera ..	1,500 00	
		3,000 00
		$60,500 00

C 5. Court of Pardons

Court of Pardons.

Salaries:		
Compensation of judges of the Court of Pardons, at $20.00 per diem ...	$2,500 00	
Compensation of clerk and stenographer	2,790 00	
		$5,290 00
Materials and Supplies:		
Stationery and office supplies		300 00
Services Other Than Personal:		
Miscellaneous expenses		75 00
		$5,665 00

C 6. Judicial Council

Judicial Council.

Salaries:	
Secretary	$1,500 00
Materials and Supplies:	
Stationery and office supplies	50 00
Services Other Than Personal:	
Expenses of investigations, printing and other incidental expenses	300 00
	$1,850 00

C 7. LAW AND EQUITY REPORTS

Law and equity reports.

Salaries:		
Chancery reporter ..	$500 00	
Supreme Court reporter	500 00	
		$1,000 00
Services Other Than Personal:		
Publication of Chancery reports	$9,000 00	
Publication of law reports	9,000 00	
		18,000 00
		$19,000 00

C 8. STENOGRAPHIC REPORTERS

Court reporters.

For amount to be refunded to various counties in this State for salaries of stenographic reporters appointed by the justices of the Supreme Court, pursuant to R. S. 2:16–21..	$56,000 00

C 9. SUPREME COURT

Supreme Court.

Salaries:		
Chief Justice	$19,000 00	
Associate justices	144,000 00	
Circuit court judges .	224,000 00	
Salaries of secretaries to justices of the Supreme Court, pursuant to R. S. 2:4–13	18,000 00	
Compensation for assistants	2,000 00	
Board of Bar Examiners, salary of members, secretary, assistant secretary and messenger	17,150 00	
		$424,150 00

Materials and Supplies:		
Office equipment replacement	$300 00	
Stationery and office supplies	300 00	
Educational and library supplies	200 00	
		800 00
Services Other Than Personal:		
Expenses of Board of Bar Examiners incurred by court order, including disbarment proceedings		3,000 00
		$427,950 00

C 10. Commission on Statutes

Commission on Statutes.

Expenses of the commission appointed pursuant to the provisions of chapter 91, laws of 1939.	
Salaries	$25,220 00
Materials and supplies	1,100 00
Services other than personal	1,450 00
	$27,770 00

D. Regulative

D 1. Board of Commerce and Navigation

Commerce and Navigation.

Salaries:		
Director	$4,500 00	
Assistant chief engineer	2,000 00	
Consulting engineer .	1,800 00	
Assistant secretary ..	3,480 00	
Office engineer	3,900 00	
Hydrographic engineer	3,900 00	
Senior hydrographic engineer	3,000 00	
Other assistants, public hearings, searches, surveys, witnesses on trespasses, et cetera ..	26,620 00	
		$49,200 00
Materials and Supplies:		
Stationery and office supplies	$2,500 00	
Office equipment replacement	1,500 00	
Heat, light, power, water, gas and electricity	2,500 00	
Household supplies ..	550 00	
Drugs, medicine and chemicals	400 00	
Photography, blueprinting and drafting supplies	1,400 00	
Engineering supplies.	1,500 00	
Motor boat transportation and supplies.	6,000 00	

Motor vehicle transportation and supplies	2,500 00	
Replacement of motor vehicles	3,000 00	
Clothing	385 00	
		22,235 00
Current repairs		9,888 00
Services Other Than Personal:		
Traveling expenses	$3,500 00	
Telephone and telegraph	550 00	
Rents	8,870 00	
Insurance (other than fire)	4,327 20	
Expenses in connection with riparian surveys and study and plans for beach protection measures	1,400 00	
Miscellaneous expenses	1,000 00	
Postage	400 00	
Advertising for bids and legal notices	1,600 00	
Subscriptions and membership fees	135 00	
		21,782 20
Expenditures for Waterways:		
Lights and buoys	$2,500 00	
Maintenance navigation lights, Cape May - Manasquan River	2,650 00	
		5,150 00

Unclassified:	
Expenses of New Jersey Council to advertise the advantages of the State, pursuant to Title 52, Chapter 9-C of the R. S.	93,600 00
Appropriation for administration expenses receivable from School Fund pursuant to R. S. 18:10–7, $103,105.20.	
	$201,855 20

D 2. Board of Fish and Game Commissioners

Fish and Game Commissioners.

For salaries and wages, and for the expenses of maintenance and operation of the New Jersey Board of Fish and Game Commissioners to include the expenses of administration and of the fish hatchery and game farms.

All receipts from hunters' and anglers' licenses pursuant to the provisions of article 1, chapter 3 of Title 23; R. S. 23:3–3 R. S. 23:3–23 to 27.

All receipts, licenses and sales pursuant to the provisions of R. S. 52:18–31.

All fines pursuant to the provisions of R. S. 23:10–19.

All such receipts as are above set forth, and any balance of receipts that may not have been disbursed on or before the end of the fiscal year ending June thirtieth, one thousand nine hundred and forty-one, are hereby appropriated to the Board of Fish and Game Commis-

sioners, but there may only be expended of said receipts and balance the amounts as itemized below, and for bills incurred during the fiscal year ending June thirtieth, one thousand nine hundred and forty-one, and no portion of any receipts shall lapse into the general funds of the State; *provided, however,* that an excess may be expended and is hereby appropriated above the amounts herein below indicated when expressly approved by the State House Commission, but limited to the amount of the receipts of the board for the fiscal year.

Proviso.

Salaries:		
Executive secretary ..	$5,000 00	
Assistant protectors, wardens, superintendents and other officers and employees	182,340 00	
		$187,340 00
Materials and Supplies:		
Food for fish and game	$59,100 00	
Clothing (Uniforms)	1,500 00	
Heat, light, power, water, gas and electricity	6,840 00	
Stationery and office supplies	1,250 00	
Vehicular transportation supplies	25,000 00	
Purchase of live fish and game	40,000 00	
Farm and stable supplies	6,150 00	

Other materials and supplies	500 00	
Office equipment replacement	250 00	
Replacement of motor vehicles	5,000 00	
		145,590 00
Current repairs		2,500 00
Services Other Than Personal:		
Printing	$3,000 00	
Hunting and fishing licenses and buttons	7,000 00	
Traveling expenses ..	5,000 00	
Telephone and telegraph	2,500 00	
Garage rent, including boat storage	3,040 00	
Postage	1,650 00	
Insurance (Fire)	1,200 00	
Insurance (other than fire)	3,839 00	
Miscellaneous expenses	3,500 00	
		30,729 00
Additions and Improvements:		
Building coops and pens	$2,600 00	
New office equipment.	100 00	
		2,700 00
		$368,859 00

D 3. BOARD OF PUBLIC UTILITY COMMISSIONERS

Public Utility Commissioners.

Salaries:		
Members of the board	$36,000 00	
Counsel (2)	15,000 00	
Assistant counsel	3,500 00	
Secretary	7,000 00	
Chief engineer, Bureau of Utilities	8,000 00	
Principal engineer, bridges and grade crossings	6,000 00	
Deputy chief engineer, Division of Rates and Research	6,000 00	
Engineers, inspectors, clerks, stenographers and other employees	164,641 00	
Reporting hearings	7,000 00	
		$253,141 00
Materials and Supplies:		
Stationery and office supplies	$3,500 00	
Office equipment replacement	1,000 00	
		4,500 00
Services Other Than Personal:		
Traveling expenses	$8,000 00	
Miscellaneous expenses	500 00	
Printing	3,500 00	
		12,000 00
		$269,641 00

D 4. Board of Shell Fisheries

Board of Shell Fisheries.

Salaries:		
Director	$4,000 00	
Chiefs of bureaus	6,720 00	
Captains of boats, crews, guards, clerks, et cetera	47,660 00	
Special guard service	500 00	
		$58,880 00
Materials and Supplies:		
Fuel and power	$4,500 00	
Stationery and office supplies	200 00	
Office Equipment Replacement	300 00	
License plates	400 00	
		5,400 00
Current repairs		5,000 00
Services Other Than Personal:		
Traveling expenses	$2,500 00	
Insurance (other than fire)	40 00	
Insurance (fire)	610 00	
Surveying and mapping	1,500 00	
Rent of offices and boats	1,260 00	
Services one small guard boat (Delaware bay)	1,200 00	
Telephone and telegraph	150 00	
Miscellaneous expenses	500 00	
		7,760 00

Additions and Improvements:		
Shelling beds, dynamiting and netting drumfish in waters of Ocean and Atlantic counties and control of oyster drill in Cumberland and Cape May counties	$20,000 00	
Staking State's natural spawning oyster beds	500 00	
		20,500 00
		$97,540 00

D 5. County Boards of Taxation

County Tax Boards.

For salaries of members of the county boards of taxation	$161,700 00

D 6. Department of Banking and Insurance

Banking and Insurance Department.

Salaries:	
Commissioner	$6,000 00
Deputy Commissioner, Bureau of Banking	7,500 00
Deputy Commissioner, Bureau of Insurance	7,500 00
Deputy Commissioner, Bureau of Building and Loan Associations	7,500 00
Chief Insurance Examiner	7,500 00
Bank Examiners	120,540 00
Small Loan Examiners	9,300 00

Insurance Examiners	76,920 00	
Building and Loan Association Examiners	204,420 00	
Clerks, stenographers and other employees	176,560 00	
		$623,740 00
Materials and Supplies:		
Motor vehicular transportation supplies..	$100 00	
Stationery and office supplies	3,000 00	
Office equipment replacement	2,000 00	
		5,100 00
Services Other Than Personal:		
Traveling expenses ..	$58,000 00	
Freight, express and cartage	450 00	
Subscriptions	475 00	
Compiling and printing valuations	450 00	
Rents	8,305 00	
Printing	14,000 00	
Miscellaneous expenses	800 00	
Membership fee, National Association of State Banks and convention expenses	185 00	
Insurance (other than fire)	250 00	
		82,915 00
		$711,755 00

D 7. Department of Conservation and Development

Administration

Conservation and Development Department.

Salaries:		
State Forester and Director	$6,000 00	
Other employees	14,280 00	
		$20,280 00
Materials and supplies		1,400 00
Current repairs		50 00
Services other than personal		320 00

Geologic and Topographic Surveys

Surveys.

Salaries:		
State Geologist	$4,800 00	
Topographic engineer	3,600 00	
Other employees	2,040 00	
		10,440 00
Materials and supplies		195 00
Current repairs		50 00
Services other than personal		3,555 00

State Museum

Museum.

Salaries:		
Curator	$3,600 00	
Museum preparator	3,000 00	
Other employees	24,480 00	
		31,080 00
Materials and supplies		6,500 00
Current repairs		1,000 00
Services other than personal		2,750 00
Additions and improvements		600 00

Forestry Supervision, Investigation and Co-operation

Forestry supervision.

Salaries:		
Land agent	$4,500 00	
Senior assistant forester	3,000 00	
Other employees	14,170 00	
		21,670 00
Materials and supplies		500 00
Current repairs		250 00
Services other than personal		5,000 00

State Forests

Forests.

Salaries:		
Senior assistant forester	$3,000 00	
Other employees, present, $34,765.00; new, $1,240.00	36,005 00	
Labor (per diem) ...	4,500 00	
		43,505 00
Materials and supplies		3,000 00
Current repairs		5,500 00
Services other than personal		3,500 00
Extraordinary Expenditures:		
Tax lieu on State forests, et cetera		8,587 00

State Forest Nurseries and Reforestation

Forest nurseries.

Salaries:		
Senior assistant forester	$3,000 00	
Other employees	11,310 00	
Labor (per diem) ...	4,000 00	
		18,310 00
Materials and supplies		2,500 00
Current repairs		700 00
Service other than personal		1,000 00

State Parks

State parks.

Salaries:		
Supervisors, guards and other employees, present, $60,782.00; new, $960.00	$61,742 00	
Labor	1,020 00	
		62,762 00
Materials and supplies		7,500 00
Current repairs		6,000 00
Services other than personal		1,800 00
Additions and improvements		1,500 00

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

Preventing and Extinguishing Forest Fires

Forest fire control.

Salaries:		
State fire warden	$4,000 00	
Other employees	105,840 00	
Labor (per diem) on fire lines	2,490 00	
		112,330 00
Materials and supplies		3,125 00
Current repairs		2,000 00
Services other than personal		13,000 00
Extraordinary Expenses:		
Fire fighting costs		15,000 00

Department of Conservation and Development and/or State Water Policy Commission

Delaware and Raritan Canal

Delaware and Raritan Canal.

Maintenance of the Delaware and Raritan Canal, all receipts derived from the operation thereof; and also the following appropriation the payment whereof is to be made from the State highway fund		13,000 00
		$430,259 00
Less State highway fund credit		13,000 00
		$417,259 00

D 8. Department of Health

Department of Health.

Salaries:		
Director	$6,760 00	
Chief, Bureau of Administration	4,200 00	
Registrar, Bureau of Vital Statistics	4,200 00	
Chief, Bureau of Local Health Administration	4,860 00	
Chief, Bureau of Food and Drugs	4,860 00	
Chief, Bureau of Public Health Education	4,000 00	
Chief, Bureau of Sanitary Engineering..	5,560 00	
Chief, Bureau of Chemistry	4,860 00	
Chief, Bureau of Bacteriology	4,860 00	
Senior Sanitary Engineer, Bureau of Engineering	3,600 00	
Veterinarian	3,900 00	
District Health Officers (5)	16,680 00	

Assistant Epidemiologists, Local Health Administration (2).	7,920 00	
Engineers, inspectors, investigators, laboratory and other employees	161,540 00	
		$237,800 00
Materials and Supplies:		
Stationery and office supplies	$2,500 00	
Engineering supplies.	770 00	
Vehicular transportation supplies	2,750 00	
Replacement of motor vehicles	1,818 20	
Laboratory supplies .	9,000 00	
Laboratory receipts..	500 00	
Other materials and supplies	250 00	
Office equipment replacement	650 00	
		18,238 20
Services Other Than Personal:		
Printing	$9,000 00	
Printing Annual Report (2,000 copies).	2,700 00	
Traveling expenses ..	15,000 00	
Miscellaneous expenses	2,500 00	
Rental of tabulation machines	1,296 00	
Binding volumes of birth, marriage and death certificates ..	750 00	
Court expenses	500 00	
Rent of garages and offices	840 00	
Insurance (other than fire)	422 30	
		33,008 30

Additions and Improvements:		
Laboratory equipment		1,100 00
Extraordinary Expenditures:		
The unexpended balance, June 30, 1941, of the amount appropriated for Pneumonia serum, pursuant to chapter 204, laws of 1940, is hereby reappropriated.		
Biological assays		1,000 00
Unclassified Expenditures:		
Negro health program		9,640 00

Bureau of Venereal Disease Control

Venereal Disease Control.

Salaries:		
Chief	$3,600 00	
Consultant	3,600 00	
Other employees	10,440 00	
	$17,640 00	
Materials and supplies .	5,200 00	
Services other than personal	2,300 00	
		25,140 00

Shell Fish Bureau

Shell fish.

Salaries	$14,820 00	
Materials and supplies .	850 00	
Services other than personal	5,500 00	
		21,170 00

Ice Cream License Bureau

Ice cream license.

Salaries	$2,100 00	
Materials and supplies .	100 00	
Services other than personal	284 00	
		2,484 00

Milk Plant License Bureau

Milk plant license.

Salaries	$8,580 00	
Materials and supplies .	550 00	
Services other than personal	2,000 00	
		11,130 00

Toxoid Distribution Bureau

Toxoid distribution.

Salaries	$1,620 00	
Materials and supplies .	9,600 00	
Services other than personal	200 00	
		11,420 00

Maternal and Child Health Bureau

Maternal and Child Health.

Salaries	$84,623 04	
Materials and supplies .	2,250 00	
Services other than personal	15,700 00	
		102,573 04
		$474,703 54

D 9. Department of Labor

Department of Labor.

Salaries:		
Commissioner of Labor	$6,000 00	
Deputy Commissioners Workmen's Compensation	45,000 00	
Deputy Commissioners of Labor and Chiefs of bureaus .	25,200 00	
Supervisor, informal hearings	5,300 00	

Examiners, inspectors, clerks and other employees	229,966 00	
Bureau for Women and Children	3,720 00	
Wage Collection Division	7,920 00	
Minimum Wage Division	47,500 00	
Child Labor Bureau .	20,520 00	
		$391,126 00
Materials and Supplies:		
Stationery and office supplies	$6,000 00	
Office equipment	3,000 00	
Coal, Jersey City, Trenton and Paterson	1,400 00	
Vehicular transportation supplies	380 00	
Lighting, power and water service	1,500 00	
		12,280 00
Current repairs		150 00
Services Other Than Personal:		
Traveling expenses (Inspectors, Referees, Adjusters, etc.)	$19,000 00	
Telephone and telegraph	1,200 00	
Rent, Jersey City, Paterson or other cities	8,890 00	
Miscellaneous expenses	1,671 00	
Printing	3,200 00	
Expenses for Industrial Safety Campaign	800 00	
Prosecution of labor law violations	500 00	

Printing (Child Labor Bureau)	2,560 00	
Traveling expenses (Child Labor Bureau)	2,500 00	
		40,321 00
		$443,877 00

D 10. Department of Weights and Measures

Department of Weights and Measures.

Salaries:		
Superintendent	$5,000 00	
Assistant Superintendent, Chief Clerk	4,000 00	
Compensation for assistants	15,540 00	
Inspectors and one clerk, Coal Statute Enforcement	17,980 00	
		$42,520 00
Materials and Supplies:		
Vehicular transportation supplies	$1,500 00	
Replacement of motor vehicles	1,025 00	
Metal seals	500 00	
Stationery and office supplies	500 00	
Other materials and supplies	100 00	
Equipment and supplies, Coal Statute Enforcement	3,600 00	
Office equipment replacement	100 00	
		7,325 00
Current repairs		50 00

Services Other Than Personal:		
Traveling expenses, including samples purchased and Coal Statute Enforcement	$8,000 00	
Insurance (other than fire)	750 00	
Miscellaneous expenses	400 00	
Printing and binding.	800 00	
		9,950 00
Additions and Improvements:		
Supplies for setting up work shop for examination of applicants	$500 00	
Standard weights ...	100 00	
		600 00
		$60,445 00

D 11. Health Officers, Port of Perth Amboy

Health officers.

Health officer of the Port of Perth Amboy, for salary, pursuant to R. S. 26:4–111	$1,000 00
Deputy health officer	250 00
	$1,250 00

D 12. State Board of Tax Appeals

Board of Tax Appeals.

Salaries:		
President	$6,500 00	
Members of board ...	27,000 00	
Secretary	6,500 00	
Compensation for other assistants, present, $39,200.00; new, $960.00	40,160 00	
		$80,160 00
Materials and Supplies:		
Stationery and office supplies	$2,500 00	
Vehicular transportation supplies	250 00	
Office equipment	900 00	
		3,650 00
Services Other Than Personal:		
Traveling expenses...	$3,750 00	
Miscellaneous expenses	500 00	
Printing "Report of Cases"	400 00	
		4,650 00
		$88,460 00

D 13. State Board of Tenement House Supervision

Board of Tenement House Supervision.

Salaries:		
Secretary and executive officer	$7,000 00	
Compensation for assistants and other employees	92,060 00	
		$99,060 00

Materials and Supplies:		
Stationery and office supplies	$300 00	
Other materials and supplies	300 00	
Vehicular transportation supplies	1,000 00	
Office equipment	200 00	
Replacement of motor vehicles (2)	1,000 00	
		2,800 00
Services Other Than Personal:		
Traveling expenses	$6,000 00	
Miscellaneous expenses	300 00	
Postage	1,000 00	
Telephone and telegraph	300 00	
Garage rent	160 00	
Printing	200 00	
Insurance (other than fire)	215 00	
		8,175 00
		$110,035 00

D 14. Real Estate Commission

Real Estate Commission.

Salaries:		
Commissioners (5)	$17,000 00	
Secretary	5,000 00	
Chief examiner and investigator	4,500 00	
Other employees	24,060 00	
		$50,560 00
Materials and Supplies:		
Stationery and office supplies	$300 00	
Office equipment	240 00	
		540 00

Services Other Than Personal:		
Traveling expenses ..	$2,500 00	
Postage	1,200 00	
Telephone and telegraph	400 00	
Printing, binding, photographing and blueprinting	900 00	
Miscellaneous expenses	400 00	
Subpœna and class room fees	500 00	
Insurance (other than fire) and bond premiums	211 50	
		6,111 50
		$57,211 50

D 15. Department of State Police

State Police.

Salaries:		
Colonel and superintendent	$9,000 00	
Major and deputy superintendent	5,000 00	
Captains	14,400 00	
Lieutenants	24,000 00	
Noncommissioned officers, troopers, et cetera	686,620 00	
Medical and surgical services	7,500 00	
		$746,520 00

Materials and Supplies:		
Food	$23,000 00	
Clothing	23,000 00	
Heat, light, power, water, gas and electricity	9,000 00	
Vehicular transportation, supplies	55,000 00	
Household and organization supplies	8,250 00	
Medical, surgical and laboratory supplies.	2,000 00	
Stationery and office supplies	5,000 00	
Replacement of office equipment	1,000 00	
Replacement of motor vehicles	30,000 00	
		156,250 00
Current repairs		6,000 00
Services Other Than Personal:		
Traveling expenses	$1,600 00	
Rents	16,200 00	
Telephone and telegraph	11,000 00	
Insurance (other than fire)	6,500 00	
Freight, express and cartage	100 00	
Emergency fund, all bills to be approved by the State House Commission	1,000 00	
Food and lodging	154,000 00	
		190,400 00
Additions and Improvements:		
Office equipment	$300 00	
Household equipment	200 00	
		500 00

System of Communication

Communications.

Salaries:		
Supervisors	$6,000 00	
Assistant supervisors	26,160 00	
Operators	10,080 00	
		42,240 00
Materials and Supplies:		
Stationery and office supplies		1,850 00
Services Other Than Personal:		
Rental of communications instruments and power		44,500 00
Additions and Improvements:		
Purchase of comm. equipment		4,000 00

Bureau of Identification

Identification Bureau.

Salaries:		
Supervisor	$3,600 00	
Other officers and employees	47,000 00	
		50,600 00
Materials and Supplies:		
Stationery and office supplies	$4,000 00	
Photographic, blueprinting and drafting supplies	3,000 00	
		7,000 00
Services Other Than Personal:		
Rental, fingerprint sorter		3,534 00

Additions and Improvements:		
Office equipment	$4,000 00	
Scientific equipment..	4,000 00	
		8,000 00
		$1,261,394 00
Payment of fifty per centum of this appropriation to be made from the State Highway Fund		630,697 00
		$630,697 00

D 16. State Water Policy Commission

Water Policy Commission.

Salaries:		
Engineer in charge ..	$5,760 00	
Assistant division engineer	4,500 00	
Assistant engineer ..	3,600 00	
United States Geological Survey employees (½ salary)	10,480 00	
Other employees, present, $10,140.00; new, $360.00	10,500 00	
		$34,840 00
Materials and Supplies:		
Stationery and office supplies	$400 00	
Engineering supplies.	350 00	
Vehicular transportation supplies	1,200 00	
Replacement of motor vehicles	1,400 00	
Office equipment replacement	250 00	
		3,600 00
Current repairs		3,000 00

Services Other Than Personal:		
Traveling expenses ..	$2,000 00	
Telephone and telegraph	300 00	
Postage	300 00	
Printing	350 00	
Rents	5,225 00	
Miscellaneous expenses	300 00	
		8,475 00
		$49,915 00

D 17. State Tax Department

Commissioner's Office

State Tax Department.

Salaries:		
State Tax Commissioner	$7,500 00	
Assistant confidential clerk	6,000 00	
Secretary	2,400 00	
Other employees	7,380 00	
	$23,280 00	
Materials and supplies.	250 00	
Services other than personal	900 00	
		$24,430 00

Administrative Service

Salaries:		
Clerical employees ..	$13,980 00	
Materials and supplies .	200 00	
Services other than personal	7,000 00	
		21,180 00

Corporation Tax Division

Salaries:		
Chief clerk	$3,600 00	
Principal corporation tax clerk	3,360 00	
Clerical employees ..	40,080 00	
	$47,040 00	
Materials and supplies .	2,200 00	
Services other than personal	3,600 00	
		52,840 00

Engineering and Railroad Tax Division

Salaries:		
Chief engineer	$11,000 00	
Field engineer—railroad tax	4,980 00	
Office engineer—railroad tax	4,980 00	
Other employees	37,560 00	
	$58,520 00	
Materials and supplies .	3,000 00	
Services other than personal	2,000 00	
		63,520 00

Local Tax Division

Salaries:		
Field secretary	$4,300 00	
Other employees	4,140 00	
	$8,440 00	
Materials and supplies .	100 00	
Services other than personal	200 00	
		8,740 00

Transfer Inheritance Tax Division

Salaries:		
State Supervisor—Inheritance tax	$9,000	00
Head inheritance tax clerks (2)	10,000	00
District supervisors..	9,120	00
Other employees	186,580	00
	$214,700	00
Materials and supplies .	7,000	00
Services other than personal	2,750	00
Additions and improvements	1,000	00

Unclassified:

Upon approval of the State Tax Commissioner, the Comptroller of the Treasury is hereby authorized and it shall be his duty to withdraw from the State Fund such amounts as shall be required to carry out the provisions of R. S. 54:33-10, payment of five per centum (5%) of tax collected to counties, and to refund and pay such claims as may be necessary and the State Treasurer shall pay same upon the warrants of said Comptroller, and there is hereby appropriated the

amount necessary therefor, approximating	300,000 00	
		525,450 00

Public Utility Tax Division

Salaries:		
Chief	$3,660 00	
Other employees	10,140 00	
	$13,800 00	
Materials and supplies .	1,300 00	
Services other than personal	1,450 00	
		16,550 00

Beverage Tax Division

Salaries:		
Director	$6,000 00	
Other employees	205,220 00	
	$211,220 00	
Materials and supplies .	7,150 00	
Services other than personal	24,000 00	
		242,370 00

Unclassified:

Upon approval of the State Tax Commissioner, the Comptroller of the Treasury is hereby authorized and it shall be his duty to withdraw from the State fund, moneys to refund and pay such claims for refund as may be necessary under the various provisions of Title 54 of the Revised Statutes and any statutes superseded thereby, and the State Treasurer shall pay same upon warrant of the said Comptroller.

$955,080 00

D 18. Department of Aviation

Department of Aviation.

Expenses incurred by the Department of Aviation, established pursuant to chapter 1 of Title 6 of the R. S.

Salaries:		
Director of Aviation .	$6,000 00	
Compensation of other employees	6,200 00	
		$12,200 00
Materials and Supplies:		
Stationery and office supplies and equipment	$300 00	
Maintenance of aircraft	1,400 00	
Other materials and supplies	200 00	
		1,900 00
Services Other Than Personal:		
Traveling expenses ..	$2,500 00	
Insurance (other than fire)	695 00	
Miscellaneous expenses	400 00	
		3,595 00
		$17,695 00

D 19. Department of Alcoholic Beverage Control

Department of Alcoholic Beverage Control.

Salaries:	
Commissioner	$16,500 00
Deputy commissioners	12,000 00
Attorney in chief ...	5,000 00
Counsel in chief	6,000 00
Chief inspector	3,500 00
Senior inspectors	22,500 00

Inspectors	21,240 00	
Investigators	186,580 00	
Confidential secretary	3,000 00	
Secretary to commissioner	1,980 00	
Compensation for other assistants and clerical services ...	70,740 00	
Clerk - Stenographers (seasonal)	3,840 00	
Compensation Award Mrs. Wm. C. Carr .	1,040 00	
		$353,920 00
Materials and Supplies:		
Stationery and office supplies	$5.000 00	
Other materials and supplies	1,000 00	
Office, ordnance and seizure equipment .	4,000 00	
		10,000 00
Services Other Than Personal:		
Postage and expressage	$8,000 00	
Printing, binding, photographing and blueprinting	7,000 00	
Telephone and telegraph	3,500 00	
Insurance (other than fire)	500 00	
Traveling expenses ..	55,000 00	
Miscellaneous expenses	5,300 00	
Seizure expenses	6,500 00	
		85,800 00
		$449,720 00

D 20. UNEMPLOYMENT COMPENSATION

(State Employment Service)

State Employment Service.

Transfer of State funds to match Federal funds for State Employment Service Division of Unemployment Compensation Commission, pursuant to chapter 21 of Title 43, Revised Statutes		$155,720 00

D 21. STATE BOARD OF BEAUTY CULTURE CONTROL

Board of Beauty Culture Control

Salaries:		
Commissioners	$10,000 00	
Secretary	3,000 00	
Inspectors and other employees	16,600 00	
		$29,600 00
Materials and Supplies:		
Vehicular transportation supplies	$1,000 00	
Stationery and office supplies	300 00	
Replacement of motor vehicles	600 00	
Office equipment replacement	125 00	
		2,025 00
Services Other Than Personal:		
Traveling expenses ..	$1,800 00	
Telephone and telegraph	300 00	
Rents	2,712 00	
Insurance (other than fire)	190 00	

Postage	1,000 00	
Miscellaneous expenses	200 00	
Printing, binding, photographing and blueprinting	1,700 00	
		7,902 00
		$39,527 00

D 22. Commission on Interstate Co-operation

Expenses incurred by the commission appointed pursuant to Joint Resolution No. 3, approved March 12, 1935		$12,500 00

Interstate Co-operation Commission.

D 23. Board of Barber Examiners

Salaries:		
Officers and employees		$16,650 00
Materials and Supplies:		
Stationery and office supplies		400 00
Services Other Than Personal:		
Traveling expenses ..	$3,000 00	
Miscellaneous expenses	2,100 00	
		5,100 00
		$22,150 00

Board of Barber Examiners.

D 24. Interstate Sanitation Commission

Expenses incurred by the commission appointed pursuant to chapter 321, laws of 1935		$15,000 00

Interstate Sanitation Commission.

D 25. Racing Commission

Racing Commission.

The unexpended balance June 30, 1941, of the amount appropriated pursuant to chapter 17, laws of 1940, is hereby reappropriated.

E. Educational

E 1. State Board of Regents

(State Agricultural College)

Board of Regents.

Rutgers University (State Agricultural College)		$758,500 00
Purchase of scholarships at Rutgers University, including the New Jersey College for Women		200,000 00
College for Women		361,500 00
Newark Technical School and Newark College of Engineering		70,000 00

Administrative

Board of Regents:		
Salaries	$7,120 00	
Materials and supplies	185 00	
Services other than personal	2,230 00	
		9,535 00
Payments under this account to be made pursuant to R. S. 18:10–31.		
		$1,399,535 00

E 2. Commissioner of Education

Commissioner of Education.

Salaries:		
Commissioner	$15,000 00	
Five assistant commissioners	35,000 00	
Chief, bureau of examiner	6,000 00	
Physical training superintendent	6,500 00	
Physical training assistant superintendent	3,340 00	
Physical training instructor	3,400 00	
Inspector of buildings	3,900 00	
Superintendent of industrial education..	4,050 00	
Inspectors of accounts (2)	5,400 00	
Inspectors of school accounts	3,800 00	
Assistant for high school work	5,000 00	
Assistant in education	3,200 00	
Clerical services	43,895 00	
		$138,485 00
Materials and Supplies:		
Stationery and office supplies	$14,000 00	
Office equipment replacement	600 00	
Vehicular transportation supplies	1,400 00	
		16,000 00

Services Other Than Personal:		
Traveling expenses ..	$4,500 00	
Postage	3,000 00	
Telephone and telegraph	1,500 00	
Miscellaneous expenses	650 00	
Rent of office space ..	16,935 00	
Printing special bulletins	800 00	
		27,385 00

The moneys in this item appropriated shall be deducted in the same manner as the moneys heretofore appropriated to the Superintendent of Public Instruction are required to be deducted pursuant to R. S. 18:10–31.

$181,870 00

Academic Certificate Fund

Salaries	$4,380 00	
Materials and supplies..	250 00	
Services other than personal	2,000 00	
		$6,630 00

E 3. County Superintendents

County Superintendents.

For county superintendents, for salaries, payments to be made pursuant to R. S. 18:10–31 ..... $105,000 00

E 4. Evening Schools for Foreign-Born Residents

Evening schools.

For the purpose of carrying out the provisions of article 9, chapter 15 of Title 18 of the R. S., payment to be made pursuant to R. S. 18:10–31 $7,500 00

E 5. Industrial Education

Industrial Education.

For payments to schools established for industrial education pursuant to R. S. 18:15–24 ..... $69,000 00

Payments to schools for manual training, pursuant to R. S., chapter 9 of Title 52 ..... 700,000 00

Payments under this account to be made pursuant to R. S. 18:10–31.

$769,000 00

E 6. Manual Training and Industrial School for Colored Youth

Bordentown Industrial School.

For salaries and wages, and for maintenance of the Manual Training and Industrial School for Colored Youth, on the basis of four hundred and twenty-five students.

Salaries and Wages:		
Principal	$6,000 00	
Preceptress	2,000 00	
Teachers	72,060 00	
Other officers and employees	41,910 00	
Student labor	6,000 00	
		$127,970 00

Materials and Supplies:		
Food	$25,500 00	
Heat, light, power, water, gas and electricity	25,500 00	
Household and organization supplies	7,000 00	
Farm, stable and grounds supplies	12,000 00	
Industrial and vocational supplies	4,000 00	
Educational, recreational and library supplies	4,000 00	
Medical and surgical supplies	800 00	
Stationery and office supplies	200 00	
Vehicular transportation supplies	700 00	
Other materials and supplies	100 00	
Office equipment replacement	300 00	
		80,100 00
Current repairs		10,000 00
Services Other Than Personal:		
Traveling expenses	$1,000 00	
Postage	800 00	
Telephone and telegraph	1,325 00	
Entertainment expenses	600 00	
Printing	400 00	
Religious services	200 00	
Miscellaneous expenses	150 00	
		4,475 00

Additions and Improvements:		
Green crop hay loader	$180 00	
Rebuilding tenant house	6,000 00	
Waterproofing basement of Dormitory A	2,400 00	
		8,580 00
Payments under this account to be made pursuant to R. S. 18:10-31.		
		$231,125 00

E 7. School for the Deaf

School for the Deaf.

For salaries and wages and for maintenance of the New Jersey School for the Deaf, on a basis of three hundred and seventy-five pupils.

Salaries and Wages:		
Superintendent	$5,000 00	
Principal, teachers and instructors	138,485 00	
Other officers and employees, present, $74,015.00; new, $800.00	74,815 00	
Medical and surgical fees	900 00	
		$219,200 00
Materials and Supplies:		
Food	$37,500 00	
Clothing	1,500 00	
Heat, light, power, water, gas and electricity	24,500 00	
Household supplies	8,000 00	
Farm, stable and grounds supplies	1,200 00	

Industrial and vocational supplies	6,500 00	
Medical and surgical supplies	800 00	
Educational, recreational and library supplies	4,500 00	
Stationery and office supplies	500 00	
Vehicular transportation supplies	1,200 00	
Other materials and supplies	350 00	
		86,550 00
Current repairs		7,150 00
Services Other Than Personal:		
Traveling expenses (including children's carfare) ...	$1,500 00	
Entertainment expenses	750 00	
Freight, express and cartage	50 00	
Religious instruction .	400 00	
Postage	350 00	
Telephone and telegraph	1,000 00	
		4,050 00
Additions and Improvements:		
Earphones and equipment	$2,000 00	
Replacement wood shop equipment ...	2,400 00	
		4,400 00
Payments under this account to be made pursuant to R. S. 18:10–31.		
		$321,350 00

E 8. STATE BOARD OF EDUCATION

Expenses incurred by the Board of Education		$1,400 00	Board of Education.
Fire and other insurance premiums on buildings under control of State Board of Education		26,500 00	
Payments under this account to be made pursuant to R. S. 18:10–31.			
		$27,900 00	

E 9. STATE BOARD OF EXAMINERS

Salaries:			Board of Examiners.
Head clerk	$2,100 00		
Clerical services	2,880 00		
		$4,980 00	
Materials and Supplies:			
Stationery and office supplies		600 00	
Services Other Than Personal:			
Traveling expenses	$200 00		
Miscellaneous expenses	50 00		
		250 00	
Payments under this account to be made pursuant to R. S. 18:10–31.			
		$5,830 00	

E 10. STATE TEACHERS COLLEGE, GLASSBORO

For salaries and wages and for the maintenance of the State Teachers College, Glassboro, on the basis of four hundred and twenty-five students.		Teachers College, Glassboro.

Salaries and Wages:		
President	$7,500 00	
Teachers	84,259 00	
Other employees	19,360 00	
		$111,119 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$9,000 00	
Farm, stable and grounds supplies	400 00	
Educational, recreational and library supplies	6,000 00	
Stationery and office supplies	500 00	
Household supplies	500 00	
Medical, surgical and laboratory supplies	100 00	
Vehicular transportation supplies	100 00	
Office equipment replacement	100 00	
		16,700 00
Current repairs		3,400 00
Services Other Than Personal:		
Traveling expenses	$450 00	
Traveling expenses, supervisors of student teaching	1,000 00	
Postage	500 00	
Telephone and telegraph	450 00	
Miscellaneous expenses	375 00	
Printing	400 00	
		3,175 00
Additions and Improvements:		
Farm, stable and grounds equipment		500 00

Unclassified:		
Receipts from extension courses are hereby appropriated for use of the said courses, estimated		12,000 00
The moneys in this item appropriated to be deducted in the same manner as the moneys appropriated to normal schools are required to be deducted, pursuant to R. S. 18:10–31.		
		$146,894 00

E 11. State Teachers College, Jersey City

Teachers College, Jersey City.

For salaries and wages and for the maintenance of the State Teachers College, Jersey City, on the basis of five hundred students.		
Salaries and Wages:		
President	$7,500 00	
Teachers	108,580 00	
Other employees	25,165 00	
		$141,245 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$5,500 00	
Educational, recreational and library supplies	7,700 00	
Stationery and office supplies	700 00	
Other materials and supplies	150 00	
Household supplies ..	1,200 00	
Ground supplies	400 00	
Medical, surgical and laboratory supplies	195 00	
Office equipment replacement	350 00	
		16,195 00
Current repairs		5,500 00

Services Other Than Personal:		
Traveling expenses ..	$450 00	
Postage	500 00	
Telephone and telegraph	600 00	
Miscellaneous expenses	550 00	
Printing, including catalog	600 00	
Traveling expenses—Supervision of student training	550 00	
		3,250 00
Additions and Improvements:		
Alterations to rooms and offices	$325 00	
Division of girls shower room	2,250 00	
		2,575 00
Unclassified:		
Receipts from extension courses are hereby appropriated for the use of said courses, estimated ..		2,000 00
The moneys in this item appropriated to be deducted in the same manner as the moneys appropriated to normal schools are required to be deducted, pursuant to R. S. 18:10–31.		
		$170,765 00

E 12. STATE TEACHERS COLLEGE, NEWARK

Teachers College, Newark.

For salaries and wages, and for maintenance of the State Teachers College, Newark, on the basis of six hundred and twenty-five students.

Salaries and Wages:		
President	$7,500 00	
Teachers	139,282 00	
Other employees, present, $23,220.00; new, $1,380.00	24,600 00	
		$171,382 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$5,000 00	
Educational, recreational and library supplies	6,300 00	
Stationery and office supplies	800 00	
Ground supplies (including ash removal)	450 00	
Household supplies ..	650 00	
Office equipment	600 00	
Medical and laboratory supplies	135 00	
		13,935 00
Current repairs		8,000 00

Services Other Than Personal:		
Traveling expenses ..	$400 00	
Traveling expenses—supervisors of student training	1,000 00	
Postage	500 00	
Telephone and telegraph	600 00	
Printing	450 00	
Miscellaneous expenses	250 00	
		3,200 00
Unclassified:		
Receipts from extension courses and summer school courses are hereby appropriated for the use of said courses, estimated		38,000 00
Payments under this account to be made pursuant to R. S. 18:10–31.		
		$234,517 00

E 13. State Teachers College, Paterson

Teachers College, Paterson.

For salaries and wages, and for maintenance of the State Teachers College, Paterson, on the basis of three hundred and seventy-five students, pursuant to the provisions of R. S. 18:16–29 and R. S. 18:16–19.

Salaries and Wages:		
President	$7,500 00	
Teachers	63,590 00	
Other employees	10,880 00	
		$81,970 00

Materials and Supplies:		
Educational, recreational and library supplies	$5,000 00	
Stationery and office supplies	500 00	
Other materials and supplies	100 00	
Heat, light, power, water, gas and electricity	2,500 00	
Household supplies ..	400 00	
Office equipment replacement	400 00	
		8,900 00
Services Other Than Personal:		
Traveling expenses ..	$450 00	
Traveling expenses—student teaching ...	400 00	
Postage	500 00	
Telephone and telegraph	400 00	
Miscellaneous expenses	300 00	
Printing	700 00	
		2,750 00
Additions and Improvements:		
Institutional equipment		375 00
Unclassified:		
Receipts from extension courses are hereby appropriated for the use of said courses, estimated		10,000 00
The moneys in this item appropriated to be deducted in the same manner as the moneys appropriated to normal schools are required to be deducted, pursuant to R. S. 18:10–31.		
		$103,995 00

E 14. STATE TEACHERS COLLEGE, MONTCLAIR

Teachers College, Montclair.

For salaries and wages and for maintenance of the State Teachers College, Montclair, on the basis of six hundred and eighty students.

Salaries and Wages:		
President	$7,500 00	
Teachers	205,900 00	
Other employees, present, $31,762.00; new, $1,080.00	32,842 00	
		$246,242 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$8,500 00	
Educational, recreational and library supplies	10,000 00	
Stationery and office supplies	1,000 00	
Office equipment replacement	270 00	
Ground supplies	1,000 00	
Other materials and supplies	150 00	
Household supplies ..	1,200 00	
Vehicular transportation supplies	330 00	
Medical, surgical and laboratory supplies	200 00	
		22,650 00
Current repairs		12,000 00

Services Other Than Personal:		
Traveling expenses ..	$500 00	
Traveling expenses, practice teaching ..	1,800 00	
Postage	800 00	
Telephone and telegraph	800 00	
Printing	1,200 00	
Miscellaneous expenses	500 00	
		5,600 00
Unclassified:		
For the expenses and maintenance of the dormitories, there is hereby appropriated the receipts therefrom, pursuant to the provisions of R. S. 18:16–31, and all unexpended balances, estimated ...	$60,000 00	
Receipts from extension courses are hereby appropriated for the use of said courses, estimated .	41,000 00	
		101,000 00
Payments under this account to be made pursuant to R. S. 18:10–31.		
		$387,492 00

E 15. STATE TEACHERS COLLEGE, TRENTON

Teachers College, Trenton.

For salaries and wages, and for the maintenance of the State Teachers College, Trenton, on the basis of seven hundred and sixty students.

Salaries and Wages:		
President	$7,500 00	
Business manager	4,000 00	
Teachers	213,750 00	
Other employees	46,533 00	
		$271,783 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$26,500 00	
Educational, recreational and library supplies	10,000 00	
Stationery and office supplies	1,000 00	
Other materials and supplies	150 00	
Vehicular transportation supplies	400 00	
Ground supplies	400 00	
Household supplies	1,250 00	
Medical, surgical and laboratory supplies	200 00	
Institutional equipment replacement	367 50	
Office equipment replacement	1,000 00	
		41,267 50
Current repairs		8,000 00

Services Other Than Personal:		
Traveling expenses ..	$400 00	
Expenses, supervision of student teaching.	1,550 00	
Postage	800 00	
Telephone and telegraph	1,500 00	
Miscellaneous expenses	500 00	
Printing	800 00	
		5,550 00
Unclassified:		
For the expenses and maintenance of the dormitories and lunch rooms, there is hereby appropriated the receipts therefrom, pursuant to the provisions of R. S. 18:16–31, and all unexpended balances, estimated ...	$121,000 00	
Receipts from extension courses are hereby appropriated for the use of said courses, estimated	14,200 00	
		135,200 00
Payments under this account to be made pursuant to R. S. 18:10–31.		
		$461,800 50

E 16. TEACHERS' LIBRARIES

Teachers' Libraries.

Establishment and maintenance of libraries for use of teachers	$400 00
Payments under this account to be made pursuant to R. S. 18:10–31.	

E 17. TEACHERS' RETIREMENT FUND—PENSION AND ANNUITY FUND

Teachers' Retirement Fund.

State Treasurer, for expenses incurred in connection with the fund, pursuant to article 3, chapter 13 of Title 18 of the R. S.		
Salaries of clerks	$5,720 00	
Materials and supplies and miscellaneous expenses	100 00	
		$5,820 00
Payments under this account to be made pursuant to R. S. 18:10–31.		

E 18. VOCATIONAL SCHOOLS

Vocational schools.

For the purpose of carrying into effect the provisions of chapter 76, laws of 1916, which provides for the appropriation of State funds for the purpose of carrying out the provisions of article 5, chapter 15, of Title 18 of the R. S., which authorized State aid for vocational schools	$400,000 00

For the purpose of carrying into effect the provisions of article 1, chapter 17 of Title 18 of the R. S., which provides that the State shall appropriate a sum not less than the maximum amount received from the Federal Government under an act of Congress, which provides for Federal co-operation in the promotion of such education as agriculture and the trades and industries, and for the proper preparation of teachers of vocational subjects ...	33,047 63
Matching George Deen Vocational Law	20,000 00
Payments under this account to be made pursuant to R. S. 18:10–31.	
	$453,047 63

E 19. TEACHERS' PENSION AND ANNUITY FUND

Teachers' Pension and Annuity Fund.

Interest due Teachers' Pension and Annuity Fund, pursuant to chapter 88, laws of 1938	$146,711 94
Interest due Teachers' Pension and Annuity Fund, pursuant to chapter 196, laws of 1939	60,000 00
Interest due Teachers' Pension and Annuity Fund, pursuant to chapter 122, laws of 1940	37,500 00
Interest due Teachers' Pension and Annuity Fund, pursuant to chapter 123, laws of 1940	11,250 00
	$255,461 94

F. Agricultural

F 1. Agricultural Experiment Station

Agricultural Experiment Station.

Salaries and wages and for the expenses of maintenance and operation of the New Jersey Agricultural Experiment Station at New Brunswick, and its authorized activities..	$188,590 00
Printing bulletins and circulars	6,000 00
Books and binding	1,000 00
Abolishing mosquito-breeding, pursuant to R. S. 26:9–1 to 26:9–26, inclusive, and investigations incident thereto	14,176 00
Investigation of oyster propagation, pursuant to R. S. 4:16–10	6,430 00
Department of Poultry Husbandry, pursuant to R. S. 4:16–12 to 4:16–16, inclusive, also 4:16–9 including poultry specialists for South Jersey	25,595 00
Seed inspection, pursuant to R. S., chapter 8 of Title 4	10,615 00
Investigational work with greenhouse crops	11,230 00
Insecticide inspection, pursuant to article 4, chapter 7 of Title 4 of the R. S.	500 00
Educational service in Agricultural Extension, pursuant to the provisions of R. S. 4:16–22 to 4:16–30 of the R. S. and other Agricultural Extension work	103,515 00
Cranberry and blueberry investigation	7,110 00
Egg-laying and breeding tests pursuant to the provisions of R. S. 18:15–6 and 18:15–7 and R. S. 4:16–17 including squab breeding tests	11,720 00

Experimental work in growing white potatoes, sweet potatoes and tomatoes		10,640 00
Legume inoculation inspection		1,030 00
Sewage investigation, pursuant to R. S. 4:16–11		18,180 00
For the purpose of carrying into effect the provisions of article 2, chapter 12 of Title 4 of the R. S., creamery inspection		2,730 00
Investigation of vegetable diseases		3,250 00
Investigation of bee husbandry		3,415 00
Investigations of diseases of ornamental plants and nursery stock		3,775 00
Combating insects affecting fruit and ornamental plants		9,245 00
Experimental work with small fruits		4,150 00
Spray residue investigations		5,600 00
Control of insects affecting vegetable crops investigations		4,615 00
Maintenance of a turkey breeding and feeding research farm		6,041 00
Investigation and research as to causes of Bang's disease and mastitis among cattle		11,640 00
Expenses incurred in soil conservation studies		5,100 00
Services Other Than Personal:		
Maintenance of Boys' and Girls' 4-H Club exhibits and payment of premiums	$7,500 00	
Maintenance and repairs, State buildings at New Jersey State Fair, also premiums for live stock, poultry, horticultural, agricultural and home		

economics exhibits at the New Jersey State Fair and the several county fairs	4,500 00	
		12,000 00
Materials and Supplies:		
Replacement of cars and trucks ...		2,500 00
Current Repairs:		
Repairs to greenhouses	$1,000 00	
Repairs to poultry buildings and fences	750 00	
Repairs to buildings and fencing on land acquired under chapter 116, laws of 1940 (Warnsdorfer Farm)	13,000 00	
		14,750 00
Additions and Improvements:		
Additional farm equipment		1,900 00
North Jersey Branch		
Maintenance, improvements and equipment.	$34,900 00	
Experimental purposes in dairy farming	5,450 00	
		40,350 00
		$547,392 00

F 2. Department of Agriculture

Salaries and administration of the Department of Agriculture, pursuant to chapter 1, of Title 4 of the R. S.		$69,450 00
Editorial Division		9,385 00
Tuberculosis eradication	$73,460 00	
Appraisements — condemned cattle	25,000 00	
		98,460 00

The unexpended balance as of June 30, 1941, of the appropriation made for appraisements—condemned cattle is hereby reappropriated.

Contagious abortion control and Bang's Disease control pursuant to article 3, chapter 5 of Title 4 of the R. S.	$14,870 00	
Indemnities—condemned cattle	75,000 00	
		89,870 00

The unexpended balance as of June 30, 1941, of the appropriation made for Indemnities—Condemned Cattle is hereby reappropriated.

Poultry disease control	5,370 00
Miscellaneous animal disease control	6,340 00
Fruit and vegetable marketing, pursuant to chapter 10 of Title 4 of the R. S.	10,000 00
Crops and markets information service	7,015 00
Poultry products, marketing, pursuant to chapter 10 of Title 4 of the R. S.	11,055 00
Dairy products marketing	6,220 00
Farm statistics	7,850 00
Plant inspection	22,470 00

Bee disease control	2,915 00
Japanese beetle control	51,155 00
Gipsy moth extermination	13,600 00
Licensing and bonding	8,110 00
Fresh egg law enforcement	11,040 00
Dutch elm disease control	39,830 00
Poultry Promotion, pursuant to article 1 of chapter 3 of Title 4 of the R. S.	2,000 00
	$472,135 00

F 4. State Soil Conservation Committee

Soil Conservation Committee.

Salaries:	
Compensation of employees	$2,120 00
Services Other Than Personal:	
Traveling expenses	880 00
	$3,000 00

G. Military

G 1. Adjutant-General's Department

Adjutant-General's Department.

Salaries:		
Adjutant-General	$7,500 00	
Deputy Adjutant-General	6,223 00	
Chief, War Records and Mobilization Division	5,208 00	
Assistant State Service Officers (3)	9,120 00	
Chief, Organization and Training Section	3,560 00	
Clerical services, present, $28,836.00; new, $2,880.00	31,716 00	
		$63,327 00

Materials and Supplies:		
Stationery and office supplies	$1,000 00	
Vehicular transportation supplies	1,000 00	
Office equipment replacement	1,200 00	
		3,200 00
Services Other Than Personal:		
Printing and binding.	$900 00	
Traveling expenses ..	1,000 00	
Miscellaneous expenses	500 00	
		2,400 00
Extraordinary Expenses:		
Repair of old flags		2,500 00
Unclassified Expenses:		
Pursuant to the provisions of chapter 20 of Title 38 of the R. S., to provide assistance in the education of "War Orphans"		1,000 00
		$72,427 00

G 2. National Guard and/or State Guard

Maintenance of Organizations

National Guard and State Guard.

Allowance for 44th Division headquarters ...	$22,500 00
Allowance for 44th Division. Special Troops .	2,250 00
Allowance for 119th Observation Squadron	4,500 00
Allowance for headquarters and headquarters company, 57th Infantry Brigade	1,875 00

Allowance for two regiments of Infantry (113th and 114th) ...	10,125 00	
Allowance for one regiment of Cavalry (102nd)	10,500 00	
Allowance for one regiment of Field Artillery (112th) horse drawn .	7,250 00	
Allowance for one regiment of Field Artillery (157th) motorized	7,500 00	
Allowance for one regiment of Engineers (104th)	6,000 00	
Allowance for one Medical Regiment (119th).	2,250 00	
Allowance for one Quartermaster Regiment (119th)	2,250 00	
Allowance for headquarters and Headquarters Battery, 69th Field Artillery Brigade	1,875 00	
Allowance for State Staff Corps and Department	2,000 00	
Caretaker of military equipment, Signal Corps	1,080 00	
Caretaker for drill hall at Flemington	840 00	
Allowance for one regiment of Field Artillery (165th) motorized	7,500 00	
Allowance for 261st Coast Artillery Regiment	5,000 00	
Allowance for 372nd Pioneer Infantry Regiment	1,250 00	
		$96,545 00

Maintenance of Armories, Arsenals and Camp Grounds

Allowance for rent of quarters, heat and light, and miscellaneous expenses for companies or troops stationed in towns and cities not quartered in State-owned armories, namely, Flemington, Freehold, Garages, and Sea Girt Garage	$12,000 00
State camp grounds, salaries, wages and maintenance, including arsenal at Sea Girt and maintenance thereof	35,000 00
Regimental armories at Jersey City, Paterson, Trenton (2), Teaneck and two at Newark and two at Camden..	130,000 00
Troop, battery and battalion armories at East Orange, Elizabeth, Red Bank, Orange, Westfield, Passaic, Englewood, Atlantic City, West Orange, Morristown, Newark Air Port, and Vineland	100,000 00
Company armories at Somerville, Bridgeton, Dumont, Asbury Park, New Brunswick, Mount Holly, Burlington, Flemington, Hackensack, Salem,	

New Jersey State Library

Woodbury, Freehold, Trenton, Plainfield, Atlantic City, Newark, Camden and Garages at Trenton, Hackensack, West Orange and Camden	45,000 00	
Fire insurance on all military buildings and contents	33,735 00	
Insurance (other than fire)	16,000 00	
Rent of drill hall for headquarters and machine gun troops, Newark	5,500 00	
Automobile maintenance	3,000 00	
Salary and expenses of Superintendent of Building Construction	6,000 00	
		386,235 00

Army Instruction and Field Training

Transportation and expenses for battalion drills, inspection, parades, schools of instruction and pay and expenses of inspecting officers and transportation of disabled soldiers	$4,000 00	
Compensation of officers and employees and expenses incurred in connection with rifle practice	7,500 00	
Pay of caretakers and mechanics for motorized and mounted organizations	8,000 00	

Salary of clerk to senior inspector-instructor ..	1,740 00	
Compensation of officers and enlisted men and expenses in connection with annual encampment	50,000 00	
Traveling expenses, inspector-instructors ..	800 00	
Attendance of national guard officers at conferences and for pay of contract surgeons..	1,500 00	
		73,540 00

General Maintenance Expenses

Maintenance of military equipment	$7,500 00	
Military boards expenses	375 00	
		7,875 00

Armory Construction

Renovations, repairs and additions to thirty-nine armories, buildings at camp grounds and rifle range	$37,500 00	
Furnishings for thirty-nine armories	25,000 00	
		62,500 00

Compensation Awards

Compensation, hospitalization and medical attendance due to injuries received in National Guard service under provisions of chapter 11 of Title 38 of the R. S.	$5,936 07	

Claim of Mrs. Louise M. Higgins, for the death of her husband, Sergeant John R. Higgins, 119th Motorcycle Company, which occurred near Freehold, N. J., August 17, 1932	455 53	
Claim of Mrs. Ida Mae Leidner for the death of her husband, Private Thomas Leidner, Troop E, 102nd Cavalry, which occurred at Long Branch, N. J., September 14, 1938, the result of injuries received at Sea Girt, N. J., July 8, 1935 ..	608 40	
		7,000 00

All unexpended balances in the National Guard Account for the year ending June 30, 1941, are hereby reappropriated.

$633,695 00

G 3. NAVAL MILITIA

Naval Militia.

Brigade headquarters	$300 00
Second Battalion, Camden	
Allowance for miscellaneous expenses in lieu of company expenses	1,000 00
Allowance for battalion headquarters	200 00
Seventh Battalion, Jersey City	
Allowance for miscellaneous expenses in lieu of company expenses	1,000 00
Allowance for battalion headquarters	200 00

Eighth Battalion, Perth Amboy

Allowance for miscellaneous expenses in lieu of company expenses	1,000 00
Allowance for battalion headquarters	200 00
Pay, expenses, et cetera, of officers and enlisted men on annual cruise and practice cruises	8,500 00
Pay of shipkeepers, rent of wharves and drill hall, maintenance and general expenses	5,000 00
Maintenance of Perth Amboy armory	5,000 00
Maintenance of Camden armory	6,000 00
All unexpended balances in the Naval Militia Reserve Account for the year ending June 30, 1941, are hereby reappropriated.	
	$28,400 00

G 4. QUARTERMASTER-GENERAL'S DEPARTMENT

Quartermaster-General's Department.

Salaries:		
Quartermaster - General	$6,234 18	
Deputy Quartermaster-General	5,673 00	
Chief, administrative section	2,948 62	
Chief, finance section.	3,000 75	
Chief, property section	2,833 67	
Compensation of other assistants	13,372 00	
		$34,062 22
Materials and Supplies:		
Stationery and office supplies		500 00

Services Other Than Personal:		
Miscellaneous expenses		200 00
All unexpended balances in the Quartermaster - General's Department for the year ending June 30, 1941, are hereby reappropriated.		
		$34,762 22

H. Pension and Retirement Fund

H 1. Judicial Retirement Fund

Judicial Retirement Fund.

For the purpose of carrying out the provisions of article 1, chapter 6 of Title 43 of the R. S.		$27,000 00

H 2. Pensions

Sundry Pensions.

For amount required to pay pensions pursuant to various acts relative thereto, irrespective of any provisions therein that pensions shall be made in the appropriation or tax levy for the department of the public service from which the pensioner shall be so retired		$110,000 00

H 3. State Employees' Retirement System

State Employees' Retirement System.

Expenses in carrying into effect the provisions of chapter 14 of Title 43 of the R. S.		
Salaries:		
Secretary	$4,000 00	
Compensation for assistants, present, $18,600.00; new, $960.00	19,560 00	
		$23,560 00

Materials and Supplies:		
Stationery and office supplies	$600 00	
Office equipment replacement	500 00	
		1,100 00
Services Other Than Personal:		
Miscellaneous expenses	$500 00	
Printing	125 00	
		625 00
Unclassified:		
To the Treasurer of the State of New Jersey, custodian for Contingent Reserve Fund, created by R. S. 43:14–12 and 43:14–14 State's Accrued Liability Contribution	$96,680 00	
State's share, contributions on account of members' service	367,088 00	
Receipts from counties or municipalities pursuant to chapter 15 of Title 43 of the R. S., estimated	2,000 00	
		465,768 00
		$491,053 00

H 4. Annuity for Widows of Governors

Annuity for Widows of Governors.

Annuity for widows of Governors of New Jersey, pursuant to R. S. 43:8–2	$5,000 00

J. Constructive

J 1. Port Raritan District Commission

Port Raritan District Commission.

Carrying out the provisions of chapter 12 of Title 12 of the R. S.	
Salaries	$4,940 00
Services Other Than Personal	1,860 00
	$6,800 00

J 2. South Jersey Port Commission

South Jersey Port Commission.

For the purpose of carrying out the provisions of chapter 11 of Title 12 of the R. S.	
Salaries	$25,805 00
Materials and supplies and miscellaneous expenses	3,000 00
	$28,805 00

J 3. STATE HOUSING AUTHORITY

State Housing Authority.

Salaries:		
Compensation for assistants		$20,989 95
Materials and Supplies:		
Heat, light and power, water, gas and electricity		1,000 00
Services Other Than Personal:		
Traveling expenses ..	$1,000 00	
Telephone and telegraph	800 00	
Printing, binding, photographing and blueprinting	200 00	
Miscellaneous expenses	1,000 00	
		3,000 00
Unclassified:		
The balance of the Revolving Fund for project preparation on the 30th day of June, 1941, is hereby reappropriated.		
Compensation claim for widow of William Nelson		693 16
		$25,683 11

J 4. STATE PLANNING BOARD

State Planning Board.

Salaries:		
Compensation for employees, present, $6,120.00; new, $6,000.00 ..		$12,120 00
Materials and Supplies:		
Stationery and office supplies	$300 00	
Photographing, blueprinting and drafting supplies	200 00	
		500 00

Services Other Than Personal:		
Traveling expenses ..	$500 00	
Telephone and telegraph	150 00	
Rents	1,800 00	
Printing, binding, photographing and blueprinting	1,000 00	
Postage	300 00	
Miscellaneous expenses	500 00	
		4,250 00
		$16,870 00

K. General

K 1. Burial Grounds

Burial grounds.

For the care and maintenance of burial grounds, purchased by the State pursuant to chapter 171, laws of 1898	$75 00

K 2. Commissioners of High Point Park

High Point Park Commissioners.

Expenses incurred by the commission appointed pursuant to the provisions of chapter 5 of Title 13 of the R. S.	
Salaries:	
Superintendent and executive secretary, laborers, mechanics and other employees	$28,180 00

Materials and Supplies:		
Heat, light, power, water, gas and electricity	$4,200 00	
Ground supplies	200 00	
Vehicular transportation supplies	2,600 00	
Household and organization supplies	600 00	
Stationery and office supplies	150 00	
Other materials and supplies	200 00	
Supplies for the zoo	400 00	
		8,350 00
Current repairs		5,500 00
Services Other Than Personal:		
Telephone and telegraph	$400 00	
Insurance—auto, fire, robbery and workmen's compensation	1,000 00	
Miscellaneous expenses	200 00	
		1,600 00
		$43,630 00

K 3. Commissioners of Palisades Interstate Park

Salaries		$95,000 00	Palisades Interstate Park Commissioners
Materials and Supplies:			
Clothing	$750 00		
Heat, light, power, water, gas and electricity	6,400 00		
Ground supplies	300 00		
Household supplies	350 00		

Medical and surgical supplies	50 00	
Motor vehicular transportation supplies .	3,000 00	
Stationery and office supplies	430 00	
Photographing and drafting supplies ..	100 00	
Farm supplies	100 00	
Engineering supplies.	100 00	
Other materials and supplies	400 00	
		11,980 00
Current Repairs		4,000 00
Services Other Than Personal:		
Traveling expenses ..	$120 00	
Telephone and telegraph	1,000 00	
Insurance (other than fire)	4,100 00	
Postage	250 00	
		5,470 00
Additions and Improvements:		
Skating rink, Fort Lee		1,000 00
Survey for parkway		10,000 00
		$127,450 00

K 4. State Crippled Children's Commission

Crippled children.

Carrying out the provisions of chapter 188, laws of 1926, and supplements.

Salaries:		
Director	$5,000 00	
Secretary	2,400 00	
Medical director	1,500 00	
Clerical services	2,700 00	
		$11,600 00

Materials and Supplies:		
Stationery and office supplies	$275 00	
Hospitalization, braces, et cetera ...	16,180 00	
		16,455 00
Services Other Than Personal:		
Telephone and telegraph	$75 00	
Traveling expenses ..	1,000 00	
Postage	400 00	
		1,475 00
		$29,530 00

K 5. Old Barracks Association

Old Barracks.

For the Old Barracks Association of Trenton, New Jersey, for maintenance and administration of the Old Barracks at Trenton, as a historical landmark and repository	$2,700 00

K 6. Public Library Commission

Public Library Commission.

Salaries:		
Secretary and librarian	$5,000 00	
Assistant librarian and other employees, present, $18,200.00; new, $960.00	19,160 00	
		$24,160 00

Materials and Supplies:		
Stationery and office supplies	$1,500 00	
Educational and library supplies	25,000 00	
Office equipment replacement	400 00	
Vehicular transportation supplies	700 00	
		27,600 00
Services Other Than Personal:		
Traveling expenses ..	$300 00	
Formation and aid of school and county libraries, article 2, chapter 12 of Title 18 of the R. S.	10,000 00	
Donations to libraries, subdivision A, article 3, chapter 26 of the Title 52 of the R. S.	200 00	
Freight, express and cartage	500 00	
Printing and binding .	1,000 00	
Miscellaneous expenses	175 00	
		12,175 00
		$63,935 00

K 8. Rehabilitation Commission

Rehabilitation Commission.

For the purpose of carrying into effect the provisions of chapter 16 of Title 34 of the R. S.		
Salaries:		
Administrative	$20,000 00	
Physicians in charge and assistants	22,600 00	
Vocational examiners.	26,280 00	
Clinical employees ...	22,740 00	
Clerical and other employees	33,540 00	
Janitor service	1,860 00	
		$127,020 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$1,100 00	
Office equipment replacement	500 00	
Stationery and office supplies	400 00	
Medical, surgical and laboratory supplies.	19,000 00	
Household and organization supplies	150 00	
Tuition and vocational supplies	21,000 00	
		42,150 00
Current repairs		700 00

Services Other Than Personal:		
Traveling expenses ..	$14,000 00	
Rent	5,350 00	
Insurance (other than fire)	201 80	
Telephone and telegraph	500 00	
Household expenses ..	1,500 00	
Freight, express and miscellaneous expenses	75 00	
Printing and binding .	300 00	
		21,926 80
		$191,796 80

K 9. Refund of Railroad Tax

Railroad tax refund.

The Comptroller of the Treasury is hereby authorized and empowered to adjust and repay any overpayment of tax assessed and penalty thereon, for any year, pursuant to section 14, chapter 208, laws of 1888, and the acts amendatory thereof and supplementary thereto, or R. S. 54:28–4, made by any railroad and canal company, and the State Treasurer is directed to pay warrants therefor issued by the Comptroller, said payment shall be deducted from the amount originally paid into and remaining undistributed in the treasury of the State, and the amount of money necessary for such purpose as ascertained is hereby appropriated.

K 10. Refunding Taxes on Miscellaneous Corporations

Miscellaneous corporation tax refund.

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

K 11. State Library

State Library.

Salaries:		
Librarian	$5,000 00	
Assistant librarian ..	3,500 00	
Law librarian	2,640 00	
Reference librarian ..	3,000 00	
Clerical services and messenger	14,460 00	
		$28,600 00
Materials and Supplies:		
Library supplies	$4,300 00	
Stationery and office supplies	400 00	
		4,700 00

Services Other Than Personal:		
Traveling expenses ..	$400 00	
Legislative reference department	250 00	
Miscellaneous expenses	950 00	
Printing and binding.	2,500 00	
		4,100 00
		$37,400 00

K 12. Commission to Mark Historic Sites

Commission to Mark Historic Sites.

Expenses of the commission, pursuant to chapter 1 of Title 28 of the R. S.	$14,860 00

K 13. Unclaimed Wages

Unclaimed wages.

The Comptroller is hereby authorized to pay from this fund any claim for unclaimed wages, properly approved.

K 14. New Jersey Archives

New Jersey Archives.

Expenses incurred in printing the New Jersey Archives	$3,300 00

K 15. Grover Cleveland Birth Place Association

Cleveland Association.

Expenses incurred by the commission appointed pursuant to chapter 270, laws of 1933	$1,200 00

K 16. NEW JERSEY GRAND ARMY OF THE REPUBLIC

New Jersey G. A. R.

Providing assistance to the Department of New Jersey, Grand Army of the Republic, pursuant to chapter 156, laws of 1921	$1,000 00

K 17. SPANISH-AMERICAN WAR VETERANS

Spanish-American War Veterans.

To compile and preserve record of proceedings of the Spanish-American War Veterans of New Jersey ..	$1,000 00

K 18. VETERANS OF FOREIGN WARS

Veterans of Foreign Wars.

Expenses incident to the reception and entertainment of the honorably discharged, wounded, injured or disabled soldiers, sailors and marines of the State of New Jersey, at the State Convention of the Department of New Jersey, Veterans of Foreign Wars	$1,000 00

K 19. NEW JERSEY VETERANS OF ALL WARS

Veterans of All Wars Association.

Memorial Association

Salaries:		
Caretaker		$300 00
Materials and Supplies:		
Stationery and office supplies	$25 00	
Flags	25 00	
Other materials and supplies	25 00	
		75 00
Current repairs		100 00

Services Other Than Personal:		
Printing	$40 00	
Postage	10 00	
Miscellaneous expenses, including lighting	50 00	
		100 00
		$575 00

K 20. Good-Will Commission

Good-Will Commission.

Salaries and expenses incurred by the Good-Will Commission, pursuant to Joint Resolution No. 11, approved June 4, 1938.		
Salaries	$3,360 00	
Materials and supplies	500 00	
Services other than personal	1,200 00	
		$5,060 00

L. Special Funds

L 1. State Emergency Fund

Emergency Fund.

For the State House Commission to meet conditions of emergency and contingency the sum of $25,000 00

Proviso.

Provided, however, that all disbursements therefrom shall be made upon the written authorization of members of said commission, in accordance

with the provisions of chapters 20 and 22 of Title 52 of the R. S.		
For the State House Commission to pay compensation awards allowed State employees	20,000 00	
		$45,000 00

L 2. Fire Insurance

Fire Insurance.

For the State House Commission for payment of fire insurance premiums not otherwise provided for, maturing during the current fiscal year, fire insurance on all State buildings to be placed by said commission, all bills to be approved by said commission, and policies filed with the State Comptroller as Secretary of the State House Commission	$118,268 82

L 3. Debt Service

Debt Service.

Principal and interest requirements on Emergency Relief Bonds authorized at the election held November 6, 1934	$1,296,875 00

X. Institutions and Agencies

X 1. Department of Institutions and Agencies

Department of Institutions and Agencies.

Salaries:		
Commissioner	$15,000 00	
Director of administration and accounts—deputy commissioner	7,500 00	
Director, division of medicine	7,500 00	
Director of statistics and research	6,000 00	
Supervising steward .	5,500 00	
Director of classification	4,760 00	
Director of inspections	3,500 00	
Agricultural supervisor	4,000 00	
Institutional collectors (2)	5,640 00	
Other officers and employees, present, $82,000.00; new, $1,380.00	83,380 00	
		$142,780 00
Materials and Supplies:		
Stationery, office supplies and equipment	$5,000 00	
Vehicular transportation supplies	5,500 00	
Exchange of automobiles	1,800 00	
		12,300 00

Services Other Than Personal:		
Traveling expenses ..	$3,400 00	
Miscellaneous expenses	2,100 00	
Deporting aliens and nonresidents	2,000 00	
		7,500 00

Central Parole Bureau

Salaries:		
Director, parole and domestic relations..	$5,000 00	
Assistant directors parole and domestic relations	7,020 00	
Parole officers, present, $65,060.00; new, $3,000.00	68,060 00	
Miscellaneous services	1,000 00	
Other employees	29,460 00	
		110,540 00
Materials and Supplies:		
Stationery, office supplies and equipment	$2,250 00	
Vehicular transportation supplies	5,500 00	
Auto exchange	1,800 00	
		9,550 00
Services Other Than Personal:		
Traveling expenses ..	$7,000 00	
Miscellaneous expenses	900 00	
		7,900 00
Additions and Improvements:		
Automobiles (2 new)		1,350 00

Division of Old Age Assistance

Salaries:		
Director	$4,260 00	
Other officers and employees	35,800 00	
		40,060 00
Materials and Supplies:		
Stationery, office supplies and equipment	$2,700 00	
Replacement of motor vehicles	1,200 00	
Vehicular transportation supplies	1,400 00	
		5,300 00
Services Other Than Personal:		
Traveling expenses ..	$1,800 00	
Miscellaneous expenses	600 00	
		2,400 00
Additions and Improvements:		
Steel filing cabinets		525 00

Industrial Supervision

Salaries:	
Director institutional industries	$7,000 00
Assistant director of industries	4,500 00
Clerical services and other employees ...	23,530 00
	$35,030 00

State Use Funds

For the State Use Revolving Fund there is hereby appropriated the unexpended balance of the fund now known as the "State Use Working Capital Fund," and in accordance with the provisions of R. S. 30:4–100, all receipts when received derived from State use production will be credited to the State Use Revolving Fund.

The following sum is appropriated from the State Use Revolving Fund, for further plant and equipment for State use industries from the surplus in the revolving fund in excess of the amount of $50,000.00.

Repair, replacement and extension of State use industry, as follows:

State Prison Rahway Reformatory Vineland State School State Home for Girls North Jersey Training School, Totowa Criminal Insane and Penal Institutions Reformatory, Annandale Prison Farm, Bordentown Prison Farm, Leesburg Reformatory, Clinton Commission for the Blind Village for Epileptics	$37,500 00

Division of Architecture and Construction

Salaries:		
Director	$6,000 00	
Assistant director and mechanical engineer	4,800 00	
Other employees	61,518 00	
		$72,318 00
Materials and Supplies:		
Vehicular transportation supplies	$2,100 00	
Stationery and office supplies	600 00	
Auto exchange	600 00	
Photographing, photostating and blueprinting supplies ..	500 00	
		3,800 00
Services Other Than Personal:		
Traveling expenses ..	$1,750 00	
Miscellaneous expenses	750 00	
		2,500 00
It is hereby provided that additional employees shall be paid from the fees received by the division at rates fixed by the Civil Service Commission.		
		$418,823 00

X 2. Colony for Feeble-Minded Males, New Lisbon

New Lisbon Colony.

For salaries and wages, and for maintenance of the Colony for Feeble-Minded Males, on the basis of eight hundred inmates.

Salaries and Wages:		
Superintendent	$5,000 00	
Other officers and employees, present, $123,680.00; new, $2,100.00	125,780 00	
Medical and surgical fees	1,200 00	
Religious services ...	1,200 00	
		$133,180 00
Materials and Supplies:		
Food	$40,000 00	
Clothing	12,500 00	
Heat, light, power, water, gas and electricity	31,000 00	
Household supplies ..	11,000 00	
Farm, stable and grounds supplies ..	16,500 00	
Industrial and vocational supplies	1,800 00	
Medical, surgical and laboratory supplies	2,900 00	
Vehicular transportation supplies	2,250 00	
Stationery and office supplies	500 00	
Educational, recreational and library supplies	900 00	
Other materials and supplies	1,750 00	

Replacement fire protection equipment..	200 00	
		121,300 00
Current repairs		8,000 00
Services Other Than Personal:		
Traveling expenses ..	$900 00	
Telephone and telegraph	2,100 00	
Postage	650 00	
Insurance (other than fire)	600 00	
Entertainment expenses	650 00	
Freight, express and cartage	300 00	
		5,200 00
Additions and Improvements:		
Laundry equipment ..	$1,000 00	
Purchase of water softening equipment	1,400 00	
		2,400 00
		$270,080 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.

X 3. Colony for Feeble-Minded Males, Woodbine

Woodbine Colony.

For salaries and wages, and for maintenance of the Colony for Feeble-Minded Males, Woodbine, on the basis of six hundred and ninety inmates.

Salaries and Wages:		
Superintendent	$4,500 00	
Attendants, nurses and other employees, present, $123,403.00; new, $600.00	124,003 00	
Medical, surgical and dental fees	1,000 00	
		$129,503 00
Materials and Supplies:		
Food	$53,500 00	
Clothing	8,500 00	
Heat, light, power, water, gas and electricity	20,000 00	
Household supplies ..	8,000 00	
Farm, stable and grounds supplies ..	2,500 00	
Medical and surgical supplies	2,200 00	
Stationery and office supplies	600 00	
Vehicular transportation supplies	1,200 00	
Educational, recreational and library supplies	750 00	
Replacement of motor vehicles	1,750 00	
Other materials and supplies	325 00	
Recondition boilers, stokers, et cetera..	1,400 00	
		100,725 00
Current repairs		6,000 00

Services Other Than Personal:		
Telephone and telegraph	$1,000 00	
Traveling expenses	500 00	
Postage	450 00	
Funeral expenses	300 00	
Insurance (other than fire)	300 00	
Freight and express	100 00	
Miscellaneous expenses	400 00	
		3,050 00
Additions and Improvements:		
Farm overhead irrigation system	$500 00	
Reconstruction ward No. 4	800 00	
		1,300 00
Unclassified:		
Compensation award to Mrs. Calloway		594 88
		$241,172 88

This colony is authorized to pay for the maintenance of any county indigent patient transferred from the colony to an institution for training of the feeble-minded, to which moneys are paid by the State pursuant to R. S. 30:4–176, whatever sum or sums received from the counties to pay the cost of such maintenance of any said patient in the colony.

X 4. COMMISSION FOR THE BLIND

Salaries:		
Executive officer and secretary	$4,000 00	
Assistant executive officer	2,760 00	
Teachers of occupational subjects and other employees, present, $42,260.00; new, $1,800.00	44,060 00	
		$50,820 00
Materials and Supplies:		
Extension of home industries	$1,200 00	
Stationery and office supplies	1,350 00	
Replacement of office appliances and special equipment	500 00	
		3,050 00
Services Other Than Personal:		
Traveling expenses ..	$7,000 00	
Postage	1,700 00	
Support and instruction of the blind ...	40,000 00	
Higher education of the blind	5,000 00	
Expressage	850 00	
Entertainment for the blind	250 00	
Telephone and telegraph	1,050 00	
Prevention of blindness	750 00	
State relief for the blind	250 00	
Miscellaneous expenses	250 00	
		57,100 00

Additions and Improvements:		
New station wagon		850 00
Unclassified:		
Maintenance of summer camp		2,800 00
The balance to the credit of the outdoor relief—Revolving Fund—on the thirtieth day of June, one thousand nine hundred and forty-one, is hereby reappropriated, said sum not to exceed $8,500.00.		
The balance to the credit of the Revolving Industrial Fund on the thirtieth day of June, one thousand nine hundred and forty-one, is hereby reappropriated as a Revolving Industrial Fund, in the sum of $2,000.00.		
		$114,620 00

X 5. County Insane Hospitals

County Hospitals for the Insane.

For the support of patients pursuant to R. S. 30:4–78, in County Insane Hospitals:		
Atlantic	$54,000 00	
Burlington	41,500 00	
Camden	126,000 00	
Cumberland	33,000 00	
Essex	600,000 00	
Hudson	325,000 00	
		$1,179,500 00

Said amounts to include payment of bills prior to current fiscal year.

X 6. COUNTY TUBERCULOSIS HOSPITALS

County Hospitals for Tuberculosis.

For the support of patients pursuant to subdivision C, article 4, chapter 9 of Title 30, of the R. S., in the following county hospitals:		
Atlantic	$17,000 00	
Bergen	83,000 00	
Burlington	24,100 00	
Camden	57,500 00	
Cape May	3,700 00	
Cumberland	15,000 00	
Essex	155,000 00	
Gloucester	9,000 00	
Hudson	140,000 00	
Hunterdon	4,000 00	
Mercer	43,000 00	
Middlesex	66,500 00	
Monmouth	26,000 00	
Morris	19,000 00	
Ocean	7,000 00	
Passaic	81,000 00	
Salem	4,000 00	
Somerset	15,000 00	
Sussex	4,000 00	
Union	95,000 00	
Warren	4,000 00	
		$872,800 00

Said amounts to include payment of bills prior to current fiscal year.

X 7. FEEBLE-MINDED

Feeble-minded.

Clothing, maintenance, support and instruction of feeble-minded	$172,500 00

X 8. Home for Disabled Soldiers, Menlo Park

Soldiers' Home, Menlo Park.

For salaries and wages, and for maintenance of the Home for Disabled Soldiers, Menlo Park, on the basis of eighty veterans.

Salaries and Wages:		
Superintendent	$5,000 00	
Other officers and employees	27,400 00	
Religious services ...	150 00	
		$32,550 00
Materials and Supplies:		
Food	$10,700 00	
Clothing	1,250 00	
Heat, light, power, water, gas and electricity	4,500 00	
Household supplies ..	1,000 00	
Grounds (includes care of cemetery)..	500 00	
Stationery and office supplies	250 00	
Medical, surgical and laboratory supplies	700 00	
Vehicular transportation supplies	700 00	
Other materials and supplies	100 00	
Replacement of motor vehicles	1,200 00	
		20,900 00
Current repairs		600 00

Services Other Than Personal:		
Household expenses ..	$1,000 00	
Traveling expenses ..	200 00	
Postage	200 00	
Telephone and telegraph	400 00	
Funeral expenses	100 00	
Entertainment expenses	175 00	
Freight and express..	25 00	
Insurance (other than fire)	275 00	
		2,375 00
		$56,425 00

X 9. Home for Disabled Soldiers, Etc., Vineland

Soldiers' Home, Vineland.

For salaries and wages, and for maintenance of the Home for Disabled Soldiers, Sailors, et cetera, Vineland, on the basis of two hundred and twenty members.

Salaries and Wages:		
Superintendent	$5,000 00	
Other officers and employees	51,780 00	
Religious services ...	200 00	
Medical and surgical fees	500 00	
		$57,480 00
Materials and Supplies:		
Food	$30,000 00	
Clothing	3,500 00	
Heat, light, power, water, gas and electricity	12,500 00	
Household supplies ..	6,000 00	

Grounds	400 00	
Medical, surgical and laboratory supplies.	1,800 00	
Stationery and office supplies	350 00	
Vehicular transportation supplies	400 00	
Other materials and supplies	300 00	
Replacement of flooring—main dining room	1,600 00	
Replacement of floor covering	800 00	
		57,650 00
Current repairs		6,000 00
Services Other Than Personal:		
Traveling expenses ..	$200 00	
Postage	125 00	
Telephone and telegraph	450 00	
Entertainment expenses	300 00	
Insurance (other than fire)	220 00	
Freight and express .	25 00	
Household expenses ..	3,750 00	
Funeral expenses	100 00	
		5,170 00
Additions and Improvements:		
Furniture and equipment for hospital ..	$1,750 00	
Rewiring to eliminate hazards	2,000 00	
		3,750 00
		$130,050 00

X 10. North Jersey Training School, Totowa

Training School, Totowa.

For salaries and wages and for maintenance of the North Jersey Training School for Females, Totowa, on the basis of six hundred and twenty-five inmates.

Salaries and Wages:		
Superintendent	$5,000 00	
Attendants, nurses, and other employees, present, $140,120.00; new, $960.00	141,080 00	
Medical, surgical, dental, veterinary and religious fees	3,800 00	
		$149,880 00
Materials and Supplies:		
Food	$36,000 00	
Clothing	10,000 00	
Heat, light, power, water, gas and electricity	38,000 00	
Household supplies ..	9,750 00	
Farm, stable and grounds supplies ..	15,400 00	
Industrial and vocational supplies	1,600 00	
Educational, recreational and library supplies	1,750 00	
Medical, surgical and laboratory supplies.	3,500 00	
Stationery and office supplies	600 00	
Vehicular transportation supplies	1,800 00	

Other materials and supplies	100 00	
Replacement of team of horses	300 00	
Replacement of motor vehicles	2,500 00	
Reconditioning and repairs to boiler house equipment	3,200 00	
		124,500 00
Current repairs		6,700 00
Services Other Than Personal:		
Postage	$500 00	
Traveling expenses ..	400 00	
Telephone and telegraph	1,700 00	
Entertainment expenses	300 00	
Insurance (other than fire)	580 00	
Miscellaneous expenses	100 00	
		3,580 00
Additions and Improvements:		
Hospital equipment ..	$400 00	
Construction of silo ..	600 00	
		1,000 00
Unclassified:		
Compensation award		120 00
		$285,780 00

X 11. Reformatory, Annandale

Reformatory, Annandale.

For salaries and wages and for maintenance of the Reformatory at Annandale, on the basis of five hundred and fifty inmates.

Salaries and Wages:		
Superintendent	$5,000 00	
Deputy superintendent	2,740 00	
Medical and surgical fees	1,500 00	
Other officers and employees, present, $180,975.00; new, $900.00	181,875 00	
		$191,115 00
Materials and Supplies:		
Food	$23,500 00	
Clothing	12,500 00	
Heat, light, power, water, gas and electricity	26,500 00	
Farm, stable and grounds supplies ..	13,300 00	
Household supplies ..	5,900 00	
Medical, surgical and laboratory supplies.	1,150 00	
Vehicular transportation supplies	1,200 00	
Stationery, office supplies and equipment	800 00	
Educational, recreational and library supplies	2,450 00	
Other materials and supplies	750 00	
Photographing, blueprinting and drafting supplies	100 00	

Replacement of automobiles	1,400 00	
Replacement of telephone cable and poles	500 00	
		90,050 00
Current repairs		5,000 00
Services Other Than Personal:		
Traveling expenses	$400 00	
Telephone and telegraph	1,050 00	
Postage	600 00	
Freight and express	150 00	
Entertainment expenses	500 00	
Funeral expenses	60 00	
Payments to discharged inmates and recapturing escapes	3,000 00	
Insurance (other than fire)	500 00	
Household expenses	2,250 00	
		8,510 00
Additions and Improvements:		
Cultivating tractor		900 00
		$295,575 00

X 12. Reformatory, Rahway

Reformatory, Rahway.

For salaries and wages and for maintenance of the Reformatory at Rahway on the basis of nine hundred inmates.

Salaries and Wages:	
Superintendent	$6,000 00
Deputy superintendent	3,000 00

Other officers and employees	295,670 00	
Inmates' wages	10,000 00	
Medical and surgical fees	750 00	
		$315,420 00
Materials and Supplies:		
Food	$61,500 00	
Clothing	21,000 00	
Heat, light, power, water, gas and electricity	42,000 00	
Household supplies	9,000 00	
Farm, stable and grounds supplies	10,475 00	
Industrial and vocational supplies	600 00	
Educational, recreational and library supplies	1,000 00	
Photographing, blueprinting and drafting supplies	200 00	
Medical, surgical and laboratory supplies	1,300 00	
Stationery and office supplies	1,200 00	
Vehicular transportation supplies	1,400 00	
Office equipment replacement	300 00	
Replacement of motor vehicles	2,000 00	
Replacement of protective equipment	300 00	
Replacement of fire hose equipment	900 00	
		153,175 00
Current repairs		19,000 00

Services Other Than Personal:		
Traveling expenses ..	$400 00	
Postage	500 00	
Telephone and telegraph	1,100 00	
Freight and express..	50 00	
Payments to discharged inmates and recapturing escapes	400 00	
Insurance (other than fire)	600 00	
		3,050 00
		$490,645 00

X 13. Reformatory for Women, Clinton

Reformatory, Clinton.

For salaries and wages, and for maintenance of the Reformatory for Women, Clinton, on the basis of three hundred and seventy-five inmates:

Salaries and Wages:		
Superintendent	$4,000 00	
Assistant superintendent	2,040 00	
Other officers and employees, present, $86,540.00; new, $1,080.00	87,620 00	
Medical and surgical fees	3,500 00	
Religious services ...	550 00	
		$97,710 00

Materials and Supplies:		
Food	$20,000 00	
Clothing	8,500 00	
Heat, light, power, water, gas and electricity	19,200 00	
Household supplies	7,000 00	
Farm, stable and ground supplies	9,000 00	
Medical and surgical supplies	2,750 00	
Stationery and office supplies	700 00	
Educational, recreational and library supplies	650 00	
Vehicular transportation supplies	1,100 00	
Cannery supplies	1,500 00	
Replacement of stoves	650 00	
Replacement of farm equipment	500 00	
Exchange of autos and trucks	900 00	
Replacement of electric refrigerators	400 00	
Replacement of intercommunicating telephone	1,500 00	
		74,350 00
Current repairs		5,000 00
Services Other Than Personal:		
Traveling expenses	$425 00	
Postage	700 00	
Telephone and telegraph	750 00	
Insurance (other than fire)	410 00	
Freight and express	100 00	
Entertainment expenses	600 00	
Funeral expenses	100 00	

Payments to discharged inmates and recapturing escapes	1,850 00	
		4,935 00
Additions and Improvements:		
Emergency fire pump		900 00
		$182,895 00

X 14. Sanatorium for Tuberculous Diseases

Sanatorium for Tuberculous Diseases.

For salaries and wages, and for the maintenance of the Sanatorium for Tuberculous Diseases, on the basis of four hundred and ninety-four patients.

Salaries and Wages:		
Superintendent	$8,000 00	
Physicians, clerks, nurses, farm help, instructors and others, including school teachers	250,550 00	
Clinic salaries	12,340 00	
Medical and surgical fees	100 00	
Religious services ...	700 00	
		$271,690 00
Materials and Supplies:		
Food	$109,000 00	
Clothing	1,000 00	
Heat, light, power, water, gas and electricity	41,000 00	
Household supplies ..	14,500 00	

Farm, stable and ground supplies ..	3,300 00	
Medical, surgical and laboratory supplies	12,630 00	
Stationery and office supplies	1,100 00	
Educational, recreational and library supplies	600 00	
Vehicular transportation supplies	2,200 00	
Clinic supplies	175 00	
Office equipment replacement	300 00	
Replacement of ambulance	1,500 00	
Replacement of refrigerating units ..	600 00	
X-ray equipment replacement	4,575 00	
Replacement of dishwashing machine ..	1,200 00	
		193,680 00
Current repairs		12,000 00
Services Other Than Personal:		
Traveling expenses ..	$700 00	
Postage	700 00	
Telephone and telegraph	2,400 00	
Insurance (other than fire)	392 00	
Freight and express..	250 00	
Entertainment expenses	500 00	
Miscellaneous expenses	50 00	
Clinic expenses	3,000 00	
		7,992 00

Additions and Improvements:		
Cleaning and safeguarding water supply	$4,000 00	
Reconstruction and replacement of electric line and equipment	5,000 00	
		9,000 00
Unclassified:		
Compensation award, Joan MacLennon		1,040 00
		$495,402 00

X 15. State Board of Children's Guardians

Board of Children's Guardians.

Salaries:		
Executive director	$6,500 00	
Supervisors	9,420 00	
Departmental auditor	3,000 00	
Compensation for other assistants, present, $414,478.00; new, $20,940.00	435,418 00	
		$454,338 00
Materials and Supplies:		
Stationery and office supplies	$6,500 00	
Office equipment replacement	3,500 00	
Replacement of motor vehicles	4,500 00	
Vehicular transportation supplies	18,650 00	
		33,150 00

Services Other Than Personal:		
Traveling expenses ..	$6,500 00	
Postage	12,500 00	
Telephone and telegraph	4,500 00	
Rents	8,650 00	
Miscellaneous expenses	600 00	
Insurance (other than fire)	2,250 00	
		35,000 00
Additions and Improvements:		
New automobiles	$2,750 00	
Office appliances (new)	780 00	
		3,530 00
Revolving Fund:		
For the State Board of Children's Guardians to purchase clothing and other necessary articles for children in their care and for expenses incidental thereto the Revolving Fund of $75,000.00 heretofore appropriated is reappropriated, all receipts when received to be credited to this fund. The same to be known as the State Board of Children's Guardians Revolving Fund.		
		$526,018 00

X 16. State Home for Boys

Home for Boys.

For salaries and wages and for maintenance of the State Home for Boys, on the basis of five hundred and twenty-five inmates.

Salaries and Wages:		
Superintendent	$5,000 00	
Business manager ...	3,000 00	
Resident physician ..	3,000 00	
Other officers and employees	191,799 96	
Medical, surgical and veterinary fees	1,000 00	
		$203,799 96
Materials and Supplies:		
Food	$34,000 00	
Clothing	18,000 00	
Heat, light, power, water, gas and electricity	36,500 00	
Household supplies ..	10,000 00	
Farm, stable and ground supplies ...	17,500 00	
Industrial and vocational supplies	3,000 00	
Educational, recreational and library supplies	3,000 00	
Medical, surgical and laboratory supplies	2,900 00	
Stationery and office supplies	1,000 00	
Vehicular transportation supplies	2,150 00	
Office equipment replacement	250 00	

Replacement of sewing machines	200 00	
Exchange of auto	1,200 00	
		129,700 00
Current repairs		10,000 00
Services Other Than Personal:		
Traveling expenses ..	$600 00	
Postage	700 00	
Telephone and telegraph	1,450 00	
Entertainment expenses	300 00	
Freight and express..	150 00	
Insurance (other than fire)	350 00	
		3,550 00
		$347,049 96

X 17. State Home for Girls

Home for Girls.

For salaries and wages, and for maintenance of the State Home for Girls on the basis of three hundred twenty-five inmates.

Salaries and Wages:		
Superintendent	$4,000 00	
Physician	2,740 00	
Teachers, nurses, clerks and others, present, $88,220.00; new, $2,400.00	90,620 00	
Medical, surgical and dental fees	2,300 00	
		$99,660 00

Materials and Supplies:		
Food	$27,000 00	
Clothing	7,500 00	
Heat, light, power, water, gas and electricity	5,200 00	
Household supplies	7,750 00	
Farm, stable and grounds supplies	4,400 00	
Educational, recreational and library supplies	2,000 00	
Stationery and office supplies	700 00	
Medical and surgical supplies	1,200 00	
Vehicular transportation supplies	650 00	
Other materials and supplies	400 00	
		$56,800 00
Current repairs		4,500 00
Services Other Than Personal:		
Traveling expenses	$500 00	
Postage	400 00	
Telephone and telegraph	1,200 00	
Insurance (other than fire)	300 00	
Freight and express	100 00	
Entertainment expenses	200 00	
Payments to discharged inmates	200 00	
		2,900 00
Additions and Improvements:		
Electric refrigerator	$500 00	
Kitchen equipment	450 00	
		950 00
		$164,810 00

X 18. State Hospital, Greystone Park

State Hospital, Greystone Park.

For salaries and wages, and for maintenance of the State Hospital, Greystone Park, on the basis of five thousand four hundred and forty-seven inmates.

Salaries and Wages:		
Medical superintendent and chief executive	$8,000 00	
Business manager	5,000 00	
Chief engineer	4,000 00	
Other officers and employees, present, $1,091,286.00; new, $3,840.00	1,095,126 00	
Religious services	1,300 00	
Clinic salaries	36,040 00	
		$1,149,466 00
Materials and Supplies:		
Food	$370,000 00	
Clothing	65,000 00	
Heat, light, power, water, gas and electricity	135,000 00	
Household supplies	75,000 00	
Farm, stable and grounds supplies	50,000 00	
Industrial and vocational supplies	5,000 00	
Medical, surgical and laboratory supplies	46,000 00	
Stationery and office supplies	3,000 00	
Vehicular transportation supplies	6,400 00	
Other materials and supplies	6,000 00	
Clinic supplies	4,500 00	

Replacement of fire hose and equipment	800 00	
Replacement and extension of fire alarm system	5,000 00	
Replacement of motor vehicles	3,600 00	
Exchange of trucks	3,000 00	
Replacement of ten food carts	2,400 00	
Containers for food carts (replacements)	500 00	
Replacement of dining room chairs and tables	3,000 00	
Replacement of ranges in cafeteria	1,000 00	
Replacement of controls of continuous baths	5,000 00	
Office equipment replacement	1,500 00	
Replacement of refrigeration equipment (cafeteria)	2,000 00	
		793,700 00
Current repairs		45,000 00
Services Other Than Personal:		
Traveling expenses	$850 00	
Postage	2,500 00	
Telephone and telegraph	6,000 00	
Insurance (other than fire)	1,700 00	
Freight and express	1,200 00	
Funeral expenses	4,000 00	
Medical library subscription	200 00	
Miscellaneous expenses	500 00	
Clinic expenses	2,000 00	
		18,950 00

Additions and Improvements:		
Laundry equipment, including installation	$16,000 00	
Improvements to bakery and scullery	25,000 00	
		41,000 00
Unclassified:		
Compensation awards		2,500 00
New Buildings and Land:		
Purchase of farm land		16,000 00
		$2,066,616 00

X 19. State Hospital, Marlboro

State Hospital, Marlboro.

For salaries and wages, and for maintenance of the State Hospital, Marlboro, on the basis of two thousand six hundred inmates.

Salaries and Wages:		
Medical director	$5,000 00	
Business manager and superintendent	4,760 00	
Other officers and employees	570,020 00	
Clinic salaries	14,000 00	
		$593,780 00
Materials and Supplies:		
Food	$155,000 00	
Clothing	30,000 00	
Heat, light, power, water, gas and electricity	92,500 00	
Farm, stable and grounds supplies	30,000 00	
Household supplies	37,000 00	
Medical, surgical and laboratory supplies	22,500 00	

Industrial and vocational supplies	2,400 00	
Educational, recreational and library supplies	2,000 00	
Stationery and office supplies	2,500 00	
Vehicular transportation supplies	2,500 00	
Other materials and supplies	2,500 00	
Office equipment replacement	750 00	
Replacement of automobiles	1,800 00	
Exchange of trucks ..	1,500 00	
Replacement of coal handling equipment	3,400 00	
		386,350 00
Current repairs		25,000 00
Services Other Than Personal:		
Traveling expenses ..	$800 00	
Postage	1,300 00	
Insurance (other than fire)	1,500 00	
Telephone and telegraph	3,400 00	
Funeral expenses	400 00	
Freight and express..	400 00	
Miscellaneous expenses	550 00	
Clinic expenses and supplies	300 00	
		8,650 00
Additions and Improvements:		
Ice making unit	$3,200 00	
Laboratory ventilation	1,000 00	
Alterations to operating room	1,000 00	
		5,200 00

Unclassified Expenditures:		
Compensation award—Charles B. Lanning	1,040 00	
		$1,020,020 00

X 20. State Hospital, Trenton

State Hospital, Trenton.

For salaries and wages, and for maintenance of the State Hospital, Trenton, on the basis of three thousand inmates.

Salaries and Wages:		
Medical director	$6,000 00	
Warden	5,000 00	
Other officers and employees, present, $834,547.00; new, $1,800.00	836,347 00	
In lieu of maintenance of eleven physicians and their families ..	16,134 00	
Religious services ...	700 00	
Clinic salaries	34,136 00	
		$898,317 00
Materials and Supplies:		
Food	$195,000 00	
Clothing	30,000 00	
Heat, light, power, water, gas and electricity	121,000 00	
Household supplies ..	43,500 00	
Farm, stable and grounds supplies ..	38,000 00	
Medical and surgical supplies	32,500 00	
Stationery and office supplies	3,000 00	
Vehicular transportation supplies	3,400 00	

Industrial and vocational supplies	5,000 00	
Other materials and supplies	4,000 00	
Clinic supplies	2,000 00	
Replacement of truck	1,400 00	
Replacement of electric therapy equipment	2,500 00	
Replacement of pump at dairy farm	1,200 00	
Office equipment replacement	3,000 00	
Replacement of tractors	1,200 00	
Replacement of gas ovens in bakery ...	4,500 00	
Replacement of laundry equipment	5,000 00	
Replacement of motor vehicles	550 00	
		496,750 00
Current repairs		33,000 00
Services Other Than Personal:		
Traveling expenses ..	$2,500 00	
Telephone and telegraph	4,300 00	
Postage	1,000 00	
Entertainment expenses	500 00	
Funeral expenses	800 00	
Newspapers and magazines	200 00	
Insurance (other than fire)	1,115 00	
Freight and express..	125 00	
Cemetery upkeep	300 00	
Miscellaneous expenses	350 00	
Clinic expenses	500 00	
		11,690 00

Additions and Improvements:		
Irrigation at farm ..	$1,500 00	
Window guards—congregate building	500 00	
		2,000 00
		$1,441,757 00

X 21. State Prison

State Prison.

For salaries and wages, and for maintenance of the State Prison on the basis of one thousand two hundred inmates.

Salaries and Wages:		
Principal keeper	$6,000 00	
Director of industries	6,000 00	
Other officers and employees	366,860 00	
Wages for inmates at prison (other than State use)	10,000 00	
Medical, surgical and dental fees	1,800 00	
Religious services ...	5,640 00	
		$396,300 00
Materials and Supplies:		
Food	$72,000 00	
Clothing	25,000 00	
Heat, light, power, water, gas and electricity	43,500 00	
Household supplies ..	11,500 00	
Ground supplies	100 00	
Medical, surgical and laboratory supplies.	5,000 00	

Stationery and office supplies	1,750 00	
Educational, recreational and library supplies	1,700 00	
Vehicular transportation supplies	1,000 00	
Industrial and vocational supplies	150 00	
Photographing, blueprinting and drafting supplies	600 00	
Other materials and supplies	1,000 00	
Office equipment replacement	925 00	
Protective equipment replacement	500 00	
Replacement of automotive equipment ..	3,150 00	
Replacement of laundry equipment	3,000 00	
		170,875 00
Current repairs		12,000 00
Services Other Than Personal:		
Traveling expenses (including returning runaways)	$1,000 00	
Postage	500 00	
Telephone and telegraph	1,700 00	
Insurance (other than fire)	900 00	
Electrocution plant ..	800 00	
Payments to discharged inmates ...	1,500 00	
Funeral expenses	200 00	
Miscellaneous expenses	400 00	
		7,000 00

Additions and Improvements:		
Fireproofing in centre area	$2,500 00	
Reconstruction of floor in main dining hall	5,500 00	
		8,000 00
Unclassified:		
Compensation award to Mrs. Butcher		671 02
		$594,846 02

X 22. State Prison Farm, Bordentown

State Prison Farm, Bordentown.

For salaries and wages, and for maintenance of the State Prison Farm, Bordentown, on the basis of six hundred inmates.

Salaries and Wages:		
Superintendent	$4,000 00	
Chief deputy	2,740 00	
Medical, surgical and dental fees	500 00	
Custodial officers and other employees, present, $161,748.31; new, $960.00	162,708 31	
Inmates' wages	7,500 00	
		$177,448 31

Materials and Supplies:		
Food	$34,500 00	
Clothing	12,200 00	
Heat, light, power, water, gas and electricity	17,000 00	
Household supplies	5,000 00	
Farm, stable and grounds supplies	18,500 00	
Vehicular transportation supplies	850 00	
Stationery and office supplies	500 00	
Office equipment replacement	500 00	
Educational, recreational and library supplies	400 00	
Tobacco and other materials and supplies	150 00	
Replacement of milk cooler	300 00	
Exchange of truck	700 00	
		90,600 00
Current repairs		5,000 00
Services Other Than Personal:		
Telephone and telegraph	$800 00	
Insurance (other than fire)	200 00	
Postage	150 00	
Miscellaneous expenses	100 00	
		1,250 00
		$274,298 31

X 23. State Prison Farm, Leesburg

State Prison Farm, Leesburg.

For salaries and wages, and for maintenance of the State Prison Farm, Leesburg, on the basis of two hundred and fifty inmates.

Salaries and Wages:		
Superintendent	$3,000 00	
Other officers and employees	60,630 00	
Wages for inmates ..	3,000 00	
Medical and surgical fees	50 00	
		$66,680 00
Materials and Supplies:		
Food	$13,600 00	
Clothing	5,000 00	
Heat, light, power, water, gas and electricity	8,000 00	
Household supplies ..	4,500 00	
Farm, stable and grounds supplies ..	4,000 00	
Medical, surgical and laboratory supplies	350 00	
Stationery and office supplies	450 00	
Educational, recreational and library supplies	250 00	
Vehicular transportation supplies	425 00	
Replacement of kitchen equipment .	400 00	
Replacement of fire protective equipment	625 00	
		37,600 00
Current repairs		2,500 00

Services Other Than Personal:		
Traveling expenses ..	$125 00	
Postage	150 00	
Telephone and telegraph	700 00	
Insurance (other than fire)	270 00	
Miscellaneous expenses	100 00	
		1,345 00
		$108,125 00

X 24. Village for Epileptics

Village for Epileptics.

For salaries and wages, and for maintenance of the Village for Epileptics on the basis of one thousand five hundred and fifty inmates.

Salaries and Wages:		
Superintendent	$8,000 00	
Senior resident physician	4,260 00	
Steward	4,000 00	
Other officers and employees, present, $295,467.00; new, $1,500.00	296,967 00	
Medical and surgical fees	800 00	
Religious services ...	1,000 00	
		$315,027 00
Materials and Supplies:		
Food	$95,000 00	
Clothing	10,000 00	
Heat, light, power, water, gas and electricity	50,000 00	

Household supplies ..	26,000 00	
Farm, stable and grounds supplies ..	20,000 00	
Medical, surgical and laboratory supplies	10,000 00	
Stationery and office supplies	700 00	
Industrial and vocational supplies	700 00	
Educational, recreational and library supplies	800 00	
Vehicular transportation supplies	2,500 00	
Office equipment replacement	1,200 00	
Other materials and supplies	1,200 00	
Replacement of fire hose and equipment	500 00	
Replacement of motor vehicles (2)	1,500 00	
Replacement of laundry equipment	1,600 00	
		221,700 00
Current repairs		15,000 00
Services Other Than Personal:		
Traveling expenses ..	$1,300 00	
Postage	600 00	
Telephone and telegraph	1,500 00	
Insurance (other than fire)	800 00	
Freight and express..	150 00	
Entertainment expenses	500 00	
Funeral expenses ...	300 00	
Miscellaneous expenses	100 00	
		5,250 00

Additions and Improvements:		
Reconstruction of water filter plant ..	$10,000 00	
Furniture and fixtures for addition to hospital	2,000 00	
		12,000 00
Unclassified:		
Compensation award granted to Clarence Parker	$640 12	
Compensation award, Anne L. Gill	520 00	
		1,160 12
		$570,137 12

X 25. Vineland State School

Vineland State School.

For salaries and wages, and maintenance of the Vineland State School, on the basis of one thousand five hundred and fifty inmates.

Salaries and Wages:		
Superintendent	$7,000 00	
Physicians, executive assistants, clerks, mechanics and others, present, $214,024.00; new, $2,700.00	216,724 00	
Medical, surgical and oculist fees	2,500 00	
Religious services ...	500 00	
		$226,724 00

Materials and Supplies:		
Food	$77,500 00	
Clothing	17,500 00	
Heat, light, power, water, gas and electricity	38,000 00	
Household supplies	17,500 00	
Farm, stable and grounds supplies	23,000 00	
Industrial and vocational supplies	1,400 00	
Medical, surgical and laboratory supplies	5,000 00	
Stationery and office supplies	800 00	
Vehicular transportation supplies	1,500 00	
Educational, recreational and library supplies	1,600 00	
Other materials and supplies	150 00	
Rebuild crane	800 00	
		184,750 00
Current repairs		12,000 00
Services Other Than Personal:		
Traveling expenses	$1,500 00	
Postage	1,000 00	
Telephone and telegraph	1,500 00	
Insurance (other than fire)	520 00	
Entertainment expenses	1,000 00	
Funeral expenses	350 00	
Freight and express	200 00	
		6,070 00

Additions and Improvements:		
Ventilation of dairy barn and Assembly Hall	$2,500 00	
New pump and construction of new well at colony	4,000 00	
		6,500 00
Unclassified:		
Compensation award to Randolph Cobianchi		520 00
		$436,564 00

This institution is authorized to pay for the maintenance of any county indigent patient transferred from the institution to an institution for training of the feeble-minded, to which moneys are paid by the State pursuant to R. S. 30:4–176, whatever sum or sums is received from the counties to pay the cost of such maintenance of any said patient in the institution.

SOCIAL SECURITY SUBSIDIES (IN CONFORMANCE WITH FEDERAL LEGISLATION)

X 26. STATE SUBSIDY FOR DIVISION OF OLD AGE ASSISTANCE

Old Age Assistance, Subsidy.

For the purpose of making payments for Old Age Assistance pursuant to chapter 7 of Title 44 of the R. S. . . $3,036,900 00

The balance remaining in the appropriations for reimbursement to the counties for the State Subsidy for Old Age Assistance for the fiscal year ending June 30, 1941, together with the net balance remaining, after full payment of sums due the Federal Government, of all funds recovered under 44:7–14 R. S. during the fiscal year ending June 30, 1941, or so much thereof as may be necessary, is hereby reappropriated.

X 27. STATE SUBSIDY FOR MAINTENANCE OF CHILDREN UNDER THE CARE OF THE BOARD OF CHILDREN'S GUARDIANS

Board of Children's Guardians, Subsidy.

For the purpose of making payments for the maintenance of children under the care of the Board of Children's Guardians pursuant to chapter 5 of Title 30 of the Revised Statutes $1,824,000 00

The balance remaining in the appropriations for the State Subsidy for maintenance of children under the care of the State Board of Children's Guardians for the fiscal year ending June 30, 1941, together with the net balance of Federal funds pursuant to chapter 5 of Title 30 of the Revised Statutes, or so much thereof as may be necessary, is hereby reappropriated.

There is hereby appropriated to the State Board of Children's Guardians, any sums of money received heretofore by it from the several counties as the county share of assistance to children, and the board is authorized and empowered to credit said sums to the several counties prorated on the basis of the total cost of assistance in each county, said sums representing credits due said counties.

Total State Fund Appropriation .. $36,455,023 57

TRUST AND DEDICATED FUNDS

State School Fund

2. The following sums or so much thereof as may be necessary are hereby appropriated out of the income of the school fund for the purposes specified: Sundry appropriations.

Free Public Schools

For the support of free public schools $500,000 00 Schools.

Premiums and Accrued Interest

There shall be paid from the income of the school fund such sums required to pay premiums and accrued interest on bonds purchased by the trustees for the support of the public schools. Premiums and Accrued Interest.

School Fund Expenses

For necessary legal and other expenses incurred by or under the direction of the trustees for the support of public schools in the investment and protection of the school fund, and in the collection of the income thereof ..... 4,500 00 School Fund Expenses.

Refunds

Refunds. Whenever by the conversion of a lease into a grant, or by the execution of a new lease, the rental that has been paid in advance to the State for land under water under riparian lease is in excess of the amount actually accruing and owing thereunder, the same has been carried to the credit of the trustees of the school fund, the State Treasurer, upon warrant of the Comptroller, is hereby authorized and directed at any time upon application of the persons entitled to the same, to repay such excess from the income of the school fund.

$504,500 00

3. The following sums or so much thereof as may be necessary are hereby appropriated from the free balances and dedicated and trust fund revenues as follows:

Morris Canal Fund

Morris Canal Fund.

Salaries	$11,630 00	
Materials and supplies	450 00	
Current repairs	400 00	
Services other than personal	1,000 00	
Additions and improvements	250 00	
		$13,730 00

Provided, however, that there shall be refunded to the State fund such amounts as have heretofore been advanced from said fund to the Morris Canal Fund whenever and to the extent that the canal funds exceed the liabilities of said fund for the balance of the fiscal year 1942. Proviso.

State Forest Fund

Silviculture improvement of the State forests	$17,000 00

State Forest Fund.

State Purchase Department and State Purchase Fund

The unexpended balance of the State Purchase Fund 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 Fund" not exceeding $250,000.00 will be established and maintained for the purpose of making payments for purchases pursuant to the purchase act (chapter 25 of Title 52 of the R. S.), 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 R. S. The above fund shall be a revolving fund and the unexpended balances and reimbursements above mentioned shall constitute said fund for the purpose of carrying out the provisions of said purchase act; *provided, how-* State Purchase Fund. Proviso.

ever, that any sum or sums in excess of the amount hereby appropriated received by the Purchasing Agent from any source shall by him be paid to the State Treasurer and deposited in the general fund of the State; *provided, further,* that the salaries and incidental expenses to operate said fund shall not exceed one hundred twenty-six thousand, seventy-three dollars, divided as follows; *provided, however,* that the State House Commission, on application of the State Purchase Commissioner, may transfer to the State Purchase Fund, from time to time, moneys appropriated to any spending agency, said moneys so transferred to be returned to the funds from which they were taken during the fiscal year for which said appropriations were made; *provided, further,* on all purchases made by the State Purchase Commissioner pursuant to law, there shall be added to all purchases as a service charge a sum not exceeding two per centum, as shall be determined by the State Purchase Commissioner, which said sum, not exceeding two per centum, as so determined, shall, on certification from the State Purchase Commissioner, be transferred, on order of the Comptroller of the Treasury, by draft or certificate of the State Treasurer, from the accounts of the department, board or commission, or using agency, for whom the purchase was made, to the State Purchase Fund. The State Purchase Commissioner shall certify to the head of the department, board, commission, or using agency of the government from whose accounts a service charge has been ordered, the amount of such service charge.

Proviso.

Proviso.

Proviso.

Service charge.

On the commencement of any new State fiscal year, or at any time during said fiscal year, the State Purchase Commissioner may anticipate the purchase needs of any department, board, commission, or using agency of the government, and may charge the two per centum above provided for, or any lesser sum, based upon the purchases of any such department, board, commission, or using agency for the immediately preceding fiscal year.

The following sums, or so much thereof as may be necessary, are appropriated from the State Purchase Fund for salaries and other expenses for the operation of the department of the State Purchase Commissioner.

Salaries:		
State Purchase Commissioner	$7,000 00	
Deputy and chief clerk	5,000 00	
Compensation of assistants and clerical services, and laboratory testing services, present, $68,490.00; new, $960.00	69,450 00	
Supervisors of purchases	20,520 00	
Labor services	1,500 00	
		$103,470 00
Materials and Supplies:		
Vehicular transportation supplies	$2,000 00	
Stationery and office supplies	4,800 00	
Office equipment	1,643 00	
Fuel, light and power, water rent	3,500 00	
Household supplies ..	275 00	
Laboratory testing supplies	200 00	
		12,418 00
Current repairs		1,400 00

Services Other Than Personal:		
Traveling expenses ..	$750 00	
Advertising	4,000 00	
Subscriptions	750 00	
Insurance (other than fire)	2,535 00	
Freight, express and cartage	250 00	
Miscellaneous expenses	500 00	
		8,785 00
		$126,073 00

Public Shooting and Fishing Grounds Fund

Shooting and Fishing Grounds.

Salaries	$22,380 00
Materials and supplies	36,900 00
Current repairs	500 00
Services other than personal	5,715 00
Additions and improvements	700 00
Purchase of land	12,500 00
State's contribution pursuant to chapter 157, laws of 1938	8,000 00
	$86,695 00

Moneys used as specified.

4. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated, and except such sums as may be required to refund amounts credited to the State Treasurer which do not represent State revenues, and except such sums which are by law devoted to specific purposes, namely, State school tax, Department of Agriculture receipts pursuant to R. S. 4:10–9, United States appropriation to Agricultural College, taxes for the use of taxing districts in this State, Grade Crossing Elimination Fund,

appropriated Emergency Relief Funds, Forest Fire Fund, Forest Nursery Fund, Forest Land Fund, Workmen's Compensation Tax Fund, Educational Aid Fund, 1837 Surplus Revenue Fund income, State Police Retirement Fund, Clerk in Chancery Enrollment Fund, unclaimed accounts of patients and prisoners in State institutions, Unemployment Compensation Commission, Compensation awards, Billboard Regulation Fund, moneys received by the several institutions representing garage rentals which moneys shall be devoted exclusively by such institution to erection of new garages where needed, Vocational Schools, Crippled Children's Commission, High Point Park Commission, Palisades Interstate Park Commission, Federal funds subsidizing the State under the Social Security Act, and such other Federal funds used to match State appropriations in P.W.A. and W.P.A. projects, moneys received from tuition for extension in summer school courses, which last named moneys shall be paid pursuant to the laws applicable thereto; moneys received representing insurance to cover losses by fire and other casualties; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of previous years; moneys received by the Department of Conservation and Development from the sale or lease of forest reserve lands pursuant to R. S. 13:8–9; moneys received by the Quartermaster-General under the provisions of article 3, chapter 2–38 of R. S.; nor shall this act apply to moneys appropriated by joint resolution of the Legislature where such moneys have been set apart by the State Comptroller.

Construing.

Act not applicable.

5. In order that some degree of flexibility in appropriations may be had, any department or other State agency receiving an appropriation by any act of the Legislature may apply to the State House Commission for leave to transfer a part of any item granted to such department or agency to any other item in such appropriation. Such ap-

Transfers.

plication shall only be made during the current year for which the appropriation was made, and if the State House Commission shall consent thereto, it shall notify the Comptroller thereof in writing, whereupon the Comptroller shall place the amount so transferred to the credit of the item so designated; *provided, however,* that no sum appropriated for any permanent improvement shall be used for maintenance or for any temporary purpose.

Proviso.

Corrections made to comply with intentions.

6. The Comptroller of the Treasury is hereby authorized, empowered, directed, and it shall be his duty to make such correction of the title or text, or both, of an appropriation, necessary to make such appropriation available for the purpose or purposes of its intention. Such correction shall be by written ruling, reciting in appropriate details the facts thereof, and the reasons therefor, attested by the signature of said Comptroller and filed in the Department of the Comptroller of the Treasury as an official record thereof, and any action thereunder, including disbursements and the audit thereof, shall be legally binding and of full force and virtue.

Order of disbursing funds.

7. The Comptroller of the Treasury is hereby empowered, and it shall be his duty in the disbursement of funds available for the general uses of this State, to first provide for the maintenance of the administration of the government of the State, and of its courts, and of its penal, correctional and charitable institutions, and to apply the remainder of such available funds in such manner and to such purpose for which appropriations may have been made as in his judgment may best conserve the interest of the State.

Transfers from various operations.

8. The State House Commission is hereby empowered, notwithstanding any other provision of the law, to transfer from the various appropriations for construction, reconstruction, additions to and betterments of State building and appurtenances thereto, herein contained, to the appropria-

tion for the division of architecture and construction of the Department of Institutions and Agencies a sufficient sum to pay for the cost of all architectural work, superintendence and other expert services in connection with such work.

Petty cash fund.

9. The Comptroller of the Treasury may, upon application therefor, allot from appropriations made to any official, department, commission or board a sum, not in excess of three hundred dollars ($300.00), to establish a petty cash fund, for the payment of expenses not in excess of ten dollars ($10.00). The allotments thus made by the Comptroller shall be paid to such person as shall be designated as the custodian thereof by the official, department, commission or board making request therefor, and the money thus allotted shall be disbursed by such custodian, who shall require from all persons obtaining money from said fund a receipt therefor. Such receipts shall by such custodian be forwarded monthly to the Comptroller of the Treasury for audit, and the Comptroller of the Treasury shall likewise make regulations governing disbursements from petty cash funds.

Empowered to transfer appropriations.

10. The Comptroller of the Treasury is hereby empowered, and it shall be his duty in the disbursement of funds appropriated for the maintenance and operation of any department or branch thereof, the duties or responsibilities of which are or may hereafter be transferred to any other department, to transfer such appropriations to such department as shall be charged with the responsibility of administering the functions of such department so transferred as aforesaid.

Act effective.

11. This act shall take effect on the first day of July, one thousand nine hundred and forty-one.

Approved May 17, 1941.

CHAPTER 130

AN ACT concerning settlement and relief of poor; county referendum law, and amending article nine, section 44:4–93 of the Revised Statutes.

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

Section amended.

1. Section 44:4–93 of the Revised Statutes is amended to read as follows:

Maximum monthly amount.

44:4–93. The director of welfare under the direction and subject to the approval of the county welfare board shall furnish such permanent relief in an amount not exceeding the rate of thirty dollars ($30.00) per month for such poor person's maintenance and support in such home, which shall

Payment.

be payable monthly upon the application of the director, out of the funds from which other expenses for the relief and support of the permanent poor are paid.

2. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 131

AN ACT concerning the substitution for street railway operation or the operation of an elevated railroad or subway by street cars or the operation of autobuses substituted for street cars pursuant to section 48:15–38 of the Revised Statutes, of the operation of trackless trolleys, trolley buses or motor vehicles which are operated in part by electricity furnished by an overhead trolley system and in part by other motive power, and amending sections 48:15–41, 48:15–42, 48:15–43.2 and 48:15–43.3 of the Revised Statutes.

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

1. Section 48:15–41 of the Revised Statutes is amended to read as follows: Section amended.

48:15–41. Any traction company or company operating or authorized by the laws of this State to operate a street railway or railroad operated as a street railway or an elevated railroad or a subway by means of an overhead trolley system may, if the Board of Public Utility Commissioners has approved or hereafter shall approve substitution on any such line or part thereof, substitute in whole or in part, in the operation of its lines or any part thereof over which it has a franchise or consent for the construction and operation of an electric street railway, an elevated railroad or a subway, or the approval of the Board of Public Utility Commissioners for the operation of autobuses in substitution for railway service pursuant to section 48:15–38 of the Revised Statutes, for the operation of street railway cars or substituted autobuses, the operation of vehicles known as trackless trolleys or Substitution of trackless trolleys for street cars.

trolley buses or motor vehicles which are operated in part by electricity furnished by an overhead trolley system and in part by other motive power, and for the purpose of providing electric power for the operation of such substituted vehicles as aforesaid may use, construct and reconstruct in and along all public highways, streets and public places in, along, on, over or under which such company is authorized to operate, such poles and overhead wires as may be necessary or proper for such operation including overhead ground wire or wires parallel to each trolley wire or wires necessary for such substituted operation. In case any poles or wires theretofore used for such street railway operation shall have been removed, any such company may restore the same. Whenever the Board of Public Utility Commissioners has approved or hereafter shall approve the substitution of vehicles of the character described herein on any line or part thereof, and there exists any emergency or unusual traffic or transportation condition, the company operating such substituted vehicles, in order to furnish safe, adequate and proper service to the public, may, during the continuance of such emergency or unusual traffic or transportation condition, operate autobuses on such line or part thereof.

Replacing poles and wires.

Use autobuses in an emergency.

2. Section 48:15–42 of the Revised Statutes is amended to read as follows:

Section amended.

48:15–42. Any such company which shall make substitution as provided in section 48:15–41 of this Title for all street car service upon any line or part thereof, may remove any of its street railway tracks including elevated and subsurface structures in, over or under any such street or highway which by reason of such substitution shall not, during the period of such substitution, be required for street car operation.

Removal of tracks.

Such company, upon obtaining the approval of the Board of Public Utility Commissioners for such resumption, may resume street car operation, and if the track, elevated or subsurface structures necessary for such operation have been removed or

May restore tracks.

covered, may reconstruct and restore the same; but such company shall comply with any agreement heretofore or hereafter made with the municipal or other board or body having charge of any street or highway in which such line or part thereof is located with respect to such removal or reconstruction. To comply with agreement.

3. Section 48:15–43.2 of the Revised Statutes is amended to read as follows: Section amended.

48:15–43.2. Whenever any traction company, or company operating or authorized by the laws of this State to operate a street railway or railroad operated as a street railway or an elevated railroad or a subway by means of an overhead trolley system shall operate substituted vehicles of the character described in section 48:15–41 of this Title, such vehicles and the operation thereof shall with respect to traffic regulations, registration as motor vehicles and for the purpose of taxation be deemed to be autobuses, and every such company operating such autobuses as aforesaid shall be required to pay taxes as prescribed by law for street railway and traction companies operating autobuses. Registered as motor vehicles. Taxes.

4. Section 48:15–43.3 of the Revised Statutes is amended to read as follows: Section amended.

48:15–43.3. Whenever upon the application of any traction company, or company operating or authorized by the laws of this State to operate a street railway or railroad operated as a street railway or an elevated railroad or a subway by means of an overhead trolley system, the Board of Public Utility Commissioners has approved or hereafter shall approve the operation of vehicles of the character described in section 48:15–41 of this Title in substitution for the operation of street railway cars or substituted autobuses in the operation of any line or part thereof of such company in accordance with sections 48:15–41 to 48:15–43 of this Title, and the governing body of any municipality by resolution has designated or hereafter shall designate any public street, highway or public place to be used by such substituted vehicles in lieu of any Operated upon designated streets.

public street or highway or private right-of-way constituting the route or any part thereof of such street railway line, elevated railroad or subway or part thereof, or as an extension of such line, and the location therein of the necessary posts and poles, such company is hereby authorized, with the approval of the Board of Public Utility Commissioners, to operate such substituted vehicles upon such designated street, highway or public place, and upon obtaining such approval to erect and maintain such posts, poles, wires and appurtenances thereto as may be necessary to operate such substituted vehicles by the overhead trolley system therein.

5. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 132

AN ACT to amend an act entitled "An act to provide for the protection, welfare of and financial assistance to certain needy persons in the State of New Jersey, providing for the administration thereof, and prescribing penalties for the violation thereof," approved June eighteenth, one thousand nine hundred and forty (P. L. 1940, c. 130).

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. 44:8-36. Assistance provided.

4. Every municipality shall provide public assistance to the persons eligible thereto residing in said municipality.

Such assistance shall be administered by a local assistance board.

Local assistance board.

There shall be appointed in each municipality a local assistance board to be composed of not less than three nor more than five persons, at least one of whom shall be a woman, to be appointed by the chief executive officer of the municipality, upon approval of the governing body, not more than one member of the governing body may be appointed to such board. Members shall hold office for such term as may be provided by the governing body. Vacancies shall be filled for the unexpired term only. Members shall serve without compensation, but their necessary and actual expenses may be allowed. The local assistance board shall organize and select a chairman and a secretary, and shall appoint a director of welfare, who shall hold office for a term of five years, and who shall be paid such salary as may be fixed by such board subject to approval by the governing body. Nothing herein shall be construed to make the overseer of the poor of a municipality ineligible for appointment also as director of welfare by such local assistance board. Such local assistance board shall administer public assistance within the municipality for which it is created subject to the provisions of this act and such rules and regulations as may be promulgated by the director of municipal aid.

Terms.

No salary.

Organization.

Construing.

Other employees.

Such other employees, including assistants, clerks, investigators and nurses, in such number as may be necessary to properly administer public assistance, shall be appointed in the same manner as other employees of the municipality.

2. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 133

AN ACT relating to the municipal corporations of this State, and supplementing Title 40 of the Revised Statutes.

Preamble.

WHEREAS, Certain corporations are offering what is generally known as "hospital service policies" whereunder persons avail themselves of the hospital service at reduced cost due to the participation of a group of employees of any corporate body; and

WHEREAS, It is deemed advisable that opportunity to participate in such hospital service plan be afforded to persons employed by municipalities in the State; therefore,

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

C. 40:46-37. Empowered to deduct premiums from salary.

1. Whenever any group of persons employed by a municipality shall be acceptable for participation in any hospital service plan and shall indicate in writing their desire to participate in any hospital service plan, and the governing body thereof by majority vote approves such participation, then, and thereupon, the proper disbursing officers of such municipality, under such rules and regulations as may be established by such governing body, are hereby empowered and directed to deduct specified fees or premiums from the payments of the salaries made to such officers and employees as shall participate in such plan, and said disbursing officer shall, thereupon, pay over to the corporation by warrant drawn in the manner provided by law for the payment of bills the sum total of said deductions from the salaries of such officers and employees. Sanction by the governing body of any municipality to participate in such hospital service

No liability.

plan shall in no wise impose any liability or responsibility whatever on any such municipality. The making of the above deductions shall be construed as equivalent to voluntary payments by an officer or employee and any and all rights of any officer or employee now existing under the laws of this State shall be and remain the same as if the foregoing deductions were not made. Construing.

2. Whenever payments have been made by any municipality for the participation by officers and employees in a hospital service plan prior to the passage of this act, such payments are hereby validated and determined to be the same as if they had been made under the provisions of this act. Prior payments validated.

3. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 134

AN ACT concerning the holders of offices, positions and employments in the public school system of this State, protecting tenure and pension rights when in military services of the United States or this State, and supplementing Title 18 of the Revised Statutes.

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

1. Any person who holds any office, position or employment in the public school system of this State and who now is or hereafter may become a member of the military services of the United States or of this State shall continue for one year and as many years thereafter as such service becomes compulsory in his or her tenure rights as well as in his or her rights as a member of any pension fund to which said person may belong by vir- C. 18:5-50.8. Military service not to prejudice tenure rights.

tue of his or her office, position or employment in the public school system, and upon proof of an honorable discharge from said services then any such person shall be immediately reinstated or re-employed without prejudice to previously acquired tenure rights. No rule, regulation or order shall be made depriving such holder of such office, position or employment of tenure or pension rights which said person possessed or possesses at the time of his or her entrance into said military services during the period of service above set forth.

Pension rights.

Any member of a pension or a pension and annuity fund may continue his or her rights in such fund notwithstanding his or her absence in the military services of the United States or of this State by making payment or payment being made by the employing body to said fund during the time of said military services in the same amount as would have been made by the employing body reflecting any salary increments which he or she would have enjoyed had he or she continued as the holder of an office, position or employment in the public school system of that district; said increments being evidenced by a certificate over the seal of the employing board filed with the board of trustees or governing body of whatever pension fund of which the person is a member, showing that the salary increments so granted arise from the carrying out of a scale of salary increments in full force and effect in the school district in which the member was last employed and applying to all persons so employed in the same classification as the absent member. The right to contribute to a pension fund and the acceptance of contributions as set forth in this section are hereby authorized.

2. This act shall take effect immediately.

Approved May 19, 1941.

CHAPTER 135

AN ACT to provide for the regulation and incorporation of insurance companies and to regulate the transaction of insurance business in this State, and amending sections 17:34–22 and 17:34–24 of the Revised Statutes.

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

1. Section 17:34–22 of the Revised Statutes is amended to read as follows: Section amended.

17:34–22. The commissioner shall annually make or cause to be made valuations of all outstanding policies of every life insurance company doing business in this State. All valuations made by him or by his authority shall be upon the net premium basis, or such modification thereof as hereinafter expressly provided, and all policies issued prior to January first, one thousand nine hundred and one, shall be valued according to the actuaries' table of mortality, with compound interest at the rate of four per centum (4%) per annum, except in cases where a life insurance company elects or has elected to have the policies or any class thereof valued according to the American experience table of mortality, or according to the American men ultimate table of mortality, with compound interest at the rate of either three (3%) or three and one-half per centum (3½%) per annum or with the approval of the commissioner at a rate of less than three per centum (3%) per annum; and all policies issued on or after the first day of January, one thousand nine hundred and one, shall be valued according to the American experience table of mortality, with compound interest at the rate of three and one-half per centum (3½%) per annum, except in cases where a life insurance company elects or has elected to have such policies or any

To make annual valuation of life insurance policies.

class thereof valued according to the American experience table of mortality with compound interest at a rate of less than three and one-half per centum (3½%) per annum but not less than three per centum (3%) per annum or with the approval of the commissioner at a rate of less than three per centum (3%) per annum; and except in cases where any life insurance company with the approval of the commissioner may elect or shall have elected to have its ordinary policies or any class thereof valued according to the American men ultimate table of mortality, with compound interest at a rate which is not more than three and one-half per centum (3½%) per annum. The legal minimum standard for the valuation of group term insurance policies under which premium rates are not guaranteed for a period in excess of five years shall be the American men ultimate table of mortality with interest at three and one-half per centum (3½%) per annum. The commissioner may vary the standards of interest and mortality in the case of annuities and industrial policies and of invalid lives and other extra hazards. When the actual premium charged for an insurance policy is less than the net premium for the insurance, computed according to the table of mortality, and rate of interest prescribed herein, the value of the policy shall be increased by the value of an annuity, the amount of which shall equal the difference between the premiums and the term of which in years shall equal the number of future annual payments receivable on the insurance after the date of valuation.

Section amended.

2. Section 17:34–24 of the Revised Statutes is amended to read as follows:

Reserve liability.

17:34–24. When the reserves or any part thereof of any life insurance company of this State have been computed in accordance with the foregoing provisions of this article on the basis of a higher rate of interest than three per centum (3%) per annum, and as so computed, exceed five hundred million dollars ($500,000,000.00), the company

shall thereupon and thereafter set aside as a part of the reserve liability on the policies of the company at the close of each year a sum equal to six per centum (6%) of the increase for that year over the year preceding in the company's reserves or part thereof so computed, except that for premium-paying term insurances such increase in reserve for any year shall for the purposes of this section be deemed to be the reserve at the end of that year, but the aggregate of the sums so set aside shall not at any time exceed five per centum (5%) of the reserves, except in the case of premium-paying term insurances in which case the said aggregate of sums so set aside shall not at the end of any year exceed fifty per centum (50%) of the premiums of that year.

Reserves to cover increase.

When the reserves or any part thereof of any such life insurance company have heretofore been computed on the basis of such rate of interest as to require such company to set aside sums as provided in the preceding paragraph of this section, then such company hereafter shall set aside as a part of the reserve liability on the policies of the company at the close of each year, subject to all the above provisions respecting premium-paying term insurances and to the aggregate limit as prescribed above but based on all such company's reserves computed in accordance with the foregoing provisions of this article, a sum as aforesaid calculated on the increase for that year over the year preceding in all said reserves notwithstanding that said reserves or any part thereof shall have been computed on the basis of a rate of interest of three per centum (3%) per annum or less.

Use of reserves.

No part of the sums so set aside shall be used by the company for any purpose except upon resolution by its board of directors and upon the approval in writing of the commissioner. Approval shall be given by the commissioner upon proof made to him of the happening of either or both of the contingencies hereinafter set forth in para-

graphs "a" and "b" of this section and upon the terms therein respectively stated, as follows:

a. In the event that the gross incurred mortality losses of the company during any calendar year have been at a rate in excess of one hundred and ten per centum (110%) of its average rate during the preceding five years, the sums set aside as above provided may be reduced as of the end of the calendar year by an amount equal to the excess of the actual mortality losses for the calendar year over the amount of the losses had they occurred at the rate of one hundred and ten per centum (110%) of the average rate for the preceding five years.

b. In the event that the aggregate of depreciation of assets owned by the company and of losses upon realization thereof during any calendar year has been in excess of twenty-five per centum of the surplus of the company as of the end of the year preceding, the sums set aside as above provided may be reduced as of the end of the calendar year by an amount equal to the excess of the depreciation and losses over the twenty-five per centum (25%) of the surplus of the company at the end of the preceding year.

3. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 136

AN ACT authorizing the compromise and settlement in full of certain taxes for State, State school and county purposes by counties due and in arrears from certain municipalities.

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

May compromise certain taxes and interest.

1. Where any municipality in which the Municipal Finance Commission is functioning is in arrears in the payment to a county of the whole or any part of any taxes either for State, State school or county purposes for a period of ten years, whether all of such taxes for State, State school and county purposes have been so due and in arrears for ten years or not, then such county may accept from such municipality either such sum of money as to it may seem fair and equitable under the circumstances in compromise and full settlement of all taxes due and in arrears to it from such municipality for State, State school and county purposes, together with interest thereon, or such sum of money in cash and such other and further security in such amount and form for the payment of any further sum as to it may seem fair and equitable under the circumstances in compromise and full settlement of all taxes due and in arrears to it from such municipality for State, State school and county purposes, together with interest thereon, and agree to look only to such other security for any further payment of the balance of such tax for State, State school or county purposes due in excess of such cash payment; *provided, however,* that such compromise and settlement shall include only such tax for State and State school purposes as shall have been paid by said county in full to the State Treasurer; *provided, however,* that this act shall become inoperative and of no legal effect six months after the effective date of this act.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 137

Title amended.

AN ACT to amend the title of an act entitled "An act creating the New Jersey Racing Commission and defining its powers and duties; providing for the granting of permits and licenses for the operation of race meetings whereat the running or steeplechase racing of horses only may be conducted; providing for the licensing of concessionaires and operators and their employees; regulating the system of pari-mutuel betting and fixing the license fees, taxes and revenues imposed hereunder and fixing penalties for violations of the provisions of this act; appropriating thirty thousand dollars ($30,000.00) to pay the expenses of the commission, including the salaries of its employees, for the fiscal year ending June thirtieth, one thousand nine hundred and forty," approved March eighteenth, one thousand nine hundred and forty (P. L. 1940, c. 17), so that the same shall read "An act creating the New Jersey Racing Commission and defining its powers and duties; providing for the granting of permits and licenses for the operation of race meetings whereat the running, steeplechase racing or harness racing of horses only may be conducted; providing for the licensing of concessionaires and operators and their employees; regulating the system of pari-mutuel betting and fixing the license fees, taxes and revenues imposed hereunder and fixing penalties for violations of the provisions of this act," and to amend sections 1, 5, 10, 12, 13, 16, 24, 25, 26, 27, 51, 54 and 58 of said act.

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

1. The title of an act entitled "An act creating the New Jersey Racing Commission and defining its powers and duties; providing for the granting of permits and licenses for the operation of race meetings whereat the running or steeplechase racing of horses only may be conducted; providing for the licensing of concessionaires and operators and their employees; regulating the system of pari-mutuel betting and fixing the license fees, taxes and revenues imposed hereunder and fixing penalties for violations of the provisions of this act; appropriating thirty thousand dollars ($30,000.00) to pay the expenses of the commission, including the salaries of its employees, for the fiscal year ending June thirtieth, one thousand nine hundred and forty," approved March eighteenth, one thousand nine hundred and forty, is amended to read "An act creating the New Jersey Racing Commission and defining its powers and duties; providing for the granting of permits and licenses for the operation of race meetings whereat the running, steeplechase racing or harness racing of horses only may be conducted; providing for the licensing of concessionaires and operators and their employees; regulating the system of pari-mutuel betting and fixing the license fees, taxes and revenues imposed hereunder and fixing penalties for violations of the provisions of this act." New title.

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

1. There is hereby created and established a New Jersey Racing Commission, hereinafter referred to as the commission, which commission shall be vested with and possessed of the powers and duties in this act specified, and also the powers necessary or proper to enable it to carry out fully and effectually all the provisions and purposes of this act. The jurisdiction, powers and duties of the commission herein created and established shall extend under this act to any and all persons, partnerships, C. 5:5-22. New Jersey Racing Commission. Jurisdiction.

associations or corporations which shall hereafter hold or conduct any meeting within the State of New Jersey whereat horse racing shall be permitted for any stake, purse or reward.

As used in this act

Horse racing, defined.

(a) Horse racing, horse race meeting or race meeting shall be construed to mean and include running and harness racing of horses.

Running races, defined.

(b) Running racing or running races shall be construed to mean and include only any racing of horses in which the horses competing or participating are mounted by a jockey.

Harness races, defined.

(c) Harness racing or harness races shall be construed to mean and include only any racing of horses in which the horses competing or participating are harnessed to a sulky, carriage or similar vehicle and are not mounted by a jockey.

Section 5 amended.

3. Section five of the act of which this act is amendatory is amended to read as follows:

C. 5:5-26. Bond of secretary.

5. The secretary shall give bond to the State of New Jersey, with sufficient surety to be approved by the commission, in the sum of fifty thousand dollars ($50,000.00) conditioned that he will well and faithfully execute and perform the duties of his office according to the Constitution and the laws of this State, and such chief inspector, assistant secretaries, inspectors, clerks, stenographers and employees may, if the commission determine that it be necessary, give bond in such amount, as said commission may determine upon. Every such bond when duly executed and approved shall be filed in the office of the Secretary of State. The cost of any such bond so given as aforesaid shall be taken to be part of the necessary expenses of the commission.

Bonds of other employees.

Filed.

Section 10 amended.

4. Section ten of the act of which this act is amendatory is amended to read as follows:

C. 5:5-30. To prescribe rules and regulations.

10. The commission shall have full power to prescribe rules, regulations and conditions under which all horse races shall be conducted in the State

of New Jersey under the provisions of this act, and may alter, amend, repeal and publish the same from time to time.

Conditions of permit.

Every permit issued under this act shall contain a condition that all running races or race meetings conducted thereunder shall be subject to the reasonable rules and regulations from time to time prescribed by the Jockey Club, a corporation organized under the laws of the State of New York; that all steeplechase races, or steeplechases shall be subject to the reasonable rules and regulations from time to time prescribed by the National Steeplechase and Hunt Association, a corporation organized under the laws of the State of New York; that all harness races shall be subject to the reasonable rules and regulations from time to time prescribed by the United States Trotting Association organized under the laws of the State of Ohio. Any rule or regulation of such Jockey Club, National Steeplechase and Hunt Association or United States Trotting Association may be modified or abrogated by the said racing commission, upon giving such Jockey Club, National Steeplechase and Hunt Association or United States Trotting Association an opportunity to be heard.

Modification of rules.

Section 12 amended.

5. Section twelve of the act of which this act is amendatory is amended to read as follows:

C. 5:5-32. Minimum stake for running race.

12. No running race shall be authorized or permitted for a purse, stake, or reward of less than one thousand dollars ($1,000.00) (plate value, if any, shall be considered as a part of the purse, stake or reward). The commission may determine the minimum amount of the purses, stakes or rewards for harness racing.

Section 13 amended.

6. Section thirteen of the act of which this act is amendatory is amended to read as follows:

C. 5:5-33. All employees licensed.

13. All pari-mutuel employees and all horse owners, riders, agents, trainers, stewards, starters, timers, judges, grooms, drivers, and others, acting in any capacity in connection with the training of the horses or the actual running of the races in any such race meeting may be licensed by the commis-

Licensing regulations.

sion, pursuant to such rules and regulations as the commission may adopt. The commission shall have full power to prescribe rules, regulations and conditions under which all such licenses are issued in the State of New Jersey and to revoke or refuse to issue a license if in the opinion of the commission the revocation or refusal to issue such license is in the public interest; *provided, however,* that such rules, regulations and conditions shall be uniform in their application; *and further provided,* that no fee shall be in excess of ten dollars ($10.00) for each license so granted.

Proviso.

Proviso.

Section 16 amended.

7. Section sixteen of the act of which this act is amendatory is amended to read as follows:

C. 5:5-36. Residence required.

16. At least eighty-five per centum (85%) of the persons employed by any holder of a permit to conduct a horse race meeting or by any concessionaire at any place, track or enclosure where such a horse race meeting is permitted shall be residents of the State of New Jersey who have actually resided in this State for at least two years; *provided, however,* that jockeys, drivers or apprentices, exercise boys, owners, trainers, clockers and governing and managing officials and heads of departments of the track may be nonresidents of the State of New Jersey, and shall be excluded when computing the percentage of resident employees.

Proviso.

Section 24 amended.

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

C. 5:5-44. Renewal of permits.

24. In the event any person, partnership, association or corporation is granted a permit under this act to conduct a race meeting pursuant to provisions thereof, such permit shall be renewed upon application of the permit holder yearly for the next succeeding ten years, for the same dates allotted to such permit holder during the preceding year or for such other dates (not exceeding fifty racing days in the aggregate for running racing and not exceeding twenty-four days in the aggregate for harness racing) as such permit holder shall request; *provided, however,* that such permit holder has not violated any of the provisions of this act.

Proviso.

Section 25 amended.

9. Section twenty-five of the act of which this act is amendatory is amended to read as follows:

C. 5:5-45. Limits number of tracks.

25. Permits shall be granted by the commission to operate a running race meeting on not more than four tracks and harness race meetings on not more than seven tracks. No person, partnership, association or corporation shall be granted a permit to operate a running race meeting on any day or days for which a prior permit holder has been granted a permit to conduct a running race meeting. No person, partnership, association or corporation shall be granted a permit to operate a harness race meeting on any day or days for which a prior permit holder has been granted a permit to conduct a harness race meeting located within twenty-five miles of any track already licensed without the consent of such prior licensee.

No conflicting dates.

Section 26 amended.

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

C. 5:5-46. Notification of allotted dates.

26. At the time of alloting any racing dates to any applicant, the commission shall notify such applicant of the dates allotted which notice shall be in writing and sent by registered mail addressed to such applicant at the address stated in his application, and shall be mailed on the date such allotment is so made. Each applicant so notified shall within ten days after the mailing of such notice of allotment, comply with the following conditions:

Required compliance:

Acceptance;

(1) File with the commission an acceptance of such allotment in the form prescribed by the commission;

Bond for running races;

(2) Execute and deliver to it in case of running races a bond, payable to the State of New Jersey, in the sum of one hundred thousand dollars ($100,000.00), with sufficient surety or sureties to be approved by the commission and conditioned for the payment of all sums due and payable as in this act provided and for the observance in all respects of the provisions of this act, or

Bond for harness races.

(3) Execute and deliver to it in case of harness races a bond, payable to the State of New Jersey, in the sum of twenty-five thousand dollars ($25,000.00), with sufficient surety or sureties to be approved by the commission and conditioned for the payment of all sums due and payable as in this act provided and for the observance in all respects of the provisions of this act.

Section 27 amended.

11. Section twenty-seven of the act of which this act is amendatory is amended to read as follows:

C. 5:5-47. Permit issued.

27. Upon compliance with the foregoing conditions, the commission shall issue a permit to such applicant to hold or conduct such horse race meeting as authorized by this act. Such permit shall specify the person, partnership, association or corporation to whom the same is issued; the dates upon which such horse race meeting is to be held or conducted; the hours of such days between which such horse racing will be permitted, which shall be between the hours of twelve o'clock noon and six o'clock post meridiem eastern standard time (excluding Sundays), the location of the place, track or enclosure at, on or within which said horse race meeting is to be held or conducted; and shall acknowledge receipt of the payment of the deposit and the filing of the bond provided for in this act.

Terms of permit issued.

Length of tracks.

No permit shall be issued to permit running racing on any track that is less than one mile in circumference nor harness racing on any track that is less than one-half mile in circumference.

Not transferable.

No such permit shall be transferable nor shall it apply to any place, track or enclosure other than the one specified therein.

Days and hours for meeting.

No such permit shall be issued so as to permit horse racing at any place, track or enclosure except on week days between the hours of twelve o'clock noon and six o'clock post meridiem eastern standard time.

Limits number of days.

No permit shall be granted under this act to any person, partnership, association or corporation so as to permit upon any race track, place or enclosure more than fifty horse rac-

ing days in the aggregate in any one calendar year for running races nor more than twenty-four racing days in the aggregate in any one calendar year for harness races; nor shall any permit be granted to the same person, partnership, association or corporation for the holding or conducting of a horse race meeting except at one track, place or enclosure in this State, nor shall any permit be granted for the holding or conducting of a horse race meeting at any place in this State prior to the first day of April in any calendar year or after the last day of November in any calendar year. No such permit shall be issued to any person, partnership, association or corporation that is in any way in default in the payment of any obligation or debt due to the State of New Jersey under the provisions of this act, nor shall any permit be issued to any corporation under the provisions of this act unless said corporation be organized under and by virtue of the laws of the State of New Jersey, nor shall any permit be issued to any applicant who shall be deemed by said commission not to be of sufficient financial integrity and moral responsibilty to hold a horse race meeting conducive to the best interests of legitimate racing.

Designated track.

Permits not issued.

12. Section fifty-one of the act of which this act is amendatory is amended to read as follows:

Section 51 amended.

51. Any person who shall influence or have any understanding or connivance with any owner, driver, jockey, groom or other person associated with or interested in any stable, horse or race in which any horse participated or is to participate, or who shall prearrange or predetermine the results of any such race, any person who attempts to or does interfere with, tamper with, injure or destroy by the use of any narcotic, drug, stimulant, appliance, or by any other means any horse that is to run in a race in the State of New Jersey, whether such horse be the property of such person or another, shall be guilty of a misdemeanor. Any person who shall have the control over any horse that is to run in a race in the State of New Jersey and

C. 5:5-71. Illegal practices.

who allows or permits it to run with the knowledge of any interference with, any tampering with, any injury to by any narcotic, drug, stimulant, appliance or by any other means shall be guilty of a misdemeanor. Any person who causes, instigates, counsels, or in any way aids or abets in any interference with, tampering with, injury to or destruction of any horse that is to run in a race in New Jersey by the use of any narcotic, drug, stimulant, appliance or by any other means shall be guilty of a misdemeanor. The owners of any such horse, their agents or employees shall permit any member of the State Racing Commission or any person appointed by such commission for that purpose to make such test as the commission deems proper in order to determine whether any such horse has been so interfered with, tampered with, injured or destroyed by the use of any narcotic, drug, stimulant, appliance or by any other means. Any person who shall violate any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be imprisoned in the State Prison for not less than one year and not more than ten years, or shall be fined not less than one thousand dollars ($1,000.00), or more than five thousand dollars ($5,000.00), or be punished by both such imprisonment and fine in the discretion of the court.

Penalty for violation.

Section 54 amended.

13. Section fifty-four of chapter seventeen of the laws of one thousand nine hundred and forty, the act of which this act is amendatory, is amended to read as follows:

C. 5:5-74. General racing permitted without betting.

54. Nothing in this act shall be construed to prevent in any way the use of any grounds, enclosure or race track owned or controlled by any permit holder for any fair, county fair, State fair, agricultural or live stock exhibition, or hunt race meet recognized by the National Steeplechase and Hunt Association, even though running racing, harness racing or trotting be conducted thereat, or for any other lawful purpose, when no betting, wagering, pool selling or gambling upon the result of horse racing held thereat is permitted with the knowledge

or acquiescence of the person or persons conducting the same, and when the pari-mutuel system of wagering is not conducted.

14. Section fifty-eight of the act of which this act is amendatory, is amended to read as follows:

Section 58 amended.

58. Every track that operates running races under this act must be equipped with photographic devices for taking pictures at the finish line so as to determine the respective positions of the first three places of the contestants in a close race.

C. 5:5-78. Photographic devices required.

15. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 138

AN ACT to require all fiduciaries to file powers of attorney for the receipt of process in certain cases, and amending section 3:13–12 of the Revised Statutes.

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

1. Section 3:13–12 of the Revised Statutes is amended to read as follows:

Section amended.

3:13–12. Every fiduciary, whether or not a resident within this State, who is granted letters testamentary or of administration or of trusteeship within this State or authority and power to act within this State in his fiduciary capacity shall, at the time of the grant, or before he undertakes to perform his duties under said authority or power, file a power of attorney with the surrogate of the county, or register or clerk of the court granting such letters or authority and power, which power of attorney shall be duly executed in writing, shall set forth the post-office address, street and number, of the fiduciary and, by sufficient language, consti-

Fiduciary to file a power of attorney.

tute the surrogate, register or clerk with whom the same is filed, and his successors in office, his true and lawful attorney to receive process affecting the estate in charge of the fiduciary, or any interest therein, with the same force and effect as if the process were duly served on the fiduciary within this State.

2. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 139

AN ACT to amend an act entitled "An act to limit and regulate child labor in this State; to provide for examinations and inspections under the provisions of this act; to provide for the enforcement of this act and regulations made thereunder; to prescribe penalties for the violation thereof; and to repeal other acts," approved June twenty-fifth, one thousand nine hundred and forty (P. L. 1940, c. 153).

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

Section 3 amended.

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

C. 34:2-21.3. Limits hours of work for minors.

3. Except as provided in section fifteen and except for domestic service or messengers employed by communications companies subject to the supervision and control of the Federal Communications Commission, no minor under eighteen years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation more than six consecutive days in any one week, or more than forty hours in any one week, or more than eight hours in any one day, nor shall

any minor under sixteen years of age be so employed, permitted, or suffered to work before seven o'clock in the morning or after six o'clock in the evening of any day; nor shall any minor between sixteen and eighteen years of age be so employed, permitted or suffered to work before six o'clock in the morning or after ten o'clock in the evening of any day; *provided,* that minors between fourteen and eighteen years of age may be employed in a concert or a theatrical performance up to eleven post meridiem; *and provided, further,* that male minors between sixteen and eighteen years of age may be employed in any public bowling alley up to eleven-thirty post meridiem; *and provided, further,* that male minors not less than sixteen years of age and who are attending school may be employed as pin-setters only in public bowling alleys up to eleven-thirty post meridiem during any regular school vacation season, but may not be so employed during the school term without a special written permit from the superintendent of schools or the supervising principal as the case may be, which permit must state that the boy has undergone a complete physical examination by the medical inspector, and, in the opinion of the superintendent or supervising principal may be so employed without injury to health or interference with progress in school, such special permits to be good for a period of three months only and are revocable in the discretion of the superintendent or supervising principal. Such permit may not be renewed until satisfactory evidence has been submitted to the superintendent or supervising principal showing that the boy has had a physical examination and his health is not being injured by said work; *and provided, further,* that male minors between sixteen and eighteen years of age may be employed until eleven post meridiem during the regular school vacation seasons but not in or for a factory or in any occupation otherwise prohibited by law or by order or regulation made in pursuance of law. The combined hours of work and hours in school of children

Proviso.

Proviso.

Proviso.

Proviso.

Limits combined hours of work.

under sixteen employed outside school hours shall not exceed a total of eight per day.

Section 17 amended.

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

C. 34:2-21.17. Certain work not permitted minors.

17. No minor under sixteen years of age shall be employed, permitted or suffered to work in, about, or in connection with power-driven machinery.

No minor under eighteen years of age shall be employed, permitted or suffered to work in, about, or in connection with the following:

the manufacture or packing of paints, colors, white lead, or red lead;

the handling of dangerous or poisonous acids or dyes;

injurious quantities of toxic or noxious dust, gases, vapors or fumes;

work involving exposure to benzol or any benzol compound which is volatile or which can penetrate the skin;

the manufacture, transportation or use of explosives or highly inflammable substances;

oiling, wiping, or cleaning machinery in motion or assisting therein;

operation or helping in the operation of power-driven woodworking machinery; *provided,* that apprentices operating under conditions of bona fide apprenticeship may operate such machines under competent instruction and supervision;

Proviso.

grinding, abrasive, polishing or buffing machines, provided that apprentices operating under conditions of bona fide apprenticeship may grind their own tools;

punch presses or stamping machines if the clearance between the ram and the dye or the stripper exceeds one-fourth inch;

cutting machines having a guillotine action;

corrugating, crimping or embossing machines;

paper lace machines;

dough brakes or mixing machines in bakeries or cracker machinery;

calender rolls or mixing rolls in rubber manufacturing;
centrifugal extractors, or mangles in laundries or dry cleaning establishments;
ore reduction works, smelters, hot rolling mills, furnaces, foundries, forging shops, or any other place in which the heating, melting, or heat treatment of metals is carried on;
mines or quarries;
steam boilers carrying a pressure in excess of fifteen pounds;
construction work of any kind;
fabrication or assembly of ships;
operation or repair of elevators or other hoisting apparatus.

No minor under eighteen years of age shall be employed, permitted, or suffered to work in, about, or in connection with any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, or are sold for consumption on the premises, or in a pool or billiard room; *provided, however,* this section shall not apply to minors sixteen years of age or over employed as pin-setters only in public bowling alleys as provided in section three hereof. No girl under the age of eighteen years shall be employed, permitted, or suffered to work as a messenger in the distribution or delivery of goods or messages for any person, firm or corporation engaged in the business of transmitting or delivering goods or messages. Proviso.

No minor under eighteen years of age shall be employed, permitted, or suffered to work in any place of employment, or at any occupation hazardous or injurious to the life, health, safety, or welfare of such minor, as such occupation shall, from time to time, be determined and declared by the Commissioner of Labor to be hazardous or injurious to the life, health, safety, or welfare of such minors, after a public hearing thereon and after

such notice as the commissioner may by regulation prescribe.

Not to apply to school work.

Nothing in this section shall be deemed to apply to the work done by pupils in public or private schools of New Jersey under the supervision and instruction of officers or teachers of the schools.

3. This act shall take effect immediately.

Approved May 16, 1941.

CHAPTER 140

AN ACT concerning fire districts and volunteer fire companies, and amending section 40:47–27 of the Revised Statutes.

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

Section amended.

1. Section 40:47–27 of the Revised Statutes is amended to read as follows:

May make appropriation to aid fire companies.

40:47–27. The governing body of a municipality may raise and appropriate such sum of money, not exceeding four thousand dollars ($4,000.00) annually, as it may deem necessary to aid the board of fire commissioners of any fire district or volunteer fire companies located therein, owning and maintaining their own apparatus; *provided, however,* that all moneys so appropriated in excess of two thousand dollars ($2,000.00) annually be used for the purchase of new equipment from time to time, with the approval of the governing body, such moneys in excess of two thousand dollars ($2,000.00) to be accounted for to the governing body annually.

Proviso, use of moneys.

Approved May 16, 1941.

CHAPTER 141

AN ACT making appropriations from the State Highway Fund for the maintenance and operation of the State Highway and other related departments, pursuant to the provisions of section 52:22–20 of the Revised Statutes.

ANTICIPATED REVENUES OF THE STATE HIGHWAY FUND

Tax on motor fuels	$24,700,000 00	Anticipated revenues.
Motor vehicle fees, fines, et cetera	22,176,000 00	
Motor vehicle inspection fees	1,000,000 00	
Bus excise tax	100,000 00	
Federal aid	1,553,000 00	
Miscellaneous revenue	300,000 00	
Unappropriated balance, January 1st	800,000 00	
	$50,629,000 00	
Less:		
Amount transferred to State Fund for Municipal Aid, pursuant to Chapter 28, Laws of 1941	6,500,000 00	
Total revenues and balance available for expenditure.	$44,129,000 00	

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

1. The following sums, or so much thereof as may be necessary, be and they are hereby appropriated out of the State highway fund for the several purposes herein specified. Appropriations.

New Jersey State Library

DEBT SERVICE

Mandatory Dedications:

1930 Bond Act:

Debt service.

Principal requirement of highway improvement bonds	$760,000 00	
Interest, highway improvement bonds ..	1,342,312 50	
Principal requirement of institution construction bonds	190,000 00	
Interest, institution construction bonds.	333,700 00	
Principal requirement of emergency relief bonds	2,500,000 00	
Interest, emergency relief bonds	370,312 50	
Principal requirement of educational aid bonds	1,000,000 00	
Interest, educational aid bonds	47,500 00	
Total debt service on 1930 bond act		$6,543,825 00

Interest on $70,000,000.00 Issue:		
Annual requirement for amortization ...	$1,873,286 75	
Interest on road bonds	503,750 00	
Interest on roads, bridges and viaducts bonds	1,225,000 00	
		3,602,036 75
Total debt service		$10,145,861 75

CONSTRUCTION AND MAINTENANCE OF ROADS AND BRIDGES

Mandatory Dedications:

State Aid to Counties and Municipalities

Aid to counties and municipalities.

Construction, reconstruction, maintenance, et cetera, of county roads	$6,000,000 00	
Expenditures pursuant to section 27:14–1 of the Revised Statutes	735,000 00	
Construction, grading, maintenance, et cetera, of village and township roads	2,625,000 00	
Expenditures pursuant to section 27:15–10 of the Revised Statutes and Chapter 218, Laws of 1940	525,000 00	
Total State aid to counties and municipalities		$9,885,000 00
Total Mandatory Deductions		$20,030,861 75

State Highway Commissioner

Highway Commissioner.

Appropriation:		
Administration, engineering, inspection and administration costs of rights-of-way		$2,450,000 00
Construction of State highway system, purchase of rights-of-way, construction of roads, bridges and grade crossings pursuant to section 52:22–20 of the Revised Statutes:		
State Funds	7,079,828 64	
Federal aid and State matched moneys	3,500,000 00	
Purchase of plant and equipment	200,000 00	
State, county and municipal highway lighting, traffic signals and operation of bridges	1,505,000 00	
Maintenance of State highway system	3,600,000 00	
Institutional roads and approaches	400,000 00	
For construction of State Highway Route No. 25A, including purchase of rights-of-way, and construction of road and bridges	1,000,000 00	
Total amount appropriated		$19,734,828 64

MOTOR VEHICLE DEPARTMENT

Motor Vehicle Department.

Salaries:		
Commissioner	$10,000 00	
Other employees, present, $1,227,984.00; new, $30,240.00	1,258,224 00	
		$1,268,224 00
Materials and Supplies:		
Heat, light, power, water, gas and electricity	$11,000 00	
Motor vehicular transportation supplies..	56,000 00	
Replacements of motor vehicles	22,500 00	
Stationery and office supplies	50,000 00	
Office equipment replacement	5,500 00	
Purchase of typewriters, central office	1,400 00	
Testing machinery and equipment	2,000 00	
Purchase of typewriters (agents) ...	7,100 00	
Station and central office equipment	2,000 00	
Metal and material for markers	225,000 00	
Station cleanser, oil and grease	1,000 00	
		383,500 00
Current repairs		9,000 00

Services Other Than Personal:		
Traveling expenses ..	$2,500 00	
Telephone and telegraph	10,800 00	
Rents	115,030 00	
Insurance (other than fire)	5,050 00	
Freight, express and cartage	1,500 00	
Subscriptions	200 00	
Printing, binding, photographing and blueprinting	39,500 00	
Postage	51,000 00	
Miscellaneous expenses	5,000 00	
Addressing postal notices, test stations	14,500 00	
Witness fees	2,750 00	
Safety education	13,500 00	
		261,330 00
Additions and Improvements:		
Filing cabinets	$5,000 00	
Ventilation equipment, testing stations	7,500 00	
		12,500 00
Extraordinary Expenditures:		
To establish one single-lane testing station in northern section of Hudson county		12,900 00
		$1,947,454 00

STATE TAX DEPARTMENT

MOTOR FUELS TAX DIVISION

Motor Fuels Tax Division.

Salaries:		
Director	$6,000 00	
Compensation for assistants, present, $176,680.00; new, $1,920.00	178,600 00	
		$184,600 00
Materials and Supplies:		
Stationery and office supplies	$1,500 00	
Retail dealers' license plates	1,750 00	
Vehicular transportation supplies	9,750 00	
Office equipment replacement	350 00	
Replacement of motor vehicles	2,400 00	
		15,750 00
Services Other Than Personal:		
Postage and expressage	$4,000 00	
Miscellaneous expenses	400 00	
Traveling expenses	5,000 00	
Printing	1,800 00	
Patrol boat crew expenses	1,400 00	
Maintenance of patrol boat	3,000 00	
Rents	10,860 00	
Insurance (other than fire)	3,099 00	
Telephone and telegraph	1,200 00	
		30,759 00
Additions and Improvements:		
Office equipment		80 00

	Unclassified:		
	The Comptroller of the Treasury is hereby authorized and empowered to pay any refund of motor fuel taxes, upon proper approval, pursuant to chapter 39 of Title 54 of the Revised Statutes, and the State Treasurer is directed to pay warrants issued therefor by the Comptroller.		
			$231,189 00

BOARD OF COMMERCE AND NAVIGATION

Commerce and Navigation.	Expenditure for construction, reconstruction, maintenance and improvement of inland waterways	$135,000 00	
	Expenditure for bulkheading Manasquan Canal	50,000 00	
	Dredging inland waterways	65,000 00	
	Beach protection along Atlantic coast, provided forty per centum (40%) is appropriated in conjunction thereto by each municipality allotted a part of the State appropriation..	395,000 00	
			$645,000 00

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Delaware River Joint Toll Bridge Commission.	Appropriation:		
	Maintenance of free bridges now or to become State property, including improvements		$93,633 61

All moneys received from any source whatsoever, whether from the operation of bridges or from the State of Pennsylvania for its proportion of maintenance of said bridges, is hereby appropriated to the said commission to be used by them for maintenance of bridges and the payment to the State of Pennsylvania of their proportion of the earnings of said bridges.

Any unexpended balance, including receipts from Pennsylvania and rental receipts, is hereby reappropriated.

Department of State Police

State Police.

There is hereby appropriated for transfer to the General State Fund, being 50% of the amount appropriated in the State Fund Appropriation Act for the fiscal year ending June 30, 1942, for the operation and maintenance of the Department of State Police, the sum of .. $630,697 00

State Employees' Retirement System

Retirement Fund.

Contribution applicable to State Highway System Fund $150,286 00

Department of Conservation and Development and/or State Water Policy Commission

Delaware and Raritan Canal.

Transfer to the General State Fund for maintenance of the Delaware and Raritan Canal $13,000 00

Budget Department

Budget Commissioner. Transfer to the General State Fund for salary of the State Budget Commissioner $3,000 00

Comptroller's Department

Comptroller's Department. Transfer to the General State Fund for salaries in the State Comptroller's Department $3,000 00

State House Commission

State House Commission. Transfer to the General State Fund for maintenance expenditures of the State House Commission $20,000 00

Compensation Awards

Compensation awards. For the State House Commission to pay compensation awards allowed State employees in departments other than the State Highway Department but related to the State Highway Fund $5,000 00

Funding-Bonds Authorized But Not Issued

Funding bonds. For the purpose of funding the remaining $12,421,000.00 of bonds authorized by R. S. 27:11–9 to 11, but which have not been issued $621,050 00

Total mandatory dedications and appropriations $44,129,000 00

Appropriations not to lapse.

2. The appropriations herein made other than those to the State Highway Commissioner are for the fiscal year ending December thirty-first, one thousand nine hundred and forty-one, and the appropriations herein made for debt service and to the State Highway Commissioner shall not lapse by reason of the expiration of said fiscal year. The appropriations herein made other than those for debt service and to the State Highway Commissioner shall be available for expenditure during the fiscal year ending December thirty-first, one thousand nine hundred and forty-one, and for a period of two months thereafter to pay obligations incurred during said fiscal year only. Nothing in this section or in this act contained shall be construed to prohibit the payment due upon any contract made under an appropriation of the previous year or years.

Construing, as to contracts.

Use of Federal moneys.

3. Any additional allotments of funds which may be made by the Federal government to the State of New Jersey, are hereby appropriated for the purposes for which such moneys are allocated, and the State Highway Commissioner is hereby authorized to carry out such projects as may be designated by the Federal government.

Act effective.

4. This act shall take effect immediately and shall be retroactive as of January first, one thousand nine hundred and forty-one, and all expenditures made up to the time of the passage of this act, under the provisions of section 52:22–20 of the Revised Statutes, shall be charged against the amounts herein appropriated.

Filed May 19, 1941.

CHAPTER 142

AN ACT concerning taxation, and amending section 54:3–3 of the Revised Statutes.

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

Section amended.

1. Section 54:3–3 of the Revised Statutes is amended to read as follows:

Terms.

54:3–3. Terms; vacancies. The members shall be appointed for a term of three years and until their successors shall have been duly appointed and

Vacancies.

qualified. If there happens to be any vacancy in said office, during the recess of the Legislature, caused by reason of death, resignation or in any manner other than by the expiration of the term for which any person shall have been appointed, the Governor shall fill such a vacancy and the commission shall expire at the end of the next session of the Legislature unless a successor shall be sooner appointed. In filling vacancies other than those that have been created during the recess of the Legislature as herein provided for the Governor shall appoint with the advice and consent

To continue in office.

of the Senate for the unexpired term only. The members of the county boards of taxation in counties of the first class who are in office at the time this act (§54:3–2, §54:3–3 and §54:3–22.1) becomes effective shall, without further appointment or confirmation, continue in office for the balance of the term for which they and each of them were

Five year term.

respectively appointed. The term of office of the members hereafter appointed by the Governor by and with the advice and consent of the Senate shall be five years and until their successors shall have

Proviso.

been duly appointed and qualified; *provided, however,* that of the two additional members to be added, the term of one shall expire April thirtieth, one thousand nine hundred and forty-four, and the other April thirtieth, one thousand nine hundred

and forty-five; *and provided, further,* that they shall continue in office until their respective successors shall have been duly appointed and qualified. Proviso, held over.

2. This act shall take effect immediately.

Approved May 19, 1941.

CHAPTER 143

AN ACT concerning hearings, findings and determinations by the State Board of Tax Appeals, and amending sections 54:2–16 and 54:2–18 of the Revised Statutes.

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

1. Section 54:2–16 of the Revised Statutes is amended to read as follows: Section amended.

54:2–16. Hearings before the board shall be open to the public and its proceedings shall be conducted in accordance with such rules of evidence and procedure as the board from time to time may prescribe. The board shall reduce to writing its findings of fact and its decision in each case. These findings and decisions shall be entered of record and a copy furnished to the appellant and the State Tax Department. All findings, decisions and reasons therefor of the board including the transcript of testimony, if any, shall be public records and open to the inspection of the public. Hearings. Findings. Public record.

2. Section 54:2–18 of the Revised Statutes is amended to read as follows: Section amended.

54:2–18. The board may, as occasion shall require, by order, refer to one or more of its members the duty of taking testimony in a matter pending before it, and to report thereon to the board, but no determination shall be made therein except Testimony taken by single member.

Report. by the board. Stenographic notes shall be made of all testimony so taken, but the members of the board shall be qualified to make their determination after receiving the report of the member hearing the testimony, and without the necessity that the stenographic notes so taken shall have been reduced to writing; *provided, however,* that the testimony shall be reduced to writing at the request of any member of the board required to make a determination in any such matter.

Proviso.

3. This act shall take effect immediately.

Approved May 24, 1941.

CHAPTER 144

AN ACT concerning the salaries of mayor and members of the governing body of a municipality, and amending section 40:46–27 of the Revised Statutes.

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

Section amended. 1. Section 40:46–27 of the Revised Statutes is amended to read as follows:

To pass ordinance fixing salaries. 40:46–27. When the governing body of any municipality shall be required by petition, or shall deem it advisable to fix the salaries of its members, or any officer, or the salaries paid in any municipal department, in cases where, under the provisions of this or any other law, it is necessary to have a referendum vote thereon, such governing body shall pass an ordinance definitely fixing such salary or salaries, with the date when the same shall commence.

Preparing ballot. The clerk of the municipality shall forthwith forward a certified copy of the ordinance to the officer whose duty it is to prepare the ballots for

the election, notifying such officer that a vote is desired upon the question.

Such officer shall, in the manner and form provided by law, place the same upon the ballots to be used at the next general election in such municipality, in substantially the following form: "Shall the salary, or salaries) of the .... (title of office, department or group) of ..... (name of municipality) be fixed as follows, ... (amount or amounts) per annum?" Form of question.

If it is proposed to reduce or increase a salary the following form should be used: "Shall the salary (or salaries) of the ..... (title of office, department or group) of .... (name of municipality) be reduced (or increased) as follows: ..... (title of office, department or group) from $..... (amount of present salary) to $..... (amount of proposed or adopted salary) per annum?"

If a majority of the legal voters of the municipality voting upon such question at such election shall vote "Yes," the salary or salaries so adopted shall be paid to the members of the governing body, department or officer, on and after the date specified in the ordinance and until again changed by referendum vote. If a majority of the legal voters voting upon such question at such election shall vote "No," such salary or salaries shall continue as theretofore. The salary or salaries to be paid any officer or in any department shall not be voted upon more than once in three years. Canvass. Three year interval.

2. This act shall take effect immediately.

Approved May 24, 1941.

CHAPTER 145

AN ACT amending section 43:16–11 of the Revised Statutes, the referendum provision of the subtitle providing for the retirement of policemen and firemen of the police and fire department in municipalities of this State, including all police officers having supervision or regulation of traffic upon county roads, and providing a pension for such retired policemen and firemen and members of the police and fire department, and the widows, children and sole dependent parents of deceased members of said departments.

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

Section amended.

1. Section 43:16–11 of the Revised Statutes is amended to read as follows:

Referendum.

43:16–11. The question of the adoption of this subtitle shall be submitted to the voters of any municipality by the governing body, at any general election or special election held for that purpose, upon the presentation of a petition for its adoption signed by at least ten per centum (10%) of the legal voters, but which shall not be submitted to such an election until at least thirty days after the date of filing the petition. The question of the adoption of this subtitle shall, through action of the governing body, be placed on the ballot at any general election, or be submitted at a special election, in the manner required by law in such cases. If a majority of the legal voters voting upon the question at the election vote in favor of adopting this subtitle, it shall take effect immediately, but the organization and establishment of the funds shall not take place until January first following the election.

2. This act shall take effect immediately.

Approved May 24, 1941.

CHAPTER 146

AN ACT concerning corporations, and amending section 14:10–13 of the Revised Statutes.

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

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

14:10–13. All elections for directors shall be by ballot, unless otherwise expressly provided in the charter or certificate of incorporation. The poll at every such election shall be opened between the hours of nine o'clock in the morning and five o'clock in the afternoon, and shall close before nine o'clock in the evening. Election of directors.

A majority in interest of all the stockholders of any corporation formed under this title shall be present in person or by proxy to constitute a quorum, unless otherwise provided in the certificate of incorporation or in the by-laws approved at a stockholders' meeting. The persons receiving the greatest number of votes shall be the directors. Quorum. Result.

2. This act shall take effect immediately.

Approved May 24, 1941.

CHAPTER 147

AN ACT concerning 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 ad- Newspaper, qualifications for State publications.

vertising 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 circulation possessing an average news content of not less than thirty-five per centum (35%), shall have been published continuously 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.

Section amended.

2. Section 35:1–2.2 of the Revised Statutes is amended to read as follows:

Newspaper, qualifications for municipal, etc., publications.

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 circulation possessing an average news content of not less than thirty-five per centum

(35%), shall have been published continuously 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.

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

4. This act shall take effect immediately.

Approved May 24, 1941.

CHAPTER 148

AN ACT concerning gas companies, prohibiting gas companies from supplying or changing the character or heating quality of gas furnished to its customers without the approval of the Board of Public Utility Commissioners of this State, and supplementing chapter nine of Title 48 of the Revised Statutes.

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

1. No gas company subject to regulation by the Board of Public Utility Commissioners of this State shall change the character or heating quality of gas supplied to its customers in this State, except to the extent which may be approved, after hearing, by the Board of Public Utility Commissioners of this State as consistent with the public interest and the interest of consumers and the general welfare of the State and its citizens. No C. 48:9-25.1. Not to change heating quality of gas without approval.

Heating quality of gas to be approved.

gas company hereafter formed or commencing business in this State, and which is subject to regulation by the Board of Public Utility Commissioners of this State, shall supply gas to its customers until the character or heating quality of such gas shall have been approved by the Board of Public Utility Commissioners of this State as consistent with the public interest and the interest of consumers and the general welfare of the State and its citizens.

2. This act shall take effect immediately.

Approved May 24, 1941.

CHAPTER 149

AN ACT to amend an act entitled "An act concerning the disbursement of certain State moneys and making an appropriation for the administration thereof," approved June twenty-fifth, one thousand nine hundred and forty, constituting chapter one hundred fifty-one of the laws of one thousand nine hundred and forty.

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

Section 26 amended.

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

C. 44:8-85. Administration of relief by director.

26. In each municipality whose relief millage is more than eight mills, the director shall take over the administration of relief in such municipality if it does not elect to administer its own relief within the time and in the manner provided in section twenty-five of this act.

Upon the director taking over the administration of relief in any such municipality— Action taken:

(a) All books, records, supplies, equipment and other property in the possession or custody of any board, body or official of such municipality, relating to relief, shall be delivered forthwith to the director; and Delivery of property and records;

(b) All outstanding obligations of such municipality for one thousand nine hundred and forty relief shall be paid, on the order of the director, by the municipality so far as its budget appropriations for relief for one thousand nine hundred and forty will permit and all remaining obligations shall be assumed and paid by the administration out of the State Relief Fund or the Municipal Aid Fund, as the case may be. As to obligations.

From the time the director takes over the administration of relief in any such municipality— Action after taking administration:

(a) All obligations incurred by him for relief in such municipality for one thousand nine hundred and forty excluding the cost of administration, which is otherwise provided for in this act, shall be assumed and paid by the administration out of the State Relief Fund or the Municipal Aid Fund, as the case may be; and Obligations assumed;

(b) No increases in salaries shall be made in such municipality and No salary increases;

(c) No obligations, bonded or otherwise, shall be authorized by such municipality during the calendar year one thousand nine hundred and forty with the following exceptions: No obligations incurred;

(1) Tax anticipation, tax revenue, emergency or other obligations of a strictly current character; Local obligations excepted;

(2) The funding of outstanding obligations in accordance with sections 40:1–61 and 40:1–74 of the Revised Statutes; Funding;

Necessary issues;

(3) The issuance of obligations in order to comply with an order issued in accordance with law by a State board, department or other agency; and

Transfers restricted.

(d) No transfer shall be made by such municipality from its current budget appropriation for relief to any other current budget appropriation.

2. This act shall take effect immediately.

Approved May 24, 1941.

CHAPTER 150

AN ACT concerning county vocational schools and supplementing Title 18 of the Revised Statutes.

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

C. 18:15-58.1. To possess certain rights and privileges.

1. All teachers, principals, and directors of boards of education of county vocational schools are hereby held to possess all rights and privileges of teachers, principals, and directors of boards of education of districts governed by chapter six and chapter seven of Title 18 of the Revised Statutes.

C. 18:15-58.2. Act effective.

2. This act shall take effect June first, one thousand nine hundred and forty-one.

Approved May 24, 1941.

CHAPTER 151

AN ACT for the uniform control and licensing of dogs and kennels to aid in preventing the spread of rabies, and repealing sections 4:19–10, 4:19–11, 4:19–12, 4:19–13, 4:19–14, 4:19–15, 40:52–5 and 40:52–6 of the Revised Statutes.

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

C. 4:19-15.1. Terms defined.

1. "Dog" shall mean any dog, bitch or spayed bitch.

"Dog of licensing age" shall mean any dog which has attained the age of seven months or which possesses a set of permanent teeth.

"Kennel" shall mean any establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for sale is carried on, except a pet shop.

"Pet shop" shall mean any room or group of rooms, cage or exhibition pen, not part of a kennel, wherein dogs for sale are kept or displayed.

"Pound" shall mean an establishment for the confinement of dogs seized either under the provisions of this act or otherwise.

"Shelter" shall mean any establishment where dogs are received, housed and distributed without charge.

"Owner" when applied to the proprietorship of a dog shall include every person having a right of property in such dog and every person who has such dog in his keeping.

C. 4:19-15.2. Dogs to be licensed.

2. Any person who shall own, keep or harbor a dog of licensing age shall in the month of January, one thousand nine hundred and forty-two, and annually thereafter, apply for and procure from the clerk of the municipality or other official designated by the governing body thereof to license dogs in the municipality in which he resides, a license and

official metal registration tag for each such dog so owned, kept or harbored, and shall place upon each such dog a collar or harness with the registration tag securely fastened thereto.

C. 4:19-15.3. Fee.

3. The persons applying for the license and registration tag shall pay the fee fixed or authorized to be fixed in section twelve of this act, and the sum of twenty-five cents ($0.25) for the registration tag of each dog; and for each annual renewal, the fee for the license and for the registration tag shall be the same as for the original license and tag; and said licenses, registration tags and renewals thereof shall expire on the last day of January in each year.

Renewed annually.

Only one license required.

Only one license and registration tag shall be required in any licensing year for any dog owned in New Jersey and such license and tag shall be accepted by all municipalities as evidence of compliance with this section.

Seeing eye dogs licensed —no fee.

Dogs used as guides for blind persons and commonly known as "seeing eye" dogs shall be licensed and registered as other dogs hereinabove provided for, except that the owner or keeper of such dog shall not be required to pay any fee therefor.

Uniform license forms and registration tags.

License forms and uniform official metal registration tags designed by the State Department of Health shall be furnished by the municipality and shall be numbered serially and shall bear the year of issuance and the name of the municipality.

C. 4:19-15.4. To make application within ten days.

4. The owner of any newly-acquired dog of licensing age or of any dog which attains licensing age, shall make application for license and registration tag for such dog within ten days after such acquisition or age attainment.

C. 4:19-15.5. Form and content of application.

5. The application shall state the breed, sex, age, color and markings of the dog for which license and registration are sought, and whether it is of a long or short haired variety; also the name, street and post-office address of the owner and the person who shall keep or harbor such dog. The information on said application and the registration number issued for the dog shall be preserved for a period of three years by the clerk or other local

Records kept for three years.

official designated to license dogs in the municipality. In addition he shall forward similar information to the State Department of Health each month, on forms furnished by the said department. Registration numbers shall be issued in the order of the applications.

Information forwarded to health department.

6. Any person who shall bring or cause to be brought into this State any dog licensed in another State for the current year, and bearing a registration tag, and shall keep the same or permit the same to be kept within the State for a period of more than ninety days shall immediately apply for a license and registration tag for each such dog unless such dog be licensed under section eight of this act.

C. 4:19-15.6. Licensing, when brought in from another state.

Any person who shall bring or cause to be brought into this State any unlicensed dog and shall keep the same or permit the same to be kept within the State for a period of more than ten days shall immediately apply for a license and registration tag for each such dog unless such dog be licensed under section eight of this act.

Bring in unlicensed dog.

7. No person, except an officer in the performance of his duties shall remove a registration tag from the collar of any dog without the consent of the owner, nor shall any person attach a registration tag to a dog for which it was not issued.

C. 4:19-15.7. Removal of registration tag.

8. Any person who keeps or operates or proposes to establish a kennel, a pet shop, a shelter or a pound shall apply to the clerk or other official designated to license dogs in the municipality where such establishment is located, for a license entitling him to keep or operate such establishment.

C. 4:19-15.8. Kennels, etc., to be licensed.

The application shall describe the premises where the establishment is located or is proposed to be located, the purpose or purposes for which it is to be maintained, and shall be accompanied by the written approval of the local municipal and health authorities showing compliance with the local and State rules and regulations governing location of and sanitation at such establishments.

Form of application.

All licenses issued for a kennel, pet shop, shelter or pound shall state the purpose for which the

Purpose stated in license.

establishment is maintained and all such licenses shall expire on the last day of January of each year, and be subject to revocation by the municipality on recommendations of the State Department of Health or the local board of health for failure to comply with the rules and regulations of the State Department or local board governing the same after the owner has been afforded a hearing by either the State Department or local board.

Individual licenses not required.

Any person holding such license shall not be required to secure individual licenses for dogs owned by such licensee and kept at such establishments; such licenses shall not be transferable to another owner or different premises.

C. 4:19-15.9. Fees.

9. The annual license fee for a kennel providing accommodations for ten or less dogs shall be ten dollars ($10.00) and for more than ten dogs twenty-five dollars ($25.00). The annual license fee for a pet shop shall be ten dollars ($10.00). No fee shall be charged for a shelter or pound.

C. 4:19-15.10. Taking dogs off premises.

10. No dog kept in a kennel, pet shop, shelter or pound shall be permitted off such premises, except on leash or in a crate or other safe control.

C. 4:19-15.11. Certain moneys forwarded to municipal treasurer.

11. License fees and other moneys collected or received under the provisions of sections three, eight, nine and sixteen of this act, except registration tag fees, shall be forwarded to the treasurer of the municipality within thirty days after collection or receipt and shall be placed in a special account separate from any of the other accounts of the municipality and which shall be used for the following purposes only; for collecting, keeping and disposing of dogs liable to seizure under this act or under local dog-control ordinances; for local prevention and control of rabies; for providing antirabic treatment under the direction of the local board of health for any person known or suspected to have been exposed to rabies, for payment of damage to or losses of poultry and domestic animals, except dogs and cats, caused by a dog or dogs and for administering the provisions of this act. Any unexpended balance remaining in such

Use of moneys collected.

special account shall be retained therein until the end of the third fiscal year following and may be used for any of the purposes set forth in this section. At the end of the said third fiscal year following, and at the end of each fiscal year thereafter, there shall be transferred from such special account to the general funds of the municipality any amount then in such account which is in excess of the total amount paid into said special account during the last two fiscal years next preceding.

Use of registration fees.

The registration tag fee of twenty-five cents ($0.25) for each dog shall be forwarded within thirty days after collection by the clerk or other official designated to license dogs to the State Department of Health which department shall forward said sum to the State Treasurer who shall place all such moneys in a special account for use only by the State Department of Health in administering this act and for the prevention and control of rabies throughout the State, and such account is hereby declared to be a trust fund not subject to legislative appropriation. At the end of the third fiscal year following the adoption of this act and at the end of each fiscal year thereafter, there shall be withdrawn from this trust fund and transferred to the general funds of the State any amount then in such fund which is in excess of the total amount paid into such fund during the last two fiscal years next preceding.

Transfer of excess.

C. 4:19-15.12. Fixing license fee.

12. The governing body of each municipality may, by ordinance, fix the sum to be paid annually for a dog license and each renewal thereof, as required by section three of this act, which sum shall be not less than one dollar ($1.00) nor more than two dollars ($2.00). In the absence of such a local ordinance, the license fee shall be one dollar ($1.00).

C. 4:19-15.13. List of kennels, etc., forwarded.

13. The clerk or other official designated to license dogs in the municipality shall forward to the State Department of Health a list of all kennels, pet shops, shelters and pounds licensed within thirty days after the licenses therefor are issued,

which list shall include the name and address of the licensee and the kind of license issued.

C. 4:19-15.14. Rules and regulations.

14. The State Department of Health shall, within six months of the approval of this act and with the co-operation and assistance of the State Department of Agriculture, prepare and promulgate rules and regulations governing the sanitary conduct and operation of kennels, pet shops, shelters and pounds, to preserve sanitation therein and prevent the spread of rabies and other diseases of dogs within and from such establishments.

Enforcement.

Such rules and regulations shall be enforced by the State Department of Health and by local boards of health.

C. 4:19-15.15. Canvass of dogs to be made.

15. The chief of police of each municipality, or the chairman of the police committee thereof, if the office of chief of police does not exist, or any person appointed for the purpose by the governing body of the municipality, shall promptly after February first, one thousand nine hundred and forty-two, and annually thereafter cause a canvass to be made of all dogs owned, kept or harbored within the limits of their respective municipalities and shall report to the clerk or other person designated to license dogs in the municipality and to the local board of health, and to the State Department of Health the result thereof, setting forth in separate columns the names and addresses of persons owning, keeping or harboring such dogs, the number of licensed dogs owned, kept or harbored by each of said persons together with the registration numbers of each of said dogs, and the number of unlicensed dogs owned, kept or harbored by each of said persons, together with a complete description of each of said unlicensed dogs.

C. 4:19-15.16. Impounding and disposal of dogs.

16. The chief of police of a municipality, or the chairman of the police committee if the office of chief of police does not exist, or any person appointed for the purpose by the governing body of the municipality, shall take into custody and impound or cause to be taken into custody and impounded, and thereafter destroyed or disposed of as provided in this section:

(a) Any dog off the premises of the owner or of the person keeping or harboring said dog which said official or his agent, or agents have reason to believe is a stray dog;

(b) Any dog off the premises of the owner or of the person keeping or harboring said dog without a current registration tag on his collar;

(c) Any female dog in season off the premises of the owner or of the person keeping or harboring said dog.

Notice to owners.

If any dog so seized wears a collar or harness having inscribed thereon or attached thereto the name and address of any person or a registration tag or the owner or the person keeping or harboring said dog is known, the chief of police or chairman of the police committee, or any person authorized by him in that behalf, shall forthwith serve on the person whose address is given on the collar, or on the owner or the person keeping or harboring said dog, if known, a notice in writing stating that the dog has been seized and will be liable to be disposed of or destroyed if not claimed within seven days after the service of the notice.

Service of notice.

A notice under this section may be served either by delivering it to the person on whom it is to be served, or by leaving it at the person's usual, or last known place of abode, or at the address given on the collar, or by forwarding it by post in a prepaid letter addressed to that person at his usual or last known place of abode, or to the address given on the collar.

Dog destroyed.

When any dog so seized has been detained for seven days after notice, when notice can be given as above set forth, or has been detained for seven days after seizure, when no notice has been given as above set forth and if the owner or person keeping or harboring said dog has not claimed said dog and paid all expenses incurred by reason of its detention, including maintenance not exceeding fifty cents ($0.50) per day, and if the dog be unlicensed at the time of the seizure and the owner or person keeping or harboring said dog has not produced a

license and registration tag for said dog, the aforesaid chief of police of the municipality, or the chairman of the police committee, or any person authorized by him in that behalf, may cause the dog to be destroyed in manner causing as little pain as possible.

C. 4:19-15.17. Seizure of dogs.

17. Any officer or agent authorized or empowered to perform any duty under this act is hereby authorized to go upon any premises to seize for impounding any dog or dogs which he may lawfully seize and impound when such officer is in immediate pursuit of such dog or dogs, except upon the premises of the owner of the dog if said owner is present and forbids the same.

C. 4:19-15.18. Interference prohibited.

18. No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this act.

C. 4:19-15.19. Violations.

19. Any person who violates or who fails or refuses to comply with sections two, four, six, seven, eight, ten or eighteen of this act or the rules and regulations promulgated by the State Department of Health pursuant to section fourteen of this act, shall be liable to a penalty of not less than five dollars ($5.00) nor more than fifty dollars ($50.00) for each offense, to be recovered by and in the name of the Director of Health of the State of New Jersey, or by and in the name of the local board of health of the municipality, or by and in the name of the municipality, as the case may be.

Penalty.

C. 4:19-15.20. Recovery of penalty.

20. Any penalty recovered in an action brought under the provisions of this act shall be paid to the plaintiff therein. When the plaintiff is the Director of Health of the State of New Jersey, the penalty shall be paid by said director into the treasury of the State. When the plaintiff is a local board of health the penalty shall be paid by the local board into the treasury of the municipality within which the local board has jurisdiction.

C. 4:19-15.21. Courts of jurisdiction.

21. Every district court, justice of the peace, and police magistrate is empowered upon the filing of a complaint in writing by any person authorized by the Director of Health of the State of New Jersey,

when the plaintiff is the Director of Health, or by any person authorized by the local board of health, when the plaintiff is the local board of health, or by the chief of police of the municipality or by the chairman of the police committee, if the office of chief of police does not exist, or by any person appointed for the purpose by the governing body of the municipality, when the plaintiff is the municipality, alleging that a violation of section two, four, six, seven, eight, ten or eighteen of this act or of a rule or regulation promulgated pursuant to section fourteen of this act has occurred, which complaint may be made upon information and belief, to issue process at the suit of the Director of Health of the State of New Jersey or of the local board of health, or of the municipality, as the case may be, as plaintiff. The process shall be either in the nature of a summons or warrant, which warrant may issue without any order of the court first being obtained against the person so charged, which process when in the nature of a warrant, shall be returnable forthwith, and when in the nature of a summons shall be returnable in not less than five nor more than fifteen entire days. The process shall state what provision of the law or rules and regulations is alleged to have been violated by the defendant or defendants. The court, justice or magistrate, may, at all times, amend all defects and errors in the complaint and process.

Form of process.

May amend complaint.

Any officer authorized by law to serve and execute process in the court in which the proceeding is brought shall serve and execute all process in proceedings for violations of any of the provisions of this act.

Service of process.

22. On the return of process issued pursuant to section twenty-one of this act or at any time to which the trial shall be adjourned, the court without the filing of any pleadings shall proceed in a summary manner, without a jury, to hear the testimony and to give judgment for plaintiff for the penalty and costs, or for the defendant.

C. 4:19-15.22. Trial.

C. 4:19-15.23. Commitment upon failure to pay fine.

23. The court shall cause a defendant 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, subsequent or continuing violation, for a period not exceeding thirty days.

C. 4:19-15.24. Bond given by defendant.

24. The district court, justice of the peace or police magistrate may adjourn the hearing from time to time but, unless the first process was a summons, shall detain the defendant in safe custody unless he shall enter into bond to the Director of Health of the State of New Jersey or the local board of health or municipality with at least one sufficient surety in double the amount of the penalty claimed, conditioned for his appearance on the day to which the hearing shall be adjourned and thence from day to day until the case is disposed of, and to abide by the judgment of the court. Such bond if forfeited may be prosecuted by the Director of Health of the State of New Jersey, the local board of health or municipality.

C. 4:19-15.25. Form of judgment.

25. A judgment for a penalty under section twenty-one of this act shall be in the following or similar form:

"State of New Jersey }
} ss.
County of ..... }

Be it remembered that on this ..... day of ..... at ..... in said county, C.D. defendant, was by (the district court of ..... or ..... justice of the peace or ..... police magistrate, or as the case may be), convicted of violating section ..... of the Revised Statutes of New Jersey, in a summary proceeding at the suit of the Director of Health of the State of New Jersey, or the local board of health or the municipality, upon a complaint made by

> ....., and further, that the witnesses in said proceeding, who testified for the plaintiff were (name them), and the witnesses who testified for the defendant were (name them).
>
> Wherefore, the said court doth hereby give judgment that the plaintiff recover of the defendant ..... dollars, penalty, and ..... dollars, costs of this proceeding."

The conviction shall be signed by the judge of the district court, justice of the peace or police magistrate before whom the conviction is had. In case the defendant is committed to jail in default of payment of the penalty, a commitment in the following form shall be added to the conviction, beneath the signature of the judge, justice of the peace or police magistrate:

> "And the said C.D. neglecting and refusing to pay the amount of the penalty above mentioned, with costs, it is hereby ordered that the said C.D. be, and he hereby is committed to the common jail of the county of ....., for the period of ..... days, unless the said penalty and costs are sooner paid."

This commitment shall also be signed by the judge, justice or magistrate, and in case of commitment of any defendant to jail, the conviction and commitment shall be signed in duplicate, and one of the duplicate copies shall serve the purpose of a warrant of commitment.

Signing process.

26:2–80. The clerk of a district court or magistrate's court may sign and seal any process required to be issued under the provisions of this act, except a warrant of commitment. The costs recoverable in any such proceeding shall be the same as costs taxed in the district court. Execution may issue for the collection of a judgment and costs, against the goods and chattels and body of

Costs.

Execution.

the defendant without any order first obtained for such purpose.

C. 4:19-15.26. Construing, as to vaccines.

26. No provision of this act shall be construed as giving any authority for the compulsory inoculation of dogs with anti-rabic vaccines.

C. 4:19-15.27. Construing as to dog hospitals.

27. No provision of this act shall be construed to apply to any establishment wherein or whereon dogs are received or kept for diagnostic, medical, surgical, or other treatments, owned by and operated under the immediate supervision of a graduate veterinarian licensed in the State of New Jersey.

C. 4:19-15.28. Sections repealed.

28. Sections 4:19–10, 4:19–11, 4:19–12, 4:19–13, 4:19–14, 4:19–15, 40:52–5, 40:52–6 of the Revised Statutes are hereby repealed.

C. 4:19-15.29. Act effective.

29. This act shall take effect November first, one thousand nine hundred and forty-one.

Approved May 24, 1941.

CHAPTER 152

AN ACT to amend "An act providing for the acceptance of the duties of testamentary trustee and the issuance of letters to the testamentary trustee by the ordinary, orphans' court or surrogate," approved April twenty-second, one thousand nine hundred and forty (P. L. 1940, c. 45).

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

Section 1 amended.

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

C. 3:7-13.4. Acceptance of trusteeship.

1. A testamentary trustee or substituted testamentary trustee shall, before exercising the authority vested in him by virtue of any last will and testament which shall have been duly admitted to probate by the ordinary or any orphans'

court or surrogate of this State, declare in writing and under oath his acceptance of such trusteeship, which acceptance shall be filed and recorded in the office in which the will creating such trust is recorded, and shall, whether or not a resident of the State of New Jersey, file in the same office a power of attorney as required by section 3:13–12 of the Revised Statutes which shall be duly executed in writing setting forth the post-office address, street and number of the testamentary trustee or substituted testamentary trustee and constituting the register or surrogate with whom the same is filed and his successor in office his true and lawful attorney to receive process affecting the testamentary trust in charge of the testamentary trustee or substituted testamentary trustee, or any interest therein with the same force and effect as if the process were duly served on the testamentary trustee or substituted testamentary trustee within this State.

To file power of attorney.

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

Section 2 amended.

2. Upon the filing of a written acceptance of such trusteeship and upon the filing of a power of attorney as required by section one of this act, letters of trusteeship shall be issued in substantially the following form:

C. 3:7-13.5. Form of letters.

"To all to whom these presents shall come, Greeting:

Whereas ..... late of the county ..... in the State of ..... in and by his last will and testament, duly proved before the surrogate of the county of .... did appoint ..... as trustee, and whereas the said .... has accepted the duties of trustee as therein provided, therefore:

I, ..., surrogate of the county of ....., do hereby certify that the said .... is duly authorized to execute the

said trust according to law and the terms of the said last will and testament.

In Witness Whereof, I have hereunto set my hand and seal of office, et cetera.

..... Surrogate."

3. This act shall take effect immediately.

Approved May 24, 1941.

CHAPTER 153

AN ACT concerning the descent of real property, and amending section 3:3–4 of the Revised Statutes.

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

Section amended.

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

Surviving spouse to take real estate.

3:3–4. When a married person dies seized of real estate in his own right in fee simple without devising the same in due form of law, and leaves no lawful issue, but leaves a spouse, such spouse shall take an entire fee simple of all such real estate.

2. This act shall take effect immediately.

Approved May 24, 1941.

CHAPTER 154

AN ACT concerning the State Employees' Retirement System, 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. 43:14-2.6. To be entitled to certain benefits.

1. A person who, prior to March thirty-first, one thousand nine hundred and twenty-one, had been in the State's employ and who, on that date, was not in the service of the State but who, since that date, has re-entered the State service and became or shall become a member of the State Employees' Retirement System, upon retiring, as provided in the chapter to which this act is a supplement, shall be entitled to all the benefits of the chapter to which this act is a supplement as if such person had never severed his connection with the State; *provided, however,* that the said person shall pay into the said pension fund of said retirement system such sum or sums as may be necessary; *provided, further,* that said retirement system may permit said payments to be made in installments over a period of five years. In the ascertainment of final compensation or benefits, his entire actual period in the State's service shall be the basis upon which such final compensation or benefits shall be computed. In case of his disability he shall be entitled to all the benefits of the chapter to which this act is a supplement based upon the actual number of years of service to the State.

Proviso.

Proviso, installment payments.

2. This act shall take effect immediately.

Approved May 24, 1941.

CHAPTER 155

AN ACT authorizing the New Jersey Rehabilitation Commission to appoint therein special examiners to serve tuberculous persons.

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

C. 34:16-7.1. May appoint additional examiners.

1. For the purpose of furthering the work of the New Jersey Rehabilitation Commission, there shall be appointed by the director, two (2) additional vocational examiners who, in connection with the examiners previously appointed, shall carry out and further the work of the commission as it relates to the rehabilitation of tuberculous persons of the State.

2. This act shall take effect immediately.

Approved May 24, 1941.

CHAPTER 156

AN ACT to permit payment of lawful claims and wages and salaries of officers and employees in cities of the first class in certain circumstances.

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

Permits payment of salaries, etc., under certain conditions.

1. Wherever, in cities of the first class, the budget of such city shall not have been adopted on or before the first day of May, and the temporary budget of such city shall have been exhausted so as to disenable the payment of claims or wages or salaries to the officers and employees of such city after the first day of May in such year, and a new governing body of such municipality shall have been elected on the second Tuesday in May, it shall be lawful for the said governing body to authorize

and for the fiscal officers of said city to pay out of available funds any and all lawful claims and the wages and salaries of all officers and employees thereof, until the adoption of the annual budget; *provided,* that the budget of said city shall be adopted on or before the fifteenth day of June of said year. Proviso.

2. This act shall take effect immediately, and shall become inoperative on the fifteenth day of June, one thousand nine hundred and forty-one, as to any and all claims and salary or wages thereafter incurred. Act inoperative.

Approved May 26, 1941.

CHAPTER 157

AN ACT authorizing the Treasurer of this State to transfer the sum of one hundred twenty thousand dollars ($120,000.00) to the general State fund from any moneys in the treasury belonging to the State Highway Department, for the use of the Department of State Police in the installation and maintenance of a two-way radio system.

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

1. The State Treasurer is hereby authorized to transfer the sum of one hundred twenty thousand dollars ($120,000.00) to the general State fund, from any moneys in the treasury belonging to the State Highway Department, for the use of the Department of State Police in the installation and maintenance of a two-way radio system. Such transfer shall be made by draft on or after the effective date of this act. Transfer of funds for two-way radio system.

2. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 158

AN ACT making an appropriation to the Teachers' Pension and Annuity Fund for the State's contribution for the fiscal year beginning July first, one thousand nine hundred and forty-two.

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

Appropriation of State's contribution.

1. There is hereby appropriated as the State's contribution to the Teachers' Pension and Annuity Fund, pursuant to article three, chapter thirteen of Title 18 of the Revised Statutes, such sum as may be certified by the board of trustees, pursuant to said article, to be paid from the main stem railroad tax, approximating five million, eight hundred sixty-eight thousand, five hundred nineteen dollars ($5,868,519.00).

Act effective.

2. This act shall take effect July first, one thousand nine hundred and forty-one.

Approved June 3, 1941.

CHAPTER 159

AN ACT authorizing the payment of five million, eight hundred sixty-eight thousand, five hundred nineteen dollars ($5,868,519.00), and interest thereon, to the Teachers' Pension and Annuity Fund out of the forty million dollars ($40,000,000.00) bond act created by chapter two hundred sixty-two of the laws of one thousand nine hundred and twenty-two and the thirty million dollar ($30,000,000.00) bond act created by chapter one hundred eighty-one of the laws of one thousand nine hundred and twenty-seven, when the bonds issued under such acts, and the interest thereon, have been fully paid, and providing for the payment of the balance, if any, which cannot be paid from said funds.

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

Authorizes payment to teachers' pension fund.

1. There shall be paid to the Teachers' Pension and Annuity Fund the sum of five million, eight hundred sixty-eight thousand, five hundred nineteen dollars ($5,868,519.00) when the bonds issued pursuant to the forty million dollar ($40,000,000.00) bond act created by chapter two hundred sixty-two of the laws of one thousand nine hundred and twenty-two and the thirty million dollar ($30,000,000.00) bond act created by chapter one hundred eighty-one of the laws of one thousand nine hundred and twenty-seven, and the interest on said bonds, shall have been fully paid as aforesaid. When the bonds and interest have been paid as aforesaid, the funds created by said acts, together with all interest accumulated on the same, shall lapse into the treasury of the State, whereupon the State Treasurer shall out of said fund pay to the Teachers' Pension and Annuity Fund the said

sum of five million, eight hundred sixty-eight thousand, five hundred nineteen dollars ($5,868,519.00) before payment is made therefrom for any other purpose. The said sum of five million, eight hundred sixty-eight thousand, five hundred nineteen dollars ($5,868,519.00) shall bear interest at the rate of three per centum (3%) per annum from the first day of July, one thousand nine hundred and forty-two, up to and including such date in the year one thousand nine hundred and fifty, as the said sum of five million, eight hundred sixty-eight thousand, five hundred nineteen dollars ($5,868,519.00) shall be paid. Said interest shall be paid semiannually out of the general State fund by the treasurer of this State. When this bill becomes a law five million, eight hundred sixty-eight thousand, five hundred nineteen dollars ($5,868,519.00) shall be deducted from the payment to be made to the Teachers' Pension and Annuity Fund for the fiscal year beginning the first day of July, one thousand nine hundred and forty-two, and five million, eight hundred sixty-eight thousand, five hundred nineteen dollars ($5,868,519.00) or such part thereof as would otherwise be paid out of the main stem railroad tax due December, one thousand nine hundred and forty-one, shall be retained in the treasury of the State.

Payment when lapsed fund insufficient.

2. If the full amount of five million, eight hundred sixty-eight thousand, five hundred nineteen dollars ($5,868,519.00) cannot be paid from the funds so lapsed into the treasury of the State as aforesaid, the balance shall be paid in the year one thousand nine hundred and fifty from the general State fund.

Act effective.

3. This act shall take effect July first, one thousand nine hundred and forty-one.

Approved June 3, 1941.

CHAPTER 160

AN ACT dedicating to the Teachers' Pension and Annuity Fund one million, seven hundred sixty-one thousand, three hundred eighty-eight dollars and forty cents ($1,761,388.40) from the amount to be due to the State on the one thousand nine hundred and forty-one main stem railroad tax and relieving the State Treasurer from any obligation to pay any money from the general State fund on account of the payment due to the Teachers' Pension and Annuity Fund for the fiscal year beginning on the first day of July, one thousand nine hundred and forty-one.

Preamble.

WHEREAS, The board of trustees of the Teachers' Pension and Annuity Fund certified five million, eight hundred sixty-eight thousand, five hundred nineteen dollars ($5,868,519.00) as the payment to be made by the State to the pension fund for the fiscal year beginning July first, one thousand nine hundred forty-one, while the amount provided for by the 1940-1941 appropriation bill was five million, two hundred seventy-three thousand, seven hundred sixty-three dollars ($5,273,763.00), thus resulting in a deficit of five hundred ninety-four thousand, seven hundred fifty-six dollars ($594,756.00); and

Preamble.

WHEREAS, The 1940-1941 appropriation bill estimated the main stem railroad tax at nine million, eight hundred thousand dollars ($9,800,000.00), while the actual tax was nine million, two hundred sixty-one thousand, seven hundred eighty-one dollars and eleven cents ($9,261,781.11), thus resulting in a further deficit of five hundred thirty-eight thousand, two hundred eighteen dollars and eighty-nine cents ($538,218.89), and

Preamble. WHEREAS, From miscellaneous sources there arose a deficit of six hundred twenty-eight thousand, four hundred thirteen dollars and fifty-one cents ($628,413.51); and

Preamble. WHEREAS, Upon the passage of legislation providing for the payment of the amount due July first, one thousand nine hundred and forty-two to the Teachers' Pension and Annuity Fund by dedicating the surplus in the Highway Road and Bridges Sinking Fund, no payment to the Teachers' Pension and Annuity Fund will have to be paid out of the one thousand nine hundred and forty-one main stem railroad tax; therefore

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

Amount of tax credited to teachers' pension fund. 1. One million, seven hundred sixty-one thousand, three hundred eighty-eight dollars and forty cents ($1,761,388.40) from the main stem railroad tax to be due for the year one thousand nine hundred and forty-one is hereby dedicated to the payment due to the Teachers' Pension and Annuity Fund for the fiscal year beginning the first day of July, one thousand nine hundred and forty-one.

State treasurer's obligation. 2. The State Treasurer shall be relieved from any obligation to pay any money from the general State fund on account of the payment due to the Teachers' Pension and Annuity Fund for the fiscal year beginning July first, one thousand nine hundred and forty-one.

3. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 161

AN ACT authorizing the board of trustees of the Teachers' Pension and Annuity Fund to treat as investments at full face value payments from the State to the fund provided for by dedications heretofore made or hereafter to be made from any surplus in any sinking fund.

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

C. 18:13-102.1. To treat dedicated at face value.

1. The board of trustees of the Teachers' Pension and Annuity Fund is hereby authorized to treat as investments at full face value payments from the State to the fund provided for by dedications heretofore made or hereafter to be made from any surplus in any sinking fund.

2. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 162

AN ACT regulating the making of certain loans and the discount of certain notes by banks, trust companies, and national banks doing business in this State, and amending sections 17:4–31.3 and 17:4–31.6 of the Revised Statutes.

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

Section amended.

1. Section 17:4–31.3 of the Revised Statutes is amended to read as follows:

Time limit unsecured loans.

17:4–31.3. No such bank or trust company or national bank shall make any loan or discount any

note under the provisions of sections 17:4–31.1 to 17:4–31.8 of this Title, which is not secured by tangible personal property or by chattel mortgages or contracts of conditional sale covering such tangible personal property which is due or payable or the last installment of which is due or payable more than twelve calendar months from the date of such loan or of such discounted note; nor shall such bank or trust company or national bank make any loan or discount any note under the provisions of sections 17:4–31.1 to 17:4–31.8 of this Title, secured by tangible personal property or by chattel mortgages or contracts of conditional sale covering such tangible personal property which is due or payable or the last installment of which is due or payable more than twenty-four calendar months from the date of such loan or discounted note; but nothing herein contained shall be construed as preventing a renewal or renewals of such loan or note or of the balance thereof, unsecured or secured, including any interest owing thereon, at maturity, for a period or periods not in excess of twelve calendar months from the date of such maturity.

Time limit for secured loans.

Renewals.

Section amended.

2. Section 17:4–31.6 of the Revised Statutes is amended to read as follows:

Prohibits further charges.

17:4–31.6. No further interest or discount charge, nor any other charge whatsoever, shall be made directly or indirectly on any such loan or discount of such note by such bank or trust company or national bank in addition to the charges herein expressly provided for; *provided, however,* that in case such bank or trust company or national bank requires insurance on tangible personal property securing any such loan or note or on tangible personal property covered by chattel mortgages or contracts of conditional sale securing any such loan or note, the actual cost of such insurance may be charged to the borrower; *and provided further,* that in case of default in the payment of the principal or of any installment of principal of any such loan or note such bank or trust company or national bank may charge interest at a rate per

Proviso, insurance.

Proviso, interest defaulted installment.

annum not in excess of the legal rate on delinquent principal payments and the actual expenditures, including reasonable attorneys' fees for necessary court proceedings to collect any such loan or note.

3. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 163

AN ACT to regulate elections, and amending section 19:49–2 of the Revised Statutes.

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

1. Section 19:49–2 of the Revised Statutes is amended to read as follows: Section amended.

19:49–2. All official ballots shall be printed on clear white paper or cardboard of such form and size as will fit the ballot frames of the machines, printed in black ink in type as large as the space will reasonably permit. Party nominations shall be arranged on each voting machine, either in columns or horizontal rows; the caption of the various ballots on the machines shall be so placed on the machines as to indicate to the voter what push knob, pointer, lever or other device is to be used or operated in order to vote for the candidates or candidate of his choice. The providing of the official ballots and the order of the precedence and arrangement of parties and of candidates shall be as now required by law; *provided, however,* that in those counties where voting machines are used, the specifications for the printing of the official ballots shall be drawn by the county clerk. Printing ballots, specifications. Arrangement of party nomination. Proviso.

For the primary election for the general election in all counties having a population of four hundred thousand or more where voting machines are or shall be used, all candidates who shall file a joint Drawing joint petition candidates.

petition with the county clerk of their respective county and who shall choose the same designation or slogan shall be drawn for position on the ballot as a unit and shall have their names placed on the same line of the voting machine; *and provided, further,* that all candidates for municipal or party office in municipalities in counties having a population of four hundred thousand or more where voting machines are or shall be used who shall file a petition with the clerk of their municipality, bearing the same designation or slogan as that of the candidates filing a joint petition with the county clerk as aforesaid may request that his or her name be placed on the same line of the voting machine with the candidates who have filed a joint petition with the county clerk as aforesaid by so notifying the county clerk of said county in writing within two days after the last day for filing nominating petitions and thereupon the county clerk shall forthwith notify the campaign manager of such candidates filing a joint petition as aforesaid of said request, and if the said campaign manager shall file his consent in writing with the said county clerk within two days after the receipt of said notification from said county clerk, the clerk of said county shall place the name of such candidate on the same line of the voting machine on which appears the names of the candidates who have filed the joint petition as aforesaid; *provided, also,* that any candidate filing a petition with the Secretary of State may request that his or her name be placed on the same line of the voting machine with the candidates who have filed a joint petition with the county clerk as aforesaid by so notifying the county clerk of said county in writing within two days after the last day for filing nominating petitions and thereupon the county clerk shall forthwith notify the campaign manager of such candidates filing a joint petition as aforesaid of said request, and if the said campaign manager shall file his consent in writing with the said county clerk within two days after the receipt of said notification from said county clerk, the clerk of said county

Proviso.

Proviso.

shall place the name of such candidate on the same line of the voting machine on which appears the names of the candidates who have filed the joint petition as aforesaid.

C. 19:49-2.1 Repealer.

2. All acts or parts of acts inconsistent herewith are hereby repealed insofar as they relate to counties of the first class where voting machines are or shall be used.

3. This act to take effect immediately.

Approved June 3, 1941.

CHAPTER 164

AN ACT concerning elections, and repealing section 19:31–25 of the Revised Statutes.

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

R. S. 19:31-25 repealed.

1. Section 19:31–25 of the Revised Statutes is repealed.

2. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 165

AN ACT concerning elections, and amending section 19:31–11 of the Revised Statutes.

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

Section amended.

1. Section 19:31–11 of the Revised Statutes is amended to read as follows:

Change of residence notices.

19:31–11. a. In counties other than counties of the first class, change of residence notice shall be made either by a written request forwarded to the commissioner by mail or by calling in person at the office of the commissioner or the municipal clerk, as the case may be. The commissioner shall

Forms furnished.

provide change of residence notices in card form for the use of any registered voter moving to another address within the same election district or to another election district in any municipality having permanent registration within the same county. Copies of these notices shall also be available at the office of the municipal clerk in each municipality having permanent registration other than a municipality which is a county seat. Each municipal clerk shall transmit daily to the commissioner all the filled out change of residence notices that he may have in his office at the time.

Form of notice.

These notices shall be printed upon cards, shall contain a blank form showing where the applicant last resided and the address and exact location to which he has moved and shall have a line for his

Signatures compared.

signature. Upon receipt of such change of residence notice the commissioner shall cause the signature to be compared with the permanent registration forms of the applicant and, if such signature appears to be of and by one and the same legal voter, the commissioner shall cause the entry of the change of residence to be made on the permanent registration forms and the registrant shall thereupon be qualified to vote in the election dis-

trict to which he shall have so moved. If the commissioner is not satisfied as to the signature on the request for a change of residence, a notice shall be sent by registered mail with return card request to the registrant at his new address directing him to appear at a time to be fixed in the notice not less than ten days from the date thereof at the office of the commissioner to answer such questions as may be deemed necessary to determine the applicant's place of residence and eligibility to vote. If the registrant fails to appear at the time and place as directed and a return registry card has been received by the commissioner, or if the notice is returned as not delivered or if it is not returned as undelivered and no return registry card is received, the registration forms of the applicant shall be placed in the inactive file until such time as he establishes to the satisfaction of the commissioner the accuracy of the signature on such change of residence notice; *provided, however,* that such application for change of residence shall be filed with the commissioner or municipal clerk, as the case may be, on or before the fourth Tuesday preceding any election; otherwise any registered voter on the day of such election shall apply directly to the district board in the district wherein he is registered and upon filling out and signing a transfer form to be provided by the commissioner and the comparison of the signature on such transfer form with the signature on the duplicate permanent registration form, the board or a majority thereof if the signature appears to be the same shall indorse its consent to the transfer upon such transfer form whereupon the applicant shall file such transfer form with the district board in the district in which he is then entitled to vote and such board shall after the signing of the poll book and the comparison of his signature in such book with his signature on the transfer form, and after the board or a majority thereof shall be satisfied that the compared signatures are of and by one and the same legal voter, permit such person to vote.

Proviso.

Transfers on election day.

Said transfer form shall be filed with the commissioner at the same time as the binders containing the duplicate permanent registration forms and the record of voting forms are returned to his office. Upon receipt of said transfer forms the commissioner shall cause the entry of such change of residence to be made on the original and duplicate permanent registration forms and the corresponding record of voting forms and such forms shall be transferred to the proper district binders.

Change of residence notices in first class counties.

b. In counties of the first class change of residence notice shall be made either by a written request forwarded to the commissioner by mail or by calling in person at the office of the commissioner or the municipal clerk, as the case may be. The commissioner shall provide change of residence notices in card form for the use of any registered voter moving to another address within the same election district or to another election district in any municipality having permanent registration within the same county. Copies of these notices shall also be available at the office of the municipal clerk in each municipality having permanent registration other than a municipality which is a county seat. Each municipal clerk shall transmit daily to the commissioner all the filled out change of residence notices that he may have in his office at the time. These notices shall be printed upon cards, shall contain a blank form showing where the applicant last resided and the address and exact location to which he has moved and shall have a line for his signature. Upon receipt of such change of residence notice the commissioner shall cause the signature to be compared with the permanent registration forms of the applicant and if such signature appears to be of and by one and the same legal voter, the commissioner shall cause the entry of the change of residence to be made on the permanent registration forms and the registrant shall thereupon be qualified to vote in the election district to which he shall have so moved. If the commissioner is not satisfied as to the sig-

Signatures compared.

nature on the request for a change of residence, a notice shall be sent by registered mail with return card request to the registrant at his new address directing him to appear at a time to be fixed in the notice, not less than ten days from the date thereof, at the office of the commissioner to answer such questions as may be deemed necessary to determine the applicant's place of residence and eligibility to vote. If such registrant fails to appear at the time and place as directed and a return registry card has been received by the commissioner or if the notice is returned as not delivered or if it is not returned as undelivered and no return registry card is received, the registration forms of the applicant shall be placed in the inactive file until such time as he establishes to the satisfaction of the commissioner the accuracy of the signature on such change of residence notice; *provided, however,* that such application for change of residence shall be filed with the commissioner or municipal clerk, as the case may be, on or before the fortieth day preceding any election; *provided, further,* that any voter who shall move within the same municipality or to any other municipality having permanent registration within the same county, within forty days preceding any election without having made application for change of residence, shall be permitted to vote in the district from which he has moved upon signing an affidavit which shall set forth (1) the date upon which he moved, (2) the address from which he moved, (3) the address to which he moved, and such affidavit shall constitute a transfer to the said new residence for any subsequent election. The county clerk shall furnish to the election board of each district form affidavits for this purpose and the said district boards shall turn over all signed affidavits to the commissioner.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 166

AN ACT to regulate elections, and amending sections 19:14–4, 19:14–11, 19:23–14, 19:48–1 and 19:49–5 of the Revised Statutes.

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

Section amended.

1. Section 19:23–14 of the Revised Statutes is amended to read as follows:

Time for filing petitions.

19:23–14. Petitions addressed to the Secretary of State shall be filed with such officer at least forty days prior to the primary election for the general election; in all counties petitions addressed to the county clerk shall be filed with such officer at least forty days prior to the primary; petitions addressed to the municipal clerk in all counties shall be filed with such officer at least forty days prior to the primary.

Certifying names, etc., of candidates.

Within two days after the last day for filing the petitions for nominations at the primary election for the general election, the municipal clerk shall certify to the county clerk the full and correct names and addresses of all candidates for nomination for public office and the name of the political party of which such persons are candidates.

Section amended.

2. Section 19:14–4 of the Revised Statutes is amended to read as follows:

Form and contents of ballot.

19:14–4. In the center of the ballot immediately below the perforated line shall be printed in boldfaced type the words "Official General Election Ballot." Below these words and extending across the ballot shall appear the words: "Name of (Municipality), ... Ward,..... Election District, ... Date of Election, ... John Doe, County Clerk." The blank spaces shall be filled in with the name of the proper municipality, the ward and district numbers and the date of the election. The name

of the county clerk shall be a facsimile of his signature. Below the last stated words extending across the ballot and at the extreme left shall be printed the words "Instructions to the Voter," and immediately to the right there shall be a bracket embracing the following instructions numbered consecutively:

1. The only kind of a mark to be made on this ballot in voting shall be a cross × or plus +.

2. To mark a cross × or plus + or when writing a name on this ballot use only black ink or black lead pencil.

3. To vote for any candidates whose names are printed in any column, mark a cross × or plus + in the square at the left of the names of such candidates not in excess of the number to be elected to the office.

4. To vote for any person whose name is not printed on this ballot, write or paste the name of such person under the proper title of office in the column designated Personal Choice and mark a cross × or plus + in the square to the left of the name so written or pasted.

5. To vote upon any public question printed on this ballot if in favor thereof, mark a cross × or plus + in the square at the left of the word "Yes," and if opposed thereto, mark a cross × or plus + in the square at the left of the word "No."

6. Do not mark this ballot in any other manner than above provided for and make no erasures. Should this ballot be wrongly marked, defaced, torn or any erasure made thereon or otherwise rendered unfit for use return it and obtain another. In presidential years, the following instructions shall be printed upon the general election ballot:

7. To vote for all the electors of any party, mark a cross × or plus + in black ink or black pencil in the square at the left of the surnames of the candidates for President and Vice-President for whom you desire to vote.

Below the above stated instructions and information and, except when compliance with sec-

tion 19:14–15 of this Title as to State-wide propositions otherwise requires, three inches below the perforated line and parallel to it, there shall be printed a six-point diagram rule extending across the ballot to within not less than a half inch to the right and left edges of the paper.

Section amended.

3. Section 19:14–11 of the Revised Statutes is amended to read as follows:

Arrangement of nominees for electors of president, etc.

19:14–11. The surnames of candidates for President and Vice-President of the United States shall be printed in one line preceded by the words "presidential electors for." In the nomination by petition columns the surnames of candidates for President and Vice-President shall be followed by the designation mentioned in the petitions filed. In the personal choice column the voter may write or paste the surnames of candidates for President and Vice-President for whom he desires the electors to vote. To the left of the surnames of candidates for President and Vice-President of the United States, shall be printed a square one-half inch in size, accompanied by the following directions to the voter: "To vote for all the Electors of President and Vice-President mark a cross × or plus + within the square opposite the surname of President and Vice-President."

Directions to voters.

Section amended.

4. Section 19:48–1 of the Revised Statutes is amended to read as follows:

Requirements for voting machines.

19:48–1. Any thoroughly tested and reliable voting machines may be adopted, rented, purchased or used, which shall be so constructed as to fulfill the following requirements:

(a) It shall secure to the voter secrecy in the act of voting;

(b) It shall provide facilities for such number of office columns, not less than forty and not exceeding sixty, as the purchasing authorities may specify and of as many political parties or organizations, not exceeding nine, as may make nominations, and for or against as many questions, not exceeding thirty, as submitted;

(c) It shall, except at primary elections, permit the voter to vote for all the candidates of one party or in part for the candidates of one party or one or more other parties;

(d) It shall permit the voter to vote for as many persons for an office as he is lawfully entitled to vote for, but no more;

(e) It shall prevent the voter from voting for the same person more than once for the same office;

(f) It shall permit the voter to vote for or against any question he may have the right to vote on, but no other;

(g) It shall for use in primary elections be so equipped that the election officials can lock out all rows except those of the voter's party by a single adjustment on the outside of the machine;

(h) It shall correctly register or record and accurately count all votes cast for any and all persons, and for or against any and all questions;

(i) It shall be provided with a "protective counter" or "protective device" whereby any operation of the machine before or after the election will be detected;

(j) It shall be so equipped with such locks as shall prevent the operation of the machine after the polls are closed;

(k) It shall be provided with a counter which shall show at all times during an election how many persons have voted;

(l) It shall be provided with a mechanical model, illustrating the manner of voting on the machine, suitable for the instruction of voters;

(m) It must permit a voter to vote for any person for any office whether or not nominated as a candidate by any party or organization by providing space for writing in such names or name.

All voting machines used in any election shall be provided with a screen, hood or curtain, which shall be so made and adjusted as to conceal the voter and his action while voting.

It shall also be provided with one device for each party for voting for all the presidential electors of that party by one operation, and a ballot therefor containing only the words "presidential electors for," preceded by the name of that party and followed by the names of the candidates thereof for the offices of President and Vice-President and a registering device therefor which shall register the vote cast for such electors when thus voted collectively.

Section amended.

5. Section 19:49–5 of the Revised Statutes is amended to read as follows:

Irregular ballots.

19:49–5. Ballots voted for any person whose name does not appear on the machine as a nominated candidate for office are herein referred to as irregular ballots. Such irregular ballot shall be written or affixed in or upon the receptacle or device provided on the machine for that purpose. No irregular ballot shall be voted for any person for any office whose name appears on the machine as a nominated candidate for that office; any irregular ballot so voted shall not be counted. An irregular ballot must be cast in its appropriate place on the machine, or it shall be void and not counted.

Repealer.

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

7. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 167

AN ACT concerning workmen's compensation, and amending section 34:15–63 of the Revised Statutes.

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

1. Section 34:15–63 of the Revised Statutes is amended to read as follows: Section amended.

34:15–63. Neither party shall pay any fees for filing any papers with the bureau, or with the secretary thereof, and the clerk of any county shall file the award of the bureau without the payment of any fee. No filing fees.

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

3. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 168

AN ACT providing for a State park to be located in the township of Oxford and in the township of Mansfield in the county of Warren, to be known as "Pohatcong Park."

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

1. The Board of Conservation and Development of the State of New Jersey shall have the power to and shall forthwith upon the taking effect of this act and thereafter, from time to time, proceed to locate, select and acquire lands within the State C. 13:6A-1. To acquire land for State park.

of New Jersey and situated in the township of Oxford and the township of Mansfield, in the county of Warren, as may in the judgment of said board be advisable and proper or necessary for the purpose of establishing a State park and to preserve the uses, benefits and enjoyments thereof to the people.

C. 13:6A-2. Right of entry.

2. The said board, as in its judgment may be advisable, is hereby empowered to enter into and upon any lands within this State for the purpose of inspection, for the purpose of completing such surveys and maps thereof, and for such other purposes as it may deem necessary to carry out the provisions of this act. Said board shall also have power to make investigations as to the ownership of any lands which it judges may be suitable or appropriate for this purpose.

Investigations as to ownership.

C. 13:6A-3. Taking title.

3. The said board shall have power to take title, in fee or otherwise, by purchase, gift, devise or eminent domain to such lands and to any rights, interest and easements therein, in the name of the State of New Jersey. In the event that it becomes necessary or advisable to acquire any lands or interest therein for the purpose of this act by eminent domain, the procedure for condemnation of such lands shall be taken in accordance with the provisions of chapter one of Title 20 of the Revised Statutes.

Exercising right of eminent domain.

C. 13:6A-4. Development of park.

4. Upon the acquisition of such lands for such purpose, it shall be the duty of the said board, as funds for these purposes are made available from time to time, to preserve, maintain, improve and enlarge said park in such manner and to such extent as in its judgment will best make it of use to the public. In its development of such park, the said board shall have the power to install permanent improvements for the health and comfort of the public and to lay out, construct and maintain roads and ways within said park; to lay out, construct and maintain roads between and connecting any separate portions of said park, and for this purpose to acquire rights-of-way upon and across

any intervening lands; and to lay out, construct and maintain connecting roads and ways from points within said park to other public roads outside of and adjacent thereto.

C. 13:6A-5. To use revenue derived from concessions, etc.

5. The said board, to effectuate the general purpose of this act, shall have power to hire, rent or lease any portion of such lands to private enterprises and such moneys as are derived from such hiring, renting or leasing shall be used by said board exclusively for the purpose of the management, development and enlargement of the said park.

C. 13:6A-6. Rules and regulations.

6. The said board shall have power to make such rules and regulations for the use and protection of said park as may in its judgment be necessary; *provided, however,* that no fee or charge in the nature of an entrance fee or a fee for the use of such bathing facilities as may be provided for said park shall be made. Every person who shall violate any such rules or regulations of the board shall be liable to a penalty of not less than twenty-five dollars ($25.00) nor more than one hundred and fifty dollars ($150.00); *provided, however,* that where there are mitigating circumstances, the said board, may, in its discretion, permit the person or persons who may have violated the law to pay the cost of any damage done or expense incurred by the board because of such violation or such other sum less than the minimum fine herein imposed, at such time and in such manner as said board shall determine. Such payment when finally made shall relieve the person or persons making it of the penalty for such violation imposed by this act. Except as above provided all penalties for violation of this act shall be enforced and collected in the manner provided for the collection of penalties by the said board in chapter nine of Title 13 of the Revised Statutes. All penalties provided for under this act when recovered shall be paid to the director of the Department of Conservation and Development, who shall pay the same over to the State Treasurer in the manner prescribed by law.

Proviso.

Penalty for violation.

Proviso.

Collection of penalties.

Employees vested with police powers.

The said board shall further have power to vest in its employees the necessary police power for the abatement of nuisances, stopping of abuses and protection and management of such park under any rules and regulations the said board may prescribe.

C. 13:6A-7. Expenditures authorized.

7. Said board is hereby authorized to expend such sum or sums as may be included in any annual or supplemental appropriation bill for the necessary expenses of said board in carrying out the provisions of this act.

8. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 169

AN ACT providing that the State of New Jersey may enter into a compact with any one or more of the States of Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida, and with such other States as may join, to promote the better utilization of the fisheries, marine, shell and anadromous of the Atlantic seaboard and to create the Atlantic States Marine Fisheries Commission; providing for the members of such commission from the State of New Jersey; providing for the carrying out of said compact; and making an appropriation.

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

C. 32:21-1. Governor authorized to execute compact.

1. The Governor of this State is hereby authorized and directed to execute a compact on behalf of the State of New Jersey with any one or more

of the States of Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida and with such other States as may enter into the compact, legally joining therein in the form substantially as follows:

ATLANTIC STATES MARINE FISHERIES COMPACT

The contracting States solemnly agree:

ARTICLE I

Purpose.

The purpose of this compact is to promote the better utilization of the fisheries, marine, shell and anadromous, of the Atlantic seaboard by the development of a joint program for the promotion and protection of such fisheries, and by the prevention of the physical waste of the fisheries from any cause. It is not the purpose of this compact to authorize the States joining herein to limit the production of fish or fish products for the purpose of establishing or fixing the price thereof, or creating and perpetuating monopoly.

ARTICLE II

Compact operative.

This agreement shall become operative immediately as to those States executing it whenever any two or more of the States of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida have executed it in the form that is in accordance with the laws of the executing State and the Congress has given its consent. Any State contiguous with any of the aforementioned States and riparian upon waters frequented by anadromous fish, flowing into waters under the jurisdiction of any of the aforementioned States, may become a party hereto as hereinafter provided.

States that may become parties to compact.

ARTICLE III

Commission to be created.

Each State joining herein shall appoint three representatives to a commission hereby constituted and designated as the Atlantic States Marine Fisheries Commission. One shall be the executive officer of the administrative agency of such State charged with the conservation of the fisheries resources to which this compact pertains or, if there be more than one officer or agency, the official of that State named by the Governor thereof. The second shall be a member of the Legislature of such State designated by the commission or Committee on Interstate Co-operation of such State, or if there be none, or if said Commission on Interstate Co-operation cannot constitutionally designate the said member, such legislator shall be designated by the Governor thereof; *provided,* that if it is constitutionally impossible to appoint a legislator as a commissioner from such State, the second member shall be appointed by the Governor of said State in his discretion. The third shall be a citizen who shall have a knowledge of and interest in the marine fisheries problem to be appointed by the Governor. This commission shall be a body corporate with the powers and duties set forth herein.

Commission, how constituted.

Proviso.

Body corporate.

ARTICLE IV

Duties.

The duty of the said commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about the conservation and the prevention of the depletion and physical waste of the fisheries, marine, shell and anadromous, of the Atlantic seaboard. The commission shall have power to recommend the co-ordination of the exercise of the police powers of the several States within their respective jurisdictions to promote the preservation of those fisheries and their protection against overfishing, waste, depletion or any abuse whatsoever and to assure a continuing yield from the fisheries resources of the aforementioned States.

Recommend co-ordination of police powers.

To that end the commission shall draft and, after consultation with the advisory committee hereinafter authorized, recommend to the governors and legislatures of the various signatory States legislation dealing with the conservation of the marine, shell and anadromous fisheries of the Atlantic seaboard. The commission shall, more than one month prior to any regular meeting of the Legislature in any signatory State, present to the Governor of the State its recommendations relating to enactments to be made by the Legislature of that State in furthering the intents and purposes of this compact.

Recommend legislation.

Report on recommendations.

The commission shall consult with and advise the pertinent administrative agencies in the States party hereto with regard to problems connected with the fisheries and recommend the adoption of such regulations as it deems advisable.

Regulations for fisheries.

The commission shall have power to recommend to the States party hereto the stocking of the waters of such States with fish and fish eggs or joint stocking by some or all of the States party hereto and when two or more of the States shall jointly stock waters the commission shall act as the co-ordinating agency for such stocking.

Stocking.

Article V

The commission shall elect from its number a chairman and a vice chairman and shall appoint and at its pleasure remove or discharge such officers and employees as may be required to carry the provisions of this compact into effect and shall fix and determine their duties, qualifications and compensation. Said commission shall adopt rules and regulations for the conduct of its business. It may establish and maintain one or more offices for the transaction of its business and may meet at any time or place but must meet at least once a year.

Organization.

ARTICLE VI

Action of commission governed by majority vote.

No action shall be taken by the commission in regard to its general affairs except by the affirmative vote of a majority of the whole number of compacting States present at any meeting. No recommendation shall be made by the commission in regard to any species of fish except by the affirmative vote of a majority of the compacting States which have an interest in such species. The commission shall define what shall be an interest.

ARTICLE VII

Research agency.

The Fish and Wildlife Service of the Department of the Interior of the Government of the United States shall act as the primary research agency of the Atlantic States Marine Fisheries Commission co-operating with the research agencies in each State for that purpose. Representatives of the said Fish and Wildlife Service shall attend the meetings of the commission.

Advisory committee.

An advisory committee to be representative of the commercial fishermen and the salt water anglers and such other interests of each State as the commission deems advisable shall be established by the commission as soon as practicable for the purpose of advising the commission upon such recommendations at it may desire to make.

ARTICLE VIII

Participation limited.

When any State other than those named specifically in Article II of this compact shall become a party thereto for the purpose of conserving its anadromous fish in accordance with the provisions of Article II the participation of such State in the action of the commission shall be limited to such species of anadromous fish.

ARTICLE IX

Construing.

Nothing in this compact shall be construed to limit the powers of any signatory State or to repeal or prevent the enactment of any legislation

or the enforcement of any requirement by any signatory State imposing additional conditions and restrictions to conserve its fisheries.

ARTICLE X

Continued absence of representative.

Continued absence of representation or of any representative on the commission from any State party hereto shall be brought to the attention of the Governor thereof.

ARTICLE XI

Annual appropriations.

The States party hereto agree to make annual appropriations to the support of the commission in proportion to the primary market value of the products of their fisheries, exclusive of cod and haddock, as recorded in the most recent published reports of the Fish and Wildlife Service of the United States Department of the Interior, provided no State shall contribute less than two hundred dollars ($200.00) per annum and the annual contribution of each State above the minimum shall be figured to the nearest one hundred dollars ($100.00).

Minimum.

Schedule of initial contributions.

The compacting States agree to appropriate initially the annual amounts scheduled below, which amounts are calculated in the manner set forth herein, on the basis of the catch record of 1938. Subsequent budgets shall be recommended by a majority of the commission and the cost thereof allocated equitably among the States in accordance with their respective interests and submitted to the compacting States.

SCHEDULE OF INITIAL ANNUAL STATE CONTRIBUTIONS

Maine	$ 700
New Hampshire	200
Massachusetts	2,300
Rhode Island	300
Connecticut	400
New York	1,300
New Jersey	800
Delaware	200
Maryland	700
Virginia	1,300
North Carolina	600
South Carolina	200
Georgia	200
Florida	1,500

ARTICLE XII

Renunciation of compact.

This compact shall continue in force and remain binding upon each compacting State until renounced by it. Renunciation of this compact must be preceded by sending six months' notice in writing of intention to withdraw from the compact to the other States party hereto.

C. 32:21-2. Membership, how composed.

2. In pursuance of Article III of said compact there shall be three members (hereinafter called commissioners) of the Atlantic States Marine Fisheries Commission (hereinafter called commission) from the State of New Jersey. The first commissioner from the State of New Jersey shall be the president of the Board of Fish and Game Commissioners of the State of New Jersey ex officio, and the term of any such ex-officio commissioner shall terminate at the time he ceases to hold said office of president of the Board of Fish and Game Commissioners and his successor as commissioner shall be his successor as president of the Board of Fish and Game Commissioners. The second commissioner from the State of New Jersey shall be a legislator and member of the Commission on Interstate Co-operation of the State of New

Jersey ex officio, designated by said Commission on Interstate Co-operation, and the term of any such ex-officio commissioner shall terminate at the time he ceases to hold said legislative office or said office as Commissioner on Interstate Co-operation, and his successor as commissioner shall be named in like manner. The Governor (by and with the advice and consent of the Senate) shall appoint a citizen as a third commissioner who shall have a knowledge of and interest in the marine fisheries problem. The term of said commissioner shall be three years and he shall hold office until his successor shall be appointed and qualified. Vacancies occurring in the office of such commissioner from any reason or cause shall be filled by appointment by the Governor (by and with the advice and consent of the Senate) for the unexpired term. The president of the Board of Fish and Game Commissioners as ex-officio commissioner may delegate, from time to time, to any deputy or other subordinate in his department or office, the power to be present and participate, including voting as his representative or substitute at any meeting of or hearing by or other proceeding of the commission. The terms of each of the initial three members shall begin at the date of the appointment of the appointive commissioner, provided the said compact shall then have gone into effect in accordance with Article II of the compact; otherwise they shall begin upon the date upon which said compact shall become effective in accordance with said Article II.

Term.

Vacancies.

Deputies.

Terms of first commissioners.

Any commissioner may be removed from office by the Governor upon charges and after a hearing.

Removal.

3. There is hereby granted to the commission and the commissioners thereof all the powers provided for in the said compact and all the powers necessary or incidental to the carrying out of said compact in every particular. All officers of the State of New Jersey are hereby authorized and directed to do all things falling within their respective provinces and jurisdiction necessary or incidental to the carrying out of said compact in

C. 32:21-3. General powers.

Co-operation of other State officers.

every particular; it being hereby declared to be the policy of the State of New Jersey to perform and carry out the said compact and to accomplish the purposes thereof. All officers, bureaus, departments and persons of and in the State government or administration of the State of New Jersey are hereby authorized and directed at convenient times and upon request of the said commission to furnish the said commission with information and data possessed by them or any of them and to aid said commission by loan of personnel or other means lying within their legal rights respectively.

C. 32:21-4. Powers granted supplemental.

4. Any powers herein granted to the commission shall be regarded as in aid of and supplemental to and in no case a limitation upon any of the powers vested in said commission by other laws of the State of New Jersey or by the laws of the States of Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida or by the Congress or the terms of said compact.

C. 32:21-5. Report.

5. The commission shall keep accurate accounts of all receipts and disbursements and shall report to the Governor and the Legislature of the State of New Jersey on or before the tenth day of December in each year, setting forth in detail the transactions conducted by it during the twelve months preceding December first of that year and shall make recommendations for any legislative action deemed by it advisable, including amendments to the Statutes of the State of New Jersey which may be necessary to carry out the intent and purposes of the compact between the signatory States.

Examination of accounts.

The Comptroller of the State of New Jersey is hereby authorized and empowered from time to time to examine the accounts and books of the commission, including its receipts, disbursements and such other items referring to its financial standing as such comptroller may deem proper and to report the results of such examination to the Governor of such State.

6. The sum of eight hundred dollars ($800.00), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, for the expenses of the commission created by the compact authorized by this act. The moneys hereby appropriated shall be paid out of the State treasury on the audit and warrant of the comptroller upon vouchers certified by the chairman of the commission in the manner prescribed by law. Appropriation.

7. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable. C. 32:21-7. Provisions separable.

8. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 170

AN ACT concerning the submission of public questions in State, county and municipal elections, and amending section 19:3–6 of the Revised Statutes.

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

1. Section 19:3–6 of the Revised Statutes is amended to read as follows: Section amended.

19:3–6. Any public question voted upon at an election shall be presented in simple language that can be easily understood by the voter. The printed phrasing of said question on the ballots shall clearly set forth the true purpose of the matter being voted upon. Where the question con- Public questions, how presented.

cerns any amendment to the State Constitution, or any act or statute or other legal titles of any nature, the printed phrasing on the ballots shall include a brief statement interpreting same. In event that in any statute the public question to be voted upon is so stated as not clearly to set forth the true purpose of the matter being voted upon and no provision is made in said statute for presenting the same in simple language or printing upon the ballots a brief statement interpreting the same, there may be added on the ballots to be used in voting upon the question, a brief statement interpreting the same and setting forth the true purpose of the matter being voted upon in addition to the statement of the public question required by the statute itself.

Determining result.

Such public question, when duly voted upon at an election, shall be deemed to be approved when that percentage of the legal voters of the State or any subdivision thereof as required by the statute authorizing the proposal of such public question shall vote in favor of its adoption.

Legal voter, defined.

For the purpose of this Title it is hereby declared that the intent and meaning in any such statute of the words "legal voters" are persons entitled to vote, and who do vote, at the time and in the manner prescribed in and by such statute upon the public question submitted; and for the purpose of ascertaining what is the percentage of the legal voters of any district defined in such statute, upon the public question therein directed to be submitted, the persons who do not vote at such election, the persons who do not vote upon the public question and the persons whose ballots may be declared invalid, shall not be estimated, counted or considered.

2. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 171

AN ACT concerning the distribution of legacies, distributive shares or parts of estates or trust by fiduciaries in certain cases.

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

C. 3:26-18.2. Letters of trusteeship required before transfer.

1. It shall be unlawful for any fiduciary to transfer, pay over or distribute any legacy, distributive share or part of the estate or trust in the possession or under the control of such fiduciary to a testamentary trustee or substituted testamentary trustee until letters of trusteeship shall have been issued to such testamentary trustee or substituted testamentary trustee.

Approved June 3, 1941.

CHAPTER 172

AN ACT to amend an act entitled "An act in relation to the abatement, revision, alteration, adjustment and settlement of past due transfer inheritance taxes and interest," approved April sixth, one thousand nine hundred and thirty-seven (P. L. 1937, c. 17).

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

Section amended.

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

App. A:5-5. When act void.

5. This act shall be deemed a public act. It shall be inoperative and of no effect after June thirtieth, nineteen hundred and forty-four.

2. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 173

AN ACT to amend an act entitled "An act to supplement an act entitled 'An act to authorize two or more municipalities in this State by means of a commission to acquire, either by purchase or condemnation, and operate privately owned waterworks now or hereafter supplying water therein, and in other municipalities, if any, in which water is supplied by the same waterworks, together with the franchises, rights, and any or all other appurtenant property of the owner or owners, of such works, and to enlarge and extend the same,' passed March twenty-third, one thousand nine hundred and twenty-three, constituting chapter one hundred and ninety-five of the pamphlet laws of one thousand nine hundred and twenty-three," approved March twenty-seventh, one thousand nine hundred and thirty-six (P. L. 1936, c. 38).

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

R. S. 40:62-122.1(2).

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

Act effective.

2. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 174

AN ACT concerning elections, and amending section 19:31–3 and repealing section 19:31–4 of the Revised Statutes.

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

1. Section 19:31–3 of the Revised Statutes is amended to read as follows: Section amended.

19:31–3. a. Permanent registration forms for the registration of voters shall be prepared and supplied by the commissioner in sufficient quantities to enable all eligible voters to register. Such forms shall consist of an equal number of original forms of one color and duplicate forms of another color. Each set of original and duplicate permanent registration forms shall be serially numbered and each of such forms shall be suitable for locking in a loose leaf binder, shall be approximately ten inches by sixteen inches so as to contain on the face thereof a margin of approximately two inches for binding, and shall contain the information hereinafter required. Permanent registration forms.

b. Space shall be provided on both the original and duplicate forms at the top for the word "original" on the original forms and the word "duplicate" on the duplicate forms, to be followed immediately below by the words "permanent registration" on both forms, which shall contain the following information concerning each applicant for registration: Originals and duplicates. Contents:

(1) The full name, including middle initials if any; in the case of a married woman her Christian name shall be entered prefixed by the word "Mrs."; in the case of a single woman her Christian name shall be prefixed by the word "Miss." Name;

(2) The place of residence and street address. If the applicant resides in a hotel, Residence;

apartment or tenement house or institution, such additional information shall be included as may be deemed necessary to give the exact location of the applicant's place of residence.

Age; (3) The applicant's statement that he is twenty-one years of age or over, that he is a citizen of the United States and of the State of New Jersey, that he will have resided in the State of New Jersey for at least one year and in the county for at least five months immediately preceding the next general election, all of which shall be indicated by the word "yes."

Citizenship; (4) Whether he is a native-born citizen or a citizen by naturalization.

Last registration; (5) The name of the municipality and house number and street in such municipality from which he last registered.

Signature; (6) The signature in person or by mark of the applicant.

Oath; (7) Immediately above the space for the signature of the applicant shall be printed these words: "I, being duly sworn on oath (or affirmation), depose and say (or affirm), to the best of my knowledge and belief, that the foregoing statements made by me are true and correct."

Date, etc. (8) Date of filling out the blank and the signature of the person recording such information and taking such affidavit and the authority of the person taking such affidavit.

Questions when applicant unable to sign name. Following the above information shall appear additional questions to be answered only in the event that the applicant is unable to sign his name; leaving space above the questions for the words "identification statement" followed immediately below by the words "applicant unable to sign name."

(9) What is your full name?

(10) What is or was your father's full name?

(11) What is or was your mother's full name?

(12) Are you married or single?

(13) Where did you actually reside immediately prior to taking up your present residence; state floor and character of premises?

(14) Immediately below shall be printed these words: "I, being duly sworn on oath (or affirmation), depose and say (or affirm), to the best of my knowledge and belief, that the foregoing statements made by me are true and correct."

(15) Date of filling out the answers, and the signature of the person recording such answers and taking such affidavit and the authority of the person taking such affidavit.

Provision for changes in address.

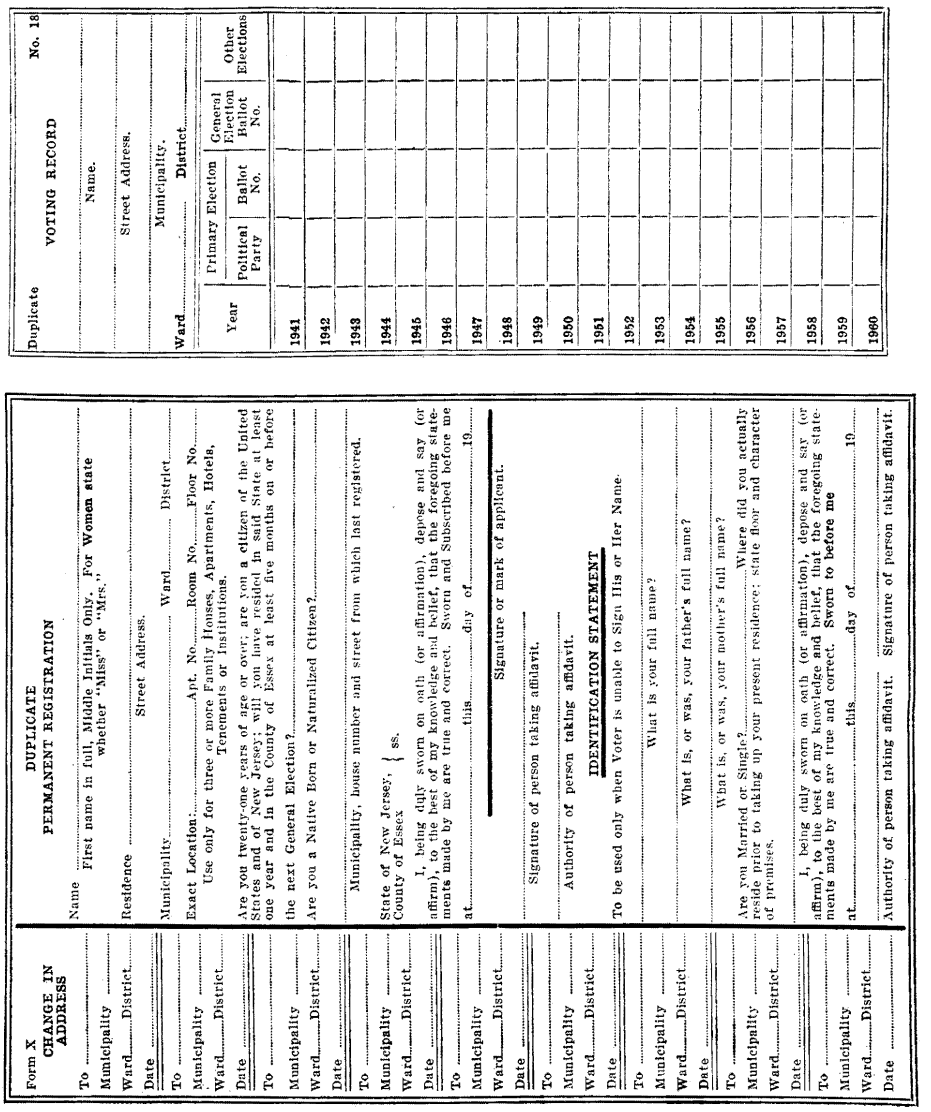
Immediately to the left of the above permanent registration and identification statement shall be printed a column approximately two and one-half inches wide for subsequent changes in address or removals of such applicant from one district to another.

Record of voting.

Immediately to the right of the permanent registration and identification statement shall be printed a form for recording the fact that the registered voters have voted. The face of the record of voting form shall be ruled to provide for serial number, the words "original voting record" on the original record of voting form and the words "duplicate voting record" on the duplicate record of voting forms, followed by the name, address and the municipality, ward and district of the registrant at the top of the space. The remainder of the space shall be ruled to provide a record for a period of twenty years of the number of the ballot cast by the registrant at the primary election for the general election, the general election and other elections and also the first three letters of the name of the political party whose ballot such registrant cast at the primary election for the general election.

Voting forms.

c. The original and duplicate permanent registration and voting forms shall be in substantially the following form:



Form X
CHANGE IN ADDRESS

To .....
Municipality .....
Ward..... District.....
Date .....

To .....
Municipality .....
Ward..... District.....
Date .....

To .....
Municipality .....
Ward..... District.....
Date .....

To .....
Municipality .....
Ward..... District.....
Date .....

To .....
Municipality .....
Ward..... District.....
Date .....

To .....
Municipality .....
Ward..... District.....
Date .....

To .....
Municipality .....
Ward..... District.....
Date .....

To .....
Municipality .....
Ward..... District.....
Date .....

To .....
Municipality .....
Ward..... District.....
Date .....

DUPLICATE
PERMANENT REGISTRATION

Name .....
First name in full. Middle Initials Only. For Women state whether "Miss" or "Mrs."

Residence .....
Street Address.

Municipality..... Ward..... District.....

Exact Location:..... Apt. No..... Room No..... Floor No.....
Use only for three or more Family Houses, Apartments, Hotels, Tenements or Institutions.

Are you twenty-one years of age or over; are you a citizen of the United States and of New Jersey; will you have resided in said State at least one year and in the County of Essex at least five months on or before the next General Election?.....

Are you a Native Born or Naturalized Citizen?.....

Municipality, house number and street from which last registered.

State of New Jersey, } ss.
County of Essex }

I, being duly sworn on oath (or affirmation), depose and say (or affirm), to the best of my knowledge and belief, that the foregoing statements made by me are true and correct. Sworn and Subscribed before me at..... this.....day of.....19....

Signature or mark of applicant.

Signature of person taking affidavit.

Authority of person taking affidavit.

IDENTIFICATION STATEMENT

To be used only when Voter is unable to Sign His or Her Name

What is your full name?.....

What is, or was, your father's full name?.....

What is, or was, your mother's full name?.....

Are you Married or Single?..... Where did you actually reside prior to taking up your present residence; state floor and character of premises.

I, being duly sworn on oath (or affirmation), depose and say (or affirm), to the best of my knowledge and belief, that the foregoing statements made by me are true and correct. Sworn to before me at..... this.....day of.....19....

Authority of person taking affidavit. Signature of person taking affidavit.

Duplicate
VOTING RECORD
No. 18

Name.....

Street Address.....

Municipality.....

Ward..... District.....

Year	Primary Election		General Election Ballot No.	Other Elections
	Political Party	Ballot No.		
1941				
1942				
1943				
1944				
1945				
1946				
1947				
1948				
1949				
1950				
1951				
1952				
1953				
1954				
1955				
1956				
1957				
1958				
1959				
1960				

R. S. 19:31-4 repealed.

2. Section 19:31–4 of the Revised Statutes is hereby repealed.

3. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 175

AN ACT validating the foreclosure of tax sales certificates by municipalities.

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

Validate certain foreclosure of tax sale certificates.

1. No final decree heretofore entered in the Court of Chancery in any cause to foreclose a tax sales certificate, wherein a municipality was complainant, shall be invalidated or impaired by reason of the failure of the collector of taxes to sign such tax sales certificate prior to its recording in the office of the county clerk, or register of deeds and mortgages, as the case may be. All proceedings had upon such certificate prior to such recording, and all proceedings leading to the entry of such final decree are hereby ratified, validated and confirmed.

2. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 176

AN ACT to validate and confirm deeds, mortgages, assignment of mortgages, discharges of mortgages and postponements of mortgages made by or to corporations whose charters have been forfeited by nonpayment of State taxes.

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

Deeds, etc., by corporations validated although charter forfeited.

1. Any deed or deeds of conveyance, mortgage or mortgages, assignment or assignments of mortgages, discharge or discharges of mortgages, re-

lease or releases of mortgages, postponement or postponements of mortgages, heretofore made by or to a corporation organized under the laws of the State of New Jersey, for, upon or affecting any lands, tenements or hereditaments situate in this State, are hereby validated and confirmed notwithstanding that the charter of such corporation may have been forfeited for the nonpayment of the State taxes at the time of making such deed or deeds of conveyance, mortgage or mortgages, assignment or assignments of mortgages, discharge or discharges of mortgages, release or releases of mortgages, or postponement or postponements of mortgages; *provided, however,* that the charter of said corporation has been reinstated.

Proviso.

2. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 177

AN ACT concerning elections, and supplementing Title 19 of the Revised Statutes.

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

C. 19:31A-1. Signature comparison record.

1. On or before July first, one thousand nine hundred and forty-three, the commissioner of registration shall have printed on the back of the duplicate permanent registration and voting form a signature comparison record, which record shall have in the left-hand side one-half (½) inch from the top, a line upon which the voter when registering shall place his signature. Directly underneath this line shall be printed the words "sample signature."

Specifications for printing of record.

The signature comparison record shall be printed so as to leave a margin one and one-half

(1½) inches on the left-hand side for the purpose of binding. The remainder of the space shall be ruled to provide a record of registrants' signatures as made for comparison purposes before receiving a ballot at any election. The form shall be sufficient to record such signatures for a period of twenty (20) years and shall be subdivided into seven (7) columns.

At the top of the first column at the left-hand side shall appear the word "year." Said column shall be approximately three-quarters (¾) of an inch wide.

At the top of the second column shall appear the abbreviation for the word "signature compared by." In this column the district election board official shall place his initials certifying that he has compared the signature of the voter placed in third column with the sample signature at the top of the signature comparison record. Said column shall be approximately one-half (½) inch in width.

At the top of the third column shall appear the word "primary" and directly under each line in said column shall be printed the words "for women," "state Miss or Mrs." Upon the line in said column opposite the particular year the voter shall place his signature when voting in the primary election for the general election in the year as stated in the first column. This column shall be approximately three and one-fourth (3¼) inches wide.

At the top of the fourth column shall appear the abbreviation of the words "signature compared by." In this column the district election board official shall place his initials certifying that he has compared the signature of voter placed in fifth column, with the sample signature at the top of the signature comparison record. Said column shall be approximately one-half (½) inch in width.

At the top of the fifth column shall appear the word "general" and directly under each line in said column shall be printed the words "for women," "state Miss or Mrs." Upon the line in

said column opposite the particular year the voter shall place his signature when voting in the general election in the year as stated in the first column. This column shall be approximately three and one-fourth (3¼) inches wide.

At the top of the sixth column shall appear the abbreviation of the words "signature compared by." In this column the district election board official shall place his initials certifying that he has compared the signature of voter placed in seventh column, with the sample signature at the top of the signature comparison record. Said column shall be approximately one-half (½) inch in width.

At the top of the seventh column shall appear the words "any other election" and directly under each line in said column shall be printed the words "for women," "state Miss or Mrs." Upon the line in said column opposite the particular year the voter shall place his signature when voting in any election other than a primary election for a general election or a general election. The signature shall be placed on the line opposite the year stated in the first column which corresponds with the year during which such other election shall be held. This column shall be three and one-fourth (3¼) inches wide.

C. 19:31A-2. Signing by voter.

2. At the time the voter registers in addition to obtaining the signature on the original and duplicate registration forms the commissioner of registration shall also require the registrant to sign the signature comparison record on the back of the duplicate registration form above the line below which are the words "sample signature."

C. 19:31A-3. Form of record.

3. The signature comparison record shall be in substantially the following form:

SIGNATURE COMPARISON RECORD

YEAR	Sig. Comp. By	Sample Signature PRIMARY		Sig. Comp. By	GENERAL		Sig. Comp. By	ANY OTHER ELECTIONS	
1941		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1942		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1943		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1944		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1945		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1946		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1947		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1948		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1949		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1950		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1951		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.
1952		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.		FOR WOMEN	STATE MISS OR MRS.

C. 19:31A-4. Voting procedure.

4. After January first, one thousand nine hundred and forty-three, every person qualified to vote in any election shall at any time after the opening of the polls be at liberty to enter the polling place or room and claim his right to vote at such election in his proper district, and he shall claim such right in person before the district board in the district. Each voter in claiming the right to vote shall first give his full name and address to the member of the district board having charge of the duplicate permanent registration binder and voting record and the signature comparison record. Such clerk shall thereupon locate the permanent registration binder and voting record and signature comparison record of the voter and shall require the voter to thereupon sign his name in the proper space on his signature comparison record. The voter shall sign his name without assistance using black ink in the proper column on the signature comparison record. Such signature being completed on the signature comparison record the member of the board having charge of the duplicate permanent registration binder shall audibly and publicly announce the name of the claimant and if the member of the board has ascertained from the duplicate permanent registration binder that the claimant is registered as a qualified voter and upon comparison the member of the board is satisfied that the signature of the claimant and the sample signature on the signature copy register has been made by one and the same person, the member of the board shall place in the proper column on the duplicate identification record the number of the ballot given the voter and the member of the board who compared the signature of the voter shall place his initials in the proper column on the signature comparison record signifying that he has made such comparison and is satisfied that the signature of the claimant and sample signature has been made by one and the same person; whereupon the voter shall be eligible to receive a ballot.

C. 19:31A-5. Procedure when voter is unable to sign.

5. If the voter on election day alleges his inability to sign his name on the signature comparison record, then one of the members of the district board shall read the same list of questions to the voter as were required upon registration, such questions have to be provided at each election by the Secretary of State and are to be known as "identification statements for election day." The member of the board shall write the answers of the voter upon the identification statement. These statements shall be answered in the front of the duplicate registry binders, at each election, and shall be numbered serially from one to twenty.

Questions answered.

Each statement shall contain the same questions as the voter was required to answer upon registration. The questions answered upon registration shall not be turned to or inspected until the answers to the questions shall have been written on election day by the member of the board. If the answers to the questions asked of the voter on election day agree with the answers given by him to the same questions at the time he registered, he shall then be eligible to receive a ballot. Any person who shall permit or attempt to furnish the answers on behalf of the voter shall be guilty of a misdemeanor.

Misdemeanor.

Secretary of State to furnish questions.

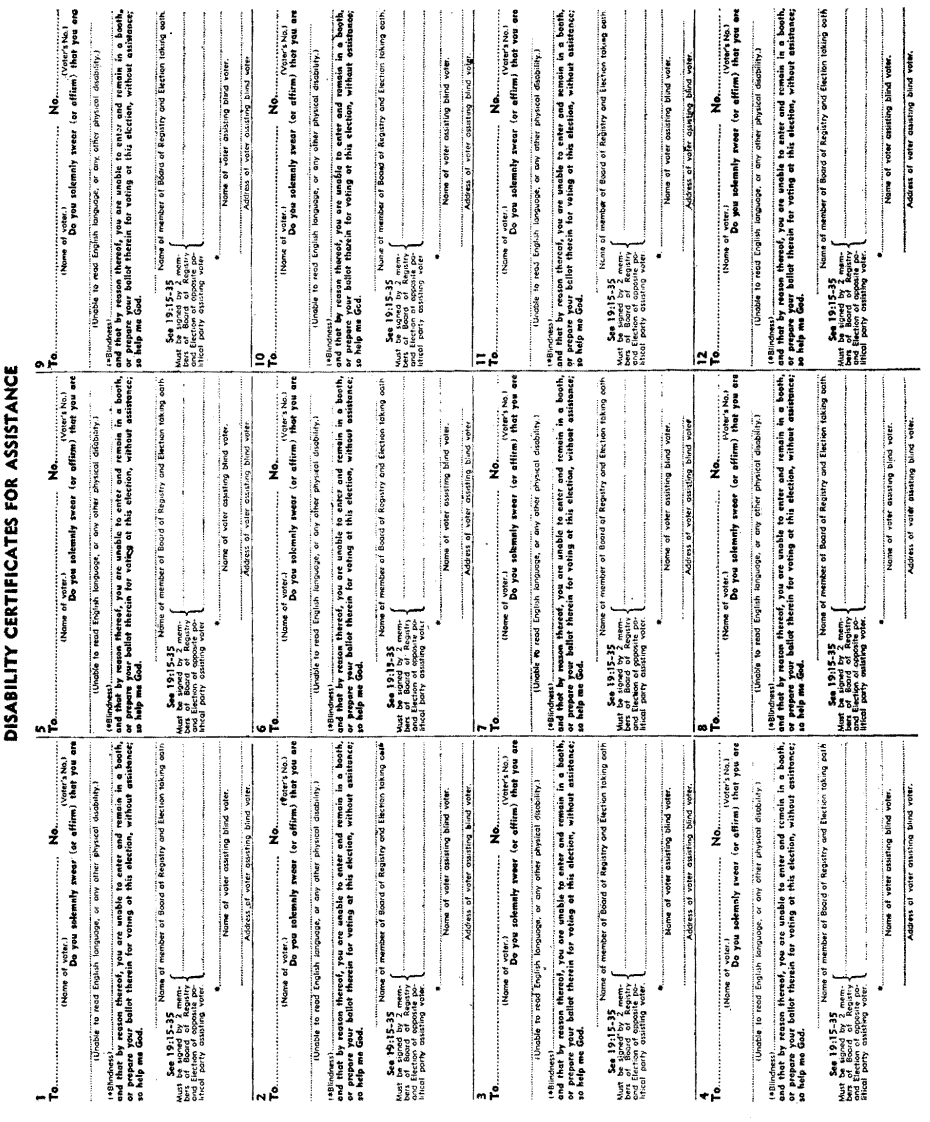
The Secretary of State shall furnish to the commissioner of registration in counties of the first class or to the county board in all other counties sufficient identification statements for each election district in each county.

Delivery of statements.

The statements shall be delivered to the commissioner or county board as the case may be at least fifteen days prior to holding an election.

Form of printed statements.

The statements shall be printed on sheets approximately ten (10) by sixteen (16) inches and shall contain a margin of approximately two (2) inches for binding and shall be in substantially the following form:



C. 19:31A-6. Record preserved.

6. After each election the commissioner of registration shall remove from the binders the identification statements and shall preserve them in his office in a suitable place for the period of three years.

7. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 178

AN ACT concerning the compensation of the inspector force of the department of motor vehicles, and amending section 39:2–6 of the Revised Statutes.

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

1. Section 39:2–6 of the Revised Statutes is amended to read as follows: Section amended.

39:2–6. The commissioner shall appoint a chief inspector of motor vehicles who shall have practical knowledge of the mechanical arrangement and capabilities of all kinds of motor vehicles and be capable of passing upon the efficiency of motor vehicles and the competency of motor vehicle drivers. He shall also appoint as many inspectors as may be necessary in detecting violations of this subtitle, in obtaining evidence of violations and otherwise assisting in the enforcement of this subtitle. The commissioner may detail one or more of the inspectors to act as deputy chief inspectors. Chief inspector, qualifications. Deputies.

The inspectors shall be chosen with special reference to their fitness for the work, be required to submit themselves to such an examination as the board of civil service commissioners may require and shall be equipped, at the commissioner's discretion, with automobiles and other means of conveyance. The compensation of the inspectors shall be classified and fixed by the board of civil service commissioners. Inspectors.

In accordance with the limits hereinafter prescribed the compensation of inspectors is hereby fixed at a minimum of eighteen hundred dollars ($1,800.00) per annum and a maximum of twenty-nine hundred and forty dollars ($2,940.00) per annum; of deputy chief inspectors, at a minimum of three thousand dollars ($3,000.00) per annum Fixing compensation.

and a maximum of thirty-six hundred dollars ($3,600.00) per annum; of the chief inspector, at a minimum of thirty-nine hundred dollars ($3,900.00) per annum and a maximum of forty-two hundred dollars ($4,200.00) per annum. For each year of service after appointment, the minimum salary as inspector, deputy chief inspector and chief inspector shall be increased at the rate of one hundred and twenty dollars ($120.00) until the maximum salary is reached.

Organization of inspectors.

The commissioner shall organize the inspector force with the chief inspector at its head and shall adopt such rules and regulations for its regulation as shall appear desirable. He shall exercise the power of suspension and, when necessary, of discharge of inspectors for failure to comply with the rules of the department, or for other cause.

Compensation of other assistants.

The commissioner shall also fix the compensation of clerical assistants and others employed under this subtitle, subject to classification and standardization by the board of civil service commissioners.

2. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 179

AN ACT to amend the title of "An act creating the New Jersey Defense Council and defining its powers and duties," approved December twenty-first, one thousand nine hundred and forty (P. L. 1940, c. 238), so that the same shall read "An act creating the New Jersey Defense Council and defining its powers and duties and prescribing penalties for violations," and amending the body of said act and supplementing said act.

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

1. The title of "An act creating the New Jersey Defense Council and defining its powers and duties," approved December twenty-first, one thousand nine hundred and forty, is amended to read "An act creating the New Jersey Defense Council and defining its powers and duties and prescribing penalties for violations." Title amended. New title.

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

2. The State Budget Commissioner shall be the chairman of the New Jersey Defense Council. Ten members of the New Jersey Defense Council shall constitute a quorum and action may be taken by the concurring vote of a majority of those present. In order to effectuate the purpose of this act, the New Jersey Defense Council may authorize its chairman to act as its executive officer and may delegate to him such of its powers, as may be necessary or appropriate, to carry on the activities of the council between the meetings of said council. C. App. A:9-2. Chairman. Quorum. Executive officer.

3. Section five of the act of which this act is amendatory is amended to read as follows: Section amended.

5. The New Jersey Defense Council shall meet regularly for the purpose of considering all prob- C. App. A:9-5. Meetings.

lems related to national defense. The New Jersey Defense Council shall also meet when called so to do by the Governor to act upon any matters referred to it by the Governor. At each meeting the New Jersey Defense Council shall act upon recommendations submitted by the various advisory committees, provided for hereafter. The New Jersey Defense Council shall keep a full and detailed record of all activities taken pursuant to this act, the act to which this act is an amendment and any amendments or supplements thereto, and immediately after each meeting, transmit a copy of such record and a copy of the minutes of such meeting, under the certification of the secretary of the council, to the Governor, and no action taken by the New Jersey Defense Council either at such meeting or between meetings shall have force or effect for a period of ten days after such record and minutes shall have been so transmitted and delivered, unless sooner approved by the Governor.

Report to Governor.

Action by Governor.

The Governor shall within ten days after such record and minutes shall have been so delivered cause the same to be returned to the secretary of the New Jersey Defense Council either with or without his veto in whole or in part on any action therein recited as having been taken by the New Jersey Defense Council. If the Governor within said ten day period returns such record and minutes with a veto in whole or in part against any action therein recited as having been taken, such action so vetoed shall be null and of no effect, but if the Governor shall not return such record and minutes within said ten day period, any action therein recited shall have force and effect according to the wording thereof. The New Jersey Defense Council shall make recommendations to the Governor on any suggestions submitted by the advisory committees which might require executive action.

4. In addition to the powers and duties heretofore given, the New Jersey Defense Council is hereby empowered. C.App.A:9-4.1. Additional powers granted.

(a) For the purpose of administering this act and the act to which this act is a supplement, to promulgate from time to time reasonable rules and regulations governing the activities of local defense councils, community defense service councils and any other organizations or agencies carrying on activities connected with local, State or national defense, which rules and regulations shall be binding upon such organizations and agencies;

(b) To appoint a local defense council in any municipality where such defense council has not been appointed by the mayor or chief executive officer as required by law;

(c) To direct or request any local defense council to perform any act or carry on any activity in connection with local, State, or national defense, which direction or request shall be effective only after approval in writing by the mayor or chief executive officer of the municipality;

(d) To remove any member of a local defense council who violates or participates in the violation of any provision of law or any rule or regulation promulgated by the New Jersey Defense Council.

5. Any person who violates any provision of this act or the act to which this act is a supplement shall be guilty of a misdemeanor. C.App.A:9-4.2. Violation a misdemeanor.

6. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 180

AN ACT to amend and supplement "A supplement to an act entitled 'An act creating the New Jersey Defense Council and defining its powers and duties,' approved December twenty-first, one thousand nine hundred and forty," approved April fourteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 46).

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.App.A:9-11.2 Social service organizations to obtain approval.

2. Any existing social service organization or other organization which desires, in addition to its regular activities, to engage in activities having to do with the recreation and entertainment and the making of provisions for the health and welfare of service men and other persons engaged in defense activities shall before undertaking any such activities receive the approval of the New Jersey Defense Council. Any such social service or other organization already carrying on such defense activities shall request the approval of the New Jersey Defense Council immediately upon the passage of this act. If such approval has not been obtained within sixty days from the passage of this act, such organization shall cease to carry on all activities having to do with the above-mentioned matters until such approval has been obtained.

To cease activities.

Section amended.

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

C.App.A:9-11.3 Approval of council required.

3. No motor corps, ambulance unit, first aid squad, or other such agency, shall be created to assist in the present State and national emergency without first receiving the approval of the New Jersey Defense Council. Any such organization

which has already been created for this purpose shall immediately upon the passage of this act request the approval of the New Jersey Defense Council and if such approval has not been obtained within sixty days from the passage of this act, such organization shall cease to carry on all activities having to do with State and national defense until such approval has been obtained.

To cease activities.

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

Section amended.

4. Any motor corps, ambulance unit, first aid squad, or other like agency (which was created prior to the existence of the present emergency) must receive the approval of the New Jersey Defense Council before it shall undertake any work outside of its regular functions which have to do in any wise with the problems of local, State and national defense. Any such existent organizations which are already carrying on activities having to do with the present emergency shall immediately request the approval of the New Jersey Defense Council. Unless such approval has been obtained within sixty days from the passage of this act, such organization or organizations shall cease to carry on such activities until such approval has been obtained.

C.App.A:9-11.4 Existing agencies to obtain approval.

To cease activities.

4. Any officer, director, member, employee or agency of any organization or agency, who violates or participates in the violation of any provision of this act or of the act to which this act is a supplement, shall be guilty of a misdemeanor.

C.App.A:9-11.6 Violation a misdemeanor.

5. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 181

AN ACT amending "An act concerning municipalities," approved April fourteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 47).

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:

Authorized to create defense agency. Agency to cease.

1. When a local defense council shall have recommended to a municipality that an agency be created in the interest of local, State or national defense and such recommendation shall have received the approval of the New Jersey Defense Council, the municipality is authorized and empowered to create by resolution such agency. Any agency created pursuant to this act shall cease to exist upon the expiration of this act.

2. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 182

AN ACT to amend and supplement "An act concerning national defense, providing for the creation of local defense councils in the municipalities of this State, and defining the powers and duties of such local defense councils," approved April fourteenth, one thousand nine hundred and forty-one (P. L. 1941, c. 45), and to repeal section two of said act.

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

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

1. The mayor or chief executive officer of each municipality in this State shall appoint a local defense council for the said municipality of not to exceed fifteen members, all of whom shall be residents of or have business interests in the said municipality; *provided, however,* that if the mayor or chief executive officer of any municipality shall not have appointed a local defense council within thirty days after this act becomes effective, the power to appoint the local defense council in such municipality shall devolve upon the New Jersey Defense Council. The members of the local defense council shall organize by selecting a chairman, vice-chairman and secretary. The defense council shall meet regularly, at least once each month, and at such other times as the chairman of such defense council or the chief executive officer of the municipality shall direct. Each local defense council shall have power: (a) To undertake, supervise or direct the making of studies and surveys of all matters and things which are or may be related to or in the interest of State and national defense; (b) to create subcommittees, subject to the ap- C. App. A:9-14. Local defense councils. Proviso. Organization. Meetings. Powers.

proval of the New Jersey Defense Council, composed of members and nonmembers of the local defense council, to aid and assist in the work of the local defense council; (c) to request and obtain such co-operation, assistance and data from the various municipal departments, boards, bureaus, commissions and other agencies as may be reasonably necessary in order to carry out its work; (d) to make recommendations, devise plans and suggest ways and means to meet the various problems having to do with State and national defense; (e) to perform any act and carry on any activity directed or requested by the New Jersey Defense Council, provided such direction or request has been approved in writing by the mayor or chief executive officer of the municipality.

Rules and regulations.

Each local defense council shall be bound by and be subject to such rules and regulations as shall be promulgated by the New Jersey Defense Council.

C. App. A:9-15. Section repealed.

2. Section two of "An act concerning national defense, providing for the creation of local defense councils in the municipalities of this State, and defining the powers and duties of such local defense councils," approved April fourteenth, one thousand nine hundred and forty-one, is repealed.

Section amended.

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

C. App. A:9-16. Sub-committees.

3. The mayor or chief executive officer of each municipality may create such subcommittees to the local defense council as in his opinion are advisable, subject to the approval of the New Jersey Defense Council, for the purpose of assisting the local

Organization.

defense council in its work. The chairman of each subcommittee shall be selected from among the membership of each respective local defense council, but the mayor or chief executive officer may appoint to membership on such subcommittees nonmembers of the local defense council who are residents of or have business interests in such municipality. No subcommittee shall be composed of more than ten members.

4. The New Jersey Defense Council may remove any member of a local defense council who violates or participates in the violation of any provision of this act or of the act to which this act is a supplement or of any rule or regulation promulgated by the New Jersey Defense Council. C.App.A:9-19.1. Removal of members.

5. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 183

AN ACT making an appropriation to the New Jersey Defense Council.

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

1. There is hereby appropriated to the New Jersey Defense Council the sum of five hundred thousand dollars ($500,000.00) out of the General State Fund, which appropriation shall be available until February fifteenth, one thousand nine hundred and forty-two. Appropriation.

2. In order to make the amount of this appropriation or any part thereof available to the New Jersey Defense Council a written application setting forth the amount desired and the purpose for which it is desired, which shall be authorized by resolution of the New Jersey Defense Council, shall first be made to the Governor. The Governor shall determine whether or not the whole or any part of such application shall be approved and he shall notify the Comptroller of his decision in writing, whereupon the Comptroller shall place any amount or amounts so approved to the credit of the proper item or items as designated in the application. Withdrawal of amount required. Approval by Governor.

3. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 184

AN ACT creating the office of secretary for defense, defining his powers and duties, and making an appropriation therefor.

Preamble. WHEREAS, In view of the present national defense emergency it has become desirable and necessary for the Governor, as chief executive of the State, to maintain active contact with all officers, departments, boards, commissions and agencies, Federal, State and local, concerned with the carrying on of Federal, State or local defense and to provide effective means for establishing and maintaining such active contact; therefore,

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

Office created. 1. The office of secretary for defense is hereby created.

Appointment of secretary. 2. The Governor shall appoint the secretary for defense who shall serve at the will of the Governor and shall receive such compensation as shall be fixed by the Governor, which compensation shall be paid out of the State Treasury as other officers are paid.

Assistants. 3. The secretary for defense, subject to the approval of the Governor, shall appoint such clerical and other assistants as may be necessary and shall fix their compensation.

Provision for liaison. 4. It shall be the duty of the secretary for defense to provide liaison for the Governor with all officers, departments, boards, commissions and agencies, Federal, State and local, now concerned or which hereafter may be concerned with the carrying on of Federal, State or local defense in such manner and upon such subject matters as the Governor shall from time to time direct and to render such other service as the Governor may

direct or require in connection with the carrying on of Federal, State or local defense.

Assistance to be provided.

5. The secretary for defense shall have power under the direction of the Governor to require State departments, agencies, commissions and officers to render such services and make available such equipment, supplies and facilities as he may deem necessary in order to provide adequately for Federal, State or local defense.

Appropriation.

6. There is hereby appropriated the sum of thirty thousand dollars ($30,000.00) or so much thereof as may be required for the carrying out of the provisions of this act.

When act operative.

7. This act shall take effect immediately and shall be operative during the present emergency, but shall become inoperative on and after the thirtieth day of June, one thousand nine hundred and forty-three, unless sooner terminated by the Governor.

Approved June 3, 1941.

CHAPTER 185

AN ACT to repeal the charter and incorporation of the German-American Bund Auxiliary and to dispose of the property thereof.

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

Charter repealed.

1. The charter of the German-American Bund Auxiliary and the corporate rights conferred upon its incorporation, as evidenced by its certificate filed in the office of the Secretary of State, be and the same are hereby repealed.

Business closed.

2. Upon the passage of this act the trustees shall forthwith dispose of the property and terminate the business of such corporation.

3. This act shall take effect immediately.

Approved June 3, 1941.

CHAPTER 186

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:*

Validates certain sales of land.

1. All sales heretofore made of any lands and premises by any municipality at public auction of lands to which said municipality had at the time of said sale an absolute title in fee simple, and all proceedings had in connection therewith are hereby validated and confirmed, notwithstanding that such sales and proceedings were not first authorized by resolution of the governing body of such municipality, and notwithstanding that the advertisement of sale of said lands were not made as provided by law, if otherwise made according to law, and any conveyances heretofore or hereafter made by such municipality of said lands heretofore sold by such municipality to the purchaser or purchasers thereof in pursuance of such sale or sales, are hereby validated and confirmed and 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 confirmed by resolution of the governing body of such municipality; *and provided, further,* that this act shall not be deemed to validate any defective or invalid assignment of any certificate of sale for taxes, assessments or other liens of any municipality, or to cure any infirmity in any such assignment.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved June 9, 1941.

CHAPTER 187

AN ACT concerning banks and trust companies, and amending section 17:4–49 of the Revised Statutes.

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

1. Section 17:4–49 of the Revised Statutes is amended to read as follows: Section amended.

17:4–49. The board of directors of every bank and of every trust company shall, from time to time, appoint from its members an examining committee whose duties shall be to examine the condition of the corporation at least once every twelve months, or oftener if required by the board. Such committee shall, after each examination, report to the board forthwith, giving in detail all items included in the assets of the corporation which the committee has reason to believe are not of the value at which they appear on the books and records of the corporation, and giving the value, in their judgment, of each of such items. The board shall cause the report to be recorded in the minute books of the corporation. Examining committee. Report.

The examining committee may, by authority of such board of directors, employ certified accountants to assist them in making the examination and such certified accountants may use and employ their partners or employees who need not be certified accountants, or the examining committee may, by authority of such board of directors, use officers or employees of any other bank or trust company organized under the laws of this or any other State or officers or employees of any national bank doing business in this State or elsewhere, to assist them in making the examination, or the examining committee may, by authority of such board of directors, use, either alone or in conjunction May employ accountants, etc., to assist.

with such officers or employees of such other bank or trust company or national bank, any officer or officers including the manager of any clearing association organized and existing in this State of which the bank or trust company is a member, to assist them in making the examination. The examining committee may use the results of the work of such accountants, their partners or employees, or may use the results of the work of such officers or employees of such other bank or trust company or national bank, or may use the work of such officer or officers of such clearing association done either alone or in conjunction with such officers or employees of such other bank or trust company or national bank, in the preparation of the report of the committee to be made to the board, but nothing herein contained shall be construed to relieve the examining committee from the obligation to determine and report upon the value of loans, securities, commercial paper and other assets of the corporation.

Scope.

The Commissioner of Banking and Insurance may prescribe regulations governing the scope and method of such examination or examinations by the examining committee.

Time of examinations.

The examining committee shall fix the time of such examination or examinations so that one such examination shall commence within six months after, but not concurrent with, the last examination by the Commissioner of Banking and Insurance.

2. This act shall take effect immediately.

Approved June 9, 1941.

CHAPTER 188

AN ACT concerning fees and costs in Chancery, and amending sections 22:2–17.2 and 22:2–17.5 of the Revised Statutes.

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

Section amended.

1. Section 22:2–17.2 of the Revised Statutes is amended to read as follows:

Additional charge.

22:2–17.2. Where the pleadings, decree and other papers required to be enrolled pursuant to Revised Statutes, section 2:29–52 in any cause exceed three hundred folios, the clerk of the court is authorized and directed to charge and receive an additional sum equal to seven cents ($0.07) per folio for such excess, payable at the time of enrollment.

Section amended.

2. Section 22:2–17.5 of the Revised Statutes is amended to read as follows:

Schedule of fees.

22:2–17.5. The clerk is authorized, empowered and directed to charge the following fees for the services in this section enumerated:

For affixing the seal of the court to any document, one dollar ($1.00);

For an exemplification, two dollars ($2.00);

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 master's fees and appeals accounts—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

New Jersey State Library

($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).

3. This act shall take effect immediately.

Approved June 9, 1941.

CHAPTER 189

AN ACT to amend section 40:50–6 of the Revised Statutes by excluding from the operation thereof contracts for professional services for the liquidation or foreclosure of tax title liens where the cost is to be paid in whole or part from funds derived from the redemption of liened property or the sale of foreclosed property.

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

Section amended.

1. Section 40:50–6 of the Revised Statutes is amended to read as follows:

Financing work contracted for.

40:50–6. No municipality shall enter into any contract, the cost of which is to be met by funds not included in the budget of appropriations for the year, unless prior thereto there shall have been regularly adopted by the governing body an ordinance authorizing an appropriation sufficient to meet the cost of carrying out the provisions of the contract. This section shall not apply to the use of funds of departments, for the operation of which budget appropriations are not made, nor to contracts for professional services for the liquidation or foreclosure of tax title liens in such municipalities wherein it is agreed that the cost of the services are to be paid, in all or in part, from the funds derived, or to be derived from the redemption of

Exceptions.

liened property or the sale of foreclosed property, subject to approval of the Department of Local Government.

2. This act shall take effect immediately.

Approved June 9, 1941.

CHAPTER 190

AN ACT concerning the regulation of business of foreign institutions of banking, savings, trust, and safe deposit, and amending sections 17:16–1, 17:16–2 and 17:16–3 of the Revised Statutes and 17:16–3.2 added to the Revised Statutes by chapter one hundred twenty-three of the laws of one thousand nine hundred and thirty-nine.

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

1. Section 17:16–1 of the Revised Statutes is hereby amended to read as follows: Section amended.

17:16–1. Hereafter no banking, savings, trust or safe deposit corporation created by any other State or by any foreign State, kingdom or government or any national banking association created to transact business in another State shall transact any business in this State except as executor of the last will and testament or codicil thereto of a decedent or except as trustee under the last will and testament or codicil thereto of a decedent and then only when named therein as such trustee, and not unless similar corporations of this State and national banking associations created to transact business in this State are permitted to transact business in the same fiduciary capacities in that State, foreign State, kingdom or government; *provided,* that every such corporation shall comply Restricts foreign banking institution. Proviso.

with all the requirements of the laws of this State applicable to it in doing business herein.

Section amended.

2. Section 17:16–2 of the Revised Statutes is hereby amended to read as follows:

To obtain certificate of authority.

17:16–2. No banking, savings, trust or safe deposit corporation created by any other State or by any foreign State, kingdom or government, or any national banking association created to transact business in another State shall transact any business in this State as executor of the last will and testament or codicil thereto of a decedent or as trustee named in the last will and testament or codicil thereto of a decedent until it shall have secured from the Commissioner of Banking and Insurance a certificate of authority to transact such business.

Section amended.

3. Section 17:16–3 of the Revised Statutes is amended to read as follows:

Conditions for granting certificate of authority.

17:16–3. Any such corporation or national banking association desiring to secure such certificate of authority shall make application therefor to the commissioner, who shall issue such certificate of authority when:

a. The corporation or national banking association has filed in the office of the commissioner a copy of its charter or certificate of organization or incorporation, attested by its president or vice-president and secretary or treasurer or cashier or assistant cashier under its corporate seal, and a statement attested in the same manner showing its financial condition at the close of business on the thirty-first day of December last preceding, which statement shall be in such form as may be prescribed by the commissioner, who shall furnish blank forms for that purpose;

b. It shall appear by the statement of financial condition hereinabove mentioned that the corporation or national banking association is possessed of an actual paid in, well invested and unimpaired capital stock of at least one hundred thousand dollars ($100,000.00);

c. The corporation or national banking association shall deposit with the commissioner such securities as he may prescribe amounting to at least thirty thousand dollars ($30,000.00) in value, to be held by him in trust for the benefit of its creditors within this State, but if it shall have and keep a deposit of at least one hundred thousand dollars ($100,000.00) in cash or securities approved by the commissioner, with any department or office of the State or country where the corporation is organized, or with the Comptroller of the Currency of the United States the commissioner shall not require the deposit of any securities;

d. The corporation or national banking association shall, by a duly executed instrument filed in the office of the commissioner, constitute the commissioner, and his successor in office, its true and lawful attorney upon whom all original process in any action or legal or judicial proceeding against it may be served, and therein shall agree that any original process against it which may be served upon the commissioner shall be of the same force and validity as though served on it and that the authority thereof shall continue in force, irrevocably, so long as any liability of the corporation or national banking association remains outstanding in this State;

e. The corporation or national banking association shall have complied with such rules and regulations as the Commissioner of Banking and Insurance shall have promulgated with respect to it transacting business in this State and shall have agreed by a duly executed instrument filed in the office of the commissioner to comply with such rules and regulations as shall have been or may be promulgated by the commissioner with respect to it transacting business in this State.

Section amended.

3. Section 17:16–3.2 added to the Revised Statutes by chapter one hundred twenty-three of the laws of one thousand nine hundred and thirty-nine is amended to read as follows:

Certificate of authority to be revoked.

17:16–3.2. If any such corporation or national banking association authorized pursuant to law to do business in this State shall, after July fourth, one thousand nine hundred and thirty-nine, originally probate in a foreign jurisdiction the will of, or shall apply in a foreign jurisdiction for original letters of administration of the estate of, a person known to it to have died domiciled in this State, the certificate of authority of such corporation or national banking association to transact business in this State shall be revoked upon proof of such probate or application in a foreign jurisdiction; if any such corporation or national banking association to which has been issued a certificate of authority to transact business in this State under the provisions of chapter sixteen of Title 17 of the Revised Statutes does not comply with the rules and regulations promulgated or which may be promulgated by the commissioner under the provisions of section 17:16–3 of this Title, upon proof of such noncompliance the commissioner shall revoke the certificate of authority of such corporation to transact business in this State.

4. This act shall take effect immediately.

Approved June 9, 1941.

CHAPTER 191

AN ACT relating to education, and amending section 18:14–8 of the Revised Statutes.

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

1. Section 18:14–8 of the Revised Statutes is amended to read as follows: Section amended.

18:14–8. Whenever in any district there are children living remote from any schoolhouse, the board of education of the district may make rules and contracts for the transportation of such children to and from school, including the transportation of school children to and from school other than a public school, except such school as is operated for profit in whole or in part. Transportation of children.

When any school district provides any transportation for public school children to and from school, transportation from any point in such established school route to any other point in such established school route shall be supplied to school children residing in such school district in going to and from school other than a public school, except such school as is operated for profit in whole or in part.

Nothing in this section shall be so construed as to prohibit a board of education from making contracts for the transportation of children to a school in an adjoining district when such children are transferred to the district by order of the county superintendent of schools, or when any children shall attend school in a district other than that in which they shall reside by virtue of an agreement made by the respective boards of education. Construing.

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

Approved June 9, 1941.

CHAPTER 192

AN ACT creating a commission to examine, enforce and recommend measures to improve the economic, cultural, health and living conditions of the urban colored population of the State and making an appropriation therefor.

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

C. 52:9F-1. Commission on urban colored population created.

1. There is hereby created a commission to examine, report upon and formulate measures to improve the economic, cultural, health and living conditions of the urban colored population of this State in order to secure to the urban colored population equal opportunity with the general population thereof for self-support and the economic and cultural development to the extent, if any, that such opportunity does not now exist.

C. 52:9F-2. Members, terms.

2. The commission shall consist of three members, one to be named by the Governor for a term of five years, one to be named by the President of the Senate for a term of four years, and one to be named by the Speaker of the House of Assembly for a term of three years. Vacancies occurring for any cause shall be filled for the unexpired term only and the members of the commission shall hold office until their successors have been selected as in this act provided.

Vacancies.

C. 52:9F-3. Organization.

3. Such commission shall select a chairman and a vice-chairman from its own members and may employ counsel and such other assistants as may be needed and may fix their compensation within the amounts made available by appropriation therefor. Such commission may meet anywhere in the State, may take testimony, subpœna witnesses and require the production of books, records and papers and otherwise have all the powers of a legislative committee under the legislative law.

4. The members of such commission shall receive no compensation for their services, but shall be entitled to their necessary traveling and hotel expenses incurred in the performance of their duties. C. 52:9F-4. No compensation.

5. The sum of sixteen thousand dollars ($16,000.00), or so much thereof as may be needed, is hereby appropriated from any money in the treasury, not otherwise appropriated, payable on the certificate of the chairman of such commission on the warrant and audit of the comptroller. Appropriation.

6. This act shall take effect immediately.

Passed June 10, 1941.

CHAPTER 193

AN ACT concerning the superintendent of State Police, and amending section 53:1–2 of the Revised Statutes.

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

1. Section 53:1–2 of the Revised Statutes is hereby amended to read as follows: Section amended.

53:1–2. Appointment, term, salary and bond of superintendent. The superintendent of State Police, hereinafter referred to as the superintendent, shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of five years and one hundred days, and shall be removable by the Governor after charges have been preferred and a hearing granted. Appointment and term.

The superintendent shall receive an annual salary of five thousand dollars ($5,000.00) unless otherwise provided by law, payable monthly, and shall, before entering upon the duties of his office, give a bond to the State of New Jersey in the sum of twenty thousand dollars ($20,000.00) for the faithful performance of his duties. Salary and bond.

2. This act shall take effect immediately.

Approved June 11, 1941.

CHAPTER 194

AN ACT concerning Labor and Workmen's Compensation, and amending section 34:15–49 of the Revised Statutes.

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

Section amended.

1. Section 34:15–49 of the Revised Statutes is amended to read as follows:

Jurisdiction.

34:15–49. The commissioner, the deputy commissioners of compensation and the referees, appointed pursuant to law, sitting individually or together, shall have exclusive original jurisdiction of all claims for compensation arising under this

Salary.

chapter. The salary of such deputy commissioners of compensation shall be eight thousand five hundred dollars ($8,500.00) per year.

2. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 195

AN ACT concerning banks and trust companies, and amending section 17:4–30 of the Revised Statutes.

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

Section amended.

1. Section 17:4–30 of the Revised Statutes is amended to read as follows:

Reserves for liabilities.

17:4–30. Every bank and every trust company shall at all times have on hand in available funds an amount equal at least to the aggregate of fifteen per centum (15%) of all its immediate liabilities

and three per centum (3%) of all its time liabilities. Four-fifths of this amount of available funds may consist of balances due to the bank or trust company from good, solvent banks or trust companies, and the remaining one-fifth shall be held in reserve by the bank or trust company in cash on hand. Immediate liabilities shall include all deposits payable on demand made by individuals, firms or corporations, or by banks or trust companies, and all items in the nature of claims payable on demand. Time liabilities shall include all deposits or claims not due and payable on demand. When the available funds of any bank or trust company shall be below the aggregate of fifteen per centum (15%) of its immediate liabilities and three per centum (3%) of its time liabilities the bank or trust company shall make no new loans or discounts otherwise than by discounting or purchasing bills of exchange, payable at sight, nor make any dividend of its profits, until the required proportion between its immediate and time liabilities and its available funds has been restored.

Not to make new loans.

2. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 196

AN ACT respecting hunting while snow is on ground, and repealing section 23:4–17 of the Revised Statutes.

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

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

R. S. 23:4-17 repealed.

2. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 197

AN ACT to protect the deaf and to create within the Department of Labor a division to be known as the Division of the Deaf; and to prescribe its powers and duties; supplementing Title 34 of the Revised Statutes.

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

C. 34:1-69.1. Division for the deaf.

1. There shall be created in the Department of Labor a division to be devoted to the interests of the deaf.

C. 34:1-69.2. Appointment and qualifications of director.

2. The Commissioner of Labor shall appoint a competent person to have charge of such division of the deaf, who shall be fully conversant with the sign language of the deaf as generally accepted, and who shall have been a resident of the State for at least five years prior to such appointment; such appointee to be known as director of the division of the deaf, and to be subject to the regular rules and regulations of the Department of Labor.

C. 34:1-69.3. Duties of director.

3. The director of such division shall collect and tabulate statistics pertaining to the deaf, their employment and welfare; shall ascertain what trades or occupations are most suitable for them; shall arrange for vocational training when necessary; shall endeavor to create new fields of employment to which they may adapt themselves, and to place them in such various lines of employment; may investigate any, and all, charges of discrimination against them by certain employers, industries, corporations or organizations with whom they may seek employment and combat all unfair discrimination, and shall use his best efforts for the general welfare of all the deaf within the State. He shall seek the co-operation of all State departments, officers and State agencies and minor governmental bodies to the end that deaf persons may

be employed in such capacities in the government of the State, or any subdivision thereof, as they may fill as efficiently as other persons. He shall make such reports and recommendations to his superior as may be required by law, or otherwise, and issue such reports in pamphlet form, or otherwise, as may be necessary or desirable to advance the best interests of the division and the deaf people of the State in general.

C. 34:1-69.4. Additional assistants.

4. The Commissioner of Labor may employ additional assistants, or advisers, for such period as he shall consider necessary and at such compensation as shall be fixed by him, or otherwise determinable by authority of law, to properly conduct the Division of the Deaf.

C. 34:1-69.5. Compensation.

5. The director of the Division of the Deaf shall receive such compensation as shall be determined by the Commissioner of Labor and such actual and necessary expenses as shall be incurred in the performance of their official duties, to be paid in the same manner as the compensation and expenses of other employees of the Department of Labor.

C. 34:1-69.6. Term deaf defined.

6. The term "deaf" shall include all degrees of deafness, regardless of the amount of residual hearing possessed.

Repealer.

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

8. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 198

AN ACT concerning liens and encumbrances of the State of New Jersey, and amending section 2:61–4 of the Revised Statutes.

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

Section amended.

1. Section 2:61–4 of the Revised Statutes is amended to read as follows:

Judgment to bind State.

2:61–4. On the return of the notice, duly served, or on appearance for the State, the suit may proceed as in other cases, and a judgment or decree therein shall bind the State the same as if it had been made against an individual; and the lien of the State, on sale under such judgment or decree, shall be cut off and the claim of the State shall be made out of the surplus, if any, in the order of priority in which the encumbrance of the State stands; *provided, however,* that in any suit to foreclose the equity of redemption of a certificate of sale for taxes or other municipal liens, there may be entered a decree barring and extinguishing any lien or encumbrance of the State on the lands described in the bill of complaint, in case (a) no answer shall be made by the State within the time limited by statute or rule of court; or (b) where a disclaimer shall be filed by the State; or (c) where it shall be determined that the lien of the tax or assessment or any part thereof is prior to the lien or encumbrance of the State.

Proviso.

2. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 199

AN ACT to authorize the governing body of any municipality to appropriate money in aid of free public libraries and reading rooms, and amending section 40:54–35 of the Revised Statutes.

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

1. Section 40:54–35 of the Revised Statutes is amended to read as follows: Section amended.

40:54–35. The governing body of any municipality may appropriate and raise such sum of money, not exceeding six thousand dollars ($6,000.00) annually, as in its judgment may be deemed necessary to aid libraries and reading rooms in serving any such municipality whether such libraries or reading rooms be located in such municipality or in an adjoining municipality; *provided,* the person or corporation owning or controlling any library and reading room receiving and accepting such aid shall keep the same open free to the use of the public at such reasonable hours as meet the approval of the governing body of such municipality. Aid to libraries. Proviso.

2. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 200

AN ACT concerning railroads, and amending section 48:12–15 of the Revised Statutes.

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

Section amended.

1. Section 48:12–15 of the Revised Statutes is amended to read as follows:

Permit sale of property and franchises.

48:12–15. Every railroad company may, by action taken at any meeting of its board of directors, sell or exchange all or substantially all of its property and assets, including its franchises, to any railroad company of this or any other State which sale shall confer all the powers, rights and privileges heretofore or hereafter conferred by the laws of this State upon railroad companies to construct, maintain and operate railroads within this State upon such terms and conditions and for such considerations, which may be in whole or in part shares of stock or other securities, or both, of any other corporation or corporations, as its board of directors shall deem expedient and for the best interest of the company, when and as authorized by the affirmative vote of two-thirds 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, or when authorized by the written consent of two-thirds in interest of the holders of each class of stock having voting powers on such proposal; *provided,* that no such sale or exchange shall be valid unless approved by the Board of Public Utility Commissioners. Notice of such meeting or of such consent shall be given to all stockholders of record whether or not they shall be entitled to vote on such proposal.

Proviso.

Notice of meeting.

Appraisal of objector's stock.

If any stockholder shall at such meeting, or within twenty days after such meeting, or the receipt of notice of such consent, object to such sale

or exchange and demand payment for his shares, such objecting stockholder or the company may, within sixty days after such meeting or the receipt of such notice of consent, apply for an appraisal of such stock as provided by section 14:12–6 of the Title Corporations, General, all of the provisions of which section shall in all respects be applicable.

2. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 201

AN ACT to amend an act entitled "An act to incorporate the first criminal judicial district in the county of Passaic," approved March thirtieth, one thousand nine hundred and thirty-one (P. L. 1931, c. 39), and to repeal "An act to incorporate the second criminal judicial district of the county of Passaic," approved March thirtieth, one thousand nine hundred and thirty-one (P. L. 1931, c. 40).

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. All of the county of Passaic, in the State of New Jersey, be and the same is hereby established and incorporated to be the first criminal judicial district of the county of Passaic, and the provisions of an act entitled "An act to create criminal judicial districts in counties of this State and to establish therein criminal courts of record and to regulate the jurisdiction, duties and powers of such courts," approved March twenty-ninth, one thousand nine hundred and twenty-six, and the various First criminal judicial district of Passaic county.

amendments thereof and supplements thereto, and the provisions of subtitle seventeen of Title 2 of the Revised Statutes, so far as the same may be applicable, shall apply to the district hereby established.

Act repealed.

2. "An act to incorporate the second criminal judicial district of the county of Passaic," approved March thirtieth, one thousand nine hundred and thirty-one is repealed.

3. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 202

AN ACT concerning payment of moneys to the teachers' pension and annuity fund.

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

Payment to teachers' pension and annuity fund.

1. Notwithstanding any other provision of law, there shall be paid to the teachers' pension and annuity fund, by the Treasurer of this State, the moneys authorized to be paid pursuant to chapter eighty-eight of the laws of one thousand nine hundred and thirty-eight, chapter one hundred ninety-six of the laws of one thousand nine hundred and thirty-nine, chapter one hundred twenty-two of the laws of one thousand nine hundred and forty, chapter one hundred twenty-three of the laws of one thousand nine hundred and forty and chapter one hundred twenty-four of the laws of one thousand nine hundred and forty. Payment of said moneys shall be made in accordance with the provisions of the said several acts.

2. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 203

AN ACT concerning the Delaware and Raritan canal and making an appropriation to the Department of Conservation and Development.

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

To make report on plans, etc., for use of Delaware and Raritan canal.

1. The Department of Conservation and Development shall investigate and study all available and feasible plans for the ultimate use or disposal of the Delaware and Raritan canal and feeder and appurtenances and shall submit a report thereof to the one thousand nine hundred and forty-two Legislature together with its recommendations as to which of such plan or plans would best serve the public interest.

Appropriation for investigation.

2. In addition to any appropriation made to the Department of Conservation and Development in the general appropriation bill for 1941-1942, there is hereby appropriated to the Department of Conservation and Development out of the general State fund the sum of two thousand dollars ($2,000.00) for the said investigation and study.

Appropriation for maintenance.

3. In addition to any appropriation made therefore in the general appropriation bill for 1941-1942, there is hereby appropriated to the Department of Conservation and Development out of the general State fund the sum of thirteen thousand dollars ($13,000.00) for the maintenance of the Delaware and Raritan canal.

Approved June 14, 1941.

CHAPTER 204

AN ACT concerning disorderly persons, and supplementing chapter two hundred two of Title 2 of the Revised Statutes of New Jersey.

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

C. 2:202-16.4. Regulates the use of food stamps.

1. Any person, not authorized to do so by the regulations and conditions prescribed by the Secretary of Agriculture of the United States governing the food stamp plan, who shall have in his possession, or who shall purchase, sell or exchange any food stamps, books, book covers or any other instruments or documents relating to food stamps, for money, or for any article or articles other than those foods authorized by the regulations and conditions prescribed by the Secretary of Agriculture of the United States governing the food stamp plan, or for food the value of which is less than the face amount of such food stamps, or in any other manner in violation of the regulations and conditions prescribed by the Secretary of Agriculture of the United States governing the food stamp plan, shall be adjudged a disorderly person and shall be punished as provided by section 2:205–1 of this Title.

C. 2:202-16.5. The term person defined.

2. The word "person" as used herein shall include any individual, partnership, corporation or association, whether or not such individual, partnership, corporation or association is eligible to participate or is participating in the food stamp plan.

3. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 205

AN ACT to improve the condition of tenement houses in this State, and to amend sections 55:1–12, 55:3–6, 55:3–18, 55:3–39, 55:4–9, 55:4–10, 55:5–1, 55:5–8, 55:8–12 and 55:10–6 of the Revised Statutes.

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

1. Section 55:1–12 of the Revised Statutes is amended to read as follows: Section amended.

55:1–12. A "fireproof tenement house" is one of which the walls are constructed of brick, stone, iron or hard, incombustible material; in which there are no wood beams or lintels; in which the floors, roofs, stair halls and public halls are built entirely of brick, stone, iron or other hard, incombustible material; and in which no woodwork or other inflammable material is used in any of the partitions, furrings, unless such furring is made fire resistive by chemical treatment, or ceilings; but this definition shall not be construed as prohibiting elsewhere than in the stair halls or entrance halls the use of wooden flooring on top of the fireproof floors, or the use of wooden sleepers, or as prohibiting wooden handrails and treads, if made of hard wood not less than two inches thick. All doors and frames, except entrance and vestibule doors, opening from public or stair halls, shall be fireproof or of hard wood at least one and three-quarters inches thick. Fireproof tenement house.

2. Section 55:3–6 of the Revised Statutes is amended to read as follows: Section amended.

55:3–6. All fire escapes erected after March twenty-sixth, one thousand nine hundred and twenty-eight, on any tenement house shall be directly accessible through a door or window of a private hall within the apartment or of at least one Fire escapes.

room, other than a bathroom or water-closet compartment, in each apartment at each story above the ground floor. Fire escapes may project into the public highway or not more than four feet into a court not less than one hundred and fifty square feet in area. Where fire escapes are placed in a court or in a yard, either of which is enclosed on all sides there shall be an unobstructed fireproof passageway extending in a straight and direct line to the street. If, however, one side of the building is provided with an outer court extending from street to yard, the fireproof passageway from the enclosed court may extend to the yard. Such passageway shall be not less than three feet wide and seven feet high and be constructed with unpierced side walls and roof of brick, stone or concrete; such passageway may have a metal door, hung so as to open outwardly, constructed of grill work. Such door shall have no lock but may have a hook placed on its inner face. On a corner lot if access to the street is through a door or gate in any fence, such door or gate must open outward and may be fastened with a hook or movable bolt but must not be locked with a key lock. The inside sill of any window providing egress to a fire escape shall be not more than three feet above the floor of the room.

Section amended.

3. Section 55:3–18 of the Revised Statutes is amended to read as follows:

Scuttle in lieu of bulkhead.

55:3–18. Every tenement house erected after April twenty-first, one thousand nine hundred and thirty-one, except those which are constructed with a peaked roof, gambrel roof or a roof of a similar type, not over three stories in height may have, in lieu of such bulkhead, a metal covered scuttle, and the space between the ceiling and such scuttle shall be completely enclosed. The stairs leading to the same shall be placed at an angle not greater than sixty degrees. In a fireproof tenement house not more than three stories in height and in any two-story tenement house an iron ladder may be used in lieu of stairs. In every tenement house

Iron ladder in lieu of stairs.

erected prior to said date, more than two stories in height a metal scuttle, readily accessible to all tenants at all times, shall be placed in the roof, and there shall be a securely fastened iron ladder extending from the floor to such scuttle. In every tenement house erected prior to said date, having a scuttle or in which a scuttle shall be constructed, the space between the ceiling and such scuttle shall be completely enclosed.

Section amended.

4. Section 55:3–39 of the Revised Statutes is amended to read as follows:

Wooden tenements.

55:3–39. Within the fire limits no wooden tenement houses shall be erected after March twenty-fifth, one thousand nine hundred and four, and no wooden building so situated and not then used as a tenement house shall thereafter be altered or converted to such use. Outside of the fire limits wooden tenement houses not exceeding three stories in height, nor more than forty feet in height, may be erected; but if three stories in height, shall not provide accommodations for, or be occupied by, more than eight families in all or more than two families on any floor; and if built within three feet of any division or party line the side walls shall have the spaces between the studding filled in solid with brick laid in cement mortar, or other approved fireproof material, and in no case shall any such side wall, if built partially or entirely of frame, be used as a party wall. A building converted into a tenement house may have a stud party wall provided the space between the studs is filled with fireproof material and the studs plastered over metal lath. All supplementary windows in any lot line wall, except street lot line, shall be in fireproof frames and glazed with a good quality wire glass.

Section amended.

5. Section 55:4–9 of the Revised Statutes is amended to read as follows:

Separate tenement prohibited.

55:4–9. No separate tenement house shall be erected after March twenty-first, one thousand nine hundred and twenty-five, upon the rear of any lot where there is a tenement house on the front of

said lot, nor upon the front of any such lot upon the rear of which is a tenement house, except as provided in section 55:4–8 of this Title. Where a series of tenement houses is to be erected as a plot or acreage development the board may grant an exception to the provisions of this subtitle if there is maintained between each series of tenement houses an open space equal to the width of a street as set forth in subtitle 55:4–1 of this Title. The height of the tenement house or houses shall also be regulated by the provisions of subtitle 55:4–1 of this Title.

Exception.

Section amended.

6. Section 55:4–10 of the Revised Statutes is amended to read as follows:

Conditions for erection of garage.

55:4–10. When any building is placed on the same lot with a tenement house after April twenty-first, one thousand nine hundred and thirty; when a garage is placed on the same lot with a tenement house after such date or when a garage is erected within a tenement house or adjoins the rear wall of a tenement house, it shall comply with the following requirements except as set forth in section 55:4–9 of this Title:

Building on same lot with tenement.

a. When any building is placed on the same lot with a tenement house after April twenty-first, one thousand nine hundred and thirty, there shall be always maintained between the said buildings an open, unoccupied space extending upward from the ground and across the entire width of the lot. Where either building is fifty feet or more in height, such open space shall, except as hereinafter provided in this section, be at least twenty-four feet from wall to wall; and for every twelve feet of increase or fraction thereof in the height of such building above fifty feet, such open space shall be increased one foot in depth throughout its entire width, and for every twelve feet of decrease in the height of such building below fifty feet the depth of such open space may be decreased one foot; and no building of any kind shall be placed upon the same lot as a tenement house after such date, so as to decrease the minimum size of courts

or yards as prescribed by this subtitle. When such building is not more than twelve feet in height and is not to be used as a dwelling, the distance between the two buildings shall not be less than the yard space required for the tenement house.

If any tenement house is erected after such date, upon any lot upon which there is already another building, it shall comply with all of the provisions of this subtitle, and in addition to the space between the said building and the said tenement house shall be of such size and arranged in such manner as is prescribed in this section, the height of the highest building on the lot to regulate the dimensions.

The use to which such other building is put shall not be detrimental to the health or safety of the occupants of said tenement house and shall be subject to the written approval of the board.

Term, garage defined.

b. The word "garage" wherever occurring in this subtitle shall mean a building or any part thereof in which there shall be housed or kept self-propelled vehicles, or automobiles, containing inflammable liquids for fuel or power. Such a garage, if not located with an open space between it and the tenement house equal to the yard required for the tenement house as set forth elsewhere in this subtitle, without any deduction for setback, shall be deemed a private garage and shall be of masonry construction. All automobiles or vehicles housed or stored in a private garage shall be for the use of the tenants of such tenement house. All garages shall conform with the several subdivisions of this subtitle as they may apply. No such garage shall be more than one story in height nor shall it be used for any other purpose than the storage of automobiles. In no case shall the number of autos housed exceed by twenty-five per centum (25%) of the number of apartments provided in the tenement house.

Garage five feet from rear line.

c. A private garage, other than frame, one story in height, may be placed five feet from the rear line of the tenement house if the open unoccupied

Construction.

yard space is equal in square feet to that required for a tenement house of that height. Any garage hereafter erected with an open space between it and the tenement house as set forth in subdivision b., the capacity of which exceeds four cars shall be of masonry construction.

Garage adjoining rear wall.

d. On a corner lot a private garage may adjoin the rear wall of the tenement house if said wall is unpierced and the roof of the garage is of fireproof construction except where the capacity of the garage does not exceed three cars the ceiling of the garage may be plastered one-half inch thick with cement plaster over approved metal lath.

Garage within tenement house.

e. A private garage may be constructed within the basement or cellar or may be attached to the rear wall of the tenement house and may extend into the yard of said tenement house and to the rear line of the lot, provided the roof of this extension is of fireproof construction and is not above the basement or cellar ceiling. Where the roof of such extension is above the level of the adjoining yard or yards the entire perimeter of such roof shall be protected with an iron railing at least two feet six inches high, and the roof of such extension shall be used as the yard of the tenement house.

Construction.

The ceiling forming the floor of the portion of the tenement house above the garage shall be of fireproof construction except that where the capacity of said garage does not exceed three cars and also where the required yard is maintained in the rear of said garage the ceiling may be plastered one-half inch thick with cement plaster over approved metal lath. All walls separating garage from other parts of the tenement house shall be of brick at least eight inches thick. Where the windows in the tenement house are located immediately above the roof of the garage such windows shall be fireproof and glazed with a good quality wire glass.

Where the driveway to garage is within the tenement house the ceiling and side walls shall be constructed as required for garages. Entrance from

the garage to the cellar of the tenement house may be through a vestibule one side of which shall be open for its entire width from floor to ceiling facing a street, yard, court or vent shaft.

Where the wall between the tenement house and the garage is pierced for steam mains or for any other purpose, such opening shall be no larger than is necessary for its purpose and all crevices and cracks shall be tightly closed with fireproof material.

Storage of fuel forbidden.

No gasoline, oil or other fuel shall be sold, stored or handled in any garage but this shall not prevent the keeping of such gasoline and oil or other fuel as may be actually contained in the tanks of motor vehicles kept in such garage.

Sprinklers required.

Where the area of section of tenement house to be used for garage purposes exceeds one thousand square feet the garage section shall be sprinklered.

Floors.

Garage floors shall be of concrete or equal fire resistive and impervious material.

Building specifications.

In no case shall a garage be connected with the house sewer. No stove or forge is to be permitted in any garage. No artificial light will be permitted except incandescent electric light. There shall be no pit in any floor. Adequate signs marked "no smoking" shall be posted in the garage. Self-closing metal cans must be used for all wastes, oily waste, or wasted oils, and no oily waste shall be allowed to remain exposed to the danger of spontaneous combustion. All garages the capacity of which exceeds three cars, whether a common garage or a battery of garages, which are erected within, partly within or attached to a tenement house shall be provided with a fire extinguisher of at least two and one-half gallon capacity, bearing the label of the Fire Underwriters laboratory; there shall also be provided at least one pail of sand. The fire extinguisher and sand shall be so located as to be readily accessible at all times in the event of an emergency. Where the capacity of the garage exceeds fifteen cars an additional fire extinguisher and pail of sand shall be provided. For

each additional fifteen cars or major fraction over the first fifteen there shall be provided an additional fire extinguisher and pail of sand.

Ventilation. Every garage with floor level one-half or more below street or yard grade shall have a ventilating and exhaust system so designed as to assure suitable dilution and removal of gasoline vapors and motor exhaust fumes and an affidavit by the engineer of the company installing the same, stating that the said system will meet the requirements of this subtitle, shall be filed with the plan. Every garage within or partly within a tenement house, the ceiling of which is one-half or more above grade level shall be provided with movable windows sufficient in number to afford adequate ventilation, or such other method of ventilation as the board may require.

Windows. Garages which are entirely above ground shall be provided with movable louvers or sash in the entrance door and with movable louvers or movable windows sufficient in number to afford adequate ventilation in at least one exterior wall, or such other method of ventilation as the board may require. These louvers or sash shall open to the yard, or to the street or court of the size required for the tenement house.

Water-closet. A separate water-closet complying with all the requirements of this subtitle shall be provided within all garages the capacity of which exceeds fifteen cars.

To comply with building code. All garages erected under the provisions of this section shall also comply with all regulations of the municipality in which the tenement house is situated.

Section amended. 7. Section 55:5–1 of the Revised Statutes is amended to read as follows:

Windows. 55:5–1. In every tenement house erected after March twenty-first, one thousand nine hundred and twenty-five, every room except water-closet compartments and bathrooms shall have at least one window opening directly upon the street or upon a yard or court of the minimum dimensions speci-

fied in this subtitle and such windows shall be so located as to properly light all portions of such rooms. Whenever a room in such tenement house opens upon an inner court having an area of less than one hundred and fifty square feet, such room shall be properly provided with a sash window, communicating with another room in the same apartment, such window to contain not less than ten square feet of glazed surface, and to be made so as to readily open or a sash door with a movable transom may be substituted. A portion of any apartment hereafter erected, used or arranged to be used as an entrance hall within such apartment, may be designated a foyer. Such foyer shall not be deemed a room if its superficial floor area does not exceed twenty per centum (20%) of the total area of such apartment and provided such foyer opens to at least one adjacent room through an arched opening, the minimum dimensions of which shall be five feet in width by seven feet in height.

Section amended.

8. Section 55:5–8 of the Revised Statutes is amended to read as follows:

Size of windows in public halls.

55:5–8. In every tenement house erected after March twenty-fifth, one thousand nine hundred and four, one, at least, of the windows provided to light each public hall or part thereof shall be at least two feet six inches wide and five feet high, measured between the stop beads except as set forth in section 55:5–9 of this Title.

Section amended.

9. Section 55:8–12 of the Revised Statutes is amended to read as follows:

Sinks required.

55:8–12. Every sink in every tenement house shall be of a durable, nonabsorbent material, supported on legs or brackets of a similar material, and shall not be enclosed in any way; and where such sinks are now enclosed said enclosure shall be completely removed except where cabinets are used a closet may be provided under the sink, if the bottom of the closet is at least three inches above the floor, and further ventilation shall be provided in a manner satisfactory to the board. No solid shelving or other obstruction shall be placed in this closet.

Section amended.

Approval of plans.

10. Section 55:10–6 of the Revised Statutes is amended to read as follows:

55:10–6. The construction, alteration or conversion of a tenement house, building or structure, or any part thereof, shall not be commenced until the filing of the specifications, plans and statements required by sections 55:10–1 to 55:10–3 of this Title, and the approval thereof as provided in sections 55:10–4 and 55:10–5. The construction, alteration or conversion of the house, building or structure shall be in accordance with the approved specifications and plans and a copy of the plans bearing the approval of this board must be kept on the building for which it is approved until the completion of the work.

11. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 206

A SUPPLEMENT to "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and forty-one, and regulating the disbursement thereof," approved June twenty-eighth, one thousand nine hundred and forty (P. L. 1940, c. 158).

Preamble.

WHEREAS, In the last fiscal year there had been appropriated to the South Jersey Transit Authority the sum of four thousand dollars ($4,000.00); and

Preamble.

WHEREAS, There was remaining to the credit of the commission at the end of the 1939-1940 fiscal year a balance of twelve hundred dollars ($1,200.00),

which was inadvertently lapsed by the ruling of the Comptroller of the Treasury; and

WHEREAS, It is necessary that the commission complete its work and the balance of such appropriation is necessary for that purpose; therefore Preamble.

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

1. There is hereby appropriated to the South Jersey Transit Authority the sum of twelve hundred dollars ($1,200.00). Appropriation.

2. The appropriation herein authorized shall be expended in the same manner and subject to the same regulations as other appropriations authorized by the act to which this act is a supplement. Expending.

3. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 207

AN ACT concerning sidewalks on municipal streets or roads, and supplementing chapter sixty-five of Title 40 of the Revised Statutes.

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

1. The governing body of any municipality of this State may provide for the repair or reconstruction of sidewalks on the streets or roads of such municipality at public expense under the conditions hereinafter stated: C. 40:65-9.1. Conditions for repair, etc., of sidewalks.

(a) When any sidewalk, previously constructed or reconstructed as a local improvement under chapter sixty-five of Title 40 of the Revised Statutes or under article XXV of chapter one hundred fifty-two of the laws of one thousand nine hundred

and seventeen or under chapter ninety-nine of the laws of one thousand nine hundred and nineteen, is dilapidated or in need of repair or reconstruction, where such condition is not attributable to the acts or negligence of the abutting property owner of his predecessor in title nor that of any one for whose acts or negligence they are chargeable; and

(b) When the abutting property owner or his predecessor in title shall have paid within twenty years then last past, or shall pay, in full with interest all the assessment for the laying or relaying of the sidewalk in front of his property (at least to the extent that the installments of such assessment are then due).

C. 40:65-9.2. Authority granted by resolution.

2. The authority for such repair or reconstruction shall be granted by resolution concurred in by at least two-thirds of the entire membership of the governing body reciting that such repair or reconstruction of sidewalk is for the best interest of the residence of such municipality.

C. 40:65-9.3. Appropriations and procedure.

3. Appropriations and procedure shall follow the lawful practice heretofore observed in case of cross walks and the like laid at public expense under section 40:65–10 of the Revised Statutes.

4. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 208

AN ACT concerning curbs along streets or roads, and supplementing chapter sixty-five of Title 40 of the Revised Statutes.

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

C. 40:65-9.4. Conditions for repair, etc., of curbs.

1. The governing body of any municipality of this State may provide for the repair or reconstruction of curbs on the streets or roads of such munic-

ipality at public expense under the conditions hereinafter stated; both which must exist;

(a) When any curb, previously constructed or reconstructed as a local improvement under chapter sixty-five of Title 40 of the Revised Statutes or under article XXV of chapter one hundred fifty-two of the laws of one thousand nine hundred and seventeen or under chapter ninety-nine of the laws of one thousand nine hundred and nineteen, is dilapidated or in need of repair or reconstruction, where such condition is not attributable to the acts or negligence of the abutting property owner or his predecessor in title nor that of any one for whose acts or negligence they are chargeable; and

(b) When the abutting property owner or his predecessor in title shall have paid within twenty years then last past, or shall pay, in full with interest all the assessment for the laying or relaying of the curb in front of his property (at least to the extent that the installments of such assessment are then due).

C. 40:65-9.5. Authority granted by resolution.

2. The authority for such repair or reconstruction shall be granted by resolution concurred in by at least two-thirds of the entire membership of the governing body reciting that such repair or reconstruction of sidewalk is for the best interest of the residents of such municipality.

C. 40:65-9.6. Appropriations and procedure.

3. Appropriations and procedure shall follow the lawful practice heretofore observed in case of crosswalks and the like laid at public expense under section 40:65–10 of the Revised Statutes.

4. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 209

AN ACT concerning the alcoholic beverage tax law, and supplementing subtitle eight of Title 54 of the Revised Statutes as amended.

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

C. 54:43-6. Tax levied.

1. A tax shall be levied and imposed, at the rates provided in the subtitle to which this act is a supplement, upon the seizure, destruction or other disposition of alcoholic beverages in this State by Federal or State law enforcement authorities or agencies by reason of the violation of a Federal or State statute. Any person who, prior to such disposition, shall manufacture, possess, distribute, transport, warehouse or offer for sale such alcoholic beverages in this State in violation of a Federal or State statute shall be liable for such tax, and any persons who conspire to do any of such acts in an unlawful manner, shall be jointly and severally liable for such tax.

Liable for payment of tax.

The conviction of any person under an indictment charging performance of any such unlawful act or a conspiracy to perform the same, or the entry of a plea of guilty or of non vult thereto, shall, without other evidence, render such person liable for payment of the tax upon alcoholic beverages involved in such illegal act or acts in this state.

2. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 210

AN ACT concerning the alcoholic beverage tax law, and supplementing chapter forty-four of Title 54 of the Revised Statutes.

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

C. 54:44-5.1. May compromise tax.

1. The commissioner shall have power to compromise or cancel any tax in the sum of not more than fifteen dollars ($15.00), heretofore or hereafter assessed pursuant to the provisions of subtitle eight of Title 54, and any interest charges or penalties thereon; *provided,* an appeal from said tax shall not be pending and said tax shall remain unpaid for at least one year; *and provided, further,* that it shall appear to the commissioner that such tax may not, with due diligence, be collected or that the expense thereby entailed renders collection of the tax, interest, and penalties impractical.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 211

AN ACT making uniform regulations on net fishing in the 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.

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

C. 23:5-24.1. License for net fishing.

1. No person shall fish with, set, fix, fasten, draw, or drift any net of any description whatsoever, from or in the inland tidal waters, bays, coves, rivers, or creeks, or in the Atlantic ocean within three nautical miles of the coast line, unless he shall first have procured a license as hereinafter provided so to do, *provided, however,* that this act shall not apply to persons licensed under sections 23:3–41, 23:3–47, 23:3–50 and 23:9–115 of the Revised Statutes or under the provisions of "An act for the protection of striped bass, and providing for the licensing of nets for taking same, and 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).

Proviso.

C. 23:5-24.2. Issuing license, schedule of fees

2. A person intending to take fish with a net in the waters aforesaid shall apply to the Board of Fish and Game Commissioners for a license therefor, and the board 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:

(a) Set nets, or parallel nets, not less than two and one-half inches stretched mesh while being fished, and not to exceed 140 fathoms in length, whether singly or attached. Fee ten dollars ($10.00).

(b) Haul seines, not less than three inches stretched mesh while being fished, and not to exceed 140 fathoms in length, whether singly or attached. Fee ten dollars ($10.00).

(c) Fykes, with or without wings and leaders, and wings and leaders, where employed shall not exceed fifteen fathoms in length, and no part of net or wings or leaders to be less than two and one-half inches stretched mesh while being fished. Fee three dollars ($3.00).

(d) Drifting gill nets, the smallest mesh of which shall be five inches while being fished, and the length of which net shall not exceed fifty fathoms. Fee ten dollars ($10.00).

(e) Gill nets, staked at one or both ends, the smallest mesh of which shall be five inches while being fished in the open season for striped bass and three inches stretched mesh during the open season for netting herring, and in neither case shall the net exceed thirty fathoms in length. Fee one dollar ($1.00).

(f) Shad nets, either staked or drifting, the smallest mesh of which shall be three inches while being fished, and no part of which net, if staked, shall extend inshore to a less depth of water than two feet. Fee ten dollars ($10.00).

C. 23:5-24.3. Dates for use of nets.

3. Licensed nets shall hereafter be fished only between the following dates in each and every year for which a license has been granted in accordance with this act:

Set nets, or parallel nets: From October first until June fifteenth.

Haul seines, for herring: From March first until June fifteenth.

Haul seines, for other species: From November first until February twenty-eighth.

Fykes: From October first until June fifteenth.

Staked gill nets: From November first until February twenty-eighth.

Drifting gill nets: From March fifteenth until November first.

Shad nets: From March fifteenth until June fifteenth.

No person shall use a hauling seine drawn beneath the ice.

C. 23:5-24.4. Hours of use.

5. No net of whatever description shall be fixed, set, hauled, drifted or staked, or lifted between the hours of twelve noon on any Saturday and twelve midnight on the following Sunday, but this section shall not apply to nets commonly used for the purpose of taking crabs or bait fish.

C. 23:5-24.5. Record kept by licensee.

6. All persons licensed to operate a net or nets in waters under the jurisdiction of this State shall keep, on forms furnished by the board, accurate written records which shall include the number and weight and the species of all fish taken with such net or nets during the year for which such license was issued, the amount of the proceeds derived from the sale of the fish caught, the cost of the equipment employed in the fishing operations, and, upon failure to file such report on or before the thirty-first day of January following the voiding date of his last license, any license granted under this act may be revoked by the board after notice and hearing, and no future license to net shall be issued until the provisions of this section shall be complied with to the satisfaction of the board.

C. 23:5-24.6. Multilation, etc., of nets forbidden.

7. No person shall willfully cut, break, mutilate or otherwise damage any net licensed under this act, and no person shall lift, haul or take from any net so licensed any fish without the permission of the owner of the net, *provided, however,* that any game warden, deputy game warden, game protector or game commissioner may seize fish from any net for the purpose of evidence if it shall appear that the net is being illegally operated in open or closed season.

Proviso.

C. 23:5-24.6. Penalty for violations.

8. No person not a bona fide resident of this State shall be granted a license to operate a net or nets, and, any person not a bona fide resident of this State who shall fish with, set, haul or drift or stake a net of whatever description in any of the coastal or inland tidal waters, bays, coves, rivers

or creeks in this State shall be liable to the penalty hereinafter provided for violations of the various sections of this act, together with the forfeiture of all nets, boats, or other apparatus used or in use at the time of the commission of the violation.

C. 23:5-24.8. Resisting arrest, etc., penalty.

9. Any person or persons who shall by threat, menace or force, or in any manner attempt to deter or prevent any warden or other person authorized to make arrests for violation of the fish and game laws of this State, from enforcing or carrying into effect any of the provisions of this act, or who shall resist arrest or the seizure of boats, nets or other apparatus illegally used, shall be subject to the same penalty as is provided for violations of the various sections of this act.

C. 23:5-24.9. Counterfeiting net tags, etc., penalty.

10. Any person who shall counterfeit net tags, steal or damage the net tags of another, or who shall loan or transfer a net tag or net tags to any other person for fishing a net, shall be liable to the same penalty as is provided for violations of the various sections of this act.

C. 23:5-24.10. Application of act.

11. This act shall apply and be in effect in all the coastal waters, inland tidal waters, bays, coves, rivers and creeks in all that area north of Cape May point to the junction of this State with the border line of New York State on the Hudson river, but shall not apply to the Delaware bay or Delaware river in the area west and north of Cape May point.

C. 23:5-24.11. Penalties.

12. Any person, or persons, or company, or corporation, violating any section of this act, shall upon conviction before any magistrate having jurisdiction to try cases for violation of the State Fish and Game Laws of New Jersey, be liable to a penalty of fifty dollars ($50.00) for each offense, together with forfeiture of nets, licenses, boats or other apparatus used in the act complained of, and no license to net shall be granted to a convicted offender until, and unless, the Board of Fish and Game Commissioners, after a hearing, shall authorize reinstatement of any license revoked by court order.

C. 23:5-24.12. Enforcement.

13. This act shall be enforced by the persons authorized by and in accordance with the provisions of chapter ten of Title 23, of the Revised Statutes.

C. 23:5-24.13. Sundry sections repealed.

14. 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 are repealed.

15. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 212

AN ACT concerning the compromise of claims by and against estates, and amending section 3:15–4 of the Revised Statutes.

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

Section amended.

1. Section 3:15–4 of the Revised Statutes is amended to read as follows:

To file verified petition.

3:15–4. To effect a compromise, settlement or adjustment authorized by sections 3:15–1 and 3:15–2 of this Title, the executor, administrator, administrator pendente lite or trustee shall file a verified petition addressed to the orphans' court of the county wherein he received his letters or authority, or if such letters or authority were received from the Prerogative Court, then to that court.

Contents of petition.

The petition shall contain all the facts and circumstances of the claim or question to be compromised, settled or adjusted and shall be accompanied by a copy of the writing containing the terms and conditions of the proposed compromise, settlement or adjustment as executed by the claimant or debtor and the executor, administrator, administrator pendente lite or trustee.

2. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 213

AN ACT to authorize housing authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December thirty-first, one thousand nine hundred and forty-three; to authorize housing authorities to co-operate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government; to acquire or lease such projects and to sell certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government; to make obligations issued for such projects of housing authorities legal investments; and to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities.

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

C. 55:14C-1. Declaration of State's policy.

1. Declaration of policy. It is hereby found and declared that the State's participation in the national defense program involves large increases in the naval and military forces and personnel in this State, a great increase in the number of workers in already established manufacturing centers and the bringing of a large number of workers and their families to new centers of defense industries in the

State; that there is an alarming shortage of safe and sanitary dwellings available to such persons and their families which impedes this State's participation in the national defense program; that it is vitally important and necessary that action be taken immediately to provide housing for such persons to enable the rapid expansion of national defense activities in this State and to avoid a large labor turnover in national defense industries which would seriously hamper their production; that the aforesaid existing shortage of safe and sanitary housing and the overcrowding that results from this condition seriously affect and endanger the health, safety and morals of the public; that the provisions hereinafter enacted are necessary to provide such housing which otherwise would not be provided at this time; and that such provisions are for the public use and purpose of facilitating this State's participation in the national defense program.

C. 55:14C-2. Development and administration.

2. Development and administration. A housing authority created pursuant to the local housing authorities law (Laws of 1938, Chapter 19, as amended by Laws of 1938, Chapter 210, R. S. 55:14A, and any amendments thereto) may with the financial aid of the Federal Government, or as agent for the Federal Government, as hereafter provided undertake the development and administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities whom the housing authority determines would not otherwise be able to secure safe and sanitary dwellings, but no housing authority shall initiate the development of any such project pursuant to this act after December thirty-first, one thousand nine hundred and forty-three. In the ownership, development or administration of such projects the housing authority shall have all the rights, powers, privileges and immunities that such authority has under the local housing authorities law relating slum clearance and housing projects for persons of low income in the same

manner as though all such provisions of law applicable to slum clearance and housing projects for persons of low income were applicable to projects developed or administered to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities as provided in this act; *provided,* that during the period (herein called the "National Defense Period") that a housing authority finds that within its authorized area of operation, or any part thereof, there is an acute shortage of safe and sanitary dwellings which impedes the national defense program in this State and that the necessary safe and sanitary dwellings would not otherwise be provided when needed for persons engaged in national defense activities, any project developed or administered by such housing authority in such area pursuant to this act (when acting as agent for the Federal Government or otherwise) shall not be subject to the rental and tenant selection limitations provided in the local housing authorities law; *and provided, further,* that during the national defense period, a housing authority may make payments in such amounts as it finds necessary or desirable for any facilities, works, services, privileges or improvements furnished for or in connection with any such projects, except that payment for the products furnished or the services rendered by public utilities, as public utilities are defined by section 48:2–13 of the Title, Public Utilities, shall be at rates not lower than the applicable rates which have been fixed as prescribed by law. After the national defense period, any such projects owned and administered by a housing authority shall be administered for the purposes and in accordance with the provisions of the local housing authorities law.

Proviso.

Proviso.

3. Arrangements with Federal Government. A housing authority may exercise any or all of its powers for the purpose of co-operating with, or acting as agent for, the Federal Government in the development or administration of projects by the Federal Government to assure the availability of safe and

C. 55:14C-3. Arrangements with Federal government.

sanitary dwellings for persons engaged in national defense activities and may undertake the development or administration of any such project for the Federal Government. In order to assure the availability of safe and sanitary housing for persons engaged in national defense activities, a housing authority may sell or lease (in whole or in part) to the Federal Government, any housing project developed for persons of low income but not yet occupied by such persons; such sale or lease shall be at such price and upon such terms as the housing authority shall prescribe, and any such sale shall include provision for the satisfaction of all debts and liabilities of the housing authority relating to such project. Housing authorities are authorized to do any and all things necessary or desirable to secure the financial aid of the Federal Government, or to co-operate with or act as agent of the Federal Government, in the expeditious development and the administration of projects to assure the availability when needed of safe and sanitary dwellings for persons engaged in national defense activities.

C. 55:14C-4. Co-operation with Federal government.

4. Co-operation with Federal Government. Any municipality or other public body shall have the rights and powers to co-operate with housing authorities, or with the Federal Government, with respect to the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities that such municipality or other public body has for the purpose of assisting the development or administration of slum clearance or housing projects for persons of low income.

C. 55:14C-5. Legal investments.

5. Legal investments. Bonds or other obligations issued by a housing authority for a project developed or administered pursuant to this act shall be legal investments to the same extent and for the same persons, institutions, associations, corporations, bodies and officers as bonds or other obligations issued pursuant to the local housing authorities law for the development of a slum clearance or housing project for persons of low income.

C. 55:14C-6. Previous obligations validated.

6. Validation. All bonds, notes, contracts, agreements and obligations of housing authorities heretofore issued or entered into relating to financing or undertaking (including co-operating with or acting as agent of the Federal Government in) the development or administration of any project to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities, are hereby validated and declared legal in all respects, notwithstanding any defect or irregularity therein or any want of statutory authority.

C. 55:14C-7. Powers of housing authorities.

7. Powers of housing authorities. This act shall constitute an independent authorization for a housing authority to undertake (with the financial aid of the Federal Government, or as agent for the Federal Government) the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities as provided in this act and for a housing authority to co-operate with, or act as agent for, the Federal Government in the development or administration of similar projects by the Federal Government. In acting under this authorization, a housing authority shall not be subject to any limitations, restrictions or requirements of other laws (except those relating to land acquisition) prescribing the procedure or action to be taken in the development or administration of any public works, including slum clearance and housing projects for persons of low income or undertakings of projects of municipal or public corporations or political subdivisions or agencies of the State. A housing authority may do any and all things necessary or desirable to co-operate with, or act as agent for, the Federal Government, or to secure financial aid, in the expeditious development or in the administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities and to effectuate the purposes of this act.

C. 55:14C-8. Terms defined.

8. Definitions. (a) "Persons engaged in national defense activities," as used in this act, shall in-

clude: enlisted men in the military and naval services of the United States and employees of the War and Navy Departments assigned to duty at military or naval reservations, posts or bases, and workers engaged or to be engaged in industries connected with and essential to the national defense program; and shall include the families of the aforesaid persons who are living with them.

(b) "Persons of low income," as used in this act, shall mean persons or families who are in the lowest income group and who cannot afford to pay enough to cause private enterprise in their locality to build or furnish an adequate supply of decent, safe and sanitary dwellings so as to enable them, without financial assistance, to live in such dwellings, without overcrowding.

(c) "Development," as used in this act, shall mean any and all undertakings necessary for the planning, land acquisition, demolition, financing, construction or equipment in connection with a project (including the negotiation or award of contracts therefor), and shall include the acquisition of any project (in whole or in part) from the Federal Government.

(d) "Administration," as used in this act, shall mean any and all undertakings necessary for management, operation or maintenance, in connection with any project, and shall include the leasing of any project (in whole or in part) from the Federal Government.

(e) "Federal Government," as used in this act, shall mean the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.

(f) The development of a project shall be deemed to be "initiated," within the meaning of this act, if a housing authority has issued any bonds, notes or other obligations with respect to financing the development of such project of the housing authority, or has contracted with the Federal Government with respect to the exercise of powers hereunder in the development of such proj-

ect of the Federal Government for which an allocation of funds has been made prior to December thirty-first, one thousand nine hundred and forty-three.

(g) "Housing authority," as used in this act, shall mean any housing authority established or hereafter established pursuant to the local housing authorities law (laws of 1938, chapter 19, as amended by laws of 1938, chapter 210; and laws of 1938, chapter 21; and any additional amendments thereto).

C. 55:14C-9. Construing.

9. Construction. The powers conferred by this act shall be in addition and supplemental to the powers conferred by any other law, and nothing contained herein shall be construed as limiting any other powers of a housing authority; *provided, however,* that no housing authority shall have power or authority to construct any public utility plant, system, service or facility which would be competitive with any existing public utility, as public utility is defined by section 48:2–13 of the Title, Public Utilities.

Proviso.

C. 55:14C-10. Provisions severable.

10. Severability. If any part of this chapter, article or section of the Revised Statutes, or any provision thereof shall be declared or be unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, article of 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 chapters, articles, sections or provisions.

11. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 214

AN ACT to permit of the payment of a pension to the widow of any bookbinder employed by the board of chosen freeholders of any county of the second class, who shall have died while still in the employ of said board, after twenty years or more of employment.

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

C. 43:9-11. Pension for widow of bookbinder.

1. The board of chosen freeholders of any county of the second class may, in its discretion, adopt a resolution providing for the payment of a pension to the widow of any county bookbinder, which bookbinder shall have been employed by said county for twenty years and whose death shall have occurred while still in the employ of said county.

Amount.

Such widow shall receive from the county, during the term of her natural life, or as long as she remains unmarried, an annual pension equal to one-third of the annual salary paid to her husband at the time of his death.

Payments.

The pension shall be paid in equal monthly installments by the county treasurer, out of county funds when so directed by the board of chosen freeholders of the county.

C. 43:9-12. Application.

2. A widow entitled to a pension under this article may apply therefor to the board of chosen freeholders of the county. Upon proof satisfactory to the board of the facts entitling her to the pension, the board may fix the amount of the pension to be so paid as well as the date when the same becomes effective.

3. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 215

AN ACT to authorize the borough of Verona, in the county of Essex, to pay a pension to Mayor David H. Slayback.

WHEREAS, David H. Slayback, mayor of the borough of Verona, in the county of Essex, has served faithfully as councilman of the borough for five years and as mayor of the borough from one thousand nine hundred and fourteen to one thousand nine hundred and twenty and from one thousand nine hundred and twenty-four to date and is still serving, but has indicated a desire to retire on account of serious illness; and Preamble.

WHEREAS, During all of this period of time said David H. Slayback has rendered faithful, loyal and efficient services to the borough of Verona in all his duties; and Preamble.

WHEREAS, Most of said services have been rendered without compensation until in recent years the modest salary of one thousand two hundred dollars ($1,200.00) was provided; and Preamble.

WHEREAS, The borough of Verona, in the county of Essex, does not have in force and effect any pension that would inure to the benefit of said David H. Slayback; therefore, Preamble.

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

1. That the borough of Verona, in the county of Essex, is hereby authorized to grant and empowered to pay to said David H. Slayback for the remainder of his natural life a pension to be effective beginning on the date of his retirement, in such sum as the governing body of said borough of Authorized to pay pension.

Verona shall, in its discretion, deem advisable and just, which pension shall be paid in semimonthly installments.

Providing for payment.

2. Said borough of Verona shall provide in its annual budget after date of such retirement for the payment to said David H. Slayback of the aforementioned pension and from the date of his retirement from active duty until adoption of its next annual budget may pay such pension as the governing body may decide upon from any funds available therefor.

3. This act shall take effect immediately.

Approved June 14, 1941.

CHAPTER 216

AN ACT providing for and regulating tenure of office or position of county detectives or county investigators employed in the office of prosecutor of the pleas in counties of the fourth class.

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

C. 2:181-15. Tenure of office given certain employees.

1. All persons holding office or position as county detective or county investigator employed in the office of prosecutor of the pleas of counties of the fourth class who have devoted full time to the duties of their office for a period of three continuous years, and who prior to appointment to such positions had served for at least five continuous years immediately preceding their appointment as county detective or county investigator in the New Jersey State Police Force, and who had been either furloughed from such force or honorably discharged from such force, shall have and enjoy tenure of office and service.

2. No such person having and enjoying tenure of office or position and service shall be suspended or discharged, nor shall their compensation be decreased from the sum they are receiving at the time of the passage of this act, except upon a sworn complaint of inefficiency or misbehavior, and after a fair and impartial hearing before the judge of the court of common pleas of such county. C. 2:181-16. Hearing before removal.

3. This act shall take effect immediately.

Filed June 16, 1941.

CHAPTER 217

AN ACT authorizing the State House Commission to sell certain lands belonging to the State of New Jersey in the town of Kearny in the county of Hudson, to the Wilson-Gugelman Post No. 1302, Department of New Jersey, Veterans of Foreign Wars of the United States.

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 to the Wilson-Gugelman Post No. 1302, Department of New Jersey, Veterans of Foreign Wars of the United States, the members of which consist of veterans who served overseas on foreign soil in the United States Armed Forces of the first World War, certain lands and premises situate, lying and being in the town of Kearny, county of Hudson and State of New Jersey, more particularly described as follows, starting at a point on the east side of Belgrove drive 200 feet north of Bergen avenue from thence running (1) north 100 feet along Belgrove drive, thence (2) east 199 feet more or less Authorized to sell certain land.

to the west side of Brighton avenue, thence (3) south and along the west side of Brighton avenue 100 feet, and thence (4) west 199 feet more or less to the east side of Belgrove drive the point or place of beginning.

Price and purpose of sale.

2. Such sale shall be executed in the name of the State by the said State House Commission at the sale price of one hundred dollars ($100.00). This sale is actuated by the desire of the Wilson-Gugelman Post to erect thereon a suitable memorial to those who gave their services to their country and who in the declining years of their lives may enjoy the peace and contentment of this memorial home.

Land to revert to State.

Upon any attempt to assign, sell or use this property for any purpose inconsistent with the provisions herein expressed or upon the loss of the charter of the said Wilson-Gugelman Post No. 1302, the title shall revert to the State. Such sale shall be conditioned upon the approval by the Department of Institutions and Agencies of the plans for the proposed memorial, which said plans shall be submitted by the Wilson-Gugelman Post No. 1302 to the said department.

Sundry terms and conditions.

3. The remaining terms, conditions and provisions of said deed shall be determined by the State House Commission, not inconsistent with the provisions hereof.

Repealer.

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

5. This act shall take effect immediately.

Approved June 16, 1941.

CHAPTER 218

AN ACT to prevent and punish the unauthorized use, exhibition or display of the Great Seal of the State of New Jersey.

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

C. 2:173-23. Limits use of great seal.

1. Any person, other than a person holding an office, position or employment in the executive, legislative or judicial departments of the State of New Jersey acting within the scope of official duty or privilege, the Governor, or a member of the Legislature or the judiciary of the State of New Jersey, who shall use, exhibit or display the Great Seal of the State of New Jersey, in whole or in part, without first having secured written authorization so to do from the Secretary of State, shall be guilty of a misdemeanor.

C. 2:173-24. Act not to apply.

2. This act shall not apply to the use, exhibition, or display of the Great Seal of the State of New Jersey, in whole or in part, pursuant to chapter one hundred thirty-six of the laws of one thousand nine hundred and thirty-nine or other express statutory authority.

3. This act shall take effect immediately.

Approved June 20, 1941.

CHAPTER 219

AN ACT concerning tuberculosis, and supplementing chapter nine of Title 30 of the Revised Statutes.

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

C. 30:9-52.1. Authorized to examine pupils for communicable tuberculosis.

1. In addition to the powers now vested in the board of managers or the committee of the board of chosen freeholders, as the case may be, in all counties where there now is, or shall hereafter be established, a county hospital for tuberculosis under the control of board of managers, or a committee of the board of chosen freeholders, any such board or committee is hereby authorized in its discretion to enter into contracts, from time to time, with the management of schools, public or otherwise, located in the county, for the use of hospital equipment, materials and services necessary to examine the pupils attending such schools to determine the presence or absence of active or communicable tuberculosis in any such pupils, and providing for the financial reimbursement by such management to such board or committee for such equipment, materials and services.

2. This act shall take effect immediately

Approved June 20, 1941.

CHAPTER 220

AN ACT providing for the retirement of certain prison officers of this State and providing a pension for such retired prison officers and their dependents.

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

C. 43:7-7. Retirement after 20 years service.

1. Hereafter, any such prison officer, as hereinafter set forth, who shall have served in the employ of the State of New Jersey continuously, or in the aggregate, for a period of twenty years, and who shall have attained the age of fifty-five (55) years, shall, upon his own application, be retired on half pay.

C. 43:7-8. Term prison officer defined.

2. For the purpose of this act, the words "prison officer" mean and include any prison officer, reformatory officer, farmer guard, disciplinarian, identification prison officer, center keeper, marshal, superintendent, chief deputy, head farmer, herdman, truck farmer, commissary officer, and any uniformed officer that has custody of inmates in any State penal institution who received his appointment as a custodial officer.

C. 43:7-9. Payment of pension.

3. In the event that any such prison officer, who, having paid into the fund the full amount of his annual assessments or contributions, shall die as result of injuries or illness received or incurred in the performance of his duties; or in the event that such prison officer shall have served in the employ of the State in the aggregate for twenty (20) years, and who has paid into the fund the full amount of his annual assessments or contributions, shall die from causes other than injuries or illness received or incurred in the performance of his duties; or in the event that any such prison officer shall have been retired and pensioned under the provisions of this act and shall have continued

to pay into the fund the full amount of his annual assessments or contributions based on his retirement pay after his retirement and until his death, and shall die; then and in each of such events, but subject to the limitations hereinafter provided, a pension in an amount equal to one-half of the salary received by such prison officer at the time of his death, and in those cases where an employee shall have been retired and pensioned previous thereto, one-half of the salary received by said employee at the time of his retirement shall be paid to the widow, children under the age of sixteen years, or dependent parents, as the case may be; *provided, however,* that the pension so paid shall not exceed the sum of one thousand dollars ($1,000.00) annually; *and provided, further,* that no pension shall be paid to any widow if she was married to her deceased husband after the date of his retirement and hereafter after he shall have arrived at the age of fifty-five years. The pension as aforesaid shall be paid to the widow during her natural life and so long as she shall remain unmarried. In the event that there shall be no widow surviving said employee, or no widow qualified to take under this act, or in the event that the said widow shall subsequently die, or remarry, and said employee shall have left him surviving minor children under the age of sixteen years, then and in such event payments to said minor children under the age of sixteen years shall be made as follows: If there be but one child the sum of twenty-five dollars ($25.00) shall be paid to such child monthly until he or she shall arrive at the age of sixteen years; if there are two children, each shall be paid twenty-five dollars ($25.00) monthly until he or she shall reach the age of sixteen years; if there are three or more children, the aforesaid pension equal in amount to one-half of the salary received by such prison officer at the time of his death or retirement, but not exceeding in the aggregate one thousand dollars ($1,000.00) annually, shall be paid to such children who have not attained the age of sixteen years,

Proviso, limits amount.

Proviso.

Payment to widow.

Payment to minor children.

in equal shares, but in no event shall any one of such children receive more than the sum of twenty-five dollars ($25.00) monthly. In the event that there is no widow and no children under the age of sixteen years, at the time of the death of such prison officer, then such pension shall be paid to the dependent parent, or parents, if any, of such deceased prison officer.

Payment to parents.

4. In the event of the death of any such prison officer who shall die from causes other than injuries or illness received or incurred in the performance of his duties and who was not previously retired or pensioned, and who has paid into the fund the full amount of his assessments or contributions and who shall have served in the employ of the State for five years, then and in such event, twenty-five per centum (25%) per annum of the pension aforesaid which would have been paid if the deceased officer had served in the State for twenty years shall be paid to the surviving widow, minor children, or dependent parents, as the case may be; and for each additional year of such service thereafter, the proportionate amount of the pension to be paid to the surviving widow, minor child, or children, or dependent parents, as the case may be, shall be increased to the extent of five per centum (5%) over and above the twenty-five per centum (25%) per annum aforesaid for each additional year of service up to and including twenty years.

C. 43:7-10. Payment of proportionate share of pension.

5. All such retirements are to be made and pensions allowed by the pension commission hereinafter created.

C. 43:7-11. Allowance of pensions.

6. Any such prison officer who shall have received permanent disability in the performance of his duty, shall, upon the certificate of a physician designated for that purpose by the pension commission, be retired on a pension equal to one-half of his salary at the time of his retirement. Where, however, any such prison officer shall desire to retire by reason of injury or disease, such prison officer shall make application in writing to the pen-

C. 43:7-12. Retirement on disability or sickness.

Application by prison officer.

Examination by physician.

sion commission for such retirement; whereupon the pension commission shall call to their assistance the aid of a regularly licensed and practicing surgeon or physician, and the person making the application may likewise call to his aid a regularly licensed and practicing surgeon or physician. The president of the pension commission is authorized to administer oaths to said surgeons, physicians, or other persons called in respect to the matter before the commission. The commission shall determine, by resolution, whether said person is entitled to the benefits of this act. In the event that the two surgeons, or physicians so called as hereinbefore provided, fail to agree upon the physical condition of the applicant, then the pension commission may call a third and disinterested licensed and practicing surgeon or physician and the determination of the majority of said three surgeons or physicians, who shall be first duly sworn, shall be reduced to writing and signed by them, and the pension commission shall consider same in reaching their decision.

C. 43:7-13. Creation of fund:

7. For the purpose of paying the pensions, a fund shall be created as follows:

Deductions from salary;

(a) There shall be deducted from every payment of salary to a prison officer benefited by this act, four per centum (4%) of the amount thereof and, if any prison officer shall, after January fifteenth, one thousand nine hundred and forty-two, enter the services of the State after reaching the age of thirty-five (35) years, such percentage shall be increased to such an amount as shall be determined by the pension commission to correspond to the risk arising by the age of such prison officer.

State's payment;

(b) That the State shall pay into said fund yearly an amount equal to five per centum (5%) of the total salaries paid to the said prison officers who shall benefit by this act, which amount shall be submitted to the Legislature yearly by the pension commission. The

Legislature shall make an appropriation sufficient to provide for such obligation of the State;

Fines;

(c) There shall be added to such fund all fines imposed upon any such prison officer, all money donated to the fund, all moneys deducted from the salary of such prison officers because of absence or loss of time due to suspension, and one-half of all rewards paid for any purpose to such prison officers;

Appropriation to meet requirements;

(d) If there shall not be sufficient money in the fund so created, the Legislature shall include in any appropriation bill a sum sufficient to meet the requirements of the fund for the time being;

Exempt from liens, etc.

(e) All pensions granted under this article shall be exempt from any State or municipal tax, levy and sale, garnishment or attachment, or any other process whatsoever, and shall be unassignable.

C. 43:7-14. Contributions returned.

8. If any such prison officer shall die within five years from the passage of this act and his widow, minor children or dependent parents, as the case may be, shall not be entitled to the pension hereunder, and if such prison officer shall have continuously paid his annual assessments or contributions up to the time of his death, the annual contributions or assessments deducted from the salary of such employee shall be returned by the pension commission to the personal representative of such deceased prison officer; *provided, however,* that if any such prison officer shall be killed in the line of duty within the five years from the passage of this act, the pension commission may, in its discretion, set aside a yearly sum, other than the total annual contributions or assessments paid by such employee into the pension fund, for the support of his widow, minor children or dependent parents, but in no event shall the amount so set aside by the pension commission exceed the sum of one thousand dollars ($1,000.00) per annum.

Proviso.

C. 43:7-15. Return of contributions upon discharge, etc.

9. If any such prison officer shall be suspended, resigned, dropped or discharged from his employment after having paid the aforesaid assessments for a period over one year, and whose suspension or discharge shall continue for a period longer than two years, he shall be entitled to the return of such moneys as he shall have paid into such pension fund by reason of the assessments aforesaid, but such person shall not thereafter be eligible for a pension under this act unless upon a reemployment by the State he shall repay to such fund the amount of any rebate made to him. The obligation to refund payments made to the pension association shall not apply to any pension officer suspended or discharged for causes which bar him from eligibility to reappointment under the civil service rules. No other refund of assessments collected from the salaries of such pension officers shall be made.

C. 43:7-16. Benefits of act denied.

10. No person who shall receive any pension under any other law of this State shall be entitled to receive the benefits of this act.

C. 43:7-17. Notice of declination.

11. If any prison officer of this State shall decline to accept the provisions of this act, he shall, within thirty days after the passage of this act, notify the pension commission in writing of the fact that he does not desire to be bound by the provisions thereof and in such event no payments or deductions as aforesaid shall be made from the salary of such prison officer, but neither such prison officer nor any of his dependents shall receive any pension under the provisions of this act.

C. 43:7-18. Prison officers pension commission.

12. For the general administration and responsibility for the proper operation of this pension fund, there is hereby established a pension commission, which shall be known as the Prison Officers Pension Commission. Said commission shall consist of the following members:

(a) The Governor of the State of New Jersey;

(b) The Treasurer of the State of New Jersey;

(c) The Budget Commissioner of the State of New Jersey;

(d) Three prison officers who shall be nominated and elected at a meeting of the prison officers held on the second Tuesday of July every second year. Their term of office shall be for two years commencing the third Tuesday in July following their election;

(e) A citizen of the State who holds no office under such State, who shall be selected by the other six members of the commission and shall hold office for the term of one year.

Vacancies.

In case of a vacancy for any cause, the commission may fill such vacancy until the next election.

Annual meeting.

The commission shall hold its annual meeting on the third Tuesday in July in each year and elect its president and such other officers as it deems advisable. The commission shall also, at such meetings, elect a secretary from, or outside of, the prison officers, whose compensation the commission shall have power to fix.

Secretary.

All retirements shall be made and pensions allowed under this act by this commission.

C. 43:7-19. Control and management of fund.

13. The said pension commission shall have control and management of said fund and of the retirement of said prison officers, and they are hereby empowered to make all necessary rules and regulations regarding the same not inconsistent with this act. All moneys belonging to said pension fund shall be received and paid over to the Treasurer of the State of New Jersey, whose official bond shall cover the same. All moneys paid out of such pension fund shall be paid by the said treasurer upon warrants signed by the president and secretary of said pension commission, or such other officers as the pension commission shall designate.

C. 43:7-20. Investments.

14. Said pension commission shall deposit such fund in any of the banks or trust companies of the State, and shall invest the same in bonds secured by first mortgages on improved property worth at least twice the amount loaned, or in bonds of the

United States or of this State, or any city or county in this State. All income, interest or dividend which shall be paid or agreed to be paid on account of any loan or deposit shall belong to and constitute a part of said fund.

C. 43:7-21. Execution of releases, etc.

15. The president and secretary shall, on behalf of the said pension commission, execute any and all releases, acquittances, receipts or discharges of any and all written evidences of indebtedness to said pension commission.

C. 43:7-22. Report.

16. The pension commission shall make an annual report of the conditions of such fund and the manner in which same is invested.

C. 43:7-23. No pension to be paid.

17. If any pension officer shall become incapacitated from or shall lose his life in the performance or commission of any unlawful act which would warrant his dismissal from the employ of the State, no pension shall be paid to such employee or to his widow, his children, or dependent parents.

C. 43:7-24. Construing.

18. This article shall not be construed to effect in any manner any pension fund organized on or created under any law prior on July fourth, one thousand nine hundred and forty-one, or any pension association or corporation organized or existing under a law existing on July fourth, one thousand nine hundred and forty-one, or any of the members thereof.

C. 43:7-25. Withdrawal from State retirement system.

19. Any employee of the State, eligible for membership in the prison officers pension fund, who, at the time of joining said prison officers pension fund, was a member of the State Retirement System, may, upon application, of which ten days' notice shall be given, receive, upon demand, the amount of his payments made to said State Retirement System, without interest and without prejudice to any benefit to which he may be entitled under any other law.

C. 43:7-26. Repealer.

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

Act effective.

21. This act shall take effect July fourth, one thousand nine hundred and forty-one.

Passed June 24, 1941.

CHAPTER 221

AN ACT to provide for the retirement on pension of municipal recorders, and amending sections 43:12–50 and 43:12–51 of the Revised Statutes.

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

1. Section 43:12–50 of the Revised Statutes is amended to read as follows: Section amended.

43:12–50. A recorder in any municipality who shall have been for twenty-five years continuously in public office or position in the municipality and reached the age of sixty years shall, upon his own request, be retired from service by the body, board, or officer having power to appoint his successor in case of vacancy. Retirement of recorder after 25 years service.

2. Section 43:12–51 of the Revised Statutes is amended to read as follows: Section amended.

43:12–51. A person so retired shall receive, during his natural life, a pension of such sum as the body or board, by resolution, determines, but not less than six hundred dollars ($600.00) per year. The pension shall be paid in the same manner and installments as the salary of the retiring recorder was theretofore payable in twelve equal monthly installments. Amount of pension. Payment.

3. This act shall take effect immediately.

Passed June 24, 1941.

CHAPTER 222

AN ACT making an appropriation of ten thousand dollars ($10,000.00) to the Commission on Historic Sites for the acquisition and maintenance of the "Boudinot Home" on East Jersey street, Elizabeth, New Jersey.

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

Appropriation for acquiring Boudinot Home.

1. There is hereby appropriated out of the general fund of the State to the Commission on Historic Sites the sum of ten thousand dollars ($10,000.00) for the acquisition and maintenance of the "Boudinot Home" located on East Jersey street, Elizabeth, New Jersey.

Use of funds.

2. The money hereby appropriated shall be paid by the treasurer out of the general funds of the State to the Commission on Historic Sites and by them used for the above purpose, and said sum may be used in conjunction with any other grants, whether of a State, Federal or private nature.

3. This act shall take effect immediately.

Passed June 24, 1941.

CHAPTER 223

AN ACT creating a commission for participation by the State of New Jersey in the National Convention of the American Legion to be held in the city of Atlantic City, in the year one thousand nine hundred and forty-two, and making an appropriation therefor.

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

Preamble.

WHEREAS, The holding of a national convention of the American Legion in Atlantic City, New Jersey, will afford the State of New Jersey an excellent opportunity to advertise and publicize to thousands of people from all forty-eight States the outstanding advantages and attractions of this State, including its desirable homes, recreation areas, industrial plants and farm products, and will also receive great financial advantages from the many delegates and thousands of visitors who will attend said convention, and enjoy New Jersey's highways and hospitality; therefore,

Governor to appoint commission.

1. The Governor of this State is hereby authorized and empowered, and he shall, within fifteen days after the National Convention of the American Legion selects the city of Atlantic City as the place of holding its national convention, in the year one thousand nine hundred and forty-two, appoint a commission of five persons, residents of this State.

Organization.

2. Such commission shall organize by the selection of a chairman and secretary from among its members and is authorized to select such assistants as may be necessary to carry into effect the provisions of this act. The commission is further

Purpose of commission.

authorized to make rules and regulations to govern its deliberations. The commission shall represent the State of New Jersey at said convention to be held in the city of Atlantic City, and shall provide for a military and other display and entertainment to fittingly advertise and publicize the State of New Jersey.

No compensation.

3. The members of the commission shall receive no compensation, but shall be entitled to their actual and necessary expenses.

Appropriation.

4. For the purpose of carrying into effect the provisions of this act, there is hereby appropriated the sum of fifty thousand dollars ($50,000.00), or so much thereof as may be necessary, which sum shall be disbursed by the State Treasurer on warrant of the Comptroller of the Treasury, upon vouchers submitted and approved by the Governor and the chairman of the commission.

5. This act shall take effect immediately.

Passed June 24, 1941.

CHAPTER 224

AN ACT concerning the production of prisoners confined in penal or correctional institutions in this State before courts of the United States or of other States, for prosecution for crimes or as witnesses in criminal cases.

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

C. 2:82-57.1. Producing prisoner, etc., as a witness.

1. Upon the issuance of a writ by any court of competent jurisdiction of the United States or of another State, requiring the production before it of any prisoner or inmate of a penal or correctional institution in the State of New Jersey, as a witness in a criminal case or for prosecution as a

defendant charged with crime, the keeper or person in charge of such institution, with the consent and approval of the Attorney-General, upon such conditions as the Attorney-General shall prescribe, shall produce or cause to be produced the inmate or prisoner according to the requirements of said writ. The Attorney-General shall require the return of the prisoner or inmate to the institution from which taken, immediately upon the conclusion of such prosecution or testimony, and shall require the authorities of the demanding jurisdiction to pay or indemnify the keeper or person in charge of such institution for all expenses incurred. He shall decline to honor such writs when in his opinion the same would not be in the furtherance of justice.

2. This act shall take effect immediately.

Approved June 24, 1941.

CHAPTER 225

AN ACT concerning the establishment and administration of unemployment compensation, providing for the levy and collection of contributions therefor, providing penalties and making appropriations, and amending section 43:21–13 of the Revised Statutes.

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

1. Section 43:21–13 of the Revised Statutes is amended to read as follows: Section amended.

43:21–13. (a) Special fund. There is hereby created in the State treasury a special fund to be known as the unemployment compensation administration fund. All moneys which are deposited or paid into this fund as hereby appropriated and Unemployment compensation administration fund.

made available to the commission. All moneys in this fund shall be expended solely for the purpose of defraying the cost of the administration of this chapter, and for no other purpose whatsoever. The fund shall consist of all moneys appropriated by this State, and all moneys received from the United States of America, or any agency thereof, including the Social Security Board, the Railroad Retirement Board, and the United States Employment Service, or from any other source, for such purpose, except that moneys received from the Railroad Retirement Board as compensation for services or facilities supplied to said board shall be paid into this fund or the employment service account thereof, on the same basis as expenditures are made for such services or facilities from such fund and account. All moneys in this fund received from the Social Security Board under Title III of the Social Security Act shall be expended solely for the purposes, and in the amounts, found necessary by the Social Security Board for the proper and efficient administration of this chapter. All moneys in this 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. Any balances in this fund shall not lapse at any time, but shall be continuously available to the commission for expenditure consistent with this chapter.

Bond by State Treasurer.

The State Treasurer shall give a separate and additional bond conditioned upon the faithful performance of his duties in connection with the unemployment compensation administration fund in an amount to be fixed by the commission and in a form prescribed by law or approved by the Attorney-General. The premiums for such bond and the premiums for the bond given by the treasurer of the unemployment compensation fund under section 43:21–9 of this Title shall be paid from the moneys in the unemployment compensation administration fund.

(b) Employment service account. A special "employment service account" shall be maintained as a part of the unemployment compensation administration fund for the purpose of maintaining the public employment offices established pursuant to section 43:21–12 of this Title and for the purpose of co-operating with the United States Employment Service. There is hereby appropriated to this account the balance of any sum previously appropriated to the employment service, and such additional sum as to equal sixty-five thousand dollars ($65,000.00) for the remainder of the fiscal year ending June thirtieth, one thousand nine hundred and thirty-seven. The Governor shall fix and determine and state in his annual budget message a sum sufficient to pay the estimated amount of the State's net share of the cost of the employment service as provided in this chapter. The Legislature shall include the amount so determined and stated in the annual appropriation bill. In addition, there shall be paid into such account the moneys designated in subsection (b) of section 43:21–12 of this Title, and such moneys as are apportioned for the purposes of this account from any moneys received by this State under Title III of the Social Security Act, as amended. Employment service account maintained.

(c) Reimbursement of fund. If any moneys received after June thirtieth, one thousand nine hundred and forty-one, from the Social Security Board under Title III of the Social Security Act, or any unencumbered balances in the unemployment compensation administration fund as of that date, or any moneys granted after that date to this State pursuant to the provisions of the Wagner-Peyser Act, or any moneys made available by this State or its political subdivisions and matched by such moneys granted to this State pursuant to the provisions of the Wagner-Peyser Act, are found by the Social Security Board, because of any action or contingency, to have been lost or been expended for purposes other than, or in amounts in excess of, those found necessary by the Social Security Fund reimbursed.

Board for the proper administration of this chapter, it is the policy of this State that such moneys shall be replaced by moneys appropriated for such purpose from the general funds of this State to the unemployment compensation administration fund for expenditure as provided in subsection (a) of this section. Upon receipt of notice of such a finding by the Social Security Board, the commission shall promptly report the amount required for such replacement to the Governor, and the Governor shall, at the earliest opportunity, submit to the Legislature a request for the appropriation of such amount. This subsection shall not be construed to relieve this State of its obligation with respect to funds received prior to July first, one thousand nine hundred and forty-one, pursuant to the provisions of Title III of the Social Security Act.

Construing.

2. This act shall take effect immediately.

Approved June 27, 1941.

CHAPTER 226

AN ACT concerning the publishing of the township annual report, and repealing section 40:145–5 of the Revised Statutes.

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

R. S. 40:145-5 repealed.

1. Section 40:145–5 of the Revised Statutes is repealed.

2. This act shall take effect immediately.

Approved June 27, 1941.

CHAPTER 227

AN ACT concerning control, regulation and protection of cemeteries, and supplementing chapter three of Title 8 of the Revised Statutes.

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

C. 8:3-4.2. May acquire additional land for cemetery purposes.

1. Any cemetery association now duly organized and having been in existence for the past ten years successively, and owning lands not in excess of one hundred twenty-five acres, now lawfully used for cemetery purposes, situated in any township with a population of more than twenty-five thousand inhabitants in any county not of the first class, may acquire, at public sale from said township, additional lands bordering, adjoining, or contiguous to the property of the said cemetery association, to an extent of not more than one hundred twenty-five acres, and may use, and it shall be lawful for such association to use such newly acquired lands for cemetery purposes without other or further permit, consent or approval; *provided, however,* that the said lands acquired from the said township shall not be exempt from taxes unless and until they are in actual use for cemetery purposes; *and provided, further,* that it shall not be lawful to so use such bordering, adjoining or contiguous lands for such cemetery purposes until the president and the secretary or other duly authorized officers of such cemetery association shall make a written certificate that it is proposed and intended by such cemetery association to so use such newly acquired lands as is herein provided, sign their names and affix the seal of such association thereto, and duly acknowledge the same before an officer authorized by law to take proof and acknowledgment of conveyances, which certificate shall state the corporate name of the association

Proviso.

Proviso.

and the date of the taking of such action, and which certificate shall be accompanied by or annexed to a descriptive map of the whole of said lands now so used and the land proposed and intended to be so used, and cause said certificate and such descriptive map to be filed in the office of the clerk of the township wherein such lands are situate, a copy of which certificate and map shall also be filed in the office of the State Board of Health.

2. This act shall take effect immediately.

Approved June 27, 1941.

CHAPTER 228

AN ACT concerning creditors of decedents, their rights and remedies, and amending section 3:25–2 of the Revised Statutes.

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

Section amended.

1. Section 3:25–2 of the Revised Statutes is hereby amended to read as follows:

Preferred creditors of decedent.

3:25–2. Judgments entered against the decedent in his lifetime, funeral charges and expenses, and the hospitals', physicians' and nurses' bills during the last sickness shall have preference and be first paid out of the personal and real estate of the decedent.

2. This act shall take effect immediately.

Approved June 27, 1941.

CHAPTER 229

AN ACT concerning certain county park commissions, and supplementing sections 40:37–96 to sections 40:37–174 of the Revised Statutes.

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

Authorized to sell unnecessary lands.

1. Whenever, in the opinion of any county park commission governed by and acting under the provisions of sections 40:37–96 to 40:37–174 of the Revised Statutes, any land heretofore or hereafter purchased by such county park commission is unnecessary for park purposes, it shall be lawful for such county park commission having the title and use thereof, to sell and convey the same to a corporation or individual and to execute a deed therefor upon such terms, conditions and compensation as may deemed reasonable by such county park commission; *provided, however,* that such county park commission shall not sell more than two acres of land within the established limits of any one park under its control, which land shall have been separated from the main body of any park by the construction of a county or State highway; *provided, further,* that the powers and authority conferred by this act shall cease on and after January first, one thousand nine hundred and forty-three.

Proviso.

Proviso, act inoperative.

2. This act shall take effect immediately.

Approved June 27, 1941.

CHAPTER 230

AN ACT concerning alcoholic beverages, and amending section 33:1–12.1 of the Revised Statutes of the State of New Jersey.

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

Section amended.

1. Section 33:1–12.1 of the Revised Statutes of the State of New Jersey, be and the same is hereby amended to read as follows:

Class C licenses, requirements.

33:1–12.1. Class C licenses; qualifications of stock owners.

No class C license shall be issued to any corporation, except for premises operated as a bona fide hotel, unless each owner, directly or indirectly, of more than ten per centum (10%) of its stock qualifies in all respects as an individual applicant, anything to the contrary contained in this chapter notwithstanding. This section shall not apply to the renewal of any license. This section shall not prevent the issuance of a class C license to a corporation for a business conducted or to be conducted by the corporation, as a tenant, at any airport owned or operated by the Federal, State, county or municipal government.

Application of section.

Approved June 27, 1941.

CHAPTER 231

AN ACT to amend "An act making appropriations for the support of the State government and for several public purposes for the fiscal year ending June thirtieth, one thousand nine hundred and forty-two, and regulating the disbursement thereof," approved May seventeenth, one thousand nine hundred and forty-one (P. L. 1941, c. 129).

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 4 amended.

4. No money shall be drawn from the treasury except for objects as hereinabove specifically appropriated, and except such sums as may be required to refund amounts credited to the State Treasurer which do not represent State revenues, and except such sums which are by law devoted to specific purposes, namely, State school tax, Department of Agriculture receipts pursuant to R. S. 4:10–9, United States appropriation to Agricultural College, taxes for the use of taxing districts in this State, Grade Crossing Elimination Fund, appropriated Emergency Relief Funds, Forest Fire Fund, Forest Nursery Fund, Forest Land Fund, Workmen's Compensation Tax Fund, Educational Aid Fund, 1837 Surplus Revenue Fund income, State Police Retirement Fund, Clerk in Chancery Enrollment Fund, unclaimed accounts of patients and prisoners in State institutions, Unemployment Compensation Commission, Compensation awards, Billboard Regulation Fund, the expenses of enforcing the provisions of chapter one hundred sixty-three, laws of one thousand nine hundred and thirty-eight, moneys received by the Moneys used as specified.

several institutions representing garage rentals which moneys shall be devoted exclusively by such institution to erection of new garages where needed, Vocational Schools, Crippled Children's Commission, High Point Park Commission, Palisades Interstate Park Commission, Federal funds subsidizing the State under the Social Security Act, and such other Federal Funds used to match State appropriations in P. W. A. and W. P. A. projects, moneys received from tuition for extension in summer school courses, which last named moneys shall be paid pursuant to the laws applicable thereto; moneys received representing insurance to cover losses by fire and other casualties; this section shall not be construed to prohibit the payment due upon any contract made under an appropriation of previous years; moneys received by the Department of Conservation and Development from the sale or lease of forest reserve lands pursuant to R. S. 13:8–9; moneys received by the Quartermaster-General under the provisions of article three, chapter 2–38 of R. S.; nor shall this act apply to moneys appropriated by joint resolution of the Legislature where such moneys have been set apart by the State Comptroller.

Act not applicable.

Act effective.

2. This act shall take effect on the first day of July, one thousand nine hundred and forty-one.

Approved June 27, 1941.

CHAPTER 232

AN ACT relating to the sale by municipalities of certificates of tax sale held by such municipalities.

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

C. 54:5-114.1. Methods of selling certificates of tax sale:

1. In addition to any method now provided by law the governing body of any municipality may sell any certificate of tax sale held by such municipality by one of the following methods, but such sale shall not affect or impair any municipal lien subsequent to the certificate of tax sale:

Public sale;

(a) At public sale to the highest bidder. Such public sale shall be held after public notice of the time and place of sale, stating the description of the several lots and parcels of land covered by the certificate of sale and the name of the owner of the land as contained in the collector's list, together with the total amount required for redemption including all subsequent municipal liens with interest and costs, and stating in substance that the respective certificates of sale, not including any municipal lien subsequent thereto, will be sold to the highest bidder at said public sale, subject to confirmation by the governing body at its next regular meeting after the sale. Copies of the notice shall be set up in five of the most public places in the municipality and a copy of the notice shall be published in a newspaper circulating in the municipality once in each of two calendar weeks preceding the calendar week containing the day appointed for the sale. When the owner's name appears in the list and his post-office address is known, the collector shall mail to him at that address, postage prepaid, a copy of the notice, but failure to mail the notice shall not invalidate any proceeding hereunder. Such public sale may be adjourned once for a pe-

riod not exceeding one week without readvertising; or

Receiving bids.

(b) The governing body may from time to time determine by resolution the certificates of tax sale held by such municipality which such municipality will agree to sell for an amount lower than the amount due on each such certificate of tax sale. After such determination the municipality shall give public notice set up in five of the most public places in such municipality, stating the description of the several lots and parcels of land covered by such certificate of sale and the name of the owner of the land as contained in the collector's list, together with the total amount required for redemption including all subsequent municipal liens with interest and costs, and stating in substance that the municipality will receive bids for any such certificate of sale, not including any municipal liens subsequent thereto, even though such bid be less than the amount due on such certificate of tax sale. Upon the receipt of any bid for any such certificate of sale, not including any municipal liens subsequent thereof, which the governing body may be inclined to accept, the governing body shall give public notice setting forth the amount of the bid for the certificate of sale, not including any municipal liens subsequent thereto, the description of the several lots and parcels of land covered by such certificate of sale, the name of the owner of the land as contained in the collector's list, and also the total amount which would otherwise be required for redemption, and stating in substance that the governing body will accept or reject such bid at a regular meeting of the governing body and setting forth the place, time and date of such regular meeting. A copy of this last-mentioned public notice shall be set up in five of the most public places in the municipality and a copy of the same shall be published in a newspaper circulating in the municipality at least once in the week preceding the date set for the regular meeting of the governing body at which meeting such bid will be

passed upon. When the owner's name appears in the list and his post-office address is known, the collector shall mail to him at that address, postage prepaid, a copy of this last-mentioned notice, but failure to mail the notice shall not invalidate any proceeding hereunder. At the regular meeting of the governing body, as contained in said notice, the governing body may accept or reject any such bid as contained in such notice or may at such meeting accept or reject any higher bid which may then be made for said certificate of sale, not including any municipal liens subsequent thereto, by any person.

2. This act shall take effect immediately.

Approved June 28, 1941.

CHAPTER 233

AN ACT making an appropriation of two thousand dollars ($2,000.00) to the Commission on Historic Sites for renovating and restoring Old Oxford Furnace located at Oxford, Warren county.

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

1. There is hereby appropriated out of the general fund of the State to the Commission on Historic Sites the sum of two thousand dollars ($2,000.00) for renovating and restoring Old Oxford Furnace located at Oxford, Warren county. Appropriation.

2. This act shall take effect immediately.

Approved June 28, 1941.

CHAPTER 234

AN ACT concerning persons in charge of public water systems and sewage disposal or treatment plants, and supplementing article five of chapter eleven of Title 58 of the Revised Statutes.

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

C. 58:11-18.7. Tenure for licensed operators, etc.

1. No person now or hereafter licensed under the provisions of article five of chapter eleven of Title 58 of the Revised Statutes, having direct general charge of the operation and maintenance of public water systems or sewage disposal or treatment plants after five years' consecutive service in any such position shall be removed from his position or subjected to a reduction of salary except for good cause and after a public hearing. In computing such five years' service the time served before the passage of this act shall be included, as well as time served after the passage hereof. The public board, officer or commission having power of appointment of any such person or having the power to appoint a successor of any such person whom it is sought to remove or whose salary it is sought to reduce, shall formulate or receive charges, in writing, against such person and shall fix a time and a place for a hearing thereon. A written copy of the charges and a written notice of the time and place of the hearing shall be served upon the person sought to be removed at least five days prior to the hearing. At the hearing the public board, officer or commission shall hear all witnesses and receive all evidence produced and if the charges are found to be true in fact and just cause be shown, the public board, officer or commission may remove or reduce the salary of the person against whom charges are made.

Computing years of service.

Hearing.

C. 58:11-18.8. Purpose of act.

2. The purpose of this act is to prevent the unwarranted removal or reduction of salary without just cause of the individual who is now or shall hereafter be directly responsible for and in direct charge of the maintenance and operation of public water systems and sewage disposal or treatment plants. This act shall not, however, affect any public officer whose term of office is now or shall hereafter be fixed by statute.

C. 58:11-18.9. Application of act.

3. This act shall not apply to private corporations engaged in selling water to the public, either at wholesale or retail or to private corporations owning and operating public sewage disposal or treatment plants.

Repealer.

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

5. This act shall take effect immediately.

Approved June 28, 1941.

CHAPTER 235

AN ACT concerning the sale or other disposition of real estate involving dower or curtesy of persons legally declared to be dead, and amending section 3:42–5 of the Revised Statutes.

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

Section amended.

1. Section 3:42–5 of the Revised Statutes is amended to read as follows:

Disposition of dower and curtesy estates of absentees.

3:42–5. When a person, a resident or nonresident of this State, remains beyond the seas or absents himself from this State or from the place of his last known residence, or conceals himself in this State or in the place of his last known residence, for seven years successively, and has been or shall be declared dead by a surrogate or the ordinary

of this State, and such person would, if living, be entitled to any inchoate or consummate right or estate of dower or curtesy in real estate, any person owning such real estate or an interest therein may assign, convey, sell, mortgage and lease or devise such interest, estate or right as he may have therein, free and clear of the right or estate of dower or curtesy, and a deed, release, receipt, assignment, discharge or covenant heretofore or hereafter made for such purpose shall, when duly executed and acknowledged in the manner provided by law for the record of deeds of real estate, release and bar all right or estate of dower or curtesy therein of the person so declared to be dead.

2. This act shall take effect immediately.

Approved June 28, 1941.

CHAPTER 236

AN ACT authorizing the making of voluntary contributions of money to any duly incorporated first-aid and emergency association by counties and municipalities, and amending section 40:5–2 of the Revised Statutes.

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

Section amended.

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

Authorized to make contribution.

40:5–2. Any county or municipality may make a voluntary contribution of not more than one thousand dollars ($1,000.00) annually to any duly incorporated first-aid and emergency association of the county, or of any municipality therein, rendering service generally throughout the county, or any of the municipalities thereof.

2. This act shall take effect immediately.

Approved June 28, 1941.

CHAPTER 237

AN ACT concerning municipal and county finances, and amending section 40:2–7 of the Revised Statutes.

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

1. Section 40:2–7 of the Revised Statutes is amended to read as follows: Section amended.

40:2–7. The governing body shall cause to be prepared and shall approve the budget prior to the public hearing and in any event not later than the fortieth day after the beginning of the budget year for municipalities; and shall fix the time when and the place where the hearing shall be held. The time fixed for the hearing shall be not less than eighteen days after the approval of the budget. Notice of such hearing, together with the budget as approved, shall be published at least once in at least one newspaper circulating in the municipality or county, as the case may be, at least ten days prior to the time fixed for the hearing. Within three days after its approval, two certified copies of the budget as approved shall be filed in the office of the Commissioner of Local Government. Hearing on budget.

2. This act shall take effect immediately.

Approved June 28, 1941.

CHAPTER 238

AN ACT concerning the State Employees' Retirement System, and amending section 43:15–2 of the Revised Statutes.

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

Section amended.

1. Section 43:15–2 of the Revised Statutes is amended to read as follows:

Effective date.

Membership.

Prior service certificate.

Membership compulsory.

43:15–2. If this chapter is so adopted, it shall become effective in the county or municipality adopting it on June thirtieth of the following year. Membership in the State Employees' Retirement System shall be optional with the employees of the county or municipality in the service on the day the chapter so becomes effective. An employee who elects to become a member within one year after this chapter so takes effect shall be entitled to a prior service certificate covering service rendered to the county or municipality prior to the date this chapter so becomes effective. Any person who prior to December first, nineteen hundred and forty, has filed an application covering service rendered to the county or municipality prior to the date this chapter so becomes effective shall be entitled to a prior service certificate covering such service. Membership shall be compulsory for all employees entering the service of the county or municipality after the date this chapter so becomes effective.

2. This act shall take effect immediately.

Approved June 28, 1941.

CHAPTER 239

AN ACT concerning crimes, and supplementing chapter one hundred twelve of Title 2 of the Revised Statutes.

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

1. Any director or officer of a building and loan association of this State, who shall willfully and knowingly issue any false accounting statement or report of the financial condition of said association or who shall misrepresent in writing investment in the association to be safe, knowing the facts to be otherwise, shall be guilty of a high misdemeanor. C. 2:112-8. Misrepresentation of facts a misdemeanor.

2. This act shall take effect immediately.

Approved June 28, 1941.

CHAPTER 240

AN ACT concerning accountings of estates, and amending section 3:10–11 of the Revised Statutes.

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

1. Section 3:10–11 of the Revised Statutes is amended to read as follows: Section amended.

3:10–11. At least one month's notice of settlement of accounts, if exhibited to the orphans' court, pursuant to section 3:10–10 of this Title, shall be given by advertisement posted in three of the most public places of the county wherein settlement is to be made, one of which shall be the surrogate's office. The advertisement shall also be published Notice of settlement. Advertisement.

at least once in each week for five successive weeks in one or more newspapers published within such county. If no newspaper is therein published, advertisement shall be posted in ten of the most public places in the county for the like space of time, two of which shall be the offices of the county clerk and surrogate. In every case a copy of the notice shall be mailed, at least twenty days prior to the date fixed for settlement, to each surety on the bond of the fiduciary at the surety's last known post-office address.

Posting in public places.

Notice mailed.

Notice of like proceedings before the ordinary shall be given in accordance with the rules of the Prerogative Court, or as the Prerogative Court may by order direct.

Prerogative practice.

2. This act shall take effect immediately.

Approved June 28, 1941.

CHAPTER 241

AN ACT concerning accountings, and amending section 3:10–12 of the Revised Statutes.

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

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

Section amended.

3:10–12. In accountings of guardians and trustees in the orphans' court, in lieu of the notice provided in section 3:10–11 of this Title, the surrogate may issue citations to all persons concerned to appear before the orphans' court, which citations shall be served at least ten days before the sitting of the court.

Citations issued.

The guardian or trustee, or a person in his behalf, may serve the citation on all persons concerned by delivering a copy thereof to them, by

Service of citation.

leaving a copy at their usual place of abode with a person of the age of fourteen or upwards, or by mailing the same to the last known address of such persons.

Proof of service.

The person so making service shall make and file an affidavit with the surrogate stating the time, place and manner of service or mailing and the service or mailing shall thereupon have the same force and effect as service by a proper officer.

As to other notices.

No other notice of such settlement of accounts shall be required. Citation shall issue on the final accounting of guardians.

2. This act shall take effect immediately.

Approved June 28, 1941.

CHAPTER 242

AN ACT concerning municipalities, and amending section 40:56–3 of the Revised Statutes.

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

Section amended.

1. Section 40:56–3 of the Revised Statutes is amended to read as follows:

Improvements at expense of petitioners.

40:56–3. The governing body of a municipality may undertake any improvement mentioned in this chapter at the request of a number of petitioners who shall agree to pay the cost of the improvement and all expenses incidental thereto, and any other charge imposed by the governing body. The petitioners shall file with the governing body a statement showing the improvement desired, the real estate owned by each of them, and the proportion of cost each is willing to pay. The statement shall be verified by each of the petitioners and, before any such work or improvement is commenced, the petitioners shall enter into bond with sufficient surety to the municipality in double the amount of the cost of the improvement as estimated by the engineer of the municipality condi-

Statement.

Surety supplied.

tioned for the prompt payment of the cost of the improvement and all expenses incidental thereto and charges imposed. The governing body may require further security for such payment as it may deem advisable, and when so secured may proceed to make the improvement. Upon the completion thereof the governing body shall determine the cost and expense thereof and cause the same to be collected from the petitioners.

Further security.

Cost collected.

Improvements by owner.

Whenever an owner of land in this State is desirous of improving same by the installation of utilities, sidewalks, curbs, street paving and any other improvement and the municipality wherein the land is located desires assurance of completion of such improvement, such municipality is hereby authorized to accept a cash deposit from said owner, conditioned upon the completion of said improvement or improvements to the satisfaction of, and within the time set by the governing body of such municipality. Upon such completion, the municipality shall return said cash deposit to the owner of said land. Upon failure to complete to the satisfaction of the municipality, the municipality may complete said improvement or improvements, using the monies so deposited, or so much thereof as is necessary for such purpose, returning the balance of said deposit, if any, to the owner of such land so improved. Such cash deposit shall be used for no other purpose. The municipality is further authorized to enter into such contracts, stipulations or agreements with said owner as are necessary and proper to carry out the purpose of this act.

Cash deposit.

Completion by municipality.

Contracts to effect purpose.

Bonding.

Nothing in this act contained shall prevent a municipality from accepting bonds or other surety under like circumstances, and nothing herein shall be construed to, in any way, limit the powers of a municipality as they now exist, it being intended that the authority herein granted is supplementary and in addition to rights and powers presently possessed by municipalities.

Authority deemed additional.

2. This act shall take effect immediately.

Approved June 28, 1941.

CHAPTER 243

AN ACT concerning exemptions from taxation, and amending section 54:4–3.6 of the Revised Statutes.

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

1. Section 54:4–3.6 of the Revised Statutes is amended to read as follows: Section amended.

54:4–3.6. The following property shall be exempt from taxation under this chapter: All buildings actually used for colleges, schools, academies or seminaries; all buildings actually used for historical societies, associations or exhibitions, when owned by the State, county or any political subdivision thereof; all buildings actually and exclusively used for public libraries, religious worship or asylum or schools for feeble-minded or idiotic persons and children; all buildings used exclusively by any association or corporation formed for the purpose and actually engaged in the work of preventing cruelty to animals; all buildings actually and exclusively used and owned by volunteer first-aid squads, which squads are or shall be incorporated as associations not for pecuniary profit; all buildings actually and exclusively used in the work of associations and corporations organized exclusively for the moral and mental improvement of men, women and children, or for religious, charitable or hospital purposes, or for one or more of such purposes; all buildings owned or held by an association or corporation created for the purpose of holding the title to such buildings as are actually and exclusively used in the work of two or more associations or corporations organized exclusively for the moral and mental improvement of men, women and children; the building actually occupied as a parsonage by the officiating clergymen of any Certain property exempt from taxation.

religious corporation of this State, to an amount not exceeding five thousand dollars ($5,000.00); the land whereon any of the buildings hereinbefore mentioned are erected, and which may be necessary for the fair enjoyment thereof, and which is devoted to the purposes above-mentioned and to no other purpose and does not exceed five acres in extent; the furniture and personal property in said buildings if used in and devoted to the purposes above-mentioned; *provided,* in case of all the foregoing, the buildings, or the lands on which they stand, or the associations, corporations or institutions using and occupying them as aforesaid, are not conducted for profit, except that the exemption of the buildings and lands used for charitable, benevolent or religious purposes shall extend to cases where the charitable, benevolent or religious work therein carried on is supported partly by fees and charges received from or on behalf of beneficiaries using or occupying the building; *provided,* the building is wholly controlled by and the entire income therefrom is used for said charitable, benevolent or religious purposes. The foregoing exemptions, shall apply only where the association, corporation or institution claiming the exemption owns the property in question and is incorporated or organized under the laws of this State and authorized to carry out the purposes on account of which the exemption is claimed.

Land exemption.

Proviso.

Ownership required.

2. This act shall take effect immediately.

Approved June 28, 1941.

CHAPTER 244

AN ACT limiting the size of sturgeon that may be taken from the Hudson river and prohibiting the possession and sale of sturgeon below that size.

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

C. 23:9-122. Taking sturgeon.

1. No person shall catch and take or attempt to catch and take from the waters of the Hudson river, New York harbor and Sandy Hook bay in any manner whatsoever any sturgeon less than twenty inches for short-nosed sturgeon and forty-two inches for sea sturgeon in length. Any sturgeon of a less length which may be caught must be returned immediately to the water.

Size.

C. 23:9-123. Prohibition.

2. Possession or sale of sturgeon of a less length than that here prescribed is hereby prohibited.

C. 23:9-124. Definition.

3. The term sturgeon includes those fish commonly known as pelican and pinkster.

C. 23:9-125. Penalty.

4. Any person who shall violate any of the provisions of this act shall be subject to a fine of ten dollars ($10.00) for each and every fish so caught and had in possession.

Approved June 28, 1941.

CHAPTER 245

AN ACT vesting the title to real estate of which Anna A. Fox died seized, and which is alleged to have escheated to the State of New Jersey in the year one thousand nine hundred and thirty-nine, in the heirs of William W. Corson, deceased.

Preamble. WHEREAS, Anna A. Fox, late of Wildwood Crest, county of Cape May and State of New Jersey, departed this life on the eighth day of April, one thousand nine hundred and thirty-nine, seized of all that certain tract of land and premises situate in the borough of Wildwood Crest, in the county of Cape May and State of New Jersey, described as follows:

Boundary. Beginning in the northeasterly line of Cardinal road five hundred seventy feet northwestwardly from the northwesterly line of Philadelphia avenue; containing in front or breadth northwestwardly along said line of Cardinal road sixty feet, and extending of that width northeastwardly between parallel lines at right angles to said Cardinal road one hundred feet in length or depth.

Lots. Being Lots Nos. 23 and 24 in Block 32 as shown on Map of the Wildwood Crest Company, duly filed; and

Preamble. WHEREAS, The said Anna A. Fox left a will, duly probated in the surrogate's office of Cape May county, in which she devised her estate to her executor with directions to divide and give one-half to St. Simeon's-by-the-Sea Church of Wildwood and appointed William W. Corson executor, with power to sell real estate. As to one-half of the real estate she died intestate, although she intended to devise this to William W. Corson. By deed dated October 24, 1939, and duly

recorded, William W. Corson, executor, conveyed the premises to himself. He died September 10, 1940, intestate; and

WHEREAS, The said Anna A. Fox left no person or persons capable of inheriting the said lands and premises; and Preamble.

WHEREAS, The request and proper notice of intention to apply for the passage of this act has been given and duly published; now, therefore, Preamble.

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

1. All the estate, right, title and interest of every kind and character of which it is alleged the State of New Jersey is seized in and to certain real estate heretofore belonging to Anna A. Fox, more particularly described in the first preamble to this act, are hereby vested in the heirs of William W. Corson, deceased, namely; one-sixth in Laura P. Nabb; one-sixth in Anna L. Hankins; one-sixth in Eleanor Thompson; one-sixth in C. Milton Griffeth, one-sixth in Filbert R. Corson; and one-sixth to the heirs of Elizabeth Montero, who are Frank Montero, husband, and Harry E. Montero, Margareta Beesley and Matilda Hunter, children; such title so as aforesaid vested under the provisions of this act is validated and confirmed. Property vested in heirs of William W. Corson.

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

Approved June 28, 1941.

CHAPTER 246

AN ACT making an appropriation of fifteen thousand dollars ($15,000.00) to the New Jersey State Board of Mediation.

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

Appropriation to board of mediation.

1. There is hereby appropriated out of the general State fund the sum of fifteen thousand dollars ($15,000.00) to the New Jersey State Board of Mediation.

2. This act shall take effect immediately.

Approved June 28, 1941.

CHAPTER 247

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

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

Section amended.

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

Political equality.

10:1–1. The right of citizens of this State to hold office or employment shall be coextensive with their right to vote, shall be equal as to all citizens and shall not be denied or abridged on account of sex or marital status. Such equal rights and privileges shall extend to all offices, boards, commissions or other public service in the State and its political subdivisions of whatever nature or kind.

No discrimination.

There shall be no discrimination based on sex or marital status in the compensation, appointment, assignment, promotion, transfer, dismissal or

other matters pertaining to such office or employment of persons referred to in this section.

2. This act shall take effect immediately.

Approved June 30, 1941.

CHAPTER 248

A FURTHER SUPPLEMENT to an act entitled "An act to define the duties of the commission commonly known as the State of New Jersey, Delaware and Raritan Canal Commission, and to provide an appropriation therefor," approved April tenth, one thousand nine hundred and thirty-seven.

Preamble.

WHEREAS, Various plans have been suggested for the use or disposal of the Delaware and Raritan canal or sections thereof, and the appurtenances of said canal; and

Preamble.

WHEREAS, The duties of the State of New Jersey, Delaware and Raritan Canal Commission have not been completed and the said commission is in need of funds to carry out the functions for which their commission was created; therefore,

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

Appropriation to commission.

1. For the purpose of continuing the functions and carrying out the duties for which the State of New Jersey, Delaware and Raritan Canal Commission was created, there is hereby appropriated to said commission, from the State highway fund, and directed to be paid by the State Treasurer the sum of two thousand dollars ($2,000.00).

Balance of appropriation continued.

2. In order that the said commission may function for a period longer than the fiscal year for which said appropriation is authorized, any unex-

pended balance of such appropriation remaining at the end of any fiscal year shall not be lapsed, but shall continue in force and effect until the total appropriation shall have been expended.

3. This act shall take effect immediately.

Approved June 30, 1941.

CHAPTER 249

AN ACT authorizing and directing the treasurer of this State to transfer the sum of six million dollars ($6,000,000.00) received from the tax imposed on motor fuels to the State Municipal Aid Administration for the Municipal Aid Fund.

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

Fund transferred.

1. The treasurer of this State is authorized and directed to transfer the sum of six million dollars ($6,000,000.00) received from the tax imposed on motor fuels to the State Municipal Aid Administration for the Municipal Aid Fund.

2. This act shall take effect immediately.

Approved July 3, 1941.

CHAPTER 250

AN ACT appropriating six million dollars ($6,000,000.00) to the State Municipal Aid Administration for the Municipal Aid Fund and making appropriations from said fund.

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

Appropriation for municipal aid.

1. When six million dollars ($6,000,000.00) has been transferred by the treasurer from the tax imposed on motor fuels to the State Municipal Aid Administration for the Municipal Aid Fund, pursuant to law, the said six million dollars ($6,000,000.00) is appropriated to the State Municipal Aid Administration for the Municipal Aid Fund, and the following appropriations are made from the said Municipal Aid Fund:

For paying all necessary expenses of the administration during the fiscal year beginning July first, one thousand nine hundred and forty-one, and ending June thirtieth, one thousand nine hundred and forty-two, in connection with the distribution of Federal surplus commodities	$100,000 00
For paying all other necessary expenses of the administration during the fiscal year beginning July first, one thousand nine hundred and forty-one, and ending June thirtieth, one thousand nine hundred and forty-two	200,000 00
For payment to the Comptroller of the Treasury during the fiscal year beginning July first, one thousand nine hundred and forty-one, and	

ending June thirtieth, one thousand nine hundred and forty-two, of such expenses as may be necessary for conducting continuing audits in the various municipalities of the State to determine that the moneys disbursed by the State Municipal Aid Administration are disbursed in compliance with law	100,000 00
For payment to the Department of Institutions and Agencies during the fiscal year beginning July first, one thousand nine hundred and forty-one, and ending June thirtieth, one thousand nine hundred and forty-two, of such expenses as may be necessary for the operation of the Civilian Conservation Corps Selection Division	13,000 00
For all other payments authorized or directed by law to be made by the State Municipal Aid Administration, the Director of Municipal Aid, or out of the Municipal Aid Fund for the calendar year one thousand nine hundred and forty-one	5,587,000 00

2. This act shall take effect immediately.

Approved July 3, 1941.

CHAPTER 251

AN ACT concerning the general powers and duties of the State Department of Health, and amending section 26:8–23 of the Revised Statutes.

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

1. Section 26:8–23 of the Revised Statutes is amended to read as follows: Section amended.

26:8–23. The State department shall have charge of the registration of births, deaths and marriages and shall procure the faithful registration of the same in each registration district and in the bureau of vital statistics. The department may promulgate any rule or regulation which it deems necessary for the uniform and thorough enforcement of this section. Registering vital statistics. Rules.

The department may decline permission to examine any record except in the presence of an officer or employee of the department. Examining records.

2. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 252

AN ACT concerning the registration of vital statistics, and amending section 26:8–16 of the Revised Statutes.

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

Section amended.

1. Section 26:8–16 of the Revised Statutes is amended to read as follows:

Appointment of local registrars.

26:8–16. No physician, midwife or undertaker shall be appointed as local registrar, but in any registration district where full time health officers or other full time health officials will, in the judgment of the State Department, properly conduct registration of births and deaths such officials or one or more of them may be appointed as local registrars in and for such registration district and they shall be subject to the rules and regulations of the State Registrar and to all the provisions of this chapter and chapter six of this Title (section 26:6–1 seq.).

2. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 253

AN ACT concerning fees and costs, and amending sections 22:2–19 and 22:4–10 of the Revised Statutes.

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

1. Section 22:2–19 of the Revised Statutes is hereby amended to read as follows: Section amended.

22:2–19. For performing the services enumerated below, the county clerk, the clerk of the circuit court or the clerk of the court of common pleas, as the case may be, shall be entitled to receive from the party or person requiring the services, the following fees: Schedule of fees of county clerk, etc.:

IN GENERAL

Issuing county clerk's certificate, fifty cents ($0.50). General;

Comparing and making copies, per sheet, fifty cents ($0.50).

Recording all instruments not herein stated, two dollars ($2.00).

BONDS, BAIL, RECOGNIZANCES

Recording all official bonds with acknowledgment and proof of the execution thereof, two dollars ($2.00). Bonds, etc.;

Filing satisfaction or discharge of bond, fifty cents ($0.50).

Filing satisfaction or discharge of recognizance, two dollars and fifty cents ($2.50).

Filing satisfaction or discharge of civil bail, fifty cents ($0.50).

Recording sheriff's bonds, two dollars ($2.00).

Recording in abstract book abstracts of recognizances of bail, ten cents ($0.10).

CORPORATIONS AND COPARTNERSHIPS

Corporations, etc.;

Recording all business corporations:

Three sheets or less (single space typewriting), three dollars ($3.00).

Four sheets, five dollars ($5.00). For each sheet more than four, per sheet, fifty cents ($0.50).

Recording all certificates of incorporation of corporations and associations not for profit and of societies, clubs, credit unions, churches, religious societies and congregations, three dollars ($3.00).

Recording all other certificates, two dollars ($2.00).

Recording and filing copartnership papers, two dollars ($2.00).

Recording dissolution of copartnership, one dollar ($1.00).

JUDGMENTS, ETC.

Judgments;

Recording judgments, three dollars ($3.00).

Filing and recording confessed judgments, five dollars ($5.00).

Docketing, recording and filing docketed judgments, two dollars ($2.00).

Recording assignment of judgments, two dollars ($2.00).

Issuing transcript of judgments, one dollar and fifty cents ($1.50).

Issuing certificates of judgment, one dollar ($1.00).

Filing or entering on the record the discharge, cancellation, release or satisfaction of a judgment by satisfaction piece, execution returned satisfied or otherwise, fifty cents ($0.50).

Issuing statement of judgment for more than ten dollars ($10.00) from docket of justice of the peace deposited in office of county clerk for docketing in court of common pleas, seventy-five cents ($0.75).

For recording and indexing postponement of the lien of judgments as required by section 2:27–295 of the Title Administration of Civil and Criminal Justice, one dollar and twenty-five cents ($1.25).

LIENS

Liens;

Filing and recording mechanic's lien claim, three dollars ($3.00).

Recording, filing and noting on the record the discharge, release or satisfaction of a mechanic's lien claim, three dollars ($3.00).

Filing satisfaction, discharge or release of mechanic's lien claim, fifty cents ($0.50).

Filing statement of district court judgment in mechanic's lien proceeding, two dollars ($2.00).

Indexing all liens, per name, ten cents ($0.10).

Filing, recording and indexing mechanic's notice of intention, twenty-five cents ($0.25).

Filing a certificate discharging a mechanic's notice of intention and noting the discharge on the record thereof, twenty-five cents ($0.25).

Filing, recording and indexing "Stop notices," twenty-five cents ($0.25).

Filing a certificate discharging a "stop notice" and noting the discharge on the record thereof, twenty-five cents ($0.25).

Filing an order discharging a "stop notice" and noting the discharge on the record thereof, two dollars ($2.00).

Filing building contract, fifty cents ($0.50).

Filing specifications and plans, each, twenty-five cents ($0.25).

Filing each notice of physicians' lien, twenty-five cents ($0.25).

Entering upon the record the discharge of a physician's lien, ten cents ($0.10).

Filing each hospital lien claim, twelve cents ($0.12).

Each entry made in the hospital lien docket, at the rate of eight cents ($0.08) per folio.

Filing satisfaction or discharge of attachment, fifty cents ($0.50).

Recording collateral inheritance waiver or receipt, two dollars ($2.00).

Filing lien claim or contract, for each claim or contract, twelve cents ($0.12).

Commissions and Oaths

Commissions and oaths;

Administering oaths to notaries public, commissioners of deeds and justices of the peace, one dollar and fifty cents ($1.50).

For issuing certificate of authority of notary to take proof, acknowledgment or affidavit, fifty cents, ($0.50).

For issuing each certificate of the commission and qualification of notary public for filing with other county clerks, fifty cents ($0.50).

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, one dollar ($1.00).

For State fee for qualifying commissioners of deeds or justices of the peace, to be paid to the Secretary of State for the use of the State, five dollars ($5.00).

For State fee for commissioner of deeds appointed during recess of any Legislature, two dollars ($2.00).

Taking oath of coroner, or person acting in his stead, to coroner's bill of costs, fifty cents ($0.50).

Miscellaneous

Miscellaneous;

Drawing execution (common pleas or circuit court), one dollar ($1.00).

Recording execution (common pleas or circuit court), one dollar ($1.00).

Filing and recording proceedings for laying out, vacating or dedicating roads, five dollars ($5.00).

Change of name (recording and filing all proceedings), six dollars ($6.00).

Recording firemen's certificates, twenty-five cents ($0.25).

Registering physician, one dollar ($1.00).

Registering nurses, one dollar ($1.00).

Filing and indexing permit to carry concealed weapon or renewal, one dollar ($1.00).

Ten per centum (10%) on the total fees of the report of all hunting and fishing licenses in the county.

Filing claim of property taken in attachment, officer's minutes and sheriff's inquisition to determine claim, twenty-five cents ($0.25).

Filing inventory upon claim of exemption from execution, eight cents ($0.08).

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

22:4–10. Fees for the services enumerated herein shall be as follows:

IN SUPREME COURT

In Supreme Court;

The clerk shall receive for a search for judgments, and docketed decrees from chancery and from the circuit courts 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 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).

IN CHANCERY

In chancery;

The clerk shall receive for a search of chancery records for each name, each year or if more than one book in a year then each name, each book, two cents ($0.02).

COUNTY CLERKS AND REGISTERS OF DEEDS AND MORTGAGES

Searches;

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).

Repealer.

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

4. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 254

AN ACT to amend an act entitled "An act to provide for the incorporation and regulation of credit unions, and repealing sections 17:13–1 to 17:13–25, inclusive, of the Revised Statutes," approved June fourth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 293).

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. Said seven or more natural persons shall sign in person a certificate of incorporation which shall set forth: C. 17:13-28. Contents of certificate:

(a) The name of the corporation which shall include the words "credit union" and no name shall be assumed which is already in use by another existing credit union of this State or so similar thereto as to lead to uncertainty or confusion; Name;

(b) The location (municipality, street and number, if number there be) of its office and the name and post-office address of the registered agent in charge thereof and upon whom process against the corporation may be served; Location;

(c) The object for which the corporation is formed, which shall be to operate as a credit union under the provisions of this act; Objects;

(d) The group to which membership shall be limited; Membership;

(e) The name and post-office address of each of the proposed members who shall be at least thirty in number and the number of shares subscribed by each; Names and addresses of members;

(f) The par value of the shares of the corporation, which shall be five dollars ($5.00) each; Par value;

Duration;

(g) The period, if any, limited for the duration of the corporation;

Other provisions.

(h) Any other provision not inconsistent with this act or with the laws of the State of New Jersey for the regulation of the business and conduct of the affairs of the corporation and any provision creating, defining, limiting or regulating the powers of the corporation, its directors, officers and members.

Certificate acknowledged and recorded.

And said certificate of incorporation shall be proved or acknowledged as required for deeds of real estate and shall be recorded in a book to be kept for that purpose in the office of the clerk of the county where the office of such corporation shall be established and for recording such certificate of incorporation there shall be paid to the clerk of the county the fee as provided for in section 22:2–19 of the Revised Statutes; and after being so recorded shall be filed in the office of the Department of Banking and Insurance; *provided, however,* that no such certificate of incorporation shall be recorded or filed as aforesaid until the Commissioner of Banking and Insurance of this State shall have endorsed thereon a certificate certifying that such certificate of incorporation has been approved by him for recording and filing; *and provided, further,* that the Commissioner of Banking and Insurance may, in his discretion, refuse to approve for recording and filing any such certificate of incorporation which shall be submitted to him if he shall find that the incorporation of the proposed credit union referred to in such certificate of incorporation will not be in the public interest or will not be of public service or if he shall find that the proposed members named in such certificate of incorporation or any of them are not proper or suitable persons to conduct the business and affairs of the proposed credit union or if he shall find that the provisions contained in such certificate of incorporation for the regulation of the business and conduct of the affairs of the proposed credit union or

Proviso.

Proviso.

the provisions contained therein for creating, defining, limiting or regulating the powers of the proposed credit union are improper provisions or will not serve the best interests of the members of such proposed credit union or if he shall find that the field of operation of the proposed credit union is so broad as to legislate against the possibilities of the officers, directors and committees of the credit union being afforded reasonable opportunity to observe the character, financial responsibility and economic needs of the members thereof or if he shall find that the conditions of employment or other conditions prevailing in the group proposed as members of said credit union are such as to render the organization of a credit union by them inadvisable.

Repealer.

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

3. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 255

AN ACT concerning salaries of constables and sergeants-at-arms in district courts, and amending section 2:8–33 of the Revised Statutes.

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

Section amended.

1. Section 2:8–33 of the Revised Statutes is amended to read as follows:

Salaries of sergeants-at-arms.

2:8–33. For their services the several sergeants-at-arms of the district courts shall receive from the clerks of such courts the fees provided by section 22:2–45 of the Title, Fees and Costs, and the amendments and supplements thereto, and, for

their attendance upon the sessions of such courts, annual salaries as follows:

a. In counties of the first class, not less than twenty-five hundred ($2,500.00) nor more than three thousand ($3,000.00) dollars;

b. In counties having between ninety thousand (90,000) and three hundred and fifty thousand (350,000) inhabitants, not less than fifteen hundred ($1,500.00) nor more than twenty-five hundred ($2,500.00) dollars;

c. In counties having between forty-five thousand (45,000) and ninety thousand (90,000) inhabitants, twelve hundred ($1,200.00) dollars;

d. In counties having between twenty-five thousand (25,000) and forty-five thousand (45,000) inhabitants, six hundred ($600.00) dollars; and

e. In counties having less than twenty-five thousand (25,000) inhabitants, four hundred and fifty ($450.00) dollars.

Fixing and payment of salaries.

The amounts of the salaries herein provided for shall be fixed, at any time during the term of office of any such sergeant-at-arms, by the governing body of any municipality in which a city district court is located and in judicial district courts by the board of chosen freeholders of the respective counties in which such judicial district courts are located, and shall be paid semimonthly by the cities in which the city district courts are located and by the treasurer of the counties in which the judicial district courts are located.

Construing.

This section shall not affect district courts in cities of the second class having more than one hundred and thirty-five thousand (135,000) inhabitants; nor shall anything in this section be construed to empower any person or body to decrease the salary of any sergeant-at-arms.

Approved July 10, 1941.

CHAPTER 256

AN ACT to validate and confirm warrants for satisfaction of judgments executed by the next friend of minor plaintiffs.

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

Certain warrants for satisfaction validated.

1. Every warrant for the satisfaction of any judgment heretofore recovered in any of the courts of this State in favor of a minor plaintiff when executed and delivered by the same person named and designated as the next friend of such minor in said action, or by the attorney of record of such next friend, and the record thereof, shall be valid and effectual in law and in equity, as if executed and delivered by the duly appointed guardian of the estate of such minor; *provided,* that this act shall not apply to any suit or proceeding instituted by any such minor against any such next friend and now pending in any court of this State or to any judgment not heretofore satisfied of record.

Proviso.

2. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 257

AN ACT concerning motor vehicles and traffic regulation, and amending section 39:4–30 of the Revised Statutes.

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

Section amended.

1. Section 39:4–30 of the Revised Statutes is amended to read as follows:

Exceptions to application of article.

39:4–30. Exceptions to application of article. Nothing in this article shall apply to any road building machinery, vehicle, traction engine, steam roller or other apparatus or machinery running upon railroad or street railway tracks, or a private railroad or railway, spur track or switch, nor shall a license hereunder be required for any road building machinery, vehicle, traction engine, steam roller or other apparatus or machinery while actually used in the construction of a public road or highway or a section thereof; *provided further, however,* that any such road building machinery, vehicle, traction engine, roller or other apparatus or machinery of the kind may be operated or drawn, subject to the following conditions:

Proviso, temporary registration.

Any person, partnership or corporation may, with regard to such road building machinery, vehicle, traction engine, roller or other apparatus or machinery of the kind owned or controlled by it, obtain general registration and registration plates therefor of the style and kind provided for in this article, with the word "temporary" or "in-transit" stated thereon, but only if the commissioner is satisfied as to the financial responsibility of such person, partnership or corporation to meet any claim for damages arising out of an accident and satisfactory evidence of such responsibility has been filed with him.

The annual fee for the issuance of a certificate of registration, or duplicates thereof and five sets of "temporary" or "in-transit" plates bearing a number, corresponding to the number on the certificate of registration shall be twenty-five dollars ($25.00). Fee.

Such plates can be placed on any such road building machinery, vehicle, traction engine, roller or other apparatus or machinery, owned or operated by the person, partnership or corporation to whom the registration is issued, only in moving to and from the location of the construction of a public road or highway or section thereof. Use of plates.

2. This act shall take effect immediately.
Approved July 10, 1941.

CHAPTER 258

AN ACT concerning liens of processors of goods, and amending section 2:60–223 of the Revised Statutes.

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

1. Section 2:60–223 is amended to read as follows: Section amended.

2:60–223. The lien mentioned in section 2:60–222 of this Title shall not be affected in any way by the recovery of a judgment or the taking of a bill or note for the money due for labor or material. The lien may be enforced as though the judgment had not been recovered or the bill or note taken. The lien and the indebtedness mentioned in section 2:60–222 of this Title may be assigned without impairing the lien, and the lien may be enforced Lien not impaired.

by the assignee directly, or on his behalf by the assignor, to the extent of the indebtedness so assigned.

Approved July 10, 1941.

CHAPTER 259

AN ACT concerning building and loan associations, and amending section 17:12–47 of the Revised Statutes.

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

Section amended.

1. Section 17:12–47 of the Revised Statutes is amended to read as follows:

Designation of shares:

17:12–47. Without changing their status as common shares all shares issued by any association shall be designated as follows:

Installment;

a. "Installment" shares, which shall be payable monthly, semimonthly, weekly or as the constitution of the association provides. The holder of any shares, on assigning or pledging such shares to any such association as collateral for a bond and mortgage loan, may contract with such association to waive profits or dividends on such shares and instead to receive the benefits of membership through the periodical application of dues paid on such shares to the reduction of the principal amount of such loan together with the consequent reduction of interest thereon; and upon the application as aforesaid of the dues paid on such shares, such dues shall not be a part of the share liability of such association to its members.

Single payment;

b. "Single payment" shares are those issued upon the making of a single payment thereon and which mature through the addition

or crediting of profits thereto at a rate of profit equal to that apportioned to installment shares.

c. "Juvenile" shares, which may be issued to, or in the name of, any minor, if the constitution so provides, and shall be held for the exclusive right and benefit of the minor, free from the control or lien of all other persons except as hereinafter provided. The accumulations on these shares, together with the dividends accredited thereon, shall be paid to the person in whose name the shares have been issued if he is over the age of sixteen years, and if not, to his parent or guardian, and the receipt or acquittance of a minor over sixteen years of age or of the parent or guardian of a minor less than sixteen years of age shall be a valid and sufficient release and discharge to the association for the accumulation together with the dividends accredited thereon, or any part thereof. Owners of juvenile shares shall not be chargeable with fines and need not be required to make regular or specific payments. The shares may be credited with dividends from the apportioned profits of the association at a rate not exceeding the rate of dividend credited to installment shares. Juvenile;

d. "Income" shares, which shall be shares the maturity value of which shall be paid in advance. The rate of dividends declared on income shares shall not exceed the rate of dividends credited to installment shares for the same period; *provided, however,* that if the association credits a base rate of dividends to installment shares under a reward profit plan, as elsewhere authorized by this chapter, the rate of dividends declared on income shares shall not exceed the base rate of dividends credited to installment shares for the same period. Income. Proviso.

2. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 260

AN ACT concerning motor vehicles and traffic regulations, and amending section 39:4–26, section 39:4–27 and section 39:4–128 of the Revised Statutes.

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

Section amended.

1. Section 39:4–26 of the Revised Statutes is amended to read as follows:

Moving heavy apparatus.

39:4–26. A person may move along or across a public road or highway, road building machinery, vehicles, traction engines, rollers or other apparatus or machinery of the kind, size or weight hereinafter described, on trailers or semitrailers, after registering the trailers or semitrailers, with the commissioner and paying him a registration

Fee.

fee of one hundred and fifty dollars ($150.00) and obtaining a permit therefor from the county supervisor or supervisors of roads of the county or counties traversed by them, subject to the provisions of this article.

County permits.

A board of chosen freeholders may, by resolution, adopt general rules and regulations with respect to the issuance of the permits and may impose reasonable fees therefor.

Section amended.

2. Section 39:4–27 of the Revised Statutes is amended to read as follows:

Not to damage highways.

39:4–27. In the transportation of any such road building machinery, vehicle, traction engine, roller or other apparatus or machinery on a trailer or semitrailer registered in accordance with the provisions of section 39:4–26 of this Title, such trailer or semitrailer shall be so loaded and operated as not to cause damage to the surface of any public road, street or highway.

3. Section 39:4–128 of the Revised Statutes is amended to read as follows: Section amended.

39:4–128. All operators of autobuses, commonly called jitneys, or any school bus carrying any school child, or any commercial motor vehicle carrying explosive substances, inflammable liquids or fuel oils as a cargo or part of a cargo, or any commercial motor vehicle carrying persons as passengers, or any motor vehicles moving in units of two or more vehicles coupled together, shall, before crossing the tracks of any railroad or high speed interurban railroad at grade, bring such vehicles to a full stop and shift gears of the same to a neutral position; such stop to be made at a point where the maximum vision of the crossing in both directions can be obtained; *provided,* said point shall be not more than fifty feet from the nearest rail. Full stop at railroad grade crossings. Proviso.

All operators of caterpillar tractors, wheel tractors, or tractor engines, with or without trailer or trailers attached, steam shovels, derricks, self-propelled rollers, self-propelled concrete mixers, or of any self-propelled vehicles, equipment, machinery or apparatus having a normal operating speed of six or less miles per hour or a vertical load or body clearance of less than nine inches above the level surface of the highway, before crossing at grade, upon any public highway, the track or tracks of any steam railroad or of any electric railway constructed upon a private right of way, shall give at least twenty-four hours written notice of their intention to cross such track or tracks to the nearest superintendent, station agent, station attendant or track supervisor of such railroad or railway, such notice shall specify the approximate time of crossing. After concluding satisfactory arrangements with the proper officer of the railroad and before obstructing or crossing such track or tracks the operators of such vehicles or equipment shall bring such vehicles or equipment to a complete stop not less than ten feet nor more than fifty feet from the nearest rail, and shall look in Notice given of intention to use crossing. Crossing tracks.

both directions along such track or tracks and listen for approaching steam or electric railway engines, cars or trains and shall not obstruct, enter upon or cross such track or tracks when warned by electric signal, crossing gates, flagman or otherwise of the approach of any engine, car or train upon such track or tracks.

Penalty.

Any person violating the provisions of this section shall be guilty of a misdemeanor, punishable 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.

Construing.

This section shall not be construed as limiting the authority of any municipality to adopt police regulations governing the operation of autobuses and to provide penalties for their violation, or to relieve the owner or operator of such bus 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.

4. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 261

AN ACT concerning building and loan associations, and amending section 17:12–48 of the Revised Statutes.

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

Section amended.

1. Section 17:12–48 of the Revised Statutes is amended to read as follows:

Status of shares.

17:12–48. Any such association may issue shares maturing at a fixed value or maturing upon the expiration of a fixed time from date of issue

thereof, not less than ten years, or may issue shares of both types. All shares of the type maturing at a fixed value shall be of the same maturity value and all shares of the type maturing in a fixed time from the date of issue thereof shall be of the same fixed time from date of issue thereof; *provided,* that any such association may, notwithstanding the provisions of its certificate of incorporation, amend its constitution to provide that shares thereafter issued shall have a maturity value differing from the maturity value of shares theretofore issued or to provide for the issuance of shares maturing upon the expiration of a fixed time from date of issue, not less than ten years, or to provide for changing the time of the maturity of shares thereafter issued; and any change of maturity value heretofore made, or any provision authorizing the issuance of shares maturing upon the expiration of a fixed time from date of issue thereof, not less than ten years, made pursuant to an amendment to the constitution of any such association heretofore adopted is hereby validated and shall be deemed not to contravene any of the provisions of this chapter; in case the maturity value per share is two hundred dollars ($200.00) or more such association shall have the right to issue one-half shares. No such association shall issue preferred or other than common shares. The share liability of each such association to each member thereof shall be construed to mean its aggregate liability to such member for dues paid in by such member and profits, if any, apportioned individually or by series to the account of such member; and in the event that the losses or anticipated losses of any such association shall hereafter exceed the sum of its applicable reserve and current and undivided profit accounts, the share liability of such association to each member thereof, regardless of the type of shares held by such member and without regard to whether notice of withdrawal shall have been filed or the shares shall have been retired, lapsed or matured, but not paid, may, on applica-

Proviso.

May issue one-half shares.

No preferred shares.

Share liability.

tion by the board of directors of such association to and approval by the commissioner, be reduced on an equal percentage basis to an extent sufficient to provide for such loss or anticipated loss or to reserve against them or either of them. This section shall not be construed to prevent the retention by any such association of apportioned profits or a portion thereof upon withdrawal of shares as otherwise provided in this chapter, nor shall this section be so construed as to create a share liability on the part of any such association for profits heretofore recaptured for reserve purposes. The maturity of installment shares may be accelerated by the payment of an amount in excess of the regular installments if the constitution so provides, and such accelerated shares may be designated short term installment shares. No agreement or understanding shall be made or entered into except as provided in this chapter, whereby the time for surrendering shares to such association and withdrawing the value thereof shall be postponed, and all classes of shares shall be surrendered and withdrawn on the same terms and under the same conditions as provided in the constitution and in this chapter for the surrender and withdrawal of shares. No member shall hold income shares in any such association of a value in excess of two per centum (2%) of the gross assets of such association; *provided, however,* that if the gross assets of such association are less than two hundred and fifty thousand dollars ($250,000.00) any member may hold income shares of a value not in excess of five thousand dollars ($5,000.00); *and provided, further,* that in no case shall a member hold income shares in any association of a value in excess of twenty-five thousand dollars ($25,000.00), but this limitation shall not apply to income shares that are received by a person by will or under the statute of distribution or held as collateral security.

Construing.

Accelerating maturity.

Bars certain agreements.

Limits income shares held.

Proviso.

Proviso.

2. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 262

AN ACT providing for the service of process in the civil suits upon nonresident chauffeurs, operators or nonresident owners whose motor vehicles are operated within the State of New Jersey without being licensed under the provisions of the laws of the State of New Jersey, providing for the registration and licensing of drivers and operators and of motor vehicles, and amending section 39:7–2 of the Revised Statutes.

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

1. Section 39:7–2 of the Revised Statutes is amended to read as follows: Section amended.

39:7–2. Any chauffeur, operator or owner of any motor vehicle, not licensed as required by the provisions of article two of chapter three of this Title (§ 39:3–3 et seq.), who shall accept the privilege extended by law to nonresident chauffeurs, operators and owners of driving such a motor vehicle or of having the same driven or operated in this State without a New Jersey registration or license, shall, by the acceptance and the operation of such motor vehicle within this State, make and constitute the commissioner his or their agent for the acceptance of process in any civil action or proceeding against such chauffeur, operator or the owner of such motor vehicle arising out of or by reason of any accident or collision occurring within this State in which a motor vehicle operated by such chauffeur or operator or such owner is involved. The acceptance of such privilege or the operation of such motor vehicle shall be the signification of such chauffeur or operator or such owner of his or their agreement that any such process against him or them which is so served

Commissioner as agent for service of process.

Effect of service.

shall be of the same legal force and validity as if served upon him or them personally.

2. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 263

AN ACT to amend "An act concerning highways and extending State Highway Route No. 4, to be known as S-4-d," approved May fifth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 134).

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

Section 1 amended.

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

Route S-4-d.

1. The following route which shall be an extension of State Highway Route No. 4, shall commence at Route No. 4 in Teaneck township at Teaneck road and run generally in a northerly direction to a road known as Liberty road, in the township of Teaneck, being the location of a State Armory, township of Teaneck, Bergen county, New Jersey, and to be known as S-4-d.

Construction.

Said route shall be laid out and constructed as soon as practicable by the commissioner in the same manner and subject to the same procedure as other State highways. It shall be constructed from the moneys forwarded by the Commissioner of Motor Vehicles to the State Treasurer of this State to be used by the State Highway Commissioner for the construction of roads and bridges, which moneys are derived pursuant to the provisions of chapter thirty-nine of Title 54 of the Revised Statutes (Section 54:39–1 et seq.).

2. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 264

AN ACT to amend the title of "An act for the protection of homeworkers engaged or employed in the hand knitting industry, and supplementing article one hundred twenty of chapter six of Title 34 of the Revised Statutes," approved June seventeenth, one thousand nine hundred and forty (P. L. 1940, c. 98), so that the same shall read "An act for the protection of homeworkers engaged or employed in the hand knitting industry, and supplementing article twelve of chapter six of Title 34 of the Revised Statutes."

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

New title.

1. The title of "An act for the protection of homeworkers engaged or employed in the hand knitting industry, and supplementing article one hundred twenty of chapter six of Title 34 of the Revised Statutes," approved June seventeenth, one thousand nine hundred and forty, is amended to read as follows: "An act for the protection of homeworkers engaged or employed in the hand knitting industry, and supplementing article twelve of chapter six of Title 34 of the Revised Statutes."

2. This act shall take effect immediately.

Approved July 10, 1941.

New Jersey State Library

CHAPTER 265

AN ACT to amend the title of "An act to permit councilmen in municipalities to accept certain municipal positions upon resigning as councilmen," approved May seventh, one thousand nine hundred and thirty-eight (P. L. 1938, c. 149), so that the same shall read "An act to permit councilmen in municipalities to accept certain municipal positions upon resigning as councilmen, and amending section 40:46–5 of the Revised Statutes."

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

New title.

1. The title of "An act to permit councilmen in municipalities to accept certain municipal positions upon resigning as councilmen," approved May seventh, one thousand nine hundred and thirty-eight, is amended to read "An act to permit councilmen in municipalities to accept certain municipal positions upon resigning as councilmen, and amending section 40:46–5 of the Revised Statutes."

2. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 266

AN ACT to amend the title of "An act to amend an act entitled 'An act to regulate those who desire to engage in the occupation of beauty culture,' and amending section 45:4A–8," approved November eighteenth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 376), so that the same shall read "An act to regulate certain persons who desire to engage in the occupation of beauty culture in certain cases, and amending section 45:4A–8 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 to amend an act entitled 'An act to regulate those who desire to engage in the occupation of beauty culture,' and amending section 45:4A–8," approved November eighteenth, one thousand nine hundred and thirty-nine, is amended to read "An act to regulate certain persons who desire to engage in the occupation of beauty culture in certain cases, and amending section 45:4A–8 of the Revised Statutes." New title.

2. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 267

AN ACT to amend the title of "An act concerning the alcoholic beverage tax law, and amending sections 54:41–2, 54:42–1, 54:42–2, 54:42–3, 54:42–4, 54:43–1, 54:43–2, 54:43–4, 54:44–1, 54:44–2, 54:44–3, 54:44–4, 54:44–5, 54:45–1, 54:45–2, 54:45–4, 54:45–5, 54:46–1, 54:46–2 and 54:47–7 of the Revised Statutes, and supplementing chapter forty-four of Title 54 of the Revised Statutes by adding thereto a new section numbered 54:44–2.1, and supplementing chapter forty-five of Title 54 of the Revised Statutes by adding thereto a new section numbered 54:45–7," approved June fourteenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 319), so that the same shall read "An act concerning the alcoholic beverage tax law, and amending sections 54:41–2, 54:42–1, 54:42–2, 54:42–3, 54:42–4, 54:43–1, 54:43–2, 54:43–4, 54:43–5, 54:44–1, 54:44–2, 54:44–3, 54:44–4, 54:44–5, 54:45–1, 54:45–2, 54:45–4, 54:45–5, 54:46–1, 54:46–2 and 54:47–7 of the Revised Statutes, and supplementing chapter forty-four of Title 54 of the Revised Statutes by adding thereto a new section numbered 54:44–2.1, and supplementing chapter forty-five of Title 54 of the Revised Statutes by adding thereto a new section numbered 54:45–7."

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

New title.

1. The title of "An act concerning the alcoholic beverage tax law, and amending sections 54:41–2, 54:42–1, 54:42–2, 54:42–3, 54:42–4, 54:43–1,

54:43–2, 54:43–4, 54:44–1, 54:44–2, 54:44–3, 54:44–4, 54:44–5, 54:45–1, 54:45–2, 54:45–4, 54:45–5, 54:46–1, 54:46–2 and 54:47–7 of the Revised Statutes, and supplementing chapter forty-four of Title 54 of the Revised Statutes by adding thereto a new section numbered 54:44–2.1, and supplementing chapter forty-five of Title 54 of the Revised Statutes by adding thereto a new section numbered 54:45–7," approved June fourteenth, one thousand nine hundred and thirty-eight, is amended to read "An act concerning the alcoholic beverage tax law, and amending sections 54:41–2, 54:42–1, 54:42–2, 54:42–3, 54:42–4, 54:43–1, 54:43–2, 54:43–4, 54:43–5, 54:44–1, 54:44–2, 54:44–3, 54:44–4, 54:44–5, 54:45–1, 54:45–2, 54:45–4, 54:45–5, 54:46–1, 54:46–2 and 54:47–7 of the Revised Statutes, and supplementing chapter forty-four of Title 54 of the Revised Statutes by adding thereto a new section numbered 54:44–2.1, and supplementing chapter forty-five of Title 54 of the Revised Statutes by adding thereto a new section numbered 54:45–7."

2. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 268

AN ACT to amend the title of "An act concerning the tax upon the sale or use of motor fuels, and amending sections 54:39–7, 54:39–41 and 54:39–67 of the Revised Statutes," approved May thirty-first, one thousand nine hundred and thirty-eight (P. L. 1938, c. 283) so that the same shall read "An act concerning the tax upon the sale or use of motor fuels, and amending sections 54:39–7, 54:39–41, 54:39–45, 54:39–53 and 54:39–67 of the Revised Statutes."

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

New title.

1. The title of "An act concerning the tax upon the sale or use of motor fuels, and amending sections 54:39–7, 54:39–41 and 54:39–67 of the Revised Statutes," approved May thirty-first, one thousand nine hundred and thirty-eight is amended to read "An act concerning the tax upon the sale or use of motor fuels, and amending sections 54:39–7, 54:39–41, 54:39–45, 54:39–53 and 54:39–67 of the Revised Statutes."

2. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 269

AN ACT to amend the title of "An act to provide that beekeepers shall use only modern, movable, frame hives for maintaining honey bees to permit the thorough examination of every comb in order to detect the presence of bee diseases," approved July first, one thousand nine hundred and thirty-nine (P. L. 1939, c. 104) so that the same shall read "An act to provide that beekeepers shall use only modern, movable, frame hives for maintaining honey bees to permit the thorough examination of every comb in order to detect the presence of bee diseases and amending section 4:6–10 of the Revised Statutes."

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

New title.

1. The title of "An act to provide that beekeepers shall use only modern, movable, frame hives for maintaining honey bees to permit the thorough examination of every comb in order to detect the presence of bee diseases," approved July first, one thousand nine hundred and thirty-nine is amended to read "An act to provide that beekeepers shall use only modern, movable, frame hives for maintaining honey bees to permit the thorough examination of every comb in order to detect the presence of bee diseases and amending section 4:6–10 of the Revised Statutes."

2. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 270

AN ACT to amend the title of "An act concerning banks, trust companies and savings banks having shares of capital stock, and amending chapter eight of Title 17 of the Revised Statutes of one thousand nine hundred and thirty-seven," approved July twelfth, one thousand nine hundred and thirty-nine (P. L. 1939, c. 205), so that the same shall read "An act concerning banks, trust companies and savings banks having shares of capital stock, and amending sections 17:8–1, 17:8–2, 17:8–3, 17:8–7 and 17:8–15 of the Revised Statutes."

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

New title.

1. The title of "An act concerning banks, trust companies and savings banks having shares of capital stock, and amending chapter eight of Title 17 of the Revised Statutes of one thousand nine hundred and thirty-seven," approved July twelfth, one thousand nine hundred and thirty-nine, is amended to read "An act concerning banks, trust companies and savings banks having shares of capital stock, and amending sections 17:8–1, 17:8–2, 17:8–3, 17:8–7 and 17:8–15 of the Revised Statutes."

2. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 271

AN ACT to amend the title of "An act concerning civilian employees of the Department of State Police; establishing certain titles; placing such positions under civil service, and amending sections 53:1–12, 53:1–24, 53:1–25 and 54:3–9 of the Revised Statutes," approved June seventeenth, one thousand nine hundred and forty (P. L. 1940, c. 103), so that the same shall read "An act concerning civilian employees of the Department of State Police; establishing certain titles; placing such positions under civil service, and amending sections 53:1–12, 53:1–24, 53:1–25 and 53:3–9 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 concerning civilian employees of the Department of State Police; establishing certain titles; placing such positions under civil service, and amending sections 53:1–12, 53:1–24, 53:1–25 and 54:3–9 of the Revised Statutes," approved June seventeenth, one thousand nine hundred and forty, is amended to read "An act concerning civilian employees of the Department of State Police; establishing certain titles; placing such positions under civil service, and amending sections 53:1–12, 53:1–24, 53:1–25 and 53:3–9 of the Revised Statutes." New title.

2. This act shall take effect immediately.

Approved July 10, 1941.

CHAPTER 272

AN ACT providing for the construction, dredging and maintenance of a harbor of refuge or anchorage in the city of Atlantic City, in the county of Atlantic, within the area adjacent to Maryland avenue, Huron avenue, Absecon Inlet or Clam Thoroughfare, and making an appropriation therefor.

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

Empowered to dredge a harbor.

1. In addition to the powers conferred by the provisions of chapter six of Title 12 of the Revised Statutes, the Board of Commerce and Navigation is authorized and empowered to construct, dredge and maintain a harbor of refuge, or anchorage area in the city of Atlantic City, in the county of Atlantic, within the area adjacent to Maryland avenue, Huron avenue, Absecon Inlet or Clam Thoroughfare, and to do all things necessary in connection therewith for effectuating this act.

Appropriation.

2. The sum of sixty-five thousand dollars ($65,000.00) is hereby appropriated from the State highway fund to cover the cost of said work to be expended by the Board of Commerce and Navigation in the same manner as other State appropriations.

3. This act shall take effect immediately.

Approved July 14, 1941.

CHAPTER 273

AN ACT concerning elections, and supplementing Title 19 of the Revised Statutes, and amending sections 19:31–15 and 19:32–16 of the Revised Statutes.

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

C. 19:31-1.1. Permanent registration of voters.

1. After July first, one thousand nine hundred and forty-three, no person shall be permitted to vote at any election in any municipality of this State unless such person shall be permanently registered, as provided by law, and at every election held in a municipality where permanent registration is not now in effect every voter before voting shall register permanently, after the effective date of this act, in the manner provided in chapter thirty-one of Title 19 of the Revised Statutes. The commissioner having supervision of permanent registration in municipalities not now having permanent registration may make provisions to permanently register eligible voters immediately upon the passage of this act in accordance with the provisions of Revised Statutes 19:31–6 and Revised Statutes 19:31–7; *provided, further,* that at least three extra registration days for the registration of voters in such municipalities shall be provided in each of the years one thousand nine hundred and forty-one and one thousand nine hundred and forty-two, by the commissioner in such municipalities, on which days a general registration of all eligible voters shall be held at each polling place in each election district of each such municipality during such hours as the commissioner shall determine.

Provision made for registering.

Proviso, extra registration days.

Section amended.

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

Checking to prevent fraudulent voting.

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

"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 other than counties of the first class, may also, and in addition to the method hereinbefore provided, direct at any time an authorized clerk or clerks to make any personal investigation which the commissioner or county board may deem necessary to establish the fact of continued residence or of removal of any registrant.

The commissioner in counties of the first class, and the county board in all other counties, shall, in addition to the method hereinbefore provided, at least once during every four years and as often as the commissioner in counties of the first class or the county board in all other counties, may deem

necessary cause the entire registry list to be investigated by house-to-house canvass to establish the fact of continued residence, removal, death, disqualification or improper registration.

Correcting records as to residence.

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

Forms transferred.

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

Registrants form transferred to inactive file.

In case of registrants so found to have moved from a municipality having permanent registration to a municipality not having permanent registration, within the county or to any place outside the county or State, the commissioner in counties of the first class and the county board in all other counties shall cause the permanent registration forms of such persons to be transferred to the inactive file. Such persons upon return to any municipality having permanent registration, within the county, shall be required to reregister before being allowed to vote.

To reregister.

Transferred to death file, etc.

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

Registrant notified.

In counties of the first class the registrant shall be notified by the commissioner by mail specifying the reason or reasons for the contemplated removal or transfer of the permanent registration form of the registrant affected to the inactive file for any cause other than information received from the registrant himself. In addition to this notice, the Commissioner of Registration shall cause a list of the names of such persons with their registry address to be published at least two entire days prior to the removal of such names in two or more newspapers published within the county, at least one of which shall be a daily newspaper.

List published.

Notice published of intention to remove names from register.

The county board in counties other than counties of the first class before removing, for any reason whatsoever, the permanent registration forms of any registrant from the signature copy registers, or before transferring such forms to the inactive file shall cause to be published a notice setting forth the proposed action of the county board. This notice shall contain the list of the names and registered addresses of all registrants to be affected by the proposed action. Such notice and list shall be published at least two entire days prior to the removal of such names and shall be published in two or more newspapers published within the county, one of which newspapers, at least, shall be published in the municipality affected. At least one of such newspapers shall be a daily newspaper, but if there be no daily newspaper 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.

Contents of notice.

Reasons specified.

Limits time in which names are removed from register, etc.

In no event shall the permanent registration forms or voting record of any registrant be removed or transferred to the inactive file subse-

quent to the second Tuesday preceding any election, until after such election; nor shall the permanent registration forms or voting record of any registrant in counties other than counties of the first class be removed or transferred to the inactive file if the name of such registrant is not first published in the manner above described.

Apply to court for right to vote.

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

Order.

Applicant to reregister.

Order returned to commissioner.

Refusal to transfer registration a misdemeanor.

Any commissioner who, after ascertaining that a person has died, been disqualified, moved out of the permanent registration area or has been improperly registered, and who willfully or fraudu-

lently refuses to cause to transfer the permanent registration forms of such persons to the proper file shall be guilty of a misdemeanor.

Section amended.

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

Notice to voter of peremptory order.

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

Publication of list.

The superintendent may cause a list of the names of any or all such persons, with their registry addresses, to be published in addition to the newspapers above mentioned at least two entire days before the issuance of the order in one or more weekly newspapers published within the county.

Notice of action to be taken.

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

4. This act shall take effect immediately.

Approved July 14, 1941.

CHAPTER 274

AN ACT to regulate and control the production, distribution and sale of milk as herein defined; to create a milk control board for such purposes; to prescribe the jurisdiction, duties and powers of said board; to require licenses of and establish fees to be paid by stores, milk dealers, processors and subdealers; to provide methods for enforcement and penalties for violations thereof and declaring an emergency affecting the production, distribution and sale of milk as defined herein.

Preamble.

WHEREAS, It is found and declared that an emergency exists affecting the milk industry in this State; in the interest of the health and welfare of the citizens of this State, it is necessary to continue control of the milk industry in this State; that this act is an emergency law, necessary for the immediate preservation of the public peace, to preserve, protect and promote the public welfare, health and safety, and enacted in the exercise of the police power reserved to the States to protect the citizens of this State in such respect; that it is made necessary by the conditions of unfair, unjust, destructive and demoralizing practices, heretofore existing or threatened, and presently threatening, in the production, sale and distribution of milk which are likely to result in the demoralization of the agricultural interests of this State engaged in the production of milk and the creation of conditions inimical to the health of the public of this State; that it is the policy and intent of this act to prevent these unfair, unjust, destructive and demoralizing practices by providing a reasonable return for the milk producer, so as to prevent possible

curtailment of a sufficient supply of fresh, wholesome, sanitary milk for our citizens; and that it is necessary in order to assure an adequate supply of fresh, wholesome, sanitary milk and to protect the public health and welfare, to treat the production, sale and distribution of milk as a business affecting the public health and affected with a public interest; and that the period of public necessity for the regulation of the milk industry by the milk control board and the director as herein set forth, during which this act shall be effective shall be until such date as the Legislature may designate to be the termination thereof; therefore,

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

C. 4:12A-1. Terms defined:

1. Words used in this act, unless otherwise expressly stated, or unless the context or subject matter otherwise requires, shall have the following meanings:

Board;

"Board." The milk control board.

Director;

"Director." The director of milk control.

Milk dealer;

"Milk dealer." Any person who sells or distributes milk, including on consignment or for the account of a producer, or who purchases milk from producers or other milk dealers, as herein defined, and who, in addition thereto, pasteurizes in his own plant or bottles in his own plant for sale in this State to consumers or stores or other milk dealers or processors, as herein defined, except for consumption on the premises of the producers. Any dairy co-operative association organized under any law of this or any other State and engaged in this State in the handling of milk in this State, as hereinafter defined, is hereby declared to be a milk dealer within the meaning of this act as the director may determine.

Milk dealers as herein defined, may also purchase and distribute for storage or manufacture within or without this State.

"Processor." Any person who produces or who purchases milk from producers or milk dealers, or both, and who sells only to or through subdealers, milk dealers or other processors and who in addition thereto, pasteurizes or handles, and bottles in a plant owned, operated or leased by said person for sale to or through subdealers, milk dealers or other processors. Processor;

"Subdealer." Any milk dealer who does not own, operate or lease a plant and does not pasteurize or bottle milk, but who purchases milk from a milk dealer or processor and sells or resells to a store or consumer, but the aforesaid definition shall not be deemed to include a store. Subdealer;

"Market." Any municipality, incorporated or unincorporated, of this State, other than a county, or any group of such, or any portions thereof, designated by the board as a marketing area. Market;

"Licensee." Any person licensed pursuant to this act. Licensee;

"Milk." The natural product of a dairy animal or animals and includes fluid milk and cream, fresh, sour or storage, skimmed milk, flavored milk, any milk drink, buttermilk, ice cream mix, and condensed or concentrated whole or skimmed milk, except when contained in hermetically sealed cans. In each instance where quantity is referred to, the intent is to include its whole milk equivalent. Milk;

"Producer." Any person producing milk entirely for sale to a milk dealer or processor except for the milk produced for the use of himself and his family and the use of his employees and their families. Producer;

"Consumer." Any person, other than a milk dealer, store, subdealer, processor or producer, who purchases milk for consumption or use. Consumer;

"Sanitary regulations." All laws enacted by the State of New Jersey; ordinances and regulations enacted or adopted by municipalities, municipal boards of health, or municipal departments, or officials exercising the powers and duties of local boards of health, relating to the production, han- Sanitary regulations;

dling, transportation, distribution and sale of milk from a health basis.

Store. "Store." A grocery store, delicatessen, food market, hospital, institution, hotel, restaurant, soda fountain, dairy products store, any governmental agency, roadside stand and similar mercantile establishments.

C. 4:12A-2. Milk control board created. 2. There is hereby established a board to be known as the "Milk Control Board" which shall consist of three members who shall be citizens of this State. The first members of the board shall be the following persons:

First members and terms. Mary Prall Logue, of the city of Bridgeton, in the county of Cumberland, who shall hold office for a term of two years; J. M. Nevius, of the township of Branchburg, in the county of Somerset, who shall hold office for a term of three years; and John C. Borden, of the city of Burlington, in the county of Burlington; who shall hold office for a term of four years; all of said terms shall start on the date this act becomes effective. Their successors shall be appointed by the Senate and General Assembly in joint meeting. Members hereafter appointed shall hold office for a term of five years, except where the appointment is to fill a vacancy occurring during any term, in which case the appointment shall be for the unexpired term only. Each member of the board shall continue in office after the expiration of his term until his successor is appointed and qualifies.

Successors.

Terms.

Vacancies.

Hold over.

C. 4:12A-3. Compensation. 3. The members of the board shall each receive a per diem of twenty dollars ($20.00), while in actual attendance at board meetings or in the performance of official duties, but not in excess of one thousand two hundred dollars ($1,200.00) in any one year, and shall further receive reimbursement for such actual and necessary expenses as are incurred in the performance of official duties, upon certification by the chairman.

C. 4:12A-4. Director. 4. The board shall appoint a director of milk control for a term of five years, who shall be paid such salary as shall be fixed by the board, not ex-

Salary.

ceeding, however, the sum of ten thousand dollars ($10,000.00) per annum. The director may appoint a deputy director and counsel and may fix their compensation. The director may appoint such clerical, technical and other assistants as may be necessary and prescribe their duties. All those employees employed by the preceding board, who are in the classified service under the civil service laws at the time this act becomes effective, shall be continued in their employment as employees in the classified service under the civil service laws. In addition to compensation, the director and each employee shall receive reimbursement for such actual and necessary expenses as are incurred in the performance of duty, upon certification by the director.

Deputy.

Assistants.

C. 4:12A-5. Organization.

5. The board shall choose a chairman from its own members and recording secretary, who may be a member of the director's staff. The board shall fix the compensation, if any, which is to be paid to the recording secretary.

Quorum.

A majority of the members of the board shall constitute a quorum for the transaction of the business of the board.

Meetings.

Meetings of the board shall be called by the chairman or by a majority of the members of the board.

Seal.

The board shall have a seal, which shall be judicially noticed.

C. 4:12A-6. Principal office.

6. The principal office of the board and of the director shall be in the city of Trenton in rooms assigned, furnished and equipped by the custodian of the State House.

C. 4:12A-7. Instrumentality of the State.

7. The board and the director are hereby declared to be the instrumentalities of the State for the purpose of attaining the ends in this act declared, and the board and the director are hereby vested with power as provided in this act. The director shall have power to issue orders, rules and regulations to carry out the objects and provisions of this act, and all such orders, rules and regulations by the director shall be made in his name over his signature. All orders, rules and regulations by the board on appeal shall be issued by the board.

Powers of director.

C. 4:12A-8. Enforcing rules.

8. Any duly authorized appointee of the director shall, subject to the limitations herein contained, enforce the provisions of this act and all rules and regulations promulgated by the director and all orders thereunder made by the director.

C. 4:12A-9. Appeals heard by board.

9. The board is hereby empowered and charged with the duty to hear, review, and determine all appeals by any person, applicant or licensee aggrieved by any act, proceeding, rule, regulation, decision or determination of the director, and to make reasonable rules regulating the manner, form, time, terms and conditions of such appeals, and to make such orders upon the final determination of such appeals as will effectuate such final determination according to law.

Filing petition of appeal.

On any appeal from a rule or order of the director fixing or refixing any price, the petition of appeal shall be filed with the board within five days from the date of filing such rule or order with the Secretary of State.

Decision in twenty days.

On any such appeal the board shall hold its hearing and render its decision within twenty days from the date of filing such rule or order with the Secretary of State.

Appeal to act as stay.

The filing of an appeal to the board from a rule or order of the director fixing or refixing any price, shall act as a stay upon any such rule or order that would otherwise become effective, such stay to continue until the rendering of decision upon such appeal by the board.

Conducting hearings.

The hearings before and the proceedings of the board shall be conducted in accordance with such rules of evidence and procedure as the board may from time to time prescribe.

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 Supreme 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.

Perjury.

Witness fees.

C. 4:12A-11. Place of holding hearings.

11. Any hearing by the director or by the board may be held in any part of the State and neither the director nor the board shall be bound by technical rules of evidence.

C. 4:12A-12. Application for writ of certiorari.

12. Any person, applicant or licensee aggrieved by any order or determination of the board made pursuant to this act may within thirty days after the making of such order or determination apply to a justice of the Supreme Court for a writ of certiorari, 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 the prosecutor of said writ of certiorari to execute 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 by the said prosecutor 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 writ.

C. 4:12A-13. Rules for conducting hearings by director.

13. The hearings before and the proceedings of the director shall be conducted in accordance with such rules of evidence and procedure as the director may from time to time prescribe.

C. 4:12A-14. Empowered to subpœna witnesses, etc.

14. The director shall have the power to issue subpœnas to compel the attendance of witnesses

and the production of books, papers and records for the purpose of obtaining such information as may be required to carry out the provisions of this act. Such subpœnas shall be signed by the director.

C. 4:12A-15. Administering oaths.

15. The director or any person authorized by law is hereby authorized to administer oaths to all such witnesses as may appear or be brought before said director.

C. 4:12A-16. Action 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, upon affidavits proving the facts, apply to a justice of the Supreme Court for attachment against such person, as for a contempt of the Supreme Court, and it shall be the duty of such justice to hear such application, and if satisfactory proof be made of such refusal to issue an attachment directed to the sheriff or any constable of the county, for the arrest of such person, and, upon his being brought before him, to proceed to a hearing of the case; and the said justice shall have the power to enforce, by imprisonment in any county jail, obedience to such subpœna, and require the answer of any questions that may be proper, and the production of any book, paper or document that the witness would be compelled to produce in a court of law, by similar process, and also to compel such witness to pay a fine and the costs of said proceedings, to be taxed by the court; and any person who shall willfully and corruptly testify falsely to any material matter upon oath or affirmation administered by the director or any person authorized by law, at any investigation, inquiry or hearing shall be guilty of perjury.

C. 4:12A-17. No immunity from testifying.

17. No person shall be excused from testifying or producing any book, paper, document or record when subpœnaed as aforesaid upon the ground that the testimony or documentary evidence required of him may incriminate him or subject him

to any penalty or forfeiture, but no such person shall be prosecuted, punished or subjected to any penalty or forfeiture on account of any matter or thing concerning which he shall, under oath, have testified or produced documentary evidence, except that he shall not be exempt from prosecution or punishment for perjury committed by him in his testimony. Nothing herein shall give to any corporation immunity of any kind.

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 Supreme Court; and any person attending in pursuance of such subpœna shall be entitled to the same fees and mileage as witnesses in civil actions in said Supreme Court.

C. 4:12A-19. Investigation by director.

19. The director shall have power to investigate all matters pertaining to the production, distribution, importation, storage, disposal, classification, sale or resale, conditions and terms of sale or resale, costs of production, distribution, sale and resale, processing, sale for manufacture, of milk as defined in this act in the State of New Jersey as may be necessary to carry out the provisions of this act.

C. 4:12A-20. Rules and regulations.

20. The director may adopt, promulgate and enforce all rules, regulations and orders necessary to carry out the provisions of this act. An order applying only to a person named therein shall be served on the person affected by personal delivery of a certified copy or by mailing a copy thereof to him at his last known address, and if such person be a corporation then the order shall be served in the same manner upon any officer or agent of the corporation upon whom a summons may be served, pursuant to the provisions of section 2:26–43 of the Revised Statutes.

Service of order.

All rules, regulations and orders adopted by the director shall be filed by him in his office and said file shall be a public record.

Rules and orders filed.

Orders, etc., to include findings of fact.

All orders and determinations of the director shall include the findings of fact upon which such orders or determinations are based.

C. 4:12A-21. Fix price and regulate the industry.

21. The director may fix the price at which milk is to be bought, sold, or distributed; regulate conditions and terms of sale; establish and require observance of fair trade practices; supervise, regulate and control the entire milk industry of the State of New Jersey, including the production, importation, classification, processing, transportation, disposal, sale or resale, storage or distribution of milk as defined in this act in the State of New Jersey in those matters and in every way necessary to carry out the purposes of this act and necessary to control or prevent unfair, unjust, destructive or demoralizing practices which are likely to result in the demoralization of agricultural interest in this State engaged in the production of milk or interfere with the maintenance of a fresh, wholesome supply of sanitary milk for the consumers of this State; *provided, however,* that nothing contained in this act shall be construed as authorizing the director to adopt, promulgate or enforce orders, rules or regulations containing provisions or sanitary regulations as defined in section one of this act; *and provided, further,* that nothing contained in this act or orders, rules or regulations adopted thereunder shall conflict with or be construed to abrogate or affect the status, force or operation of any public health law, any sanitary regulation or any local health ordinance, code or regulation, or Title 24 of the Revised Statutes and amendments thereof and supplements thereto.

Proviso, as to sanitary regulations.

Proviso.

C. 4:12A-22. May fix minimum prices.

22. The director may ascertain, determine and may fix or refix by investigation and proof, as the emergency permits, the minimum prices to be paid to the producer, the minimum prices to be charged by milk dealers to other milk dealers, processors, subdealers and stores, the minimum prices to be charged by processors to subdealers, the minimum prices to be charged by subdealers to

stores, and the minimum prices to be charged the consumer for milk in the several municipalities or markets of this State, under varying conditions, as will best insure a sufficient quantity of fresh, pure and wholesome milk to the inhabitants of this State. The director may take into consideration the various grades of milk produced, the varying percentages of butter fat, plant volume, seasonal production, and other conditions affecting the cost of production, cost of transportation and marketing, and the amount necessary to yield a reasonable return to the producer and to the milk dealer, processor or subdealer. The term grades as used herein shall be for the purpose of fixing or refixing prices only and shall not supersede or abrogate or affect the status of standard or requirement for milk as are or may be established in ordinances of boards of health or other bodies exercising the powers thereof in any municipality.

Basis of determination.

Construing as to grades.

C. 4:12A-23. Notice and hearing before fixing price.

23. Before fixing or refixing any price, the director shall give a notice by public advertisement inserted in at least three daily newspapers of this State that he is considering the fixing or refixing of such price and that a public hearing will be held thereon on the day, time and place set forth in such notice, which day shall not be less than five days after the day of insertion. After such public hearing, if the director fixes or refixes any price, such fixed or refixed price shall be effective upon the fifteenth day after such rule or order fixing or refixing the price and the findings of fact upon which it is based have been filed in the office of the Secretary of State.

C. 4:12A-24. May act as mediator.

24. The director or the board may act as mediator and arbitrator in any controversy or issue that may arise among or between producers, milk dealers, processors, stores, subdealers and consumers as between themselves or that may arise between them as groups.

C. 4:12A-25. Authorized to make agreements.

25. For the furtherance of the objects stated in this act the director shall have authority to enter

into agreements with State, county and municipal agencies and with other States and the Federal Government.

C. 4:12A-26. Enforce selling regulations.

26. To effectuate the orderly sale and distribution of milk between dealers, processors, subdealers and stores, and carry out the provisions of this act, the director is hereby empowered to promulgate and enforce conditions, terms and credit regulations governing such sales.

C. 4:12A-27. Right of entry.

27. The director or an employee designated by him for such purpose shall have access to and may enter at all reasonable hours all places where milk is being stored, bottled or manufactured into food products. The designated employee shall have power to inspect all books, papers, records or documents in any place within this State for the purpose of ascertaining facts to enable the director to administer the provisions of this act.

Inspection of records.

C. 4:12A-28. Bars the handling by unlicensed dealer, etc.

28. No milk dealer, processor, subdealer or store, as defined in this act, shall buy milk from producers or others for sale, disposal, importation, transportation, storage or manufacture, or sell, transport, import, dispose of, store or distribute milk or otherwise engage in the milk business within this State, unless duly licensed as in this act provided, and it shall be unlawful for a milk dealer, processor, subdealer or store to buy milk from a milk dealer, processor, subdealer, or store who is unlicensed, or to sell to milk dealers, processors, subdealer or store in this State who is unlicensed, or in any way to deal in or handle milk which he may have reason to believe has previously been dealt in or handled in violation of the provisions of this act or any order, rule or regulation of the director promulgated pursuant thereto.

Purpose of license.

The licenses required by this act are for the purpose of correcting unfair, unjust, destructive and demoralizing practices in the milk industry in this State, and to prevent demoralization of agricultural interests engaged in the production of milk in this State. The licenses required by this act shall be in addition to any other license or

Additional license required.

permit required by any law of this State, or by any ordinance of a local board of health or other body exercising the powers thereof in any municipality of this State, and shall not be considered as such a license or certificate as is contemplated by section 40:52–1 of the Revised Statutes. When the department of health of the State of New Jersey or any local board of health shall refuse to license, suspend or revoke the right of a licensee to sell or distribute milk or cream in a particular municipality, the license granted by the director shall so far as said municipality is concerned be suspended or revoked for such time as such suspension or revocation shall be continued by said municipality.

License suspended, etc.

29. No milk dealer, processor, subdealer or store shall distribute, sell or handle milk in this State which is obtained from any producer, other milk dealer, processor, subdealer or store where the milk has been purchased either directly or indirectly for a price less than the minimum price fixed by the director to be paid for such milk to be distributed in a given market.

C. 4:12A-29. Prohibits dealing in product purchased at less than minimum.

30. No licensee or other person, association or corporation shall hereafter contrary to the public interest operate in any municipality under any mutual or secret agreement, arrangement, combination, contract or common understanding, with any other licensee or person, firm, association or corporation, whereby the price for milk to be paid to producers in this State is reduced or the price to be paid by dealers, processors, subdealers, stores or consumers for such milk is decreased in pursuance of such mutual or secret agreement, arrangement, combination, contract or common understanding, and each such contract, arrangement, agreement or understanding is hereby prohibited and declared to be contrary to the public interest and in restraint of trade and commerce, and shall subject the violator or violators to the penalty in this act prescribed; *provided, however,* that the right may be granted to deduct a check-off to be paid as association or corporation with consent of producer and approval of the director.

C. 4:12A-30. Prohibits secret agreements to abrogate price.

Proviso.

C. 4:12A-31. Not to prohibit the blending of proceeds of net sales.

31. It is the intent of the Legislature that no provisions of this act shall prevent a producer co-operative association or producer co-operative corporation approved by the director, which sells the milk of or for its members or of persons who are now or hereafter under contract with such producer co-operative association or producer co-operative corporation, from blending the proceeds of all its or their net sales either within or without the State, and so paying its members or contractees; *provided, however,* no producer co-operative association or producer co-operative corporation shall be exempt from any other orders, rules or regulations promulgated by the director.

Proviso.

C. 4:12A-32. Application for license.

32. The application for license shall be made on a form prepared by the director. The director may require an applicant for a license to show that he has secured all other State licenses and such other permits or licenses as may be necessary for said applicant to carry on the milk business in his territory, and upon his failure to do so refuse to issue to said applicant a license.

C. 4:12A-33. When application to be made.

33. An application for a license to operate as a milk dealer, processor, subdealer or store shall be made within fifteen days after this act takes effect or before any person shall commence business as a milk dealer, processor, subdealer or store, and annually thereafter on or before the tenth day of May in each year for the license year commencing July first, and ending June thirtieth following. The applicant shall state the nature of the business to be conducted, the full name of the person applying for the license and, if the applicant be a firm or association, the full name of each member, and if a corporation the names and addresses of all officers and directors and the name or names of the municipality or municipalities in which the business is to be conducted; that he has complied with all the orders, rules and regulations of the predecessor board and the director, and such other facts with respect to the license as may be required by the said director. A license shall be granted to the

Annual renewal.

Contents of application.

Granting license.

applicant by the director subject to the provisions of this act. The original or a certified copy thereof shall be conspicuously displayed by the licensee at its principal place of business, and in each plant, store or sales branch delivery depot in this State. License displayed.

34. Before declining to grant a license or conditioning or limiting a license, or suspending or revoking a license previously granted, the director shall give notice to the applicant or licensee personally, or by mail addressed to his last known address, and afford him an opportunity to appear and be heard with respect thereto at a time and place specified in such notice. Such applicant or licensee shall have the right to be heard in person or by attorney, and to offer evidence pertinent to the subject of the hearing, and to that end to invoke the powers of the director with respect to the compulsory attendance of witnesses and the production of books, accounts, papers, records and documents by subpœna. A duly certified copy of the order of the director of such hearing shall be served upon the applicant or the licensee in the manner provided by section twenty of this act. C. 4:12A-34. Hearing before declining or revoking license.

35. The director after hearing duly held in accordance with the provisions of this act, may decline to grant a license or may issue a license conditionally, or may suspend or revoke a license already granted when satisfied of the existence of any of the following: C. 4:12A-35. Bases for declining or revoking license.

(1) That an applicant or a licensee has rejected, without reasonable cause, any milk from one of its regular producers.

(2) That the applicant or licensee has failed to account and make payment, without reasonable cause, for any milk purchased from a producer.

(3) When it has been established by evidence submitted to the director by the State or local health authorities that the applicant or licensee has committed any act likely to under-

mine health regulations and standards as established by health laws and ordinances.

(4) That the applicant or licensee has committed any act injurious to trade or commerce, or any act which may demoralize the price structure of milk or interfere with an ample supply of milk for the inhabitants of this State.

(5) Where the applicant or licensee has continued in a course of dealing of such a nature as to satisfy the director of his inability or unwillingness properly to conduct the business of receiving or selling milk in accordance with the provisions of this act.

(6) Where the applicant or licensee has been a party to a combination to fix prices contrary to the provisions of this act.

(7) Where the applicant or licensee has continued in a course of dealing of such nature as to satisfy the director of an intent to deceive or defraud stores, producers, consumers, subdealers or other dealers in those matters regulated by the provisions of this act.

(8) Where the applicant or licensee has failed either to keep records or to furnish the statements or information required by section thirty-seven of this act.

(9) Where any applicant or licensee has made false statements to the director or the board or has testified falsely in any hearing before the director or the board.

(10) That the applicant or licensee is not qualified by character, experience, financial responsibility and equipment to properly conduct the proposed business.

(11) That the applicant or licensee is a partnership, corporation, firm or association and any individual holding any position or interest or power or control therein has previously been responsible in whole or in part for any act on account of which a license may be de-

nied, suspended or revoked pursuant to the provisions of this section or law or the similar laws which preceded it.

(12) That the applicant or licensee has violated any of the provisions of this act, or any of the rules, regulations or orders of the director or has violated any of the provisions of similar laws or of orders, rules and regulations issued thereunder which have preceded this act.

May continue previous ruling, etc.

The director may without hearing continue any ruling or order made as to license or any applicant or licensee which was made after hearing when any subsequent application for license is filed by said applicant or licensee.

Issuance of license not to act as bar to revoking.

The issuance or renewal by the director of a license hereunder shall not preclude the director from suspending, conditioning or revoking such license for acts as set forth in this section committed by the licensee prior to the license period unless the director or the predecessor board had proceeded against the applicant or licensee, and the order made thereupon had been complied with by the applicant or licensee.

C. 4:12A-36. Schedule of fees:

36. Every person required by this act to be licensed shall pay a yearly license fee as follows:

Store;

Store—each and every store selling milk shall pay a license fee of one dollar ($1.00); *provided, however,* that a store selling milk exclusively for consumption on the premises shall not be required to obtain a license nor pay a license fee; *and provided, further,* that a store selling only milk which is evaporated or condensed in hermetically sealed cans shall not be required to obtain a license or pay a license fee.

Proviso;

Proviso;

Milk dealer;

Milk dealers—where a milk dealer sold in the State of New Jersey during the twelve calendar months immediately preceding the period for which the license is applied or issued a monthly average quantity of milk.

(1) Not exceeding twenty-five hundred pounds, a license fee of two dollars ($2.00);

(2) Exceeding twenty-five hundred pounds, but not exceeding five thousand pounds, a license fee of seven dollars and fifty cents ($7.50);

(3) Exceeding five thousand pounds, but not exceeding twenty-five thousand pounds, a license fee of twenty dollars ($20.00);

(4) Exceeding twenty-five thousand pounds, but not exceeding one hundred thousand pounds, a license fee of seventy dollars ($70.00);

(5) Exceeding one hundred thousand pounds, but not exceeding two hundred thousand pounds, a license fee of one hundred twenty-five dollars ($125.00);

(6) Exceeding two hundred thousand pounds, but not exceeding five hundred thousand pounds, a license fee of two hundred dollars ($200.00);

(7) Exceeding five hundred thousand pounds, but not exceeding one million pounds, a license fee of three hundred dollars ($300.00);

(8) Exceeding one million pounds, but not exceeding two million pounds, a license fee of five hundred dollars ($500.00);

(9) Exceeding two million pounds, but not exceeding five million pounds, a license fee of seven hundred dollars ($700.00);

(10) Exceeding five million pounds, a license fee of eight hundred dollars ($800.00);

Where a milk dealer is engaged in handling milk in the State of New Jersey, but selling milk only in another State or engaged only in manufacturing; he shall not be subject to the foregoing schedule, but shall pay a license fee of twenty-five dollars ($25.00).

Processors; Processors—every processor shall pay a license fee of two hundred fifty dollars ($250.00).

Subdealers—every subdealer shall pay a license fee of ten dollars ($10.00) for each route owned or operated at the commencement of the license period. Subdealers.

It is the intent where the amount of license fee is to be determined by the quantity of milk that the whole milk equivalent of milk in each of its forms as included in definition of milk in paragraph one of this act shall be used. Intent.

Any person applying for a license to engage in the business of a milk dealer or processor who has not been engaged in such business prior to the effective date of this act, upon filing application with the director to engage in such business, shall, in the case of applying for a license as a milk dealer or processor, deposit with the director one hundred dollars ($100.00) in cash. This deposit shall be retained by the director until such time as the director is able to determine from the monthly reports of such applicant for license the proper fee to be charged such applicant in accordance with the schedules hereinbefore set forth, at which time any part of such deposit in excess of the license fee so determined shall be returned to the applicant. Deposit required with application.

The license fee shall accompany the application for a license; said application shall not be received or acted upon if it is not accompanied by the proper fee. Where a license is applied for and the director declines to grant the license to the applicant, the license fee shall be charged and retained by the director only pro rata for so much of the license year as expired prior to the issuance of the order refusing the license. There shall be no refund in such case where the applicant is a store, subdealer or milk dealer whose fee is not more than twenty-five dollars ($25.00). Fee with application. License fee retained pro rata. No refund.

37. Records. The director may require the licensees to keep the following records: C. 4:12A-37. Records required.

(1) A record of all milk received, detailed as to location, and as to names and addresses

of suppliers, with butter fat test, prices paid, deduction or charges made.

(2) A record of all milk sold, classified as to grade, location and market outlet and size and style of container, with prices and amounts received therefor.

(3) A record of quantities and prices of milk sold.

(4) A record of the quantity of each milk product manufactured and quantity of milk and cream used in the manufacture of these products. Also the quantity and volume of milk products sold.

(5) A record of wastage or loss of milk or butter fat.

(6) A detailed record of the costs incurred in carrying on the business of the licensee.

(7) Such other records and information as the board may deem necessary for the proper enforcement of this act.

C. 4:12A-38. Report required.

38. Each licensee shall, from time to time, as required by the rule or order of the director, make and file a verified report on forms prescribed by the director, of all matters on account of which a record is required to be kept, together with such other information or facts as may be pertinent and material within the scope of this act.

C. 4:12A-39. Penalties for violations.

39. Any person who shall violate any of the provisions of this act or the orders, rules and regulations of the director as adopted from time to time shall be deemed guilty of a violation of the provisions of this act and shall pay a penalty of not more than fifty dollars ($50.00) for the first offense and not more than two hundred dollars ($200.00) for the second, or each subsequent offense, and such penalty when collected shall be paid to the Treasurer of the State of New Jersey and become a part of the general fund of the State of New Jersey. Any milk as herein defined which is the subject of the violation of this act or the orders, rules and regulations of the director, may be seized, and

Disposition of seized milk.

any part thereof may be sold as the director or court may direct; the proceeds from such sale to be paid to the Treasurer of the State of New Jersey to abide the further order of the director or court, and if no such order is made then to become a part of the general fund of the State of New Jersey.

C. 4:12A-40. May release milk or funds.

40. The director or court may in his or its discretion release the milk as herein defined, or the funds derived from the sale of such milk, when the orders of the court and the requirements of this act and the orders, rules and regulations of the director have been complied with, and upon payment of all costs and expenses incurred by the State in any proceedings connected with such seizure or prosecution.

C. 4:12A-41. Courts that may issue process.

41. Every district court in any city or judicial district in any county and every court of common pleas in any county wherein a district court is not located is hereby empowered upon the filing of a complaint, in writing, duly verified, which said verification when made by the director may be made upon information and belief that any person has violated any of the provisions of this act, to issue process at the suit of the director of milk control as plaintiff; such process shall be in the nature of a summons and shall be returnable in not less than five nor more than fifteen days; such process shall state what provisions of the law and orders and rules and regulations are alleged to have been violated by the defendant or defendants, and on the return of such process or at any time to which the trial shall be adjourned, the said court shall proceed in a summary manner, without a jury, to hear testimony and to determine and give judgment in the matter without the filing of any pleadings, either for the plaintiff, for the recovery of such penalty, with costs, or for the defendant, and the said court shall, if judgment be rendered for the plaintiff, cause any such defendant, who may refuse or neglect to forthwith pay the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the

Nature of process.

Summary trial.

Commitment upon failure to pay fine.

county jail for any period not exceeding one hundred days; that the officers to serve and execute all process under this act shall be the officers authorized to serve and execute process in said court.

C. 4:12A-42. Form of conviction.

42. The convictions in prosecutions under this act shall be in the following similar form:

State of New Jersey, }
County of ..... } ss.

Be It Remembered, that on this ..... day of ..... at ..... in the county of ....., defendant, was by ..... (the district court of any city or judicial district in any county, or court of common pleas), convicted of violating the provisions of the ..... section of an act entitled "An act to regulate and control the production, distribution and sale of milk as herein defined; to create a milk control board for such purposes; to prescribe the jurisdiction, duties and powers of said board; to require licenses of and establish fees to be paid by stores, milk dealers, processors and subdealers; to provide methods for enforcement and penalties for violations thereof and declaring an emergency affecting the production, distribution and sale of milk as defined herein," approved ....., one thousand nine hundred and forty-one, in a summary proceeding at the suit of the director of milk control of the State of New Jersey, upon a complaint made by ....., and further that the witnesses in said proceeding who testified for the plaintiff were (name them), and the witnesses who testified for the defendant were (name them).

Wherefore, the said court doth hereby give judgment that the plaintiff recover of the defendant ..... dollars penalty, and ..... dollars, cost of this proceeding.

The conviction shall be signed by the judge of the court before whom the conviction is had. In case the defendant is committed to jail in default of payment of the penalty, a commitment in the following form shall be added, beneath the judge's signature, to the conviction:

> "and the said defendant, neglecting and refusing to pay the amount of the penalty above mentioned, with costs, it is hereby ordered that the said ..... be, and he hereby is committed to the common jail of the county of ..... for the period of ..... days, unless the said penalty and costs are sooner paid."

This commitment shall also be signed by the judge and in case of commitment of any defendant to jail the conviction and commitment shall be signed in duplicate and one of the duplicate copies shall serve the purpose of a warrant of commitment.

Signing and sealing process.

The clerk of any district court or of any court of common pleas may sign and seal any process required to be issued under this act except a warrant of commitment. The costs recoverable in any such proceeding shall be the same as costs taxed in actions in said courts and shall be recovered in the event of the conviction of the defendant. Any judgment recovered for a penalty under the provisions of this act in any district court may be docketed in the same manner as judgments in said court are docketed under the provisions of sections 2:32–186 to 2:32–201 of the Revised Statutes. Execution may issue for the collection of any judgment obtained under this act against the goods and chattels and body of the defendant without any order first obtained for such purpose.

Amount of costs.

Docketing judgment.

Issuing execution to collect judgment.

C. 4:12A-43. May hold informal hearings on violations.

43. Upon receiving evidence of a violation of any of the provisions of this act or of any of the rules, regulations or orders of the director, any employee designated by the director is hereby em-

powered to hold informal hearings upon said violation or violations at such place or places as the director may fix and upon finding the violations to have been committed, to adjust same with any person accused of violating any provisions of this act or the rules, regulations or orders of the director, for such amounts as may in the discretion of the director, be proper under the circumstances. In the event of the violator making payment of the sum set in adjustment, no further prosecution shall be had upon any violation so adjusted.

No further prosecution.

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

44. The director may file a bill in the Court of Chancery in the name of this State, on the relation of said director, for an injunction to prohibit any habitual violation of the act or any of the orders or rules or regulations issued by said director or any other violation of any of the provisions of this act, and every such action shall proceed in the Court of Chancery according to the rules and practice of bills filed in the name of the Attorney-General on the relation of individuals or departments; and causes of emergency shall have precedence over other litigation pending at the time in the Court of Chancery, and the final hearing may be had within such time and on such notice as the Chancellor shall direct.

C. 4:12A-45. Use of fees, etc.

45. All funds derived from fees for licenses issued hereunder are hereby appropriated to pay the expenses of the operation of the department, and the proceeds of adjustments of penalties collected by the director and the proceeds of fines and costs imposed by any court hereunder shall be paid to the State Treasurer.

C. 4:12A-46. Continuation of State milk control law.

46. It is the intent of the Legislature that this act is a continuation of the State Milk Control Law, chapter one hundred sixty-nine, pamphlet laws of one thousand nine hundred and thirty-three; chapter one hundred seventy-five, pamphlet laws of one thousand nine hundred and thirty-five; chapter fifty-six, pamphlet laws of one thousand nine hundred and thirty-seven; and chapter eighty-two,

pamphlet laws of one thousand nine hundred and thirty-nine; and that all orders, rules and regulations of the board created thereunder in force when this act becomes effective shall continue in force as orders, rules and regulations of the director under this act until suspended by new orders, rules and regulations made by the director. All suits commenced and being prosecuted by the milk control board under chapter eighty-two, pamphlet laws of one thousand nine hundred and thirty-nine shall be deemed as continued and shall be enforced and prosecuted by the director. All books, papers, orders, rules, regulations and equipment held by the board under chapter one hundred sixty-nine, pamphlet laws of one thousand nine hundred and thirty-three; chapter one hundred seventy-five, pamphlet laws of one thousand nine hundred and thirty-five; chapter fifty-six, pamphlet laws of one thousand nine hundred and thirty-seven; and chapter eighty-two, pamphlet laws of one thousand nine hundred and thirty-nine, shall be delivered to the director.

Records to be delivered to director.

47. Licenses issued by the milk control board under chapter eighty-two of the pamphlet laws of one thousand nine hundred and thirty-nine shall continue in full force and effect until July thirty-first, one thousand nine hundred and forty-one.

C. 4:12A-47. Licenses continued.

Licenses issued by the director under this act during the license year beginning July first, one thousand nine hundred and forty-one and ending June thirtieth, one thousand nine hundred and forty-two, shall expire on June thirtieth, one thousand nine hundred and forty-two.

Term of license.

48. The operation and effect of any provision of this act conferring a general power upon the board or the director shall not be impaired or qualified by the granting to the board, the secretary, the director or an employee or agent of the director by this act of a specific power or powers, not inconsistent with the provisos contained in paragraph twenty-one of this act.

C. 4:12A-48. Operation of act.

C. 4:12A-49. Imported milk subject to 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 may apply to the Court of Chancery for its writ of injunction to restrain such further unlawful acts.

C. 4:12A-50. Construing as to interstate commerce.

50. No provisions of this act shall apply or be construed to apply to foreign or interstate commerce, except in so far as the same may be effective pursuant to the United States Constitution and to the laws of the United States enacted pursuant thereto.

C. 4:12A-51. Sections separable.

51. The sections and parts of sections included in this act are hereby declared to be independent sections and parts of sections; if any such section or part of section shall be held invalid, such holding shall not affect the remainder of this act, nor the context in which such part of section so held invalid may appear, excepting to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply. The intention and purpose of this act as hereinbefore defined extends to the regulation of the milk producing and marketing industry and to the control generally of milk to be sold to the inhabitants of the State of New Jersey to the full extent permitted by the Constitutions

Intent of act.

of this State and of the United States as applied to legislation enacted under the emergency conditions described in this act or enacted under the police power of the State.

C. 4:12A-52. Act operative.

52. This act shall be effective until such date as the Legislature shall determine an emergency no longer exists and the exercise of the police power of the State is no longer necessary and shall terminate its operation.

53. This act shall take effect immediately.

Passed July 15, 1941.

CHAPTER 275

AN ACT concerning elections, and amending sections 19:14–21, 19:14–25, 19:23–30, 19:23–33, 19:23–34, 19:23–35, 19:23–36, 19:31–2 and 19:45–6 of the Revised Statutes.

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

Section amended.

1. Section 19:14–21 of the Revised Statutes is amended to read as follows:

Preparation and delivery of sample ballots.

19:14–21. The county clerk shall cause samples of the official general election ballot to be printed, and in counties other than counties of the first class not later than noon of the eighth day prior to the general election shall furnish to the municipal clerk of each municipality in his county one and one-fifth times as many such sample ballots and stamped envelopes as there are voters registered, to enable each district board in each municipality to mail one of such sample ballots to each voter who is registered in the municipality for such election and shall take a receipt for the same from each of the municipal clerks, which receipt shall indicate the number of such sample ballots and

Number supplied.

stamped envelopes delivered by the county clerk and the date and hour of their delivery.

Envelopes for mailing sample ballots.

In counties of the first class the county clerk, not later than the thirtieth day preceding the general election, shall furnish to the commissioner of registration located in his county one and one-tenth times as many stamped envelopes as there are registered voters in the county and not later than noon of the twelfth day preceding the general election shall furnish to the commissioner of registration located in the county, one and one-tenth times as many sample ballots as there are registered voters in the county to enable the commissioner of registration of the county to mail one of such sample ballots to each voter registered in the county for such election and shall take a receipt for the same from the commissioner of registration, which receipt shall indicate the number of such sample ballots and stamped envelopes delivered by the county clerk and the date and hour of their delivery.

Number of envelopes and sample ballots.

Receipt for delivery.

Sample ballots furnished county board of elections.

The county clerk in counties of the first class shall also deliver to the county board not later than the twelfth day preceding the general election ten such sample ballots of each election district of each municipality in the county.

Section amended.

2. Section 19:14–25 of the Revised Statutes is amended to read as follows:

Mailing and posting.

19:14–25. In counties other than counties of the first class all the members of each of the district boards shall prepare and deposit in the post office, on or before twelve o'clock noon on Wednesday preceding the general election day, a properly stamped envelope containing a copy of the sample ballot, addressed to each registered voter in the district of such board at the address shown on the register. The board shall also post the sample ballots in the polling place in its district and in at least five other public places therein.

Unused returned to municipal clerk.

The board shall return to the municipal clerk all ballots and envelopes not mailed or posted by it, with a sworn statement in writing signed by a ma-

jority of the board that all the remainder of such ballots and envelopes had been mailed.

Sample ballots mailed registered voters.

In counties of the first class the commissioner of registration shall prepare and deposit in the post office on or before twelve o'clock noon, on the Wednesday preceding the general election day, a properly stamped envelope containing a copy of the sample ballot addressed to each registered voter in the county at the address shown on the registry. The commissioner of registration shall return to the county clerk all ballots and envelopes not mailed or posted by him, with a sworn statement in writing signed by him that all the remainder of such ballots and envelopes have been mailed.

Unused ballots and envelopes returned.

Sample ballots mailed to district boards.

The county board of elections in all counties of the first class shall, not later than noon of the second Monday preceding the election, deliver or mail to the members of the district board six sample ballots for their respective election district. The board shall post the sample ballots in the polling place in its district and in at least five other public places therein not later than twelve o'clock noon of the Friday preceding election.

Posted.

Section amended.

3. Section 19:23–30 of the Revised Statutes is amended to read as follows:

Preparation and delivery of primary sample ballots.

19:23–30. In all counties other than counties of the first class the municipal clerk shall cause to be printed as herewith prescribed a sufficient number of official primary sample ballots of each political party in each election district and shall furnish a sufficient number of stamped envelopes to enable every district board to mail one copy of such ballot of each political party to each voter who is registered in the district for the primary election. The municipal clerk shall deliver to the county clerk in all counties and the county board in counties of the first class one official primary sample ballot of each political party for each district in his municipality. The cost of printing the official primary sample ballots and the stamped envelopes therefor shall be paid by the respective municipalities.

Delivery to county clerk.

Cost paid by each municipality.

Procedure in municipalities in first class counties.

In counties of the first class the municipal clerk shall cause to be printed as herewith prescribed a sufficient number of official primary sample ballots of each political party for each election district and shall furnish a sufficient number of stamped envelopes to enable the commissioner of registration of the county to mail one copy of such ballot of each political party to each voter who is registered in the district for the primary election.

Delivery to county board.

The municipal clerk shall also deliver to the county board ten official primary sample ballots of each political party for each district in his municipality.

Cost met.

The cost of printing of the official primary sample ballots and stamped envelopes therefor shall be paid for by the respective municipalities.

Section amended.

4. Section 19:23–33 of the Revised Statutes is amended to read as follows:

Supply of ballots and envelopes for each voter.

19:23–33. In all counties other than counties of the first class the municipal clerk in each municipality shall furnish to a member of each district board in his municipality, at his office, or in any other way that he sees fit, on or before Tuesday preceding the primary election in each year, sufficient sample ballots and sufficient stamped envelopes to enable the board to mail sample ballots to the voters as hereinbefore provided. Each of the boards shall give the municipal clerk a receipt for such sample ballots and envelopes signed by one of its members.

Receipt for supply.

Provision for mailing sample ballots.

In counties of the first class the municipal clerk in each municipality shall furnish to the commissioner of registration of his county not later than thirty days preceding the primary election of each year, sufficient stamped envelopes to enable the commissioner of registration to mail sample ballots to each voter who is registered in the county and shall, not later than noon of the twelfth day preceding the primary election furnish sufficient sample ballots to the commissioner of registration of his county for that purpose. The commissioner of registration shall give the municipal clerk a receipt for such sample ballots and envelopes.

5. Section 19:23–34 of the Revised Statutes is amended to read as follows: Section amended.

19:23–34. Each of such boards in counties other than counties of the first class and the commissioner of registration in counties of the first class shall prepare and deposit in the post office, on or before twelve o'clock noon on Wednesday preceding the primary day, the stamped envelopes containing a copy of the sample primary ballot of each political party addressed to each voter whose name appears in the primary election registry book. Mailing sample ballots.

6. Section 19:23–35 of the Revised Statutes is amended to read as follows: Section amended.

19:23–35. In counties other than counties of the first class such board shall also post the sample ballot in the polling place in its district and five other places therein. Posting sample ballots.

The county board of elections in all counties of the first class shall, not later than noon of the second Monday preceding the primary election, deliver or mail to the members of the district board six sample ballots for their respective election district. The board shall post the sample ballots in the polling place in its district and in at least five other public places therein not later than twelve o'clock noon of the Friday preceding the primary election. County boards delivery to district board. Ballot posted.

7. Section 19:23–36 of the Revised Statutes is amended to read as follows: Section amended.

19:23–36. In counties other than counties of the first class the district boards shall return to the municipal clerk the unused sample ballots and stamped envelopes, with a sworn statement in writing, signed by a majority of the members of the board, to the effect that the remainder of the sample ballots in envelopes were actually mailed or posted as provided in this Title, and the members of the board failing to file such statement shall receive no compensation for the service of mailing. Return of unused ballots and envelopes by district boards.

In counties of the first class the commissioner of registration shall return to the municipal clerk the unused sample ballots and stamped envelopes Return by commissioner of registration.

with a sworn statement to the effect that the remainder of the sample ballots and envelopes were actually mailed or posted as herein provided.

Section amended.

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

Commissioner of registration.

19:31–2. In all counties of the first class the term of office of the present commissioners of registration is hereby terminated. In all counties of the first class the superintendent of elections is hereby constituted the commissioner of registration and in all other counties having municipalities having permanent registration the secretary of the county board is hereby constituted the commissioner of registration.

Charge of permanent registration.

The commissioner of registration in all counties of the first class, and the county board in all other counties, shall have complete charge of the permanent registration of all eligible voters in municipalities within their respective counties having permanent registration.

Temporary appointment of assistants.

The commissioner of registration in counties of the first class, and the county board in all other counties, shall have power to appoint temporarily such number of persons as in his or its judgment may be necessary in order to carry out the provisions of this Title. Such persons when temporarily appointed shall not be subject to any of the provisions of Title 11, Civil Service, but shall be in the unclassified service.

Exemption.

Office equipment.

The commissioner of registration in counties of the first class, 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.

Expenses paid by county treasurer.

All necessary expenses incurred, as and when certified and approved by the commissioner of registration in counties of the first class, 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 three hundred ten thousand dollars ($310,000.00) for the year one thousand nine hundred and forty-one and shall not exceed the sum of two hundred sixty thousand dollars ($260,000.00) per annum for each succeeding year thereafter. Proviso. Expenses limited.

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 of the first class, and upon the county boards in all other counties. Powers not affected.

All powers granted to the commissioner in all counties other than counties of the first class by the provisions of this Title are hereby conferred upon the county board in such counties, and any and all duties conferred upon the commissioner in all counties other than counties of the first class 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. Powers conferred.

9. 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: Pay of district boards.

For each registry day other than the primary registry day, including the services in making and completing the house-to-house canvass in municipalities not having permanent registration, ten dollars ($10.00); for the primary registry day, including all services rendered in holding the primary election, except services in mailing the ballots, fifteen dollars ($15.00); for mailing the primary election sample ballots, two dollars ($2.00); for mailing the general election sample ballots, Fees for various services.

three dollars ($3.00); for all services on general election day, including the counting of votes and delivery of returns and ballot box with contents to the municipal clerk, fifteen dollars ($15.00); for all services at any special election, fifteen dollars ($15.00).

Proviso.

Provided, however, that in counties of the first class no compensation shall be paid to the members of the district board for mailing of primary sample ballots or general election sample ballots.

No other fees.

Such compensation shall be in lieu of all other fees and payments.

Payment.

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.

10. This act shall take effect immediately.

Passed July 15, 1941.

CHAPTER 276

AN ACT concerning persons appointed to office by the Governor, by and with the advice and consent of the Senate, in certain cases.

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

C. 52:14-16.1. Tenure and salary of person under civil service appointed to another office.

1. When any person holds office, position or employment under the government of this State and has tenure or is protected in such office, position or employment by virtue of any law or any order, rule or regulation of the Civil Service Com-

mission, and such person shall be appointed to any office by the Governor, by and with the advice and consent of the Senate, such person shall continue to hold the said office, position or employment in which he has tenure or is protected and shall continue to receive the salary or compensation provided for such office, position or employment and shall retain all the rights, privileges and benefits incident to his continued holding of said office, position or employment and his rating and status in the State Civil Service, despite the fact that he accepts and qualifies for the office to which he has been so appointed by the Governor; *provided,* the Governor certifies his approval thereof in writing to the Civil Service Commission; and in such case such person shall receive, in addition, from the appropriation made for salary or compensation for the office to which he has been so appointed by the Governor such additional salary or compensation, not exceeding twenty-five hundred dollars ($2,500.00), as the Governor, in his discretion, may fix by his certificate, which certificate shall be filed with the Civil Service Commission.

Proviso.

Approval by Governor.

Additional salary.

2. This act shall take effect immediately.

Approved July 15, 1941.

CHAPTER 277

AN ACT concerning municipalities, and supplementing Title 40 of the Revised Statutes.

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

1. In the event of emergency or widespread conflagration, it shall be lawful for the chief or other head of the fire or police department of any municipality, upon the request of the chief of the fire or police department or the mayor of any other municipality for assistance, to provide and render such assistance, by supplying fire and police aid,

C. 40:47-12.1. Authorized to render fire and police aid.

or both, in the protection of life and property, or to assist in quelling any riot or disorder or in suppressing any conflagration.

Pension and compensation rights not affected.

Any member of a fire or police department rendering assistance or aid, as contemplated by this act, who shall meet death in the performance of duty, or who shall suffer sickness, injury or death in carrying out the provisions of this act, shall be entitled to all pension rights and compensation as though such sickness, injury or death had occurred in his own municipality.

2. This act shall take effect immediately.

Approved July 21, 1941.

CHAPTER 278

AN ACT regulating the sale of ice cream, sherbets, ices and similar frozen products.

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

C. 51:1-31.1. Terms defined.

1. Definitions. As used herein, the term "frozen desserts" shall be deemed to mean and include "ice cream," "custard ice cream," "French ice cream," "French custard," "frozen custard," "sherbet," "ice," and "fruit ice." Fancy form shall be deemed to mean "an individual portion or container which simulates a special form or design to be sold for special occasions in units of not less than four and which are not normally sold in retail trade." Molded form shall be deemed to mean "a special form or design of eight or more fluid ounces which does not conform to the container in which it is packed."

C. 51:1-31.2. Capacities of containers for frozen dessert.

2. Frozen desserts shall be sold in containers of the following capacities only: one quart, one pint, one-half pint and multiples of the half pint. The net contents of the container shall be marked on

the side or top thereof in a plain and conspicuous manner. Containers may be of capacities of less than eight fluid ounces if the net contents of the container, in terms of fluid ounces, is indicated on the side or top thereof in a plain and conspicuous manner.

C. 51:1-31.3. May be sold by the unit.

3. When frozen desserts are in individual units of fancy form, and each unit is less than eight fluid ounces, they may be sold by the unit without being marked as to net contents. Molded forms may be sold in containers that do not comply with the provisions of paragraph two; *provided*, the net content in fluid ounces is plainly marked on the container as provided in paragraph nine of this act.

Proviso.

C. 51:1-31.4. Fixes minimum weight.

4. Frozen desserts shall weigh not less than four and five-tenths pounds per gallon.

C. 51:1-31.5. Manufacturer or dealer shown.

5. The name of the manufacturers or dealer shall be plainly and conspicuously marked on each container of frozen desserts. A number assigned by the State Superintendent of the Department of Weights and Measures, upon the written application of a manufacturer, may be used by such manufacturer in lieu of his name as required by this regulation. This regulation as to designating number, in lieu of a name, shall not apply to retail sales.

C. 51:1-31.6. Terms used to express contents.

6. The contents of frozen desserts containers shall be expressed in terms of the U. S. standard gallon and as follows: one quart, one pint, one-half pint or multiples of the one-half pint, and containers of less than eight fluid ounces in terms of fluid ounces.

C. 51:1-31.7. Exempt from provisions.

7. Frozen desserts sold for consumption on the premises are exempt from the marking provisions.

C. 51:1-31.8. Net contents shown.

8. All containers of whatsoever size, must have an indication of the net contents except in the case of fancy forms of less than eight fluid ounces, in which case the containers must be marked as to the number of forms contained therein.

C. 51:1-31.9. Size of lettering.

9. The size of the lettering describing the contents of frozen desserts containers shall be not less than one-sixteenth of an inch in height on con-

tainers of eight ounces or not less than one-ninth of an inch on containers from eight ounces to less than one quart in size and not less than one-eighth of an inch in height for containers of one quart or over.

C. 51:1-31.10. Reasonable tolerances permitted.

10. Reasonable tolerances or variations as to quantity shall be permitted. There is no tolerance permitted with reference to the minimum weight per gallon requirement for frozen desserts.

Approved July 21, 1941.

CHAPTER 279

AN ACT concerning district courts, and amending section 2:8–14 of the Revised Statutes.

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

Section amended.

1. Section 2:8–14 of the Revised Statutes is amended to read as follows:

Salaries, district court judges.

2:8–14. The annual salaries of the judges of the district courts shall be as follows:

a. In cities having four hundred thousand or more inhabitants, not less than six thousand ($6,000.00) nor more than eight thousand dollars ($8,000.00), and in cities having between two hundred thousand and four hundred thousand inhabitants, six thousand dollars ($6,000.00);

b. In cities of the fourth class located on the Atlantic ocean and having more than fifty thousand inhabitants, six thousand dollars ($6,000.00);

c. In cities having between one hundred and twenty-five thousand and two hundred thousand inhabitants, five thousand five hundred dollars ($5,500.00);

d. In cities having between sixty thousand and one hundred and twenty-five thousand inhabitants, four thousand dollars ($4,000.00);

e. In cities located in counties of the first class and having between sixty thousand and eighty-five thousand inhabitants, four thousand dollars ($4,000.00); and in cities located in counties of the first class and having between eighty-five thousand and one hundred thousand inhabitants, five thousand dollars ($5,000.00);

f. In cities having between twenty-five thousand and sixty thousand inhabitants, three thousand five hundred dollars ($3,500.00);

g. In cities having between twenty-three thousand and twenty-five thousand inhabitants, two thousand five hundred dollars ($2,500.00);

h. In cities having between seventeen thousand and twenty-three thousand inhabitants, two thousand dollars ($2,000.00);

i. In judicial districts having more than forty thousand inhabitants, two thousand dollars ($2,000.00) except:

(1) In such judicial districts in which the courts shall be held at more than one place in the district at stated periods, in which districts it shall be three thousand dollars ($3,000.00), and

(2) In such judicial districts in counties having more than two hundred thousand inhabitants, in which districts it shall be three thousand five hundred dollars ($3,500.00); and

(3) In such judicial districts in counties having more than sixty-five thousand inhabitants and where there shall be only one judicial district in the county, three thousand five hundred dollars ($3,500.00); and

(4) In any judicial district wherein there is located any city now or hereafter having a population in excess of one hundred thousand inhabitants, in which district it shall be five thousand dollars ($5,000.00).

j. In judicial districts having less than forty thousand inhabitants, two thousand dollars ($2,000.00), except:

(1) In such judicial districts in counties having more than two hundred thousand inhabitants and less than three hundred thousand inhabitants, in which districts it shall be two thousand five hundred dollars ($2,500.00); and

(2) In such judicial districts in counties having more than three hundred thousand inhabitants, in which districts it shall be three thousand five hundred dollars ($3,500.00).

k. In judicial districts bordering on the Atlantic ocean and having less than thirty thousand and more than seventeen thousand inhabitants, two thousand eight hundred dollars ($2,800.00); and in judicial districts bordering on the Atlantic ocean and having between thirty thousand and one hundred thousand inhabitants, four thousand dollars ($4,000.00).

Payment.

The salaries of the judges of the district courts shall be paid by the cities in which such courts are established, and by the county treasurer of the counties in which any judicial district may be incorporated, in monthly installments, to be computed from the date of the appointment of such judges.

2. This act shall take effect immediately.

Approved July 21, 1941.

CHAPTER 280

AN ACT appropriating seventeen thousand dollars ($17,000.00) to the Department of Conservation and Development for the purchase of certain lands and premises as an addition to Washington Crossing Park.

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

1. There is hereby appropriated out of the General State Fund to the Department of Conservation and Development the sum of seventeen thousand dollars ($17,000.00) for the acquisition of certain lands and premises as an addition to Washington Crossing Park, which lands and premises are substantially described as follows: Appropriation for purchase of land.

All the following tract or parcel of land and premises hereinafter particularly described situate, lying and being in the township of Hopewell in the county of Mercer and State of New Jersey, bounded and described as follows, to wit: Description.

Beginning at a stone standing in the road leading from the Methodist Church to the road leading from Pennington to Washington's Crossing and corner to lands late of Cornelius Vannoy's thence along the middle of said road south 40 degrees 35 minutes east 40 chains 39 links to a stone in said road corner to Wm. B. Blackwell's lands; thence with the said Wm. B. Blackwell's lands south 84 degrees 50 minutes west 15 chains 10 links to a stone; thence with the same south 40 minutes west 25 links to a corner in the brook; thence down the middle of said brook the several courses thereof to a corner in the same, opposite to a marked maple tree; thence with lands of the late Benjamin B. Drake's, deceased, north 24¾ degrees west 17 chains 50 links to a stone for a corner; thence with the same north 60½ degrees east 8 chains

38 links to a stone for a corner; thence still with the same north 30 degrees west 7 chains 82 links to a stone for a corner in the line of lands late of Cornelius Vannoy's; thence with the said lands north 44 degrees 5 minutes east 16 chains 88 links to the place of beginning.

Containing 80 acres of land, be the same more or less.

Being the same premises conveyed to the said The First-Mechanics National Bank of Trenton by deed of Albert Cooper, Jr., sheriff of the said county of Mercer, dated May twenty-fourth, one thousand nine hundred and thirty-four, and recorded in the clerk's office of the county of Mercer, June second, one thousand nine hundred and thirty-four, in Book 721 of Deeds on Pages 547, etc.

Certain land excepted.

Excepting therefrom a parcel of land conveyed by deed of The First-Mechanics National Bank of Trenton to the State of New Jersey, dated June twenty-sixth, one thousand nine hundred and thirty-four, and recorded in the clerk's office of the county of Mercer July thirteenth, one thousand nine hundred and thirty-four, in Book 724 of Deeds on Pages 160, etc., containing 5.065 acres being more particularly described in aforesaid deed.

2. This act shall take effect immediately.

Approved July 21, 1941.

CHAPTER 281

AN ACT concerning disorderly persons, and supplementing chapter two hundred two of Title 2 of the Revised Statutes.

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

C. 2:202-22.2. Securing money, etc., by false statement.

1. Any person who shall by means of any false statement made orally or in writing obtain from the State of New Jersey or any county or municipality or from any officer, committee, commission or body thereof, or from any private or charitable organization or association of any kind, any money, personal property or other valuable thing, if the price or value of the money, personal property or other valuable thing be in the total under one hundred dollars ($100.00), shall be proceeded against and adjudged a disorderly person under the provisions of subtitle fifteen of Title 2 of the Revised Statutes.

2. This act shall take effect immediately.

Approved July 21, 1941.

CHAPTER 282

AN ACT concerning the appointed judges of the Court of Errors and Appeals, and supplementing chapter one of Title 2 of the Revised Statutes.

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

C. 2:1-2.1. Not to practice law.

1. The appointed judges of the Court of Errors and Appeals shall not engage in the practice of law in any of the courts of this State.

2. This act shall take effect immediately.

Approved July 21, 1941.

CHAPTER 283

AN ACT concerning the compensation of the members of the Department of State Police, and amending section 53:1–7 of the Revised Statutes.

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

Section amended.

1. Section 53:1–7 of the Revised Statutes is amended to read as follows:

Yearly increase in salary for troopers.

53:1–7. All troopers enumerated in section 53:1–5 of this Title shall receive an increase of two hundred dollars ($200.00) per year after the completion of two years, four years and six years of continuous service and two hundred forty dollars ($240.00) after the completion of eight years of continuous service, and until the ninth year, when the aggregate increase of eight hundred forty dollars ($840.00) per annum shall have been reached.

2. This act shall take effect immediately.

Approved July 21, 1941.

CHAPTER 284

AN ACT concerning education, and providing minimum salaries for teachers in school districts, and amending section 18:13–13 of the Revised Statutes.

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

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

18:13–13. The minimum salary of a teacher in any school district in any county of the first and second class of this State shall be twelve hundred dollars ($1,200.00) per academic year, and a proportionate amount for less than an academic year. Fixes minimum salary for teachers.

The minimum salary of a teacher in any school district in counties of the third, fourth, fifth and sixth class of this State shall be one thousand dollars ($1,000.00) per academic year, and a proportionate amount for less than an academic year.

An "academic year," for the purpose of this act, means the period between the time the school opens in the district after the general summer vacation until the next succeeding summer vacation. Academic year defined.

The provisions of this act shall not apply to teachers employed as substitutes on a day to day basis. Not to apply.

2. This act shall take effect September first, one thousand nine hundred and forty-two. Act effective.

Approved July 21, 1941.

CHAPTER 285

AN ACT vesting the title to real estate of which William E. Blyler died seized and which is alleged to have escheated to the State of New Jersey in the year one thousand nine hundred and forty, in Nellie D. Laverty.

Preamble. WHEREAS, William E. Blyler, late of the township of Millburn, county of Essex and State of New Jersey, departed this life on the sixth day of August, one thousand nine hundred and forty, seized of all those certain lots, tracts or parcels of land and premises situate, lying and being in the township of Millburn, county of Essex and State of New Jersey described as follows:

Known and designated as Plot No. 22 in Block No. 11, fronting on Grand street as shown on map entitled "Map of Wyoming, Property of James A. Williamson, Essex County, New Jersey, situate near the junction of Morris & Essex and West Line Railroads, surveyed and laid out by Frank H. Earle, Civil Engineer and Surveyor, 1872," and filed in the Register's office of the county of Essex, September 9, 1872.

Being fifty (50) feet wide, front and rear by one hundred fifty (150) feet in depth. Also being known and designated as No. 48 Linden street; and

Preamble. WHEREAS, The said William E. Blyler left no person or persons capable of inheriting the said lands and premises; and

Preamble. WHEREAS, The request and proper notice of intention to apply for passage of this act has been given and duly published; therefore,

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

1. All the estate, right, title and interest of every kind and character of which it is alleged the State of New Jersey is seized in and to said real estate heretofore belonging to William E. Blyler, more particularly described in this act, are hereby vested in Nellie D. Laverty; *provided,* nothing herein contained shall be construed as effecting a merger of the fee to said premises with the mortgage held by said Nellie D. Laverty covering the same premises; such title so as aforesaid vested under the provisions of this act is validated and confirmed.

Title vested in Nellie D. Laverty.

Proviso.

2. This act shall take effect immediately.

Approved July 21, 1941.

CHAPTER 286

AN ACT concerning the election clerk in the office of the Secretary of State.

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

1. The position of election clerk in the office of the Secretary of State shall be placed by the Civil Service Commission in the exempt class of the civil service law and the present acting election clerk shall continue to hold the same subject to all of the provisions of the civil service law.

C. 11:4-3.7. Placed under civil service.

2. This act shall take effect immediately.

Passed July 21, 1941.

CHAPTER 287

AN ACT concerning vocational schools in second-class counties and supplementing article 5 of chapter 15 of Title 18 of the Revised Statutes.

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

C. 18:15-58.3. May establish vocational school.

1. In any second-class county of this State in which there does not presently exist a vocational school established under the laws of the State, the Board of Chosen Freeholders of such county may, by a majority vote, establish a vocational school to be known as "vocational school in the county of ". (Here insert the name of the county in which the school is to be located).

C. 18:15-58.4. Tuition.

2. In the event of the establishment of any vocational school in accordance with the provisions of this Act, the Board of Chosen Freeholders of the county in which said school shall be established shall have the power to provide a rate of tuition for all pupils who attend said vocational school, not exceeding the cost to the county of the education of each said pupil, said cost to be paid by the sending school district in which the pupil resides.

Fixing maximum cost per pupil.

The maximum cost per pupil shall be the pro rata cost of the maintenance of said school, including interest on any outstanding obligations and amortization thereof. The cost per pupil shall be established in advance of the school year by the Board of Chosen Freeholders, and said cost shall be the same per pupil to each sending district, and shall be paid quarterly by the Board of Education of each sending district.

C. 18:15-58.5. Rules and regulations.

3. The State Board of Education shall prescribe rules and regulations for the organization, management and control of such vocational school.

4. The course of study to be pursued in such vocational school and all changes therein shall be approved by the Commissioner of Education, with the advice and consent of the State Board of Education. C. 18:15-58.6. Course of study.

5. The school year for such county vocational school shall begin on July 1st and end June 30th. C. 18:15-58.7. School year.

6. For such county vocational school established in accordance with this act there shall be a board of education consisting of the county superintendent of schools and four persons to be appointed by the director of the Board of Chosen Freeholders, with the advice and consent of such board. Not more than two appointed members shall be members of the same political parties, but no changes for adjustment of party representation shall be made in the board, except as vacancies occur. 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 1st next succeeding the date of their respective appointments. Persons so appointed shall also serve from the date of their respective appointments until November 1st, next ensuing. Thereafter annually, during the month of October, a member of the board shall be appointed to serve for a term of four years to take the place of the member whose term shall expire on November 1st, then next ensuing. C. 18:15-58.8. Board of education. Membership. Terms.

Vacancies 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 director of the Board of Chosen Freeholders, 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. Vacancies.

7. A member of the Board of Education created under the provisions hereof shall be a citizen and resident of the county, and shall have been such citizen and resident for at least three years imme- C. 18:15-58.9. Qualifications for members.

diately preceding his becoming a member of the board.

C. 18:15-58.10. Board of school estimate.

8. The Board of School Estimate of such county vocational school shall consist of two members of the Board of Education of the school appointed by that board, two members of the Board of Chosen Freeholders of the county in which the school is situated, appointed by that board, and the director of the Board of Chosen Freeholders.

Terms.

Vacancies.

The appointments shall be made annually between the first and fifteenth days of January. In case of a vacancy occurring in the board by reason of the resignation, death or removal of any appointed member, the vacancy shall be filled immediately by the board which originally appointed the member, by appointing another of its members to fill the vacancy.

Secretary.

The secretary of the Board of Education of the vocational school shall be the secretary of the Board of School Estimate, but shall receive no compensation as such.

C. 18:15-58.11. To prepare estimate of expenses.

9. On or before February 1st in each year, the Board of Education of such vocational school shall prepare and deliver to each member of the Board of School Estimate an itemized statement of the amount of money estimated to be necessary for the current expenses of, and for repair and furnishing the school for the ensuing school year.

C. 18:15-58.12. Determination, certification and appropriation of amount necessary.

10. Between February 1st and February 15th in each year the Board of School Estimate shall fix and determine the amount of money necessary to be appropriated for the use of the school for the ensuing school year, exclusive of the amount to be received from the State. The Board of School Estimate shall, on or before the last named date, make two certificates of the amount, signed by at least three of its members, one of which certificates shall be delivered to the Board of Education of the school, and the other to the Board of Chosen Freeholders of the county in which the school is situate. The Board of Chosen Freeholders shall, upon receipt of the certificate, appropriate in the same

manner as other appropriations are made by it, the amount so certified, and the amount shall be assessed, levied and collected in the same manner as monies appropriated for other purposes in the county are assessed, levied and collected. Systematically, the said Board of Chosen Freeholders may anticipate the receipt of tuition from sending school districts in a sum not to exceed the tuition received in the prior year.

May anticipate receipt of tuition.

11. Whenever a Board of Education of a county vocational school established under this act shall decide that it is necessary to raise money for the purchase of land and buildings for school purposes or for erecting, enlarging, repairing or furnishing a building or buildings for use as a vocational school, it shall prepare and deliver to each member of the Board of School Estimate a statement of the amount of money estimated to be necessary for such purpose or purposes. The Board of School Estimate shall fix and determine the necessary amount and shall make two certificates thereof, one of which certificates shall be delivered to the Board of Education, and the other to the Board of Chosen Freeholders of the county in which the school is situated. The Board of Chosen Freeholders may appropriate an amount as other appropriations are made by it, and the amount shall be raised, assessed, levied and collected at the same time and in the same manner as monies appropriated for other purposes in the county are raised, assessed, levied and collected; or the Board of Chosen Freeholders may appropriate and borrow such money for the purpose or purposes aforesaid and secure the repayment of the sum so borrowed, together with interest thereon, by the issuance of bonds in the corporate name of the county. Bonds so issued shall be designated "county vocational school bonds." They shall be issued and sold in the same manner as other bonds for county purposes are issued and sold, in accordance with statutes regulating the issuance and sale of county

C. 18:15-58.13. Raising money for land or buildings.

May issue bonds.

Proceeds.

bonds and other obligations. The proceeds of the sale of the bonds shall be deposited with the treasurer of the county vocational school, and shall be paid out only on the warrants or orders of the Board of Education of the school.

C. 18:15-58.14. State aid equal to county appropriation.

12. Whenever any county vocational school shall be established under the provisions of this act there shall be paid to the treasurer of the school on the order of the commissioner, an amount equal to that raised in the county for the establishment of the school, exclusive of the amount appropriated for the purchase of land or the erection of a building, which amount shall be paid by the treasurer on the warrant of the State Comptroller. Annually thereafter, the State shall pay in like manner an amount equal to the amount appropriated by the county for the current expenses of the school. The money contributed by the State for the support and maintenance of any such school shall not exceed in any one year the sum of ten thousand dollars ($10,000.00).

Limitation.

C. 18:15-58.15. Body corporate.

13. The Board of Education provided for herein shall be a body corporate and shall be known as "The Board of Education of the Vocational School in the county of ," (here insert the name of the county in which such school shall be located) shall organize and have the powers and be subject to the restrictions provided in sections 18:15–49, 18:15–51, 18:15–52 and 18:15–53, Revised Statutes of 1937.

14. This act shall take effect immediately.

Passed July 22, 1941.

CHAPTER 288

AN ACT concerning district courts, and supplementing chapter eight of Title 2 of the Revised Statutes.

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

C. 2:8-9.1. Courts to be bipartisan.

1. To the end that the district courts throughout any county shall not remain or become, as the case may be, more partisanly constituted than the collective number thereof shall compel, in every county in which there are or may be two or more district court judges all appointments to such judgeships shall be made in such manner that eventually the judges therein shall have been chosen equally from the membership of different political parties; *provided, however,* that in any county having an odd number of district courts, there may be one more appointee of one political affiliation than of the other; *and provided further, however,* that the words "political parties" shall always mean such political parties as shall have cast the largest and next to the largest number of votes, respectively, for members of the general assembly at the last preceding general election held prior to the making of such appointments.

Proviso.

Proviso.

C. 2:8-9.2. Filling vacancies.

2. If a vacancy exists or shall hereafter exist for any reason in any county where by custom or coincidence there has been an equal bipartisan division of appointees as intended by this act, the person appointed to fill such vacancy shall be a member of the same political party as his predecessor; *provided, however,* that if in any such county two or more vacancies exist simultaneously, it shall be lawful to appoint persons not of the same political affiliation as their predecessors; *provided further, however,* that appointments shall always be made to effectuate the purpose of this act.

Proviso.

Proviso.

C. 2:8-9.3. Appointment in accord with purpose of act.

3. In any county where there is now a majority of two or more district court judges who are members of the same political party, no person shall be appointed to fill any vacancy occurring in any district court judgeship in such county unless his political affiliation accords with the purpose of this act.

C. 2:8-9.4. Political affiliation determined.

4. No person who may be nominated to succeed himself or the judge of any other district court, shall be presumed to have the same political affiliation as when last appointed; but at the time of his new appointment his then political affiliation shall be determined.

5. This act shall take effect immediately.

Passed July 22, 1941.

CHAPTER 289

AN ACT concerning vocational schools in counties of the second class, and supplementing article five of chapter fifteen of Title 18 of the Revised Statutes.

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

C. 18:15-58.16. May establish emergency vocation school.

1. In any county of the second class in which there does not presently exist a vocational school established under the laws of this State, the board of chosen freeholders of such county may, by a majority vote of the board, establish a vocational school to be known as the "Emergency Vocational School in the County of ..... (here insert the name of the county in which the school is to be located)." In the event of the establishment of any emergency vocational school as in this act provided, the board of chosen freeholders of the county shall have power to name a commis-

Appoint commission to supervise school.

sion to supervise said school, to prescribe courses in the emergency vocational schools, and power to fix rates of tuition. The cost per pupil shall be established from time to time by the board of chosen freeholders and shall be paid in accordance with rules and regulations to be adopted by the board. The commission, selected for the supervision of such emergency vocational school, shall have power to expend appropriations authorized and to obtain from the Federal Government or any agency thereof grants in aid of such emergency vocational school.

Establishing cost per pupil.

2. The commission charged with the supervision of such school shall be three in number and shall hold their said offices for terms of three years and until their successors are appointed by the board of chosen freeholders. The commission shall annually report to the board of chosen freeholders. Vacancies occurring for any cause shall be filled by the board of chosen freeholders for the unexpired time.

C. 18:15-58.17. Commissioners.

Terms.

Report.

Vacancies.

Any person a resident of the county for a period of at least five years prior to the passage of this act may be selected to membership in such commission.

Residence.

3. The commission shall be charged with the duty of formulating courses in emergency vocational training in aid of national or State defense and to prescribe the length of such courses.

C. 18:15-58.18. Duty of commission.

4. The board of chosen freeholders of any such county is authorized and empowered to provide by appropriation from time to time for the maintenance of emergency vocational schools authorized to be established.

C. 18:15-58.19. Authorized to make appropriations.

5. This act shall take effect immediately.

Passed July 22, 1941.

CHAPTER 290

AN ACT relating to the collection of certain delinquent taxes upon railroad companies.

Preamble. WHEREAS, Certain taxes levied for the years 1932 through 1940 upon property used for railroad purposes in this State are delinquent and unpaid, and the total accumulated delinquencies, exclusive of interest penalties, amounted to more than thirty-four million dollars ($34,000,000.00) as of December thirty-first, one thousand nine hundred and forty; and

Preamble. WHEREAS, Four of the railroad systems serving this State are or have recently been in reorganization under Federal bankruptcy laws, and there is serious doubt as to the ability of the railroads operating in the State to pay the delinquent taxes, and at the same time to continue to furnish adequate and safe service; and

Preamble. WHEREAS, The limited area of New Jersey and its intensive industrial development make it peculiarly dependent upon efficient transportation, particularly because of the present demands of production for national defense, and immediate payment of accumulated tax delinquencies would impair the capacity of the delinquent railroads to furnish such transportation service; and

Preamble. WHEREAS, The unpaid railroad taxes have tended to create a chaotic condition in State and municipal finances, and the entire State has an urgent and important interest in the immediate solution of the question of delinquent railroad taxes and in the maintenance of stable transportation facilities and public finances; now therefore,

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

C.App.A:4-7.1 Installment payments authorized.

1. Installment payments. The State Treasurer is hereby authorized and required to accept, without interest penalties, installment payments of the full principal amount of property taxes upon railroad companies, which were due on or before December first, one thousand nine hundred and forty, and remain unpaid on the effective date of this act. But the State Treasurer shall not accept any installment payments under the terms of this act unless and until the delinquent taxpayer shall have complied with the requirements of sections seven and eight hereof.

C.App.A:4-7.2 Limits time for making payments.

2. Maximum period. The total principal amount of delinquent taxes payable under this act shall be paid in full, in accordance with the respective capacity to pay of each railroad system and of each railroad company not part of a system, within a maximum period from and after December first, one thousand nine hundred and forty, determined as the whole number of years next greater than seven times its "burden index," computed as hereinafter set forth, except that each taxpayer shall be allowed at least two years, and no taxpayer shall be allowed more than twenty years.

Determining burden index.

The burden index shall be determined for each railroad system, and for each company not part of a system, by dividing its total amount of delinquent taxes as of December thirty-first, one thousand nine hundred and forty, by the five-year average of its net railway operating income, for the years one thousand nine hundred and thirty-six through one thousand nine hundred and forty, inclusive. Any system or railroad not part of a system whose average net railway operating income is not a positive sum shall be allowed the maximum period of twenty years.

Allowed maximum term.

Railroad system defined.

For the purpose of this act, a railroad system shall be deemed to consist of an operating railroad reporting to the Interstate Commerce Commission for the year one thousand nine hundred and forty

and all the companies included in its report of system operations.

C.App.A:4-7.3 Amount and time of payment.

3. Date and amount. Installment payments shall be made on or before December first in each year. Each annual installment shall be not less than such amount as, together with all prior installment payments, shall leave a balance remaining due the ratio of which to the total principal amount of delinquent taxes payable hereunder shall not exceed the ratio of the number of unexpired years to the total number of years of the maximum period permitted under section two of this act.

C.App.A:4-7.4 Interest penalties abated.

Rate.

4. Interest. All interest penalties upon taxes paid pursuant to this act shall be abated and cancelled, except that, in addition to installment payments, interest at the rate of three per centum (3%) per annum shall be paid annually upon the balance of delinquent taxes remaining unpaid from and after December first, one thousand nine hundred and forty.

C.App.A:4-7.5 Liens discharged.

5. Discharge of lien. The liens of the State for taxes and interest penalties of each year for which delinquent taxes are payable pursuant to this act shall be fully satisfied and discharged, in the order in which such taxes accrued, when and as principal payments on account thereof equal or exceed the full principal amount delinquent for any tax year, and interest upon all unpaid balances has been paid in full.

C.App.A:4-7.6 Liens preserved.

6. Liens preserved. The remedies of the State for the collection of delinquent taxes payable pursuant to the provisions of this act shall not be enforced against any taxpayer which enters upon the execution of an installment payment plan hereunder, in the manner provided by section seven hereof, so long as installment payments and interest upon the unpaid balances continue to be paid on or before the respective due dates. Upon default in payment of all or part of an installment payable in any year or of interest upon the unpaid balance, the whole remaining amount of delinquencies including interest penalties, shall, subject to the pro-

Action upon default.

visions of section five of this act, be reinstated and become due and payable thirty days after the date of default. Nothing in this section shall be construed to deprive any taxpayer of credit for installment payments upon the principal amount of delinquencies made prior to such default.

C.App.A:4-7.7 Executing installment payment plan.

7. Undertaking; first payment. Any railroad or system, or the receiver, trustee or trustees thereof, may enter upon the execution of an installment payment plan authorized under this act by (1) duly executing and filing with the State Comptroller a written undertaking, in such form as the Attorney-General shall prescribe, for the payment of the total amount of delinquent taxes owed by the railroad or system and (2) paying into the State treasury an amount not less than the first annual installment together with interest on the unpaid balance computed in the manner provided by sections two, three and four of this act.

C.App.A:4-7.8 Waiver to accompany first payment.

8. Waivers. The first payment tendered pursuant to this act shall be accompanied by a waiver of any and all rights to contest the legality or amount of any assessment made prior to December first, one thousand nine hundred and forty-one, together with stipulations, consents or other papers for the discontinuance and dismissal of all suits, actions, and proceedings pending in any court or before the Board of Tax Appeals concerning such assessments, all in such form as the Attorney-General may require.

C.App.A:4-7.9 State's consent in reorganizations.

9. Consents in reorganizations. The Attorney-General is hereby authorized and directed to execute in the name of the State of New Jersey any and all consents to a plan or plans of reorganization of a railroad corporation, under Federal bankruptcy or other laws, to the extent that such plan provides for payments to the State on claims for taxes in accordance with the provisions of the act.

C.App.A:4-7.10 Construing.

10. Construction. Nothing in this act shall be construed to affect the payment and collection of taxes other than assessments made under chapters nineteen to twenty-nine of Title 54 of the Revised

Statutes; nor shall any provision of this act be construed to authorize or recognize any claim for any refund, return or credit of all or part of the taxes of any company heretofore paid for any year.

C.App.A:4-7.11 Distribution of receipts.

11. Distribution of receipts. The monies collected by the State Treasurer pursuant to this act shall be subject to distribution, apportionment or appropriation as heretofore provided by law. The State Treasurer shall credit receipts hereunder to delinquent accounts in the order in which the delinquent taxes were originally assessed.

C.App.A:4-7.12 Provisions separable.

12. Effect of unconstitutionality. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of this act, or application of such provision to other persons or circumstances, shall not be affected thereby.

C.App.A:4-7.13

13. Effective date. This act shall take effect immediately.

Approved July 22, 1941.

CHAPTER 291

AN ACT relating to taxation of railroads, and repealing chapters nineteen through twenty-nine, inclusive, of Title 54 of the Revised Statutes, chapter ninety-one of the laws of one thousand eight hundred and eighty-five, chapter two hundred seventy-five of the laws of one thousand eight hundred and eighty-six, chapter three hundred thirty-three of the laws of one thousand nine hundred and twenty-one, and chapter four hundred twenty-three of the laws of one thousand nine hundred and thirty-three.

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

Table of contents.

Article I. Definitions and General Provisions. (Sections 1-6).
II. Property Tax. (Sections 7-12).
III. Franchise Tax. (Sections 13-15).
IV. Assessment and Disposition. (Sections 16-24).
V. Reassessment and Omitted Property. (Sections 25-30).
VI. Appeal and Review. (Sections 31-43).
VII. Returns and Payment of Taxes. (Sections 44-53).
VIII. Collection. (Sections 54-61).
IX. Administration and Procedure. (Sections 62-72).
X. Miscellaneous Provisions; Repealers. (Sections 73–76).

ARTICLE I

DEFINITIONS AND GENERAL PROVISIONS

Article I.

1. Short title.
2. Definitions.
3. Exemption of securities.
4. Property not used for railroad purposes.
5. Municipal assessment of benefits.
6. General powers of commissioner.

C. 54:29A-1. Short title.

1. Short title. This act shall be known as the "railroad tax law of 1941."

C. 54:29A-2. Terms defined:

2. Definitions. As used in this act, unless the context clearly requires a different meaning:

Railroad;

"Railroad" means any common carrier by railroad engaged in, owning or constructing facilities for, the transportation of persons or property in or through this State, other than a street railway or traction company using or occupying the public streets, highways, roads or other public places, the taxation of which is otherwise provided by law.

System;

"System" means any independently operating railroad which operates its facilities and those of one or more other railroads as a single utility for furnishing transportation service. A system shall include all companies the property of which is so operated either by virtue of control through direct or indirect ownership of a majority or more of capital stock, or under lease, trackage rights or under any other form of contract, and for which separate operating accounts are not maintained.

Main stem;

"Main stem" of a railroad means the roadbed not exceeding one hundred feet in width, with its rails and sleepers, and all structures erected thereon and used in connection therewith, not including passenger or freight buildings erected thereon.

Tangible personal property;

"Tangible personal property" means the rolling stock, cars, locomotives, ferryboats, all machinery, tools and other tangible personal property of a railroad company, and also the locomotives and

cars not belonging to such railroad company but built for its use and actually used in this State, or run under its control in this State by a sleeping car company or other company; but the rolling stock of other persons or corporations temporarily used on any such road, but not forming part of the equipment of such road, shall not be included in the term.

"Taxpayer" means any person, railroad or system subject to taxation under the provisions of this act. Taxpayer;

"Commissioner" means the State Tax Commissioner. Commissioner.

3. Exemption of securities. When the real estate and tangible personal property of a taxpayer are assessed and taxed under this act, the shares of stock, bonds and certificates of indebtedness of the taxpayer shall not be taxed in the hands of the shareholders, bondholders or creditors, except as provided in this act. C. 54:29A-3. Securities, tax exempt.

4. Property not used for railroad purposes. All the property of a railroad company not used for railroad purposes shall be assessed and taxed by the same assessors, in the same manner and at the same rate as the taxable property of other owners in the same taxing district. C. 54:29A-4. Taxing property not used for railroad purposes.

5. Municipal assessment of benefits. Nothing in this act shall be construed to prohibit any municipality from assessing benefits for street, sidewalk, sewer or other municipal improvements against any of the property of a railroad in this State, but such assessments shall be made against railroad property by the same method and by the same officers as are provided by law in the case of assessments against the properties of individuals. C. 54:29A-5. Assessments for municipal benefits.

6. General Powers of commissioner. The commissioner is hereby authorized and empowered to carry into effect the provisions of this act and subject thereto he shall prescribe and publish all needful rules and regulations for its enforcement. He shall keep a record of his proceedings and shall report annually to the Legislature. C. 54:29A-6. Enforcement of act. Record of proceedings.

ARTICLE II

PROPERTY TAX

Article II.

7. Property taxable; rate.
8. Leased property.
9. Movable property.
10. Grade crossing improvements exempt.
11. Assessment in lieu.
12. Assessment procedure.

C. 54:29A-7. Taxable property.

Rate.

7. Property taxable; rate. There is hereby levied an annual property tax upon all property used for railroad purposes at the rate of three per centum (3%) upon the true value thereof. The tax hereby imposed shall be assessed by the State Tax Commissioner, in the manner hereinafter provided, for the year one thousand nine hundred and forty-one and for each year thereafter.

C. 54:29A-8. Taxing leased property.

8. Leased property. If the property of a railroad be leased to or operated by another corporation, foreign or domestic, the property of the lessor, or company whose property is operated, shall be subject to taxation in the manner provided in this act.

C. 54:29A-9. Taxing movable property.

9. Movable property. Tangible personal property which is used or kept but a part of the time in this State by any railroad shall be assessed such proportionate part of its value as the time it is used or kept in this State during the calendar year preceding bears to the whole year.

C. 54:29A-10. Grade crossing improvements tax exempt.

10. Grade crossing improvements exempt. The value of the main stem of each railroad and the other real estate thereof used for railroad purposes shall be ascertained without including any part of the cost of improvement, relocation, reconstruction, elimination or avoidance of highway grade crossings, including State highways, made pursuant to Title 48 of the Revised Statutes, or pursuant to the provisions of an agreement for any of such purposes with a municipality made after April twenty-seventh, one thousand nine hundred and thirty-one, but such exemptions shall

apply only to main lines and branches existing on April twenty-seventh, one thousand nine hundred and thirty-one.

C. 54:29A-11. In lieu of other taxes.

11. Assessment in lieu. Taxes assessed pursuant to this act shall be in lieu of all other State or local taxation of or measured by property taxable hereunder, other than assessments for benefits.

C. 54:29A-12. Assessment procedure.

12. Assessment procedure. Property taxable under this act shall be assessed by the commissioner to each system and to each railroad not part of a system by which such property is used for railroad purposes. The assessment shall be made in the manner hereinafter provided.

Article III

FRANCHISE TAX

Article III.

13. Franchise excise.
14. Franchise base
15. Rate; computation.

C. 54:29A-13. Excise tax on franchise.

13. Franchise excise. An annual excise tax is hereby levied upon all railroads operating within this State for the privilege of exercising their respective franchises, to be computed in the manner hereinafter provided. This tax shall be in lieu of any other tax or taxes of or upon such franchises.

C. 54:29A-14. Computing franchise base.

14. Franchise base. A "franchise base" shall be computed for each year, by allocating such part of the next preceding year's net railway operating income of each system, and railroad not part of a system, to the State of New Jersey, as the number of miles of all track over which the railroad or system operates in this State bears to the total number of miles of all track over which it operates. The franchise base for each year shall be the amount so allocated capitalized at three per centum (3%).

Net railway operating income.

For the purpose of this section, net railway operating income shall be computed as total railway operating revenues from all sources, including

any revenue whatever derived directly or indirectly from property which is used for railroad purposes, less costs of railroad maintenance, operation and depreciation, railway tax accruals, uncollectible railway revenues, rentals (both debits and credits) for equipment leased for less than one year or interchanged, and joint facility rents (both debits and credits). Deductions from operating revenues for depreciation, additions and betterments, and compensation for personal services shall be subject to regulation by the commissioner, as to reasonableness of amount and appropriateness of accounting distribution.

Deductions from operating revenue subject to regulation.

C. 54:29A-15. Rate and computation of franchise tax.

15. Rate; computation. The franchise tax shall be assessed at the rate of three per centum (3%) of the excess of the "franchise base," of each system and of each railroad not part of a system, over the total taxable valuation of the previous year of all classes of property used by the railroad or system for railroad purposes, as finally determined pursuant to this act.

ARTICLE IV

ASSESSMENT AND DISPOSITION

Article IV.

16. Local assessors; information returns.
17. Valuation; notice.
18. Valuation; determination.
19. Assessment; property tax.
20. Assessment; franchise tax.
21. Tax statements.
22. Certification to comptroller.
23. Tax for State use.
24. Tax for local use.

C. 54:29A-16. Report of local assessors on property not used for railroad purposes.

16. Local assessors; information returns. The assessors in all taxing districts where property of a railroad not used for railroad purposes shall be assessed, if required so to do by the State Tax Commissioner, shall certify and send to the commissioner on or before the second Monday in June in each year, a statement giving the description of

such property included in the local ratables for that year, and showing the assessed valuation thereof. They shall also, at the same time, certify and send to him a short description of all the real property in their respective taxing districts, used or owned for railroad purposes excepting the main stem or roadbed and track, not exceeding one hundred feet in width of each railroad.

C. 54:29A-17. Determining true value.

17. Valuation; notice. On or before November first in each year the commissioner shall determine the true value, as of the preceding January first, of all property used for railroad purposes in this State. He shall, in such determination, ascertain values according to the following classes:

Classes:

Main stem;

I. The length and value of the main stem of each railroad, and the length of such main stem in each taxing district;

Other real estate used for railroad purposes;

II. The value of the other real estate used for railroad purposes in each taxing district in this State, including the roadbed (other than main stem), tracks, buildings, water tanks, riparian rights, docks, wharves and piers, and all other real estate, except lands not used for railroad purposes;

Tangible personal property;

III. The value of all the tangible personal property of each railroad;

Other property.

IV. The value of the remaining property.

Statement delivered to taxpayer.

Upon completion of his valuation of property used for railroad purposes, but not later than December tenth in each year, the commissioner shall deliver a detailed statement thereof, including the several classes of property, to each taxpayer. On or before January tenth, in each year, the commissioner shall certify to the county boards of taxation in the several counties the value of Class II property, situate in each taxing district in the county.

Certification to county tax boards.

C. 54:29A-18. Petition for review of assessment.

18. Valuation; determination. Any taxpayer or the Attorney-General on behalf of the State and of the taxing districts claiming that error has been made in the commissioner's valuations may, on or

before the third Monday of January following the completion of such valuations, file a petition for review specifying the grounds of complaint and the relief sought. The petition shall be in such form and shall contain such further information as may from time to time be prescribed by the commissioner for the better understanding and determination of the complaint. The commissioner shall conduct a hearing upon such petition, shall review the valuations of which it complains, shall make his determination thereon and correct the same as shall appear just before the first day of April following the filing of the petition.

Hearing.

C. 54:29A-19. Assessment of property tax.

19. Assessment; property tax. On or before May first in each year the commissioner shall compute the tax upon property used for railroad purposes and assess the amount thereof to each taxpayer according to his valuations of the preceding year as corrected.

C. 54:29A-20. Assessment of franchise tax.

20. Assessment; franchise tax. On or before May first in each year, the commissioner shall compute the franchise tax payable under this act and assess the amount thereof to each taxpayer.

C. 54:29A-21. Statement of total amount of taxes payable.

21. Tax statements. Within ten days after completion of his assessments, the commissioner shall serve upon each taxpayer a statement of the total amount of tax payable, including separately the franchise tax and the manner of computation thereof, and the assessed valuations of property by classes, as described in section seventeen of this act, the latter arranged according to taxing districts and, in the case of system assessments, according to railroad ownership of the property. The failure of any taxpayer to receive a statement of assessment as herein required shall not invalidate any such assessment or the lien thereof, nor shall it relieve the taxpayer of the obligation of payment of the assessment as required by this act.

Failure to receive statement not to invalidate assessment.

C. 54:29A-22. Assessments certified to Comptroller.

22. Certification to Comptroller. Within fifteen days after completion of his assessments, the commissioner shall report and certify all assessments and the statements thereof to the State Comptrol-

ler. The several statements shall be recorded in books kept in the office of the State Comptroller, to be provided by him for that purpose, and shall be public records open to public inspection.

C. 54:29A-23. State's portion.

23. Tax for State use. All receipts from taxation of property used for railroad purposes other than from assessments of Class II property, as described in section seventeen of this act, together with one-half the receipts from the franchise tax imposed hereunder shall be applied to the uses of the State according to law.

C. 54:29A-24. Local taxing districts' portion.

24. Tax for local use. a. The entire amount of tax receipts derived from the assessment of Class II property, as described in section seventeen of this act, and one-half the receipts from the franchise tax imposed hereunder shall be, by the State Comptroller, allotted to and paid over to the local taxing districts in which such property is situated. Each taxing district shall receive such proportion of the total aforesaid amount of property and franchise tax receipts as the valuations of second-class railroad property situated within the taxing district bears to the total valuation of such property in the State, as valued by the State Tax Commissioner for the purpose of taxation under this act.

Certificate of allotment to county treasurer.

b. The Comptroller shall transmit to each county treasurer a certificate showing the amounts allotted to the taxing districts therein, and shall, on or before December tenth of the year in which the taxes are payable, draw and transmit his warrant upon the State treasury, in favor of the several county treasurers, for the amounts allotted to their several counties. Each county treasurer shall forthwith, and not later than December fifteenth, pay to the collector or other proper officer of each taxing district the amount allotted thereto, deducting, however, the amount due for county taxes from the taxing district. The amount thus paid to the county and taxing district shall be at the disposal of the proper authorities for public purposes.

Payment.

ARTICLE V

REASSESSMENT; OMITTED PROPERTY

Article V.

25. Reassessment; property omitted.
26. Review of assessment; notice.
27. Period of limitations.
28. Certification to Comptroller.
29. Credit for taxes paid locally.
30. Disposition of receipts.

C. 54:29A-25. Correcting assessment.

25. Reassessment; property omitted. a. Whenever the commissioner shall determine that any tax or taxes assessed pursuant to this act were less than or in excess of the amount thereof lawfully assessable, he may correct such deficiency or error by reassessing such tax, or any part thereof.

Assessing property omitted.

b. Whenever property subject to taxation under this act has or shall have been omitted from assessment by failure of the taxpayer to include it in a return of information, or otherwise, the commissioner may, if he finds that such property has been omitted from his assessment, cause such property to be assessed for any omitted years in accordance with the provisions of this act.

C. 54:29A-26. Reviewing assessments.

26. Review of assessments; notice. For the purpose of reviewing the assessments made pursuant to section twenty-five of this act, the commissioner shall sit on a day to be fixed by him, not later than twenty days after the making of the assessments, of which immediate notice shall be given by the commissioner to the taxpayers affected thereby. The commissioner may adjourn from time to time until he has finished the hearing. Not more than thirty days shall be spent in the review, and the amount of taxes fixed by him shall be due and payable into the State treasury on or before fifteen days after the time limited for the review of the assessments.

Limits time of review.

C. 54:29A-27. Limits time for reassessments.

27. Period of limitations. The power of the State Tax Commissioner to make reassessments or to assess omitted property under this act shall be limited to the period of five years next preceding

the year in which the reassessment or assessment of omitted property is made.

C. 54:29A-28. Amounts certified in detail to Comptroller.

28. Certification to Comptroller. The commissioner shall certify the amount of the assessments to the Comptroller, in detail, and shall divide them into taxing districts so that the amount assessed for each year in each taxing district shall appear. The same remedies shall exist for the collection of these taxes as exist for the collection of taxes regularly assessed under this act.

Collection.

C. 54:29A-29. Credit for locally paid taxes.

29. Credit for taxes paid locally. Any company having paid any tax for the omitted years under an assessment made upon that property or any part thereof by the local assessors, shall be entitled to receive a credit for such payment upon the assessment made under this act by proving to the satisfaction of the State Tax Commissioner, and of the State Board of Tax Appeals when such matter is pending before it, during the time herein authorized for the review of such assessments, that such payment was made.

C. 54:29A-30. Receipts apportioned.

30. Disposition of receipts. Any taxes collected upon assessments for omitted property or reassessments made by the commissioner shall be apportioned by the Comptroller for the uses of the State and for local uses in the same manner as provided by the law for taxes levied upon property of the same class for the year in question.

Article VI

APPEAL AND REVIEW

Article VI.

31. Appeal to State Board of Tax Appeals.
32. Complaint and notice.
33. Hearing upon complaint.
34. Conclusion of hearings.
35. Certifications.
36. Judicial review.
37. Scope of review.
38. Payment pending litigation.
39. Irregularities; collateral attack.
40. Fees.

41. State and local assessment of same property.
42. Hearing; procedure.
43. Judgment; costs.

C. 54:29A-31. Appeals, time of filing.

31. Appeal to State Board of Tax Appeals. Any taxpayer, the Attorney-General on behalf of the State, or the authorities of a taxing district, desiring to contest the validity or amount of any assessment or reassessment made by the commissioner under this act, may, on or before the third Monday of June following the assessment thereof, file a written complaint with the State Board of Tax Appeals, specifying the grounds of complaint and the relief sought, which shall be in such form and contain such further information as may be from time to time prescribed by the rules of the State Board of Tax Appeals for the better understanding and determination of the complaint.

C. 54:29A-32. Service of complaint and notice.

32. Complaint and notice. If the complaint is made by a taxpayer, a copy of the complaint and notice of application for hearing thereon shall be served upon the Attorney-General five days before the filing of the complaint by leaving a copy of the complaint and notice at his office, and in respect to second-class property in any taxing district, a copy of the complaint and notice of application for hearing thereon shall be served upon the clerk of such taxing district, by leaving a copy of the complaint and notice at his office. If the complaint is made by the Attorney-General or any taxing district, a copy of the complaint and notice of application for hearing thereon shall be served upon the taxpayer five days before the filing of the complaint by leaving a copy of such complaint and notice at its principal office in this State.

C. 54:29A-33. Hearing.

33. Hearing upon complaint. The State Board of Tax Appeals shall meet on the third Monday of June in each year at the State House, Trenton, for the purpose of fixing a time and place for the hearing of any complaint filed under section thirty-one of this act. The Attorney-General shall appear on

behalf of the State before the State Board of Tax Appeals in person or by such deputy as he may appoint and designate for that purpose. If it shall be made to appear upon such hearing that any such assessment or tax is illegal, excessive, insufficient or that there has been illegal discrimination in the assessment, the board shall correct, adjust and equalize such assessment or tax. Adjusting assessment.

34. Conclusion of hearings. The State Board of Tax Appeals shall conclude its hearing on or before the fifteenth day of October following the filing of the complaint, and between November first and November fifth following shall certify to the State Tax Commissioner its final determination. C. 54:29A-34. Conclusions certified to commissioner.

35. Certifications. Whenever a final determination of the State Board of Tax Appeals, as certified to the commissioner, corrects, modifies, or otherwise affects the amount or classification of any assessment of property taxes or amends any assessment of franchise tax made by the commissioner, he shall forthwith certify to the Comptroller all changes and corrections necessary to conform the assessment of tax to the determination of the board of tax appeals. C. 54:29A-35. Changes in assessments certified to Comptroller.

36. Judicial Review. 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 State Board of Tax Appeals, such contest shall be made by certiorari, but the application therefor may not be made after three months from the date of the certification to the State Tax Commissioner of the final determination of the State Board of Tax Appeals. C. 54:29A-36. Judicial review.

37. Scope of review. If it shall be made to appear before the Supreme Court on the writ of certiorari that the final determination of the State Board of Tax Appeals in respect to any such assessment or tax in controversy is illegal, excessive, insufficient, or that there has been illegal discrimination in the assessment, the court shall correct, adjust and equalize such assessment and tax or C. 54:29A-37. Assessment and tax adjusted, etc., to accord with court decision.

refer same back to the State Tax Commissioner who shall correct, adjust and equalize the assessment and tax in accordance with the instructions or decision of the court.

C. 54:29A-38. Payment pending litigation.

38. Payment pending litigation. If the writ shall be allowed to a taxpayer, it shall pay to the State Treasurer, as a condition for prosecuting the writ, the amount of the taxes then not in substantial controversy. If the 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 court or justice by whom the writ is allowed, either directly or by a reference to a Supreme Court Commissioner. Upon the payment of the amount of taxes then not in substantial controversy, the payment or collection of the remainder of the taxes shall be stayed until the final determination by the Supreme Court on the writ of certiorari, notwithstanding any law to the contrary.

Payment of remainder stayed.

C. 54:29A-39. Report of commissioner conclusive.

39. Irregularities; collateral attack. In any suit or proceeding, except on complaint before the State Board of Tax Appeals or on certiorari, the certificate and report of the commissioner 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 State Tax Commissioner, the State Board of Tax Appeals or the court.

Misnomer not to affect tax.

C. 54:29A-40. Fees paid for returns.

40. Fees. The prosecutor of the writ of certiorari shall pay eight cents ($0.08) per folio to the State Tax Commissioner and the State Comptroller for returns made by them of proceedings under this act.

C. 54:29A-41. Action by Supreme Court upon dual assessment of property.

41. State and local assessment of same property. If property of a taxpayer has or shall have been, in any year, assessed by the local authorities of

a taxing district, and has or shall have been also assessed by the State Tax Commissioner as property used for railroad purposes, the Supreme Court or any three justices thereof, assigned by the Chief Justice, shall determine, in a summary manner, the character of the property and whether used for railroad purposes and by whom it has lawfully been assessed. This determination shall be made whether the taxes in question have been paid or not and whether a certiorari to review either assessment has been granted or not.

C. 54:29A-42. Order determining character and use of property.

42. Hearing; procedure. The determination shall be made under an order to show cause at a time and place to be therein designated. The order shall be granted by the Chief Justice of the Supreme Court upon application ex parte by any of the parties interested, namely, by the Attorney-General on behalf of the State, by the taxpayer, or by the authorities of the taxing district.

Service of order.

The order shall be served upon the parties interested not making such application, not less than ten days before the day fixed therein for the hearing. Depositions to be used on such hearing may be taken on two days' notice by either party.

C. 54:29A-43. May view property in dispute.

43. Judgment; costs. The justices before whom the matter shall be heard may if they see fit view the property in dispute, to guide them in their decision.

Judgment.

The judgment of the court shall direct the cancellation or reduction of either assessment, as the character of the property may require, and shall make such order as to the return to the taxpayer any tax or portion thereof, that may have been paid to the State, or to any taxing district not entitled thereto, as the court shall deem just.

Cost.

The payment of costs may be directed in such manner as the court may deem equitable. The judgment shall be conclusive and final in all collateral proceedings, but may be reviewed on appeal by the Court of Errors and Appeals.

ARTICLE VII

RETURNS AND PAYMENT OF TAX

Article VII.

44. Returns of information.
45. Returns; form and content.
46. Payment; date due.
47. Recovery from owner for taxes paid.
48. Payment by person interested.
49. Payment pending litigation; credits.
50. Payment pending litigation; distribution.
51. Extension of time.
52. Penalties.
53. Interest.

C. 54:29A-44. Schedule of property.

44. Returns of information. a. On or before March first in each year, every taxpayer shall return to the commissioner statements or schedules showing the character and value of all its property, as it existed on the first day of January preceding, its capitalization and its indebtedness.

Schedule of operating revenues.

b. On or before April fifteenth in each year, every taxpayer shall also return to the commissioner statements or schedules showing its railway operating revenues of the preceding year, all deductions therefrom, and the net railway operating income remaining after such deductions.

C. 54:29A-45. Form and contents of schedules

45. Returns; form and content. All statements and schedules required to be returned to the commissioner shall be made and prepared in such detail, and shall contain such additional information necessary or convenient for the proper administration and collection of the taxes imposed by this act, as the commissioner may by regulation prescribe. Returns made by corporations shall be sworn to by the president, vice-president or other principal officer and by the treasurer, assistant treasurer, or chief accounting officer. Whenever a receiver, trustee or assignee is operating the property or business of a taxpayer, the receiver, trustee or assignee shall make returns and tax payments in the same manner and form as are required of the taxpayer.

C. 54:29A-46. Due date of franchise tax.

46. Payments; due dates. The full amount of franchise tax assessed by the commissioner shall be due and delinquent on November fifteenth in each year.

Due date of property tax.

On December first in each year, the full amount of property tax payable under this act shall be due and delinquent.

Payment.

All payments shall be made to the State Treasurer.

C. 54:29A-47. Recovery by taxpayer from owner.

47. Recovery from owner for taxes paid on cars used. Any taxpayer shall pay taxes assessed pursuant to this act upon any cars, hired, leased, run or used in this State, shall have a right of action against the company or person owning the cars, for the taxes so paid with interest thereon from date of payment, and may sue therefor in any court of competent jurisdiction. Nothing in this section shall be so construed as to avoid the obligation of a contract relating to the payment of taxes entered into or made, prior to March twenty-seventh, one thousand eight hundred and eighty-eight, between any such company, its agents, or person owning such cars, and any such railroad company.

Construing.

C. 54:29A-48. Payment by interested party.

48. Payment by person interested. 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 its 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

Repayment.

Interest.

Payment of expenses.

of or person interested in a mortgage or lien paying the tax and interest shall pay each additional amount as a justice of the Supreme 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.

C. 54:29A-49. Payment pending litigation.

49. Payment pending litigation; credits. Any taxpayer may pay the amount of an assessment into the State treasury, notwithstanding litigation may be pending as to the validity of the whole or any part of said tax, and if it shall be determined in any litigation that the whole or any part of the tax so paid has been unlawfully assessed or imposed, the State Treasurer shall give credit for such overpayment to the taxpayer so paying, upon the taxes next legally levied and payable into the State treasury subsequent to the determination of any such litigation.

Credit allowed.

C. 54:29A-50. Distribution pending litigation.

50. Payments pending litigation; distribution. Notwithstanding any law prohibiting the distribution of money received by the treasurer in payment of railroad taxes during the pendency of an action by writ of certiorari 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 writ of certiorari were pending.

C. 54:29A-51. May extend time for filing.

51. Extension of time. The commissioner, for good and sufficient cause, may grant reasonable extensions of time for the filing of returns required by this act on such terms as he may consider advisable.

C. 54:29A-52. Penalty for failure to make returns.

52. Penalties. If any taxpayer shall willfully neglect to make returns as required by this act, he or it 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 an action at law in the Supreme Court, brought in the name of the State, and shall be paid into the State treasury. The commissioner shall

Recovery of penalty.

certify any such default to the Attorney-General, who shall prosecute the action for the penalty.

C. 54:29A-53. Interest on delinquent.

53. Interest. 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 a writ of certiorari or other remedy.

Rate.

ARTICLE VIII

COLLECTION

Article VIII.

54. Lien of taxes.
55. Tax a debt; preference.
56. Collection not to be stayed.
57. Entry of judgment.
58. Suit to enforce lien.
59. Parties to proceedings.
60. Adjudication and decree.
61. Receivership.

C. 54:29A-54. Taxes a lien.

54. Lien of taxes. The taxes imposed by this act or heretofore imposed pursuant to any act for the taxation of property used for railroad and canal purposes shall be and remain a lien paramount to all other liens upon the revenues and all the real and personal property owned, used or controlled by the taxpayer within this State. The lien shall take effect as of the first day of the year in which the tax is payable.

C. 54:29A-55. Taxes a preferred debt.

55. Tax a debt; preference. 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 at law or suit in equity may be maintained, and shall be a preferred debt in case of insolvency.

C. 54:29A-56. Writ or order not to stay collection.

56. Collection not to be stayed. The payment or collection of taxes heretofore or hereafter assessed to any taxpayer shall not be stayed by the writ or

order of any court, except as otherwise provided in section thirty-eight of this act.

C. 54:29A-57. Entry of judgment.

57. Entry of judgment. As an additional or alternative remedy, the State Comptroller may issue a certificate to the clerk of the Supreme 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 an action at law upon contract, but without prejudice to the taxpayer's right of appeal.

Not to prejudice right of appeal.

C. 54:29A-58. Enforcing lien.

58. Suit to enforce lien. 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 direct a bill in chancery to be filed, 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.

C. 54:29A-59. Parties to proceedings.

59. Parties to proceedings. All persons having liens upon or claiming any interest in the property or rights to property sought to be subjected as aforesaid shall be made parties to such proceedings and be brought into court.

C. 54:29A-60. Adjudication and decree.

60. Adjudication and decree. The court shall, after the parties have been duly notified of the proceedings, proceed to adjudicate all matters involved therein and 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 decree 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-61. May appoint receiver.

61. Receivership. In any such proceeding, at the instance of the Attorney-General, the court may appoint a receiver to enforce the lien, or, upon certification by the State Comptroller during the pendency of such proceedings that it is in the public interest, may appoint a receiver with all the powers of a receiver in equity.

ARTICLE IX

ADMINISTRATION AND PROCEDURE

Article IX.

62. Rules and regulations.
63. Audits and investigations.
64. Hearings; oaths.
65. Subpœnas.
66. Employment of technical assistants.
67. Personal knowledge of commissioner.
68. Attendance of Attorney-General.
69. Employment of assistant counsel.
70. Criminal penalties.
71. False swearing.
72. Offenses committed at Trenton.

C. 54:29A-62. Rules and regulations to enforce act.

62. Rules and regulations. The commissioner is hereby authorized and empowered to interpret and carry into effect the provisions of this act and in pursuance thereof to make and enforce such rules and regulations as he may deem necessary.

C. 54:29A-63. Audits and investigations.

63. Audits and investigations. For the purpose of administering this act, the commissioner, whenever he deems it expedient, may make or cause to be made by an employee of the State Tax Department, engaged in the administration of this act, an audit, examination, or investigation of the books, records, papers, vouchers, accounts, and documents of any taxpayer, and also field surveys, inspections and examinations of all lands and physical property. It shall be the duty of every taxpayer and of every director, officer, agent or employee of every taxpayer to exhibit to the commissioner or to any such employee of the State Tax Department all such books, records, papers, vouchers, accounts, and documents of the taxpayer and to facilitate any such audit, examination, field examination or investigation so far as it may be in its or their power so to do. It shall be lawful for the commissioner, or any employee in the State Tax Department by him thereunto designated to take the oath of any person signing any application, deposition, statement, or report required by the commissioner in the administration of this act. If any returns are not made, the commissioner shall ascertain the necessary facts from the best information he can obtain and in such manner as he may find convenient, using his personal knowledge and judgment.

To exhibit records.

Administer oaths.

Obtaining sundry information.

C. 54:29A-64. Conduct hearings and administer oaths.

64. Hearings; oaths. The commissioner, or any employee of the State Tax Department he may designate, may conduct hearings, administer oaths to, and examine under oath, any taxpayer and the directors, officers, agents, and employees of any taxpayer and as well all other witnesses relative to the liability of the taxpayer for any taxes pursuant to the provisions of this act.

C. 54:29A-65. Issuing subpœnas.

65. Subpœnas. 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 a justice of the Supreme Court an order to compel a person to submit to examination in reference to such matters, and the justice may punish a person disobeying any such order as for a contempt. Compelling person to submit to examination.

66. Employment of technical assistants. In order to obtain the facts necessary for the discharge of his duties under this act, the commissioner may use such lawful means as he may deem necessary. He may employ such assistants in making his valuations as may be necessary to complete them in due time. All such persons, whose compensation is not fixed by statute or otherwise determinable by authority of law, shall be paid such reasonable compensation as may be fixed by the commissioner with the approval of the Governor, and within the limits of appropriations available therefor. C. 54:29A-66. Technical assistants. Compensation.

67. Personal knowledge of commissioner. The commissioner shall be entitled to use his personal knowledge and judgment as to the value of any property which he is required to assess, upon original assessment or upon review thereof. C. 54:29A-67. May use personal knowledge.

68. Attendance of Attorney-General. The Attorney-General shall attend the hearings of the State Tax Commissioner in person or by such deputy as he may appoint for that purpose. C. 54:29A-68. Attorney-General to attend hearings.

69. Employment of assistant counsel. The Attorney-General may, with the approval of the Governor and Comptroller, employ such assistant attorneys or counsel as may be necessary to protect and properly defend the interest of the State, in carrying out the provisions of this act. All such persons, whose compensation is not fixed by statute or otherwise determinable by authority of law, shall be paid such compensation by the State as the Attorney-General and the Comptroller shall approve, within the limits of appropriations available therefor. C. 54:29A-69. Assistant counsel. Compensation.

70. Criminal penalties. Any person who shall fail to file any report required to be filed pursuant to the provisions of this act, or shall file or cause C. 54:29A-70. Penalties for failure to file report, etc.

to be filed with the commissioner any false or fraudulent report or statement, or shall aid or abet another in the filing with the commissioner of any false or fraudulent report or statement, with the intent to defraud the State or evade the payment of any tax, fee, penalty or interest or any part thereof, which shall be due pursuant to the provisions of this act, shall be guilty of a misdemeanor and, upon conviction, shall be fined not to exceed one thousand dollars ($1,000.00) or be imprisoned not to exceed three years, or both, at the discretion of the court.

C. 54:29A-71. Perjury.

71. False swearing. Any person who shall swear to, affirm, or verify any false or fraudulent statement with intent to evade the payment of any tax or who being under oath, shall testify falsely at any hearing held pursuant to the provisions of this act shall be guilty of perjury.

C. 54:29A-72. Where offenses committed.

72. Offenses committed at Trenton. The failure to do any act required to be done by, or under the provisions of, this act shall be deemed an act committed in part at the office of the commissioner in Trenton. The certificate of the commissioner to the effect that any act required to be done by, or under the provisions of, this act has not been done, shall be prima facie evidence that such act has not been done.

Article X

Miscellaneous Provisions and Repealers

Article X.

73. Payment and returns for 1941.
74. Construction; other taxes.
75. Repealers.
76. Effective date.

C. 54:29A-73. Payment and returns for 1941.

73. Payment and returns for 1941. The commissioner is hereby authorized and required to accept, without interest or penalty, returns of information and payments of taxes for the first year in which this act is operative within the times specifically limited therefor, or at any time within

thirty days after the effective date of this act, whichever date is later. In the first year for which this act is operative, valuations made by the commissioner for that year under chapters nineteen through twenty-nine, inclusive, of Title 54 of the Revised Statutes shall constitute the basis of property assessments under this act. Nothing in this section shall be construed to relieve any taxpayer of any requirement of payment or collection of taxes other than by temporary extension of time necessitated by the enactment hereof after the respective dates for action required hereunder.

Construing.

C. 54:29A-74. State and local taxes abated.

74. Construction; other taxes. All other State and local taxes of or upon franchises or property used for railroad purposes, which may have been assessed for the first year in which this act becomes effective upon any taxpayer subject to taxation hereunder prior to the enactment of this act, shall abate and be cancelled of record as of the effective date hereof. This act shall be construed as a revision of chapters nineteen through twenty-nine, inclusive, of Title 54 of the Revised Statutes, and nothing herein shall be construed to affect any pending litigation, nor to repeal, abate, cancel, cause to lapse or otherwise affect in any manner any assessment or the lien or obligation to pay any taxes heretofore assessed to any taxpayer, or the legal authority to collect taxes, interest and penalties which have accrued under any provision of law repealed by this act, or under any other law, except as specifically provided in this act. Nor shall this act affect in any manner any distribution, allotment or apportionment of tax receipts made or required to be made under any provision of law repealed by this act.

Construing.

C. 54:29A-75. Sundry chapters repealed

75. Repealers. Chapters nineteen through twenty-nine, inclusive, of Title 54 of the Revised Statutes are hereby repealed.

Chapter 91, of the laws of 1885;
Chapter 275, of the laws of 1886;
Chapter 333, of the laws of 1921; and
Chapter 423, of the laws of 1933;
are hereby repealed.

76. Effective date. This act shall take effect immediately.

Approved July 22, 1941.

CHAPTER 292

AN ACT relating to the maintenance and support of the free public schools, and amending section 18:10–30 of the Revised Statutes.

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

Section amended.

1. Section 18:10–30 of the Revised Statutes is amended to read as follows:

Tax devoted to free public schools after certain deductions.

18:10–30. The taxes assessed in each year by virtue of the provisions of the railroad tax law of one thousand nine hundred and forty-one, or any amendment, supplement or revision thereof, which are therein required to be applied for State uses according to law, after deducting therefrom a sum equal to one-half of one per centum (½ of 1%) of the total valuation of property assessed by virtue of the provisions of subdivisions I, III and IV of section seventeen of the aforesaid tax law and such other sum or sums as the Comptroller is directed to deduct therefrom by any law of this State, shall be devoted to the maintenance and support of a thorough and efficient system of free public schools.

2. This act shall take effect immediately.

Approved July 22, 1941.

CHAPTER 293

AN ACT relating to taxation, supplementing chapter four of Title 54, and amending section 54:4–52 of the Revised Statutes.

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

C. 54:4-47.1. Added to assessment list.

1. The county board of taxation shall add to each assessment list and duplicate a memorandum of the various assessments upon second-class railroad property and the amount of tax thereon, as certified by the State Tax Commissioner.

C. 54:4-47-2. Included in municipal valuations.

2. Notwithstanding the taxation of second-class railroad property at a uniform State rate pursuant to law, the valuation of such property in the respective municipalities shall be included in and considered a part of the total amount of valuations of such respective municipalities for all other purposes except the computation of the respective municipal tax rates.

Section amended.

3. Section 54:4–52 of the Revised Statutes is amended to read as follows:

Table of aggregates, contents.

54:4–52. The county board of taxation shall, on or before March tenth, fill out a table of aggregates copied from the duplicates of the several assessors and the certifications of the State Tax Commissioner relating to second-class railroad property, and enumerating the following items:

(1) The total number of acres and lots assessed;

(2) The value of the land assessed;

(3) The value of the improvements thereon assessed;

(4) The total value of the land and improvements assessed, exclusive of second-class railroad property.

(5) The value of the personal property assessed;

(6) Deductions allowed, stated in separate columns;

a. Household goods and other exemptions under the provisions of section 54:4–3.16 of this Title;

b. Deductions for debt, other than mortgage indebtedness;

c. Property exempted under section 54:4–3.12 of this Title;

(7) The net valuation taxable;

(8) Amounts deducted under the provisions of sections 54:4–49 and 54:4–53 of this Title or any other similar law (adjustments resulting from prior appeals);

(9) Amounts added under any of the laws mentioned in subdivision (8) of this section (like adjustments);

(10) Amounts added for equalization under the provisions of sections 54:3–17 to 54:3–19 of this Title;

(11) Amounts deducted for equalization under the provisions of said sections 54:3–17 to 54:3–19 of this Title;

(12) The value of second-class railroad property;

(13) Net valuation on which county, State and State school taxes are apportioned;

(14) The number of polls assessed;

(15) The amount of dog taxes assessed;

(16) The property exempt from taxation under the following special classifications:

a. Public school property;

b. Other school property;

c. Public property;

d. Church and charitable property;

e. Cemeteries and graveyards;

f. Motor vehicles exempted under the provisions of section 54:4–3.21 of this Title;

g. Other exemptions not included in foregoing classifications subdivided showing ex-

emptions of real property and exemptions of personal property;

h. The total amount of exempt property;

(17) State road tax;

(18) State school tax;

(19) Soldiers' bonus bond tax;

(20) County taxes apportioned, exclusive of bank stock taxes;

(21) Local taxes to be raised, exclusive of bank stock taxes, subdivided as follows:

a. District school tax;

b. Other local taxes;

(22) Total amount of miscellaneous revenues, including surplus revenue appropriated, for the support of the budget;

(23) District court taxes;

(24) Library tax;

(25) Bank stock taxes due taxing district;

(26) Tax rate for local taxing purposes to be known as general tax rate to apply per one hundred dollars ($100.00) of valuation.

In addition to the above such other matters may be added, or such changes in the foregoing items may be made, as may from time to time be directed by the commissioner. The forms for following out tables of aggregates shall be prescribed by the commissioner and sent by him to the county treasurers of the several counties to be by them transmitted to the county board of taxation. Such table of aggregates shall be correctly added by columns and shall be signed by the members of the county board of taxation and shall within three days thereafter be transmitted to the county treasurer who shall file the same and forthwith cause it to be printed in its entirety and shall transmit certified copy of same to the State Comptroller, State Tax Commissioner, the State Auditor, the clerk of the board of freeholders, and the clerk of each municipality in the county.

Sundry matter.

Form.

Totalled.

4. This act shall take effect immediately.

Approved July 22, 1941.

CHAPTER 294

AN ACT vesting the title to real estate of which Edward C. Hammett died seized, and which is alleged to have escheated to the State of New Jersey in the year one thousand nine hundred and thirty-four, in Carrie Lilley, Eva Lang and Maggie Wilson, their heirs and assigns forever.

Preamble.

WHEREAS, Edward C. Hammett departed this life on February 29, 1934, a resident of the City of Philadelphia, County of Philadelphia and State of Pennsylvania, seized of a certain lot and premises situate in the City of Camden, County of Camden and State of New Jersey, conveyed by Frank W. Miller and wife to the said Edward C. Hammett by deed dated November 27, 1889, and recorded in the office of the Register of Deeds of Camden county on December 9, 1889, in Book No. 148 of Deeds at page 595 &c, more particularly described as follows:

Beginning at a point in the north line of Pearl street distant twenty-eight feet and nine inches eastward from the northeast corner of Ninth and Pearl streets, said point being the center of a party wall; thence eastward along the north line of Pearl street fourteen feet and two inches to a point, the center of another party wall; thence northward of that width or frontage between parallel lines running at right angles to Pearl street, passing through the center of said party walls sixty feet and two inches to a four feet wide alley in the rear, being house known as No. 905 Pearl street. Together with the free use and privilege of said alley in common with adjoining tenants and owners forever; and

WHEREAS, The said Edward C. Hammett left no person or persons capable of inheriting the said lands and premises, and the same are alleged to have escheated to the State of New Jersey; and Preamble.

WHEREAS, The request and proper notice of intention to apply for the passage of this act has been given and duly published; now, therefore, Preamble.

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

1. All the estate, right, title and interest of every kind and character of which it is alleged that the State of New Jersey is seized, in and to certain real estate heretofore belonging to Edward C. Hammett, more particularly hereinbefore described, be and the same are hereby vested in Carrie Lilley, Eva Lang and Maggie Wilson, their heirs and assigns forever; and such title so as aforesaid vested under the provisions of this act is validated and confirmed. Title vested in Carrie Lilley, Eva Lang and Maggie Wilson.

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

Approved July 28, 1941.

CHAPTER 295

AN ACT concerning alcoholic beverages, and amending section 33:1–26 of the Revised Statutes.

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

1. Section 33:1–26 of the Revised Statutes is hereby amended to read as follows: Section amended.

33:1–26. All licenses shall be for a term of one year from the first day of July in each year. The respective fees for any such license shall be prorated according to the effective date of such license Term. Fees prorated.

Refund.

and based on the respective annual fee as in this chapter provided. Where the license fee deposited with the application exceeds such prorated fee, a refund of the excess shall be made to the licensee. Licenses are not transferable except as hereinafter provided. A separate license is required for each specific place of business and the operation and effect of every license is confined to the licensed premises. No retail license of any class shall be issued to any holder of manufacturer's or wholesaler's license, and no manufacturer's or wholesaler's license shall be issued to the holder of a retail license of any class. Any person who shall exercise or attempt to exercise, or hold himself out as authorized to exercise, the rights and privileges of a license except the licensee and then only with respect to the licensed premises, shall be guilty of a misdemeanor.

Separate license.

License restrictions.

Extension of license.

In case of death, bankruptcy, receivership or incompetency of the licensee, or if for any other reason whatsoever the operation of the business covered by the license shall devolve by operation of law upon a person other than the licensee, the commissioner or other issuing authority may, in his or its discretion, extend said license for a limited time, not exceeding its term, to the executor, administrator, trustee, receiver or other person upon whom the same has devolved by operation of law as aforesaid. Under no circumstances, however, shall a license, or rights thereunder, be deemed property, subject to inheritance, sale, pledge, lien, levy, attachment, execution, seizure for debts, or any other transfer or disposition whatsoever, except to the extent expressly provided by this chapter.

License not deemed property.

Transfer of licensed premises.

On application made therefor setting forth the same matters and things with reference to the premises to which a transfer of license is sought as are required to be set forth in connection with an original application for license, as to said premises, and after publication of notice of intention to apply for transfer, in the same manner as is required in

case of an application for license as to said premises, the commissioner or other issuing authority may transfer, upon payment of a fee of five dollars ($5.00), any license issued by him or it respectively to a different place of business than that specified therein, by indorsing permission upon such license. Fee.

On application made therefor setting forth the same matters and things with reference to the person to whom a transfer of license is sought as are required to be set forth in connection with an original application for license, which application for transfer shall be signed and sworn to by the person to whom the transfer of license is sought and shall bear the consent in writing of the licensee to such transfer, and after publication of notice of intention by the person to whom the transfer of license is sought, to apply for transfer in the same manner as is required in the case of an original application for license, the commissioner or other issuing authority, as the case may be, may transfer any license issued by him or it respectively to such applicant for transfer by indorsing the license. Such application and the applicant shall comply with all requirements of this chapter pertaining to an original application for license and shall be accompanied, in lieu of the license fee required on the original application, by a fee of ten per centum (10%) of the annual license fee for the license sought to be transferred, which ten per centum (10%) shall be retained by the commissioner or other issuing authority, as the case may be, whether the transfer be granted or not, and accounted for as other license fees. Transfer of license to person. Fee.

The action of the other issuing authority in granting or refusing to grant any application for a transfer of license to a different place of business or person shall be subject to appeal to the commissioner within thirty days from the date such action was taken. Appeal.

No person who would fail to qualify as a licensee under this chapter shall be knowingly employed by or connected in any business capacity whatsoever Employment regulations.

with a licensee; but specialized technical workers, required in any business may, with the approval of the commissioner, and subject to rules and regulations, be employed although failing to qualify as to residence or citizenship. Persons failing to qualify as to age, residence or citizenship may, with the approval of the commissioner, and subject to rules and regulations, be employed by any licensee, but such employee, if disqualified by age or citizenship, shall not, in any manner whatsoever serve, sell or solicit the sale or participate in the manufacture, rectification, blending, treating, fortification, mixing, processing or bottling of any alcoholic beverage; *and further provided,* that no permit shall be necessary for the employment in a bona fide hotel or restaurant of any person failing to qualify as to age or residence so long as such person shall not in any manner whatsoever serve, sell or solicit the sale of any alcoholic beverage, or participate in the mixing, processing or preparation thereof.

Proviso.

Approved July 28, 1941.

CHAPTER 296

AN ACT concerning financial responsibility for damages caused by the operation of motor vehicles in certain cases, and amending sections 39:6–1 and 39:6–5 of the Revised Statutes.

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

Section amended.

1. Section 39:6–1 of the Revised Statutes is amended to read as follows:

Proof of financial responsibility.

39:6–1. The commissioner shall require proof of financial responsibility to satisfy any claim for damages, by reason of personal injury to, or the death of, any one person of at least five thousand

dollars ($5,000.00), or by reason of personal injury to, or the death of, more than one person on account of any such accident, of at least ten thousand dollars ($10,000.00), and for damage to property of at least one thousand dollars ($1,000.00), from any person who shall have been convicted of, or who shall have forfeited any bond taken, or shall have had his case nolled upon the payment of any sum of money for, the violation of any of the following provisions of law:

When and from whom required.

a. Operating or permitting another person to operate a motor vehicle while under the influence of intoxicating liquor or any narcotic or habit-producing drugs, as provided in section 39:4–50 of this Title;

b. Not stopping at once when involved in an accident, ascertaining injury, rendering assistance and disclosing identity, as provided in article fifteen of chapter four of this Title (§ 39:4–129 et seq.);

c. Reckless driving, as provided in section 39:4–96 of this Title, except in such cases where circumstances, in the judgment of the commissioner, are such that requirements should be waived;

d. Homicide or assault or assault and battery arising out of the operation of a motor vehicle;

e. Such other violations as constitute cause for suspension or revocation of licenses in this State;

f. An offense in any other State, territory or province, which, if committed in this State, would be a violation of any of the aforesaid provisions of law of this State; or

g. In the event that any person, while operating a motor vehicle, has been concerned in a motor vehicle accident resulting in the death of or injury to a person, or damage to property to the extent of at least twenty-five dollars ($25.00), or, in the discretion of the com-

missioner, from the person in whose name such motor vehicle is registered, or both, except where the person, in the commissioner's opinion, is not at fault for causing accident.

Whenever the commissioner shall require proof of financial responsibility from the owner of any motor vehicle, he shall require proof in the amounts herein specified for each vehicle owned or registered by such person.

Section amended.

2. Section 39:6–5 of the Revised Statutes is hereby amended to read as follows:

License and certificate suspended.

39:6–5. Suspension of license and certificates for failure to pay judgment. If a person fails to pay and satisfy every judgment rendered against him for damages because of personal injury or death, or damage to property in excess of twenty-five dollars ($25.00), resulting from the ownership, maintenance, use or operation of a motor vehicle, within thirty days after its entry, or if an appeal is taken therefrom within that time, within thirty days after the judgment as entered or modified becomes final, the operator's license and all registration certificates of any such person, other than a chauffeur or operator employed by the owner of a motor vehicle and so acting at the time of the damage, injuries or death resulting in the judgment, shall, upon receiving a certified copy of a transcript of the final judgment from the court in which it was rendered showing it to have been still unsatisfied more than thirty days after it became final, be forthwith suspended by the commissioner.

Valid judgments.

The judgment herein mentioned shall be a judgment of a court of competent jurisdiction of this State, another State, the District of Columbia or a district court of the United States or a court of competent jurisdiction of a province of the Dominion of Canada.

License, etc., not renewed.

The license and registration certificates shall remain so suspended and shall not be renewed, nor shall a motor vehicle be thereafter registered in the name of that person while the judgment re-

mains unstayed, unsatisfied and subsisting and until every such judgment is satisfied or discharged, except by bankruptcy or insolvency proceedings, and until he gives proof of his ability to respond in damages, as required in this chapter, for future accidents.

Copy of judgment forwarded to commissioner.

The clerk of the court in which the judgment is rendered, or the court where it has no clerk, shall forward to the commissioner, immediately after the expiration of the thirty days, a certified copy of the judgment or a transcript thereof, as aforesaid.

In case defendant is a nonresident.

If the defendant is a nonresident the commissioner shall transmit to the officer in charge of the issuance of operators' permits and registration certificates of the State or province of which the defendant is a resident a certified copy of the judgment.

License, etc., resuspended.

If after proof is given, another such judgment is recovered against that person for an accident occurring before the proof was given, the license and certificate shall again be and remain suspended, and no other license or certificate shall be issued to him while the judgment so remains unsatisfied and subsisting.

3. This act shall take effect immediately.

Approved July 28, 1941.

CHAPTER 297

AN ACT concerning the purchase by counties and municipalities of current income bonds issued by the United States of America.

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

C.App.A:4-46.1 May purchase current income bond of U.S.A.

1. It shall be lawful for the governing body of any municipality and the board of chosen freeholders of any county to use moneys which may be in hand for the purchase of current income bonds

Limitation. issued by the United States of America. Such investment shall be limited to such sums as may be available and not needed for the purpose of making required payments during the minimum life of such current income bonds and in the purchase thereof, due regard must be had to the availability of funds pending the time when said bonds may be redeemed. Said bonds shall be registered in the name of the municipality or county and the authorization to purchase these bonds shall be by resolution adopted by a majority vote of all of the members of the governing body of such municipality or county as the case may be.

Registered.

C.App.A:4-46.2 Report of amount. 2. When said bonds are received by the municipality or county, 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, said treasurer or chief financial officer shall transmit a written report to the governing body, setting forth the amount of bonds so received, the date and the numbers thereof. He shall at the same time, unless otherwise directed by the governing body, transmit said bonds to the clerk of the municipality or clerk of the board of chosen freeholders, as the case may be, for safe-keeping. Full information setting forth the amount of bonds, the date, numbers and interest periods, 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 Commissioner of Local Government.

C.App.A:4-46.3 Act inoperative. 3. This act shall take effect immediately and the purchase provision shall expire by limitation on December thirty-first, one thousand nine hundred and forty-two.

Approved July 28, 1941.

CHAPTER 298

AN ACT concerning the sale of lands limited over to infants or in contingency in cases where said sale would be beneficial, and amending section 3:36–14 of the Revised Statutes.

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

1. Section 3:36–14 of the Revised Statutes is amended to read as follows: Section amended.

3:36–14. When it shall appear to the satisfaction of the Chancellor that real estate has been sold under authority of this chapter, upon the application of a life tenant or other persons having a vested interest therein, and that the proceeds of such sale have been paid into the Court of Chancery, to be kept at interest, and that the only persons who might have an interest in the said proceeds of sale, or any part thereof, are persons not in being, or persons who have contingent interests therein and that, with the exception of such persons not in being, or having such contingent interests the person upon whose application the real estate was ordered sold is entitled to the entire proceeds of the sale, the Chancellor may decree that the proceeds of such sale be paid to the life tenant of or other person having a vested interest in such real estate, upon the execution by such life tenant or other person of a bond, with sufficient surety, to the Chancellor of New Jersey, to be approved by the Chancellor, and conditioned that, in the event of the birth of any person or persons not in being at the time of the making of the decree for payment, who might have an interest in such real estate or in the proceeds arising from a sale thereof, or of the vesting of any contingent interest therein such life tenant or other person will repay into the Court of Chancery such proceeds, or such

Distribution of proceeds.

Bond for repayment.

part thereof as he may be decreed to pay by order of the Court of Chancery upon the coming into being of such person or persons, or the vesting of such contingent interest in any person.

2. This act shall take effect immediately.

Approved July 28, 1941.

CHAPTER 299

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

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

Section 3 amended.

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

C. 34:13A-3. Terms defined:

3. Definitions. When used in this act:

Board;

(a) The term "board" shall mean New Jersey State Board of Mediation.

Employer;

(b) The term "employer" includes an employer and any person acting, directly or indirectly, on behalf of or in the interest of an employer with the employer's knowledge or ratification, but a labor organization, or any officer or agent thereof, shall be considered an employer only with respect to individuals employed by such organization.

Employee;

(c) The term "employee" shall include any employee, and shall not be limited to the employees of a particular employer unless this act explicitly states otherwise, and shall include any individual whose work has ceased as

a consequence of or in connection with any current labor dispute or because of any unfair labor practice and who has not obtained any other regular and substantially equivalent employment. This term, however, shall not include any individual taking the place of any employee whose work has ceased as aforesaid, nor shall it include any individual employed by his parent or spouse, or in the domestic service of any person in the home of the employer, or employed by any company owning or operating a railroad or railway express subject to the provisions of the Railway Labor Act.

Representative.

(d) The term "representative" is not limited to individuals but shall include labor organizations, and individual representatives need not themselves be employed by, and the labor organization serving as a representative need not be limited in membership to the employees of, the employer whose employees are represented.

2. This act shall take effect immediately.

Approved July 28, 1941.

CHAPTER 300

AN ACT providing for the construction, dredging and maintenance of a harbor of refuge or anchorage in the borough of Point Pleasant Beach, in the county of Ocean, within the area adjacent to Manasquan Inlet area, and making an appropriation therefor.

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

Authorized to dredge harbor.

1. In addition to the powers conferred by the provisions of chapter six of Title 12 of the Revised Statutes, the Board of Commerce and Navigation is authorized and empowered to construct, dredge

and maintain a harbor of refuge, or anchorage area in the borough of Point Pleasant Beach, in the county of Ocean, and within the area adjacent to the Manasquan Inlet area, and to do all things necessary in connection therewith for effectuating this act.

Appropriation.

2. The sum of thirty thousand dollars ($30,000.00) is hereby appropriated from the State highway fund to cover the cost of said work to be expended by the Board of Commerce and Navigation in the same manner as other State appropriations.

3. This act shall take effect immediately.

Approved July 28, 1941.

CHAPTER 301

AN ACT concerning pheasants and quail, and amending section 23:3–32 of the Revised Statutes.

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

Section amended.

1. Section 23:3–32 of the Revised Statutes is amended to read as follows:

Killing and shipping, tags.

23:3–32. No pheasants or quail propagated in a semiwild state shall be sold. No such pheasants or quail shall be possessed or transported outside of licensed areas unless each 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 or quail in a semiwild state shall procure from the board during any year of operation more tags to be affixed to the dead bodies of pheasants or quail propagated in a semiwild state than four times the number of female pheasants or quail released prior to May first in each

Limits number of tags.

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 numbers of birds taken in any year, either alive or dead, on lands on which pheasants or quail are propagated in a semiwild state shall not exceed the number of tags obtained from the board. Pheasants 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 board 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 at least one hundred pheasants for any acreage up to one hundred acres and at least one pheasant for each additional acre, in which case the licensee or any person or persons authorized by him so to do may take pheasants by shooting from November tenth to the next following February twenty-eighth, both days inclusive, on the land described in his license. The number of pheasants so taken by shooting shall not exceed four-fifths of the total number of pheasants liberated on said land during the year covered by 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 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 or quail propagated in a semiwild state shall be trapped without the written permission of the board.

Additional tags.

Limits number taken.

Season for pheasants.

Limits number taken.

Season for quail.

Trapping.

2. This act shall take effect immediately.

Approved July 28, 1941.

New Jersey State Library

CHAPTER 302

AN ACT concerning the hours for hunting on the first day of any open season for certain birds and animals, and amending section 23:4–1 of the Revised Statutes.

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

Section amended.

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

Open and closed seasons for certain game.

23:4–1. No person shall capture, kill, injure, destroy or have in possession any quail, rabbit, hare, gray, black or fox squirrel, raccoon, English or ring-necked pheasant, ruffed grouse, wild turkey, partridge, reedbird, wild swans, wood duck, wild geese, brant, wild ducks, rails or marsh hens, gallinules, coot (commonly known as crow duck), upland plover, black-bellied plover, golden plover, greater or lesser yellowlegs; willets, sandpipers, dowitchers or robin snipe, brown backs, curlews, turnstones or calico backs, godwits or marlin, tattlers, Wilson snipe or jacksnipe, woodcock or any other birds commonly known as shore birds, surf snipe or bay snipe, or any other game bird or game animal, unless an open season is prescribed therefor, and then only during the respective open seasons fixed by this section.

The open seasons shall be as follows: for

Wild geese, brant, wild ducks, except wood duck, coot, Wilson snipe or jacksnipe, gallinules, sora, marsh hen or mud hen and other rails (other than coot) and woodcock, shall be the same as the open season fixed for such birds by the regulations of the United States bureau of biological survey, made under the provisions of an Act of Congress relating to migratory birds;

Quail, rabbit, hare, gray, black or fox squirrel, male English or ring-necked pheasant, ruffed grouse, or partridge, except as hereinafter in this article is restricted, from November tenth to December fifteenth; *provided, however,* no person shall capture, kill, injure, destroy or have in his possession any of the birds or animals mentioned in this paragraph on the first day of any open season for such birds and animals before nine ante meridiem; Proviso.

Raccoon. from October fifteenth to January fifteenth between sunset and sunrise only, except during the open season for deer.

The birds and animals for which an open season is prescribed by this section may be possessed during the respective open seasons therefor and for the additional period of ten days immediately succeeding the open seasons.

A person violating any provision of this section shall be liable to a penalty of twenty dollars ($20.00) for each bird or animal or part thereof unlawfully captured, killed, injured, destroyed or had in possession. Penalty for violation.

2. This act shall take effect immediately.

Approved July 28, 1941.

CHAPTER 303

A FURTHER 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 forty-one, and regulating the disbursement thereof," approved June twenty-eighth, one thousand nine hundred and forty, as chapter one hundred fifty-eight, laws of one thousand nine hundred and forty (P. L. 1940, c. 158).

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

Provides for payment to estate of Herbert Garrison.

1. There is hereby appropriated to the Board of Commerce and Navigation the sum of four thousand and three hundred dollars ($4,300.00), three thousand and nine hundred dollars ($3,900.00) of which shall be paid to the Estate of Herbert Garrison, Deceased, Lehman H. Garrison, Executor, being the amount of judgment rendered by a condemnation commission for certain riparian rights and upland, for which a deed will be delivered to the State of New Jersey. Four hundred dollars ($400.00) shall be used to defray costs of condemnation proceedings.

Expending appropriation.

2. The appropriation herein authorized shall be expended in the same manner and subject to the same conditions as appropriations authorized in the act to which this act is a further supplement.

3. This act shall take effect immediately.

Approved July 28, 1941.

CHAPTER 304

AN ACT in relation to the registration, conversion, reconversion and reissuance of bonds and notes of counties and municipalities, and amending sections 40:1–29 and 40:1–57 of the Revised Statutes.

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

1. Section 40:1–29 of the Revised Statutes is amended to read as follows: Section amended.

40:1–29. Notes may be made payable to bearer, with interest payable to bearer on presentation for endorsement. Notes may be made subject to registration and principal and interest on notes so registered shall be payable to the registered owner. Form of notes, registration.

Bonds may be issued in either registered or coupon form, and if in coupon form may contain provision for registration as to principal only, or provision for registration as to both principal and interest, or may contain both such provisions. Bonds issued in fully registered form may contain provision for conversion into bonds in coupon form at the request of the registered owner or his authorized attorney or legal representative, and at his expense. Bonds issued in coupon form with provision for registration as to both principal and interest, may contain provision for reconversion, when fully registered, into coupon form, at the request of the registered owner or his authorized attorney or legal representative, and at his expense. Form of bonds, registration.

2. Section 40:1–57 of the Revised Statutes is amended to read as follows: Section amended.

40:1–57. Registration; conversion; reconversion; reissuance. The provisions of this section shall apply to all unmatured bonds, including school bonds, heretofore or hereafter issued by any county or any municipality, under this article Application of section.

or any other law, but shall not apply to bonds issued by the board of education of any school district. Any provisions containing the term "obligations" shall apply to notes as well as bonds.

Use of words.

Conversion and reconversion.

(1) Bonds containing provisions for registration or conversion or reconversion shall from time to time be registered or converted or reconverted in accordance with such provisions.

Coupon bonds for registered bonds.

(2) Bonds issued in coupon form without provision for registration as to both principal and interest shall be converted at the request of the holder into bonds registered as to both principal and interest, by removing and cancelling all the unmatured coupons and by executing conversion certificates written or stamped on the back of the bonds.

Reconverting into coupon bonds.

(3) Bonds issued in coupon form and subsequently converted into bonds registered as to both principal and interest shall be reconverted into bonds in coupon form at the written request of the registered owner or his authorized attorney or legal representative, who shall pay the reasonable costs of such reconversion. Such reconversion shall be effected by the preparation and substitution of new bonds bearing the same rate of interest and being otherwise of the same tenor as the original bonds, or shall be effected by attaching to such bonds, when registered to bearer, new coupons for the unmatured interest of the same form and tenor as those originally authorized.

How effected.

Further conversion.

Bonds reconverted as herein provided may again be converted into fully registered bonds and when so converted may again be reconverted into bonds in coupon form, from time to time in the manner hereinabove provided.

Registered bonds to coupon bonds.

(4) Bonds originally issued in fully registered form, without the privilege of conversion into coupon form, shall at the written request of the registered owner or his authorized attorney or legal representative, be converted into bonds in coupon form of the same or different denominations, by the preparation and substitution of new bonds with all privileges of registration, conversion and re-

conversion and bearing the same rate of interest and being otherwise of the same tenor as the original bonds.

Lost or destroyed.

(5) If lost or completely destroyed, obligations shall be reissued in the form and tenor of the lost or destroyed obligations upon the owner furnishing, to the satisfaction of the governing body, (a) proof of ownership, (b) proof of loss or destruction, (c) an adequate surety bond, and (d) payment of the cost of preparing the new obligations.

Defaced.

(6) If defaced or partially destroyed obligations shall be reissued in the form and tenor of the defaced or partially destroyed obligations, to the bearer (or if registered, to the registered owner) on surrender of the defaced or partially destroyed obligations and upon proof of ownership and payment of the cost of preparing the new obligations.

Resolution relative to conversion, etc.

(7) In the case of conversion or reconversion pursuant to subsections three or four of this section, the resolution of the governing body of the county or municipality providing for the conversion or reconversion shall set forth the written request of the registered owner or his authorized attorney or legal representative, and the date, maturities, interest rate, denomination and numbers of the old and the new bonds. In the case of the issuance of obligations in substitution for lost, defaced or destroyed obligations, pursuant to subsections five or six of this section, the resolution of the governing body of the county or municipality providing for the reissuance, shall set forth the name of the holder or owner, and the date, maturities, interest rate, denomination and numbers of the old and the new obligations, the amounts and terms of the surety bonds, and any other conditions imposed by the county or municipality. The new obligations shall be signed by such officers in office at the time of such conversion, reconversion or reissuance, and the new coupons shall be authenticated by the facsimile signature of such financial officer, as the governing body may designate. Upon effecting such conversion, reconversion or reissuance, the

Providing for lost, etc., bonds.

Authorizing new obligations.

officer effecting the same shall execute a certificate identifying the obligations and coupons, and shall file such certificate in the office of the clerk or other officer having custody of the minutes of the governing body.

3. This act shall take effect immediately.

Approved July 28, 1941.

CHAPTER 305

AN ACT in relation to the form, registration, conversion, reconversion and reissuance of bonds of boards of education of school districts, and amending sections 18:7–90 and 18:7–90.1 of the Revised Statutes.

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

Section amended.

1. Section 18:7–90 of the Revised Statutes is amended to read as follows:

Bonds issued.

18:7–90. If the vote is in favor of the proposal submitted to the voters the board may carry out the purposes and issue the bonds subject to the terms of the proposal and of this Title.

Payable in installments.

The bonds shall be made payable in annual installments, commencing not more than two years from their date of issue, and no installment shall be more than fifty per centum (50%) in excess of the amount of the smallest prior installment.

Issuing details.

The bonds shall be signed by the president of the board and attested by the district clerk and shall bear the seal of the district. Coupon bonds shall have coupons attached for current payment of interest which shall be signed by the district clerk and numbered to correspond to the several bonds to which they are severally attached. Bonds so issued shall be numbered, and a proper registry thereof shall be kept by the district clerk.

Form of bonds issued.

Bonds (other than temporary loan bonds) issued by the board of education of any school district, under this Title, may be issued in either registered or coupon form, and if in coupon form may contain provision for registration as to principal only, or provision for registration as to both principal and interest, or may contain both such provisions. Bonds issued in fully registered form may contain provision for conversion into bonds in coupon form at the request of the registered owner or his authorized attorney or legal representative, and at his expense. Bonds issued in coupon form with provision for registration as to both principal and interest, may contain provision for reconversion, when fully registered, into coupon form, at the request of the registered owner or his authorized attorney or legal representative, and at his expense.

Conversion provisions.

Section amended.

2. Section 18:7–90.1 of the Revised Statutes is amended to read as follows:

Application of section.

18:7–90.1. The provisions of this section shall apply to all unmatured bonds (other than temporary loan bonds) heretofore or hereafter issued by the board of education of any school district, under this Title or any other law.

Conversion and reconversion.

(1) Bonds containing provisions for registration or conversion or reconversion shall from time to time be registered or converted or reconverted in accordance with such provisions.

Coupon bonds for registered bonds.

(2) Bonds issued in coupon form without provision for registration as to both principal and interest shall be converted at the request of the holder into bonds registered as to both principal and interest, by removing and cancelling all the unmatured coupons and by executing conversion certificates written or stamped on the back of the bonds.

Reconverting into coupon bonds.

(3) Bonds issued in coupon form and subsequently converted into bonds registered as to both principal and interest shall be reconverted into bonds in coupon form at the written request of the registered owner or his authorized attorney or

legal representative, who shall pay the reasonable costs of such reconversion. Such reconversion shall be effected by the preparation and substitution of new bonds bearing the same rate of interest and being otherwise of the same tenor as the original bonds, or shall be effected by attaching to such bonds, when registered to bearer, new coupons for the unmatured interest of the same form and tenor as those originally authorized.

How effected.

Bonds reconverted as herein provided may again be converted into fully registered bonds and when so converted may again be reconverted into bonds in coupon form, from time to time in the manner hereinabove provided.

Further conversion.

(4) Bonds originally issued in fully registered form without the privilege of conversion into coupon form shall at the written request of the registered owner or his authorized attorney or legal representative be converted into bonds in coupon form of the same or different denominations, by the preparation and substitution of new bonds with all privileges of registration, conversion and reconversion and bearing the same rate of interest and being otherwise of the same tenor as the original bonds.

Registered bonds to coupon bonds.

(5) If lost or completely destroyed, bonds shall be reissued in the form and tenor of the lost or destroyed bonds upon the owner furnishing, to the satisfaction of the board of education, (a) proof of ownership, (b) proof of loss or destruction, (c) an adequate surety bond, and (d) payment of the cost of preparing the new bonds.

Lost or destroyed.

(6) If defaced or partially destroyed bonds shall be reissued in the form and tenor of the defaced or partially destroyed bonds, to the bearer (or if registered, to the registered owner) on surrender of the defaced or partially destroyed bonds and upon proof of ownership and payment of the cost of preparing the new bonds.

Defaced.

(7) In the case of conversion or reconversion pursuant to subsections three or four of this section, the resolution of the board of education pro-

Resolution relative to conversion, etc.

viding for the conversion or reconversion shall set forth the written request of the registered owner or his authorized attorney or legal representative, and the date, maturities, interest rate, denomination and numbers of the old and the new bonds. In the case of the issuance of bonds in substitution for lost, defaced or destroyed bonds, pursuant to subsections five or six of this section, the resolution of the board of education providing for the reissuance, shall set forth the name of the holder or owner, and the date, maturities, interest rate, denomination and numbers of the old and the new bonds, the amounts and terms of the surety bonds, and any other conditions imposed by the board of education. The new bonds shall be signed by the president of the board of education and attested by the district clerk in office at the time of such conversion, reconversion or reissuance, and the new coupons shall be authenticated by the facsimile signature of such district clerk. Upon effecting such conversion, reconversion or reissuance, the officer effecting the same shall execute a certificate identifying the bonds and coupons, and shall file such certificate in the office of the clerk or other officer having custody of the minutes of the board of education.

Provides for lost bonds.

Authorizing new obligations.

3. This act shall take effect immediately.

Approved July 28, 1941.

CHAPTER 306

A FURTHER 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 forty-two, and regulating the disbursement thereof," approved May seventeenth, one thousand nine hundred and forty-one (P. L. 1941, c. 129).

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

Appropriation for navigation lights.

1. The sum of fifteen hundred dollars ($1,500.00) is hereby appropriated to the Board of Commerce and Navigation from the general funds of the State for the purchase and installation of navigation lights in Newark bay, city of Newark, New Jersey. The said lights shall remain the property of the State of New Jersey and shall be maintained annually by the Board of Commerce and Navigation.

How expended.

2. The appropriation herein authorized shall be expended in the same manner and subject to the same conditions as appropriations authorized in the act to which this act is a further supplement.

3. This act shall take effect immediately.

Approved July 28, 1941.

CHAPTER 307

AN ACT concerning the Court of Chancery, and amending section 2:2–14 of the Revised Statutes.

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

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

2:2–14. The Chancellor, by rule of court, may fix and determine to what masters the references provided for by section 2:2–13 of this Title shall be made, and remove and change the masters at his pleasure. He may fix the compensation to be paid to such masters for their services, which compensation shall be proportionate, as nearly as may be, to the actual value of the services, and shall be paid from the State treasury on the certificate of the Chancellor. Advisory masters, not to exceed twelve in number, heretofore or hereafter appointed or reappointed by the Chancellor to hear divorce and matrimonial proceedings, to report thereon to him and to advise what order or decree should be made therein shall hold office for seven years from the dates of their respective appointments, shall receive such compensation as shall be fixed by the Chancellor payable from fees received under rules of court, and shall not engage in the practice of law in any of the courts of this State, as counsel or otherwise.

Power of Chancellor as to references.

Compensation.

Limits number of advisory masters.

2. This act shall take effect immediately.

Approved July 28, 1941.

CHAPTER 308

AN ACT to declare a policy for, regulate and provide for the licensing of industrial home work; to provide for the administration and enforcement of this act by the Commissioner of Labor, together with the promulgation of orders and rules and regulations; to prohibit the distribution and manufacture of certain articles or materials; to prescribe penalties for violations of the provisions of this act.

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

1. Declaration of policy.

C. 34:6-136.1. Declaration of policy.

(a) The Legislature has long recognized, through laws regulating the employment of men, women and children, that working conditions detrimental to health and welfare result in injury not only to the workers immediately affected but to the public interest as a whole. Now the Legislature finds that industrial home work runs counter to, and tends to defeat, the purpose of these laws because it is performed at excessively low wages for long and irregular hours, under insanitary and otherwise unhealthful working conditions, in constant competition with factory production and free from effective regulation; that these factors result in (1) serious danger to the health, efficiency and general well-being of home workers, (2) the breakdown of standards of employment for factory workers in this State, (3) rendering more difficult the enforcement of laws governing the standards of employment for such factory workers, (4) unfair competition between employers in factory production and employers utilizing industrial home work, and (5) detriment to the consumer and the public welfare.

(b) It is hereby declared to be the policy of this act, through the exercise by the Legislature of the police power, to control strictly the methods of production by industrial home work in this State.

C. 34:6-136.2. Definitions:

2. Definitions: Whenever used in this act.

Person;

(a) "Person" means any individual; firm; partnership, or the officers or agents thereof; domestic corporation or foreign corporation, or the officers or agents of such domestic or foreign corporation; company, association or society, or the officers or agents thereof; the legal representatives of a deceased individual; the receiver, trustee or successor of an individual, firm, partnership, domestic corporation or foreign corporation, company, association or society.

To manufacture;

(b) "To manufacture" includes to prepare, alter, repair, finish or process in whole or in part, or handle in any way connected with the production, wrapping, packaging or preparation for display of an article or materials.

Home;

(c) "Home" means any room, house, apartment or other premises, whichever is most extensive, used in whole or in part as a place of dwelling; and includes outbuildings upon premises that are primarily used as a place of dwelling, where such outbuildings are under the control of the persons dwelling on such premises.

Employer;

(d) "Employer" means any person, including any independent contractor, who, directly or indirectly or through an employee, agent, independent contractor, subcontractor, or any other person, (1) in any way distributes or delivers or causes to be distributed or delivered to another person any articles or materials to be manufactured within this State in a home, and thereafter to be returned to him, not for the personal use of himself or of a member of his family, or thereafter to be disposed of otherwise in accordance with his direction; or (2) sells or causes to be sold to another person any articles or materials for the purpose of having such materials or articles manufactured within this State in a home and of then rebuying

such materials or articles, after such manufacture, either by himself or by someone designated by him.

Industrial home work; (e) "Industrial home work" means any manufacture, in a home, of materials or articles for an employer.

Home worker; (f) "Home worker" means any person engaged in manufacturing, in a home, materials or articles for an employer.

Industry; (g) "Industry" shall mean any trade, business, industry, or any portion or branch thereof, or groups of industries.

Commissioner; (h) "Commissioner" means the Commissioner of Labor of the State of New Jersey or any of his authorized representatives.

Tenement; (i) "Tenement" means any house or building or portion thereof which is rented, leased, let or hired out to be occupied or is occupied as the home or residence of three families or more, living independently of each other and doing their cooking upon the premises.

Use of words. (j) Words used in the singular shall include the plural and the plural the singular.

C. 34:6-136.3. Certain home work prohibited. 3. Prohibited home work. The manufacture of any of the following by industrial home work shall be unlawful, and no permit or certificate issued under this act shall be deemed to authorize such manufacture: (1) Articles of food or drink, (2) Articles for use in connection with the serving of food or drink, (3) Toys and dolls, (4) Tobacco, (5) Drugs and poisons, (6) Bandages and other sanitary goods, (7) Explosives, fireworks, and articles of like character, (8) Articles of infants' and children's wearing apparel, (9) Articles, the processing of which requires exposure to substances determined by the commissioner to be hazardous to the health or safety of persons so exposed, (10) the manufacture or distribution of dolls' clothing in any tenement house is hereby prohibited, anything to the contrary herein notwithstanding.

C. 34:6-136.4. Commissioner empowered: 4. Power to prohibit.

To make investigations; (a) The commissioner shall have the power upon his own initiative, and it shall be his duty upon re-

ceipt of a petition of fifty or more residents of this State, to make an investigation of any industry which employs home workers, in order to determine: (1) Whether the wages and conditions of employment are injurious to the health and welfare of home workers in such industry; and (2) Whether the wages and conditions of employment of home workers prevailing in such industry have the effect of rendering unduly difficult the maintenance of existing labor standards in or the observance and enforcement of labor standards established by law or regulation for factory workers in such industry.

To prohibit industrial home work.

(b) If, on the basis of information in his possession, with or without an investigation, and after a public hearing as provided for by section five of this act, the commissioner shall find that industrial home work cannot be continued within any industry without: (1) injuring the health and welfare of the home workers within that industry, or (2) rendering unduly difficult the maintenance of existing labor standards of factory workers in that industry or the observance and enforcement of labor standards established by law or regulation for factory workers in that industry, the commissioner shall by order prohibit industrial home work in such industry, except as may be otherwise provided in such order pursuant to the provisions of section six of this act, and no permit issued under this act shall be deemed thereafter to authorize the furnishing of articles or materials for industrial home work prohibited by such order.

C. 34:6-136.5. Hearings.

5. Hearings. Before making such order the commissioner shall hold a public hearing or hearings at which an opportunity to be heard shall be afforded to any employer, or representatives of employers, and any home worker, or representative of home workers, and any other person or persons having an interest in the subject matter of hearing. A public notice of such hearing shall be given in such manner as may be fixed by the commissioner. Such notice shall be given at least thirty days

before the hearing is held. Such hearing or hearings shall be in such place or places as the commissioner deems most convenient to the employer and home workers to be affected by such order.

C. 34:6-136.6. Orders:

6. Orders.

Date and contents;

(a) The commissioner shall determine the effective date of such order, which date shall be not less than ninety days after the date of its promulgation. The order shall set forth the type or types of manufacturing which are prohibited after its effective date, and shall contain such terms and conditions as the commissioner may deem necessary to carry out the purpose and policy of this act and to safeguard its provisions. The commissioner may in such order permit limited distribution of industrial home work under such terms or conditions as are hereinafter prescribed by subsection (b) of this section, to any person if he finds (1) That such person is unable to adjust to factory employment because of old age or physical or mental deficiency or disability, or is unable to leave the home because his services are essential to care for an invalid in the home; and (2) That such limited distribution is not inconsistent with the purpose and policy of this act.

Conditions permitting home work.

(b) Industrial home work shall be performed under subsection (a) of this section only where (1) the employer maintains a factory or business in this State in which persons are employed on operations which are the same or similar to the home work operations permitted and, *provided further,* that the commissioner shall determine the ratio, which shall not exceed one-third, of the number of home workers engaged by an employer to the number of persons employed by said employer in his factory or business, said determination to be based on conditions of employment, maintenance of existing labor standards and other factors involving the preservation of the best interests of this State; (2) on any operation, a home worker is paid at least the same rate as that paid to workers on the same or similar operations in the factory or busi-

Proviso.

ness; and (3) the employer and home worker comply with such other terms or conditions as the commissioner may by rule or regulation prescribe to safeguard the health and welfare of home workers and the wages and working conditions of factory workers, and to effectuate the purpose of this section.

7. Permit required.

C. 34:6-136.7. Employer's permit.

(a) Every employer must procure from the commissioner an employer's permit. Application for such permit shall list the names and addresses of home workers and shall be made on a form prescribed by the commissioner. Such permit shall be in writing, dated when issued, and signed by the commissioner. It shall give the name and address of the person to whom it is issued and shall designate and limit the acts that are permitted. Such permit shall be valid for a period of one year from the date of its issuance, unless sooner revoked, and shall not be transferable for any cause.

Form of permit.

Good for year.

(b) Such permit shall be issued or remain valid only where the employer (1) maintains a factory or business within this State or (2) operates through another employer possessing a valid permit and maintaining a factory or business within this State. A permit shall only be issued when the same conditions specified in section 6 (b) of this act exist, prevail or are established.

Validity of permit.

(c) No such permit shall be issued to or remain valid for any independent contractor to act for an employer unless such other employer or employers for whose direct or indirect benefit or account such independent contractor so acts possesses a valid employer's permit; nor shall any such permit be issued to any person, or to the successor in interest of any person, or to a person directly or indirectly owned or controlled by any person, whose employer's permit has been revoked by the commissioner within two years prior to the latest application for such permit.

Continuance.

Delivery of work.

(d) No employer shall deliver or cause to be delivered any article or materials for industrial home work to an independent contractor who is not in possession of a valid employer's permit.

Requirements for valid delivery of home work.

(e) No employer shall deliver or cause to be delivered any article or materials for industrial home work unless (1) such an employer is in possession of a valid permit; (2) the home worker is in possession of a valid home worker's certificate where such article or materials are distributed to said home worker by employer; (3) where subsequent distribution is intended, such person is in possession of a valid permit. The commissioner may revoke any employer's permit for violation of this section. The employer shall also be subject to the penalties provided in this act for such violation.

Revoking permit.

Inspection previous to issue.

(f) Before any permit is granted to an employer to distribute industrial home work from a home, an inspection of home or room therein shall be made by the commissioner. If the commissioner ascertains that such home or room therein is in a clean and proper sanitary condition and that the articles or materials may be distributed for manufacturing purposes under clean and healthful conditions, the commissioner shall grant the permit and allow the use of such home or room therein for the purpose of distributing industrial home work. Every room in which industrial home work is distributed shall be kept in a clean and sanitary condition and shall be subject to examination and inspection by the commissioner, local boards of health or tenement house inspection for the purpose of ascertaining whether said articles or materials are clean and free from vermin and every matter of infectious or contagious nature.

Sanitation.

Diseases reported.

(g) Any person holding a permit issued by the commissioner shall immediately report to the commissioner any case of infectious or contagious disease, of which the employer has knowledge, occurring in a place or home used for the distribution

of industrial home work. If the commissioner, local board of health or tenement house inspector shall find evidence of infectious or contagious disease present in any home or room therein where industrial home work is distributed, the commissioner, local board of health, or tenement house inspector shall issue such orders as the public health may require and shall condemn and destroy such infectious and contagious goods. Contaminated goods destroyed.

(h) The permit must be posted in a conspicuous place in the room where industrial home work is distributed except that where such distribution is made from a factory or business, the employer shall file and keep the permit on file on the premises from which such home work is distributed. Permit posted.

8. Fees. A fee of fifty dollars ($50.00) shall be paid to the commissioner for the original issuance of an employer's permit. For each annual renewal of such permit, the employer shall pay to the commissioner a fee of: (1) Fifty dollars ($50.00), where at no time during the preceding calendar year did the employer directly or indirectly have business relations with more than twenty-five home workers; (2) One hundred dollars ($100.00), where at any time during the preceding calendar year the employer directly or indirectly had business relations with more than twenty-five but less than one hundred home workers; (3) Two hundred dollars ($200.00), where at any time during the preceding calendar year the employer directly or indirectly had business relations with one hundred or more home workers. C. 34:6-136.8. Issuance fees.

9. Revocation of permit. If the commissioner has reason to believe that a person having an employer's permit is not observing the provisions of this act or any rule, regulation or order issued thereunder, or the conditions of the employer's permit, the commissioner may, on ten days' notice, summon such person to appear before the commissioner to show cause why the commissioner should not find that he has failed to observe such provisions or conditions. C. 34:6-136.9. Violator summoned.

Finding.

(b) If, after such notice and opportunity to be heard, the commissioner finds as a fact that such person has failed to observe or comply with a provision of this act, his permit, or a regulation or order issued by the commissioner under authority of this act, the commissioner may revoke the permit of such person.

Reasons for revoking.

(c) The commissioner may revoke a permit if the health of the community or of the employees require it, or if it appears that the place in which the industrial home work is distributed is not in a healthy or proper sanitary condition.

C. 34:6-136.10. Worker's permit.

10. Home worker's certificate.

Good for year.

(a) Every person desiring to engage in industrial home work within this State must procure from the commissioner a home worker's certificate which shall be issued without cost and which shall be valid for a period of one year from the date of its issuance, unless sooner revoked or suspended. Application for such certificate shall be made in such form as the commissioner may by regulation prescribe. No home worker's certificate shall be issued: (1) To any person under the age of sixteen years; or (2) To any person suffering from an infectious, contagious, or communicable disease or living in a home that is not clean, sanitary and free from infectious, contagious or communicable disease.

No fee.

Application.

Denial of permit.

Improper working.

(b) The commissioner may, upon reasonable notice and opportunity to be heard, revoke or suspend any home worker's certificate if he finds that the holder is performing industrial home work contrary to the conditions under which the certificate was issued or to any provision of this act or has permitted any person not holding a valid home worker's certificate to assist him in performing his industrial home work. The commissioner may also revoke a home worker's certificate if the health of the community or the persons in the home requires it, or if it appears that the home to which such certificate relates is not in a healthy and proper sanitary condition.

Health considerations.

Prior inspection.

(c) Before any application for a home worker's certificate is approved and such certificate is issued, the commissioner shall cause an inspection of the home to be made. If the home is in a clean and proper sanitary condition and if the articles or materials may be manufactured therein under clean and healthful conditions, the commissioner shall issue the certificate permitting the use of such home for performing industrial home work by the home worker. Home worker's certificates shall not be transferable, because of a change in address of a home worker and a new application shall be made and certificate issued subject to the above inspection.

Certificates not transferable.

Certificate posted.

(d) The home worker's certificate must be posted in a conspicuous place in the room or rooms where the industrial home work is being manufactured.

Cleanliness enforced.

(e) Every room in a home where articles or materials are being manufactured shall be kept in a clean and sanitary condition and shall be subject to examination and inspection by the commissioner, local boards of health or tenement house inspectors for the purpose of ascertaining whether said articles or materials are clean and free from vermin and every matter of infectious or contagious nature.

Disease in home reported.

(f) Any person holding a home worker's certificate shall immediately report to the commissioner any case of infectious or contagious disease occurring in the home. If the commissioner, local board of health or tenement house inspector shall find evidence of infectious or contagious disease present in any home where industrial home work is being carried on, premises where industrial home work is being distributed, the commissioner, local board of health or tenement house inspector shall issue such orders as the public health may require and shall condemn and destroy such infectious and contagious goods and such local board or inspector shall forward a copy of such order to the commissioner.

Condemnation.

Work room separate.

(g) The commissioner may, when he deems it necessary, require that any and all rooms in a home used for industrial home work or the distribution thereof, shall be separate from and have no door, window or other opening into any living or sleeping room.

As to making dolls' clothing.

(h) In addition to the other requirements of this act, no home workers' certificate shall be issued for the manufacture of dolls' clothing nor shall a permit be issued for the distribution of dolls' clothing for manufacture unless the applicant thereof shall first secure the approval of the local board of health.

C. 34:6-136.11. Records.

11. Records to be kept. Each employer shall keep within this State in such form and manner as the commissioner may by rule, regulation or order prescribe and shall forward to the commissioner at such intervals and upon such blanks as the commissioner may by rule, regulation or order prescribe and provide a complete and accurate record of: (1) All persons engaged in industrial home work directly or indirectly for or in behalf of such employer; (2) All places where such persons work; (3) All articles or materials directly or indirectly distributed to such persons; (4) All articles or materials manufactured by such persons, (5) The net cash wages received by each home worker and such piecework rates at which each home worker is compensated; (6) All independent contractors to whom he has furnished materials to be manufactured by industrial home work; and (7) Such other facts and information as may be pertinent to the proper enforcement and effectuation of the provisions of this act.

List of home workers.

Places.

Materials.

Made articles.

Earnings.

Contractors.

Other information.

C. 34:6-136.12. Conditions.

12. Conditions of manufacture. Industrial home work shall be performed; (1) Only by a person possessing a valid home worker's certificate, and resident in the home in which the work is done; (2) Only by persons sixteen years of age or over; (3) Only in accordance with the wages, hours or working conditions established for labor in factories or businesses by persons of the same age

Certificate necessary.

Age.

Working conditions.

and sex as the home workers by State law or regulation or any applicable Federal law or regulation; (4) Only in accordance with the provisions of any State law or regulation, including the provisions of this act, or of any applicable Federal law or regulation, relating to employment and applicable to home workers; and (5) Only in a home that is clean and sanitary and free from any infectious, contagious or communicable disease.

Legal regulations.

Home conditions.

Every employer shall be deemed to have accepted responsibility for the observance of the conditions of manufacture specified by this section and of such terms and conditions as may be specified pursuant to section six of this act; and each of such conditions shall be deemed to be a condition of the employer's permit to the same extent as though it were expressly set forth therein.

Responsibility.

13. Labels required. No employer shall deliver or cause to be delivered any materials or articles to be manufactured by any home worker unless there has been conspicuously affixed to each article a label or other mark of identification bearing the employer's name and address, printed or written legibly in English. But if the goods are of such a nature that they cannot be individually so labeled or identified, then the employer shall conspicuously label in such manner as the commissioner may by rule or regulation prescribe.

C. 34:6-136.13. Goods labeled.

14. Unlawfully manufactured or distributed articles or materials. (a) Any article or material which is being manufactured in a home in violation of any provisions of this act may be removed by the commissioner and may be retained by him until claimed by the employer. The commissioner shall by registered mail give notice of such removal to the person whose name and address are affixed to the article or material as provided by section thirteen. Unless the article or material so removed is claimed within thirty days thereafter, it may be destroyed or otherwise disposed of. Where the owner or the article or material cannot be determined, unless such article or material removed by

C. 34:6-136.14. Goods improperly produced.

Notice of removal.

Unclaimed goods.

Owner unknown.

the commissioner is claimed within thirty days after such removal, it may be destroyed or otherwise disposed of.

Dealing in articles illegally made.

(b) It shall be a violation of this act for any person to receive from, handle or convey to others, to sell, offer for sale, to expose for sale or hold in stock any articles or materials that have been manufactured by a home worker, who does not possess a valid home worker's certificate or distributed for manufacture by persons not in possession of a valid permit.

C. 34:6-136.15. No gratuities paid.

15. Agreements to contributions by employees void. Any agreement by a home worker to pay any portion of a payment required of any other person by any provision of this act shall be void and of no effect.

C. 34:6-136.16. Enforcement.

16. Enforcement, administration, oaths, affidavits, subpœnas, witnesses.

Commissioner in charge.

(a) The commissioner shall enforce and administer the provisions of this act and the commissioner is directed to make all inspections and investigations necessary for proper enforcement and administration thereof.

Powers conferred on commissioner.

(b) In the administration of this act the commissioner shall have the power to administer oaths, take affidavits and the depositions of witnesses and issue subpœnas for and compel the attendance of witnesses and the production of papers, books, accounts, payrolls, documents, records, testimony and other evidence of whatever description. In the case of failure of any person to comply with any order of the commissioner or subpœna, lawfully issued, or on the refusal of any witness to produce evidence or to testify as to any matter regarding which he may be lawfully interrogated, it shall be the duty of any district court or court of common pleas, or the judge thereof, upon application by the commissioner to compel obedience by proceedings for contempt, as in the case of disobedience of a subpœna issued for such court or a refusal to testify therein.

Compelling obedience.

(c) Notwithstanding the provisions of any other general, local or special law, all fees and other moneys derived from the operation of this act shall be remitted to the State Treasurer and said moneys shall be placed to the credit of the commissioner and shall be used exclusively for the purpose of carrying into effect the provisions of this act and for the payment of salaries and expenses of employees for research, equipment and for any other necessary expenses pertaining to the carrying out and enforcement of the provisions of this act. This fund shall be kept separate and apart from any other State moneys and shall be disbursed by the State Treasurer upon voucher certified by the commissioner.

Proceeds remitted to State Treasurer.

Disbursements.

17. Rules and regulations. The commissioner shall have the power to make, issue, amend and rescind such rules, regulations and orders as are necessary or appropriate to carry out the provisions of this act. Without limiting the generality of the foregoing, such rules, regulations or orders may define the terms used in this act.

C. 34:6-136.17 Rules and regulations.

18. Injunction against violations. The commissioner shall have the power to apply to the Chancery Court of any county for an injunction, and such court shall, upon application, have the power to issue an injunction, restraining any employer from violating any of the provisions of this act.

C. 34:6-136.18. Use of injunction.

19. Penalties. Any employer or person who: (1) Directly or indirectly in any way, distributes, delivers or causes to be distributed or delivered, or sells or causes to be sold, articles or materials for industrial home work in violation of any provision of this act or of any rule, regulation or order issued thereunder; or (2) Violates or fails to comply with any provision of this act or any rule, regulation or order issued thereunder, or (3) Does not possess a valid employer's permit issued by the commissioner pursuant to section seven of this act or fails to comply with any provision or condition of such permit; or (4) Refuses to allow the

C. 34:6-136.19. Penalties:

Violations;

Failure to comply;

Lacks permit.

Rejects commissioner;

commissioner or his authorized representative to enter his place of business or other place for the purpose of investigating in the enforcement of this act, and of inspecting any records required to be kept by section ten of this act; or (5) Willfully makes a false statement or representation in order to lower the amount of fees due from him under this act; or (6) Makes any deduction from the wages or salary of a home worker in order to pay any portion of a payment which such person is required to make by this act; shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100.00) nor more than three hundred dollars ($300.00) or to imprisonment for not more than six months, or both, such fine and imprisonment for each such offense; and each day such violation continued and each home worker engaged in industrial home work directly or indirectly for or in behalf of such employer in violation of any provision of this act or any rule, regulation or order issued thereunder shall be considered a separate offense.

Falsification;

Deductions;

Fines.

Each violation separate offense.

C. 34:6-136.20. Validity of act.

20. Construction. 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 or circumstances shall not be affected thereby.

C. 34:6-136.21. Exemptions.

21. Exemptions. Nothing in this act shall be held to prevent the employment of a tailor or seamstress by any person for the purpose of making, altering, repairing or finishing any articles of wearing apparel for the personal use of such person or members of his family.

C. 34:6-136.22. What constitutes disorderly house.

22. Disorderly house. Any home or other place where industrial home work is habitually carried on or articles or materials are habitually being distributed for manufacture in violation of any of the provisions of this act shall be a disorderly house and any person owning, operating or managing a business involving such industrial home work or the distribution of such articles or mate-

rials for manufacture shall be deemed guilty of keeping a disorderly house, and, upon conviction thereof, shall be fined a sum of not less than two hundred dollars ($200.00) nor more than five hundred dollars ($500.00), or shall be imprisoned for a term not to exceed two years or both. Penalty.

23. Repeal of existing laws. All acts and parts of acts inconsistent herewith are hereby repealed. Repealer.

24. Time of taking effect. This act shall take effect ninety days after its adoption; except sections seven (a), (b) and (c), section eight, and section sixteen (c) which shall take effect immediately, and except that the commissioner shall have power immediately to promulgate rules and regulations, appoint such officers and employees, and fix their compensation, as may be necessary to carry out the provisions of this act, and do such other things as may be necessary to set up the machinery required to enforce the provisions of this act. C. 34:6-136.23. When act effective.

Approved July 28, 1941.

CHAPTER 309

AN ACT making an appropriation of eighteen thousand dollars ($18,000.00) to the Milk Control Board created by pamphlet laws of one thousand nine hundred and forty-one, chapter two hundred seventy-four.

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

1. There is hereby appropriated to the Milk Control Board created by pamphlet laws of one thousand nine hundred and forty-one, chapter two hundred seventy-four, the sum of eighteen thou- Appropriation to milk control board:

sand dollars ($18,000.00) out of the general State fund for the following purposes:

Purpose; a. For the payment of compensation to former officers and employees of the Milk Control Board, established under pamphlet laws of one thousand nine hundred and thirty-nine, chapter eighty-two, during the period from June thirtieth, one thousand nine hundred and forty-one, to July nineteenth, one thousand nine hundred and forty-one, and for the payment of necessary expenses incurred during the same period; and

Expenses. b. For the payment of the expenses of the operation of the Milk Control Board created by pamphlet laws of one thousand nine hundred and forty-one, chapter two hundred seventy-four.

Approval of bills. 2. All bills rendered for the payment of compensation to former officers and employees of the Milk Control Board, established under pamphlet laws of one thousand nine hundred and thirty-nine, chapter eighty-two, during the period from June thirtieth, one thousand nine hundred and forty-one, to July nineteenth, one thousand nine hundred and forty-one, and for the payment of necessary expenses incurred during the same period, shall be approved by the Secretary of Agriculture before payment.

3. This act shall take effect immediately.

Filed July 28, 1941.

CHAPTER 310

AN ACT to apportion the members of the General Assembly among the several counties of the State, and amending section 52:10–1 of the Revised Statutes.

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

1. Section 52:10–1 of the Revised Statutes is amended to read as follows: Section amended.

52:10–1. Hereafter, the several counties of this State shall be entitled to elect as members of the General Assembly the number herein provided: Apportionment of members of General Assembly in the several counties.

Atlantic county, two members;
Bergen county, six members;
Burlington county, one member;
Camden county, three members;
Cape May county, one member;
Cumberland county, one member;
Essex county, twelve members;
Gloucester county, one member;
Hudson county, nine members;
Hunterdon county, one member;
Mercer county, three members;
Middlesex county, three members;
Monmouth county, two members;
Morris county, two members;
Ocean county, one member;
Passaic county, four members;
Salem county, one member;
Somerset county, one member;
Sussex county, one member;
Union county, four members;
Warren county, one member.

2. This act shall take effect immediately.
Filed July 28, 1941.

CHAPTER 311

AN ACT concerning defense training and employment; creating a commission to be known as the Defense Training Survey Commission and defining its powers and duties and making an appropriation for carrying into effect the provisions of this act.

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

Defense training survey commission.

1. There is hereby created a commission to be known as the Defense Training Survey Commission and to consist of the Commissioner of Education, the Commissioner of Labor, and the Executive Director of the Unemployment Compensation Commission. The members of the commission shall hold office for one year from the effective date of this act.

Term.

Duties.

2. The commission herein created shall make a survey to ascertain the particular vocational requirements of defense plants in this State, ascertain the probable number of persons required to be trained and the type of training required. The commission herein created shall pay particular attention to the employment and training of persons between the ages of forty and fifty-five years. The survey shall include a study of the aforesaid particulars in the following employment areas: Jersey City, Newark, Paterson, Trenton, Camden, and such other areas in the State which the commission may determine.

Personnel.

Survey of various areas.

Report.

3. The commission shall embody its findings and recommendations in a report to be filed at the next session of the Legislature.

Data reported.

4. The commission is hereby empowered to include in its report data concerning the cost of organizing and maintaining additional defense

training centers and amounts necessary to be appropriated by the State of New Jersey.

Appropriation.

5. For the purpose of carrying into effect the provisions of this act there is hereby appropriated the sum of twenty-five hundred dollars ($2,500.00) or so much thereof as may be necessary.

Expenses met.

6. The members of the commission shall receive no compensation but shall be entitled to have and receive their necessary expenses incurred in the performance of their said duties.

Tenure of employees.

7. All appointees shall hold their said offices or positions at the pleasure of the commission and shall not be subject to the provisions of subtitle two of Title 11, Civil Service, of the Revised Statutes.

8. This act shall take effect immediately.

Passed July 28, 1941.

CHAPTER 312

AN ACT concerning public roads and highways, and supplementing Title 27 of the Revised Statutes.

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

C. 27:5A-1. Regulating traffic on U. S. military property.

1. Whenever any public road or highway is located wholly or in part within the limits of a United States military reservation, the United States military authorities shall have the power, within the limits of such reservations, to police such roads and highways, to regulate traffic thereon, and to exercise such supervisory powers over such roads and highways as they may deem necessary to protect life and property on such military reservations.

C. 27:5A-2. Continuance of power.

2. The power hereby conferred upon and granted to any United States military authority shall continue in full force and effect until the same shall

be terminated by proclamation of the Governor of this State.

3. This act shall take effect immediately.

Approved July 31, 1941.

CHAPTER 313

AN ACT making appropriations in connection with the conduct of examination and investigation of the State Highway Department.

Preamble. WHEREAS, The general appropriation act for the fiscal year ending June thirtieth, one thousand nine hundred and forty-two, has heretofore appropriated ten thousand dollars ($10,000.00) to the emergency fund for the Governor; and

Preamble. WHEREAS, The Governor has requested an appropriation of fifty thousand dollars ($50,000.00) to pay the expenses of an investigation of the State Highway Department; and

Preamble. WHEREAS, It is believed that an additional appropriation of twenty-five thousand dollars ($25,000.00) to the emergency fund, which will provide the Governor with thirty-five thousand dollars ($35,000.00) in all, will be sufficient; and

Preamble. WHEREAS, There is no appropriation for the use of the State Highway Department in the presentation of its records, data, documents and evidence, which may be proper for the disclosure of the full facts in the aforesaid investigation; therefore,

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

Additional emergency fund. 1. In addition to the ten thousand dollars ($10,000.00) appropriated heretofore in the general ap-

propriation act to the emergency fund for the Governor, there is hereby appropriated to the emergency fund for the Governor an additional sum of twenty-five thousand dollars ($25,000.00) for the fiscal year ending June thirtieth, one thousand nine hundred and forty-two.

Appropriation for highway investigation.

2. There is hereby appropriated to the State Highway Commissioner the sum of seven thousand five hundred dollars ($7,500.00) for necessary expenses in connection with the investigation of the State Highway Department.

3. This act shall take effect immediately.

Approved July 31, 1941.

CHAPTER 314

AN ACT making a further appropriation of twenty-five thousand dollars ($25,000.00) to the New Jersey State Board of Mediation.

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

Additional appropriation to board of mediation.

1. There is hereby appropriated out of the general State fund the sum of twenty-five thousand dollars ($25,000.00) to the New Jersey State Board of Mediation in addition to all appropriations heretofore made to said board.

2. This act shall take effect immediately.

Approved July 31, 1941.

CHAPTER 315

AN ACT to amend an act entitled "An act to provide for examinations and investigations of any officer, department, board, bureau or commission of the State," approved March fourteenth, one thousand nine hundred and forty-one.

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

C. 52:15-7. Investigation of officers and departments.

1. The Governor is authorized at any time, either in person or by one or more persons appointed by him for the purpose, to examine and investigate the management by any State officer of the affairs of any department, board, bureau or commission of the State and to examine and investigate the management and affairs of any department, board, bureau or commission of the State. The Governor and the persons so appointed by him are empowered to subpœna and enforce the attendance of witnesses, to administer oaths and examine witnesses under oath and to require the production of any books or papers deemed relevant or material. Whenever any person so appointed shall not be regularly in the service of the State his compensation for such services shall be fixed by the Governor, and said compensation and all necessary expenses of such examinations and investigations shall be paid from the treasury out of any appropriations made for the purpose upon the order of the Governor. Investigations and examinations may be made privately or publicly, but it shall be unlawful for any person to divulge the results of any investigation or examination to any person or persons other than the Governor, unless a public hearing shall have first been held. Whenever any person shall be examined by the Governor or by his duly authorized representative or representatives under the powers contained in this act at a

Power of subpœna.

Compensation of investigators.

Secrecy of examinations.

Person under examination may introduce evidence to support his attitude.

public hearing, the officer, department, board, bureau, commission or individual under investigation or scrutiny may through his or its authorized representative or representatives cross-examine any such person on any phase of the matter concerning which he has been examined or questioned, and such officer, department, board, bureau, commission or individual may introduce other witnesses and other evidence to explain, enlarge upon, or clarify the matter, situation or condition under investigation or scrutiny to the end that the full details of any such matter, situation or condition may be developed and presented at one and the same time.

2. This act shall take effect immediately.

Approved July 31, 1941.

CHAPTER 316

AN ACT concerning the practice of dentistry, and amending sections 45:6–7 and 45:6–19 of the Revised Statutes.

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

1. Section 45:6–7 of the Revised Statutes is amended to read as follows: Section amended.

45:6–7. Any license to practice dentistry may be revoked or suspended by the board upon proof to its satisfaction that the licensee: Proof to revoke license:

a. Has secured such license through deceit, fraud or willful misrepresentation; or Fraud practiced;

b. Has been convicted of a crime involving moral turpitude; or Conviction;

c. Habitually uses drugs or intoxicants to an extent rendering him unfit for the practice of dentistry; or Using drugs or liquors;

Malpractice;

d. Has been guilty of willful and gross malpractice or willful and gross neglect in the practice of dentistry; or

Employing unlicensed assistants;

e. Has been guilty of employing unlicensed persons to perform work which, under this chapter, can only legally be done by persons licensed to practice dentistry in this State; or

Practicing under trade name;

f. Has been convicted more than once of practicing dentistry under a corporate or trade or firm name in violation of the provisions of this chapter; or

Publicity;

g. Has advertised in any manner his products or the price or charge to be made or the character or durability of his works or products or anything identical to any of the foregoing, whether by means of circular, card, sign, poster, advertising matches, mirrors, or other articles, or by advertisements in newspapers, magazines, or other publications or by projection by means of light or by crier or radio broadcasting or by use of advertising solicitors or publicity agents; or has permitted the use of his name as a dentist by others in the sale of advertisements of products.

Illegal practices.

h. Has been employed by an unlicensed manager, proprietor, operator or conductor as defined in section 45:6–19 of this Title or has entered into possession of such dental material or equipment, as may be necessary for the management of a dental office which is owned by any such unlicensed manager, proprietor, operator or conductor on the basis of a lease or other agreement for compensation for the use of such material, equipment or office or has entered into any arrangement by which there is made available to him, for his use, dental material, equipment or office, the ownership or control of which is retained by any such unlicensed manager, proprietor, operator or conductor, except where the transaction is a bona fide sale of dental material or equipment secured by chattel mortgage or conditional sale agreement.

Any person whose license is so suspended or revoked shall be deemed an unlicensed person during the period of such suspension or revocation, and as such shall be subject to the penalties prescribed for unlicensed persons who practice dentistry, and such person may, in the discretion of the board, be relicensed at any time to practice without an examination upon application to the board. Unlicensed.

2. Section 45:6–19 of the Revised Statutes is amended to read as follows: Section amended.

45:6–19. Any person shall be regarded as practicing dentistry within the meaning of this chapter who Practitioner:

(1) Uses a dental degree, or the terms "mechanical dentist" or the use of the word "dentist" in English or any foreign language, or designation, or card, device, directory, poster, sign, or other media whereby he represents himself as being able to diagnose, treat, prescribe or operate for any disease, pain, deformity, deficiency, injury, or physical condition of the human tooth, teeth, alveolar process, gums, cheek, or jaws, or oral cavity and associated tissues; or Representations;

(2) Is a manager, proprietor, operator, or conductor of a place where dental operations are performed; or Manager, etc.;

(3) Performs dental operations of any kind gratuitously, or for a fee, gift, compensation or reward, paid or to be paid, either to himself or to another person or agency; or Does dental work;

(4) Uses himself or by any employee, uses a Roentgen or X-ray machine for dental treatment, dental radiograms, or for dental diagnostic purposes; or Using X-rays;

(5) Extracts a human tooth or teeth, or corrects or attempts to correct malpositions of the human teeth or jaws; or Extractions;

(6) Offers and undertakes, by any means or method, to diagnose, treat or remove stains or concretions from human teeth or jaws; or Treating teeth;

Uses anesthetics;

(7) Uses or administers local or general anesthetics in the treatment of dental or oral diseases or in any preparation incident to a dental operation of any kind or character; or

False teeth;

(8) Takes impressions of the human tooth, teeth, jaws, or performs any phase of any operation incident to the replacement of a part of a tooth, teeth, or associated tissues; or

Operates.

(9) Performs any clinical operation included in the curricula of recognized dental schools or colleges.

Terms explained:

The terms manager, proprietor, operator or conductor as used in this chapter shall be deemed to include any person who

Employs help;

(1) Employs operators or assistants; or

Puts equipment in hands of users;

(2) Places in the possession of any operator, assistant, or other agent such dental material or equipment as may be necessary for the management of a dental office on the basis of a lease or any other agreement for compensation for the use of such material, equipment or office; or

Retains control.

(3) Retains the ownership or control of dental material, equipment or office and makes the same available in any manner for the use by operators, assistants or other agents; *provided, however,* that the above shall not apply to bona fide sales of dental material or equipment secured by chattel mortgage.

Proviso.

Legal practices:

The following practices, acts and operations shall not be regarded as practicing dentistry within the meaning of this chapter:

Emergencies;

(1) The rendering of dental relief in emergency cases, in the practice of his professions, by a physician or surgeon, licensed as such under the laws of this State, unless he undertakes to reproduce or reproduces lost parts of the human teeth in the mouth or to restore or replace lost or missing teeth in the mouth; or

(2) The practice of dentistry in the discharge of their duties by dentists in the United States Army, Navy, Public Health Service or Veterans Bureau; or Dentists in public service;

(3) The operation of a dental school or college as now conducted and approved, or as may be approved, by the Board of Dental Examiners; and the practice of dentistry by students in any such dental school or college approved by the board, when acting under the direction and supervision of any registered and licensed dentist acting as instructor; or Dental education;

(4) The practice of dentistry by licensed dentists of other States or countries at meetings of the American Dental Association or component parts thereof, or any other like dental organizations, while appearing as clinicians; or Clinicians;

(5) The practice of dentistry by accredited internes operating in hospitals under the supervision of registered and licensed dentists; or Internes;

(6) The use of Roentgen or other rays for making radiograms or similar records of dental or oral tissues under the supervision of a licensed dentist or physician; *provided, however,* that such services shall not be advertised, by any name whatsoever, as an aid or inducement to secure dental patronage; *and provided, further,* that no corporation shall advertise that it has, leases, owns or operates a Roentgen or X-ray machine for the purpose of making dental radiograms of the human teeth or tissues of the oral cavity, or administering treatment thereto for any disease thereof; or Radiograms; Proviso. Proviso.

(7) The making of artificial restorations, substitutes, or appliances for the correction of disease, loss, deformity, malposition, dislocation, fracture, or injury to the jaws, teeth, lips, gums, cheeks, palate, or cases, models, or from impressions furnished by a licensed and regis- Artificial corrections.

tered dentist, on written prescription only; Proviso. *provided,* that such prosthetic or orthodontic appliances, or the services rendered in the construction, repair, or alteration thereof, shall not be advertised, sold or delivered, directly or indirectly, to the public by the dental technician or dental laboratory as principal or agent.

Act effective. 3. This act shall take effect on January first, one thousand nine hundred and forty-two.

Approved August 4, 1941.

CHAPTER 317

AN ACT concerning landlord and tenant.

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

C. 46:8-10. Tenancy. 1. Whenever a tenant whose original term of leasing shall be for a period of one month or longer shall hold over or remain in possession of the demised premises beyond the term of the letting, the tenancy created by or resulting from acceptance of rent by the landlord shall be a tenancy from month to month in the absence of any agreement to the contrary.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 318

AN ACT concerning taxation, and amending section 54:9–5 of the Revised Statutes.

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

1. Section 54:9–5 of the Revised Statutes is amended to read as follows: Section amended.

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: Statement filed. What to show:

a. Its name and principal place of business; Name and place;

b. The names, residences and total number of each class of its stockholders and the number of common or preferred shares held by each; Stockholders and holdings;

c. The amount of capital, surplus and undivided profits, as indicated by the books of the company on January first of the year in and for which the statement is filed; Capital;

d. The number of shares of its issued and outstanding preferred stock of all classes and the aggregate par value of each class thereof; Shares and value of preferred stock;

e. The number of shares of its issued and outstanding common stock; and Common stock;

f. 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. Real estate.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 319

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

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

C. 17:12-68.1. Statement by commissioner.

1. At least annually and upon termination of his possession the Commissioner of Banking and Insurance shall submit a financial statement of the affairs of each association in his possession or in liquidation by him to each of the members thereof.

What statement to show.

The report shall include a statement of the assets and liabilities, a statement of operations including an itemized statement of all fees and salaries paid to each special assistant deputy commissioner, agent or agents and counsel of such association in his possession, and a statement showing the extent of the liquidation of the assets and the application of the proceeds thereof.

When report made.

The first report shall be submitted to members not later than one year from the date of taking possession or in the case of an association in possession at the effective date of this act, not later than one year from such effective date.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 320

AN ACT concerning building and loan associations, and amending section 17:12–39 of the Revised Statutes.

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

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

17:12–39. Every association shall furnish to each member a pass book, in which every payment made by the member shall be entered, and shall mail or deliver to each member a printed copy of its constitution and by-laws and of all additions to and amendments thereof, and shall also annually mail or deliver to the member a full printed report of its financial condition. The report shall include a statement of assets and liabilities, a statement of operations and a statement of the undivided profits account. The statement of operations shall set forth the fees paid directors, the salaries paid officers and the administrative expenses in sufficient detail to reflect the true result of operations for the accounting period. Pass book. Statement of conditions.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 321

AN ACT concerning minimum wage standards in certain cases, amending sections 34:11–34, 34:11–47, 34:11–51 and 34:11–52 and repealing sections 34:11–49 and 34:11–50 of the Revised Statutes.

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

Section amended.

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

Definitions:

34:11–34. As used in this article:

Director;

"Director" means the director or any deputy director of the minimum wage division;

Fair wage;

"Fair wage" means a wage fairly and reasonably commensurate with the value of the service or class of service rendered;

Mandatory order;

"Mandatory order" means an order the violation of which shall be subject to the penalties prescribed by the second paragraph of section 34:11–55 of this Title;

Minor;

"Minor" means a person of either sex under the age of twenty-one years;

Occupation;

"Occupation" means an industry, trade or business or branch thereof or class of work therein in which women or minors are gainfully employed but shall not include domestic service in the home of the employer or labor on a farm or employment in a hotel;

Unreasonable wage;

"Oppressive and unreasonable wage" means a wage which is both less than the fair and reasonable value of the services rendered and less than sufficient to meet the minimum cost of living necessary for health;

Wage board;

"Wage board" means a board created as provided in section 34:11–40 of this Title;

Women.

"Women" means females twenty-one years of age or over.

2. Section 34:11–47 of the Revised Statutes is amended to read as follows: Section amended.

34:11–47. Within ten days after the hearing the commissioner shall confer with the director and approve or disapprove the report of the wage board. If the report is disapproved the commissioner may resubmit the matter to the same wage board or to a new wage board. If the report is approved the commissioner shall make a mandatory order which shall define minimum fair wage rates in the occupation or occupations as recommended in the report of the wage board and which shall include such proposed administrative regulations as the commissioner may deem appropriate to supplement the report of the wage board and to safeguard the minimum fair wage standards established. Such administrative regulations may include among other things, regulations defining and governing learners and apprentices, their rates, number, proportion or length of service, piece rates or their relations to time rates, overtime or part time rates, bonuses or special pay for special or extra work, deductions for board, lodging, apparel or other items or services supplied by the employer, and other special conditions or circumstances; and in view of the diversities and complexities of different occupations and the dangers of evasion and nullification, the commissioner may provide in such regulations without departing from the basic minimum rates recommended by the wage board such modifications or reductions of or addition to such rates in or for such special cases or classes of cases as those herein enumerated as the commissioner may find appropriate to safeguard the basic minimum rates established. Said mandatory order shall take effect upon expiration of one hundred eighty days from the date of the issuance of the order.

Consideration of report.

Resubmission.

Order.

Regulations.

Modifications.

Order effective.

Section amended.

3. Section 34:11–51 of the Revised Statutes is amended to read as follows:

Reconsideration.

34:11–51. At any time after a minimum fair wage order has been in effect for one year or more the commissioner may, on his own motion, after conferring with the director, and shall, on petition of fifty or more residents of the State, reconsider the minimum fair wage rates set therein and reconvene the same wage board, or appoint a new wage board to recommend whether or not the rate, or rates, contained in such order, shall be modified. The report of such wage board shall be dealt with in the manner prescribed in sections 34:11–47 and 34:11–48 of this Title.

Section amended.

4. Section 34:11–52 of the Revised Statutes is amended to read as follows:

Modifications.

34:11–52. The commissioner may, at any time, and from time to time after conference with the director, propose such modifications of, or additions to any administrative regulations, included in a mandatory order without reference to a wage board, as he may deem appropriate to effectuate the purposes of this article; *provided*, such proposed modifications or additions could legally have been included in the original order, and notice shall be given of a public hearing to be held by the commissioner or director not less than fifteen days after such publication at which all persons in favor of or opposed to the proposed modifications or additions may be heard. After the hearing the commissioner may make an order putting into effect the proposed modifications of or additions to the administrative regulations as he deems appropriate.

Proviso.

New order.

Copy filed.

A certified copy of each such order shall be filed in the office of the Secretary of State.

Sections repealed.

5. Sections 34:11–49 and 34:11–50 of the Revised Statutes are repealed.

6. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 322

AN ACT to validate acknowledgments or proofs on deeds of conveyance in certain cases.

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

1. Every acknowledgment or proof on every deed of conveyance heretofore made or taken before a master in chancery of New Jersey, an attorney-at-law of New Jersey, a commissioner of deeds of New Jersey, or a notary public of New Jersey, when the officer before whom the same was made or taken is also the grantee or one of the grantees named in such deed, shall be good and sufficient in law and in equity for all purposes whatsoever; *provided, however,* that such deed has been recorded for a period of five years in the proper recording office of the county in which the lands thereby conveyed are situated. Validating proof of deed. Proviso.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 323

AN ACT concerning appointment of guardians in case of a vacancy, and amending section 3:7–63 of the Revised Statutes.

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

Section amended.

1. Section 3:7–63 of the Revised Statutes is amended to read as follows:

Vacancy in guardianship.

3:7–63. A vacancy in a guardianship shall be deemed to arise when a sole or sole surviving or remaining guardian dies or is removed or discharged after entering upon the duties of his office and before completing such duties.

Vacancy filled by court.

The court which granted him letters, or in the case of his removal or discharge the court removing or discharging him, shall fill the vacancy by the appointment of a fit person to exercise the guardianship, to be denominated "substituted guardian."

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 324

AN ACT concerning elections, and amending section 19:45–7 of the Revised Statutes.

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

1. Section 19:45–7 of the Revised Statutes is amended to read as follows: Section amended.

19:45–7. The compensation of the members of the several county boards shall be as follows: in counties having a population exceeding five hundred thousand, two thousand six hundred dollars ($2,600.00) per annum; in counties having a population of not more than five hundred thousand or less than two hundred thousand, two thousand dollars ($2,000.00) per annum; in counties having a population of not more than two hundred thousand or less than one hundred and fifty thousand, fifteen hundred dollars ($1,500.00) per annum; in counties having a population of not more than one hundred and fifty thousand or less than one hundred thousand, nine hundred dollars ($900.00) per annum; in counties having a population of not more than one hundred thousand or less than eighty-two thousand, seven hundred and fifty dollars ($750.00) per annum; in counties having a population of not more than eighty-two thousand or less than fifty thousand, six hundred dollars ($600.00) per annum; in counties having a population of not more than fifty thousand or less than forty thousand, four hundred dollars ($400.00) per annum; in counties having a population of less than forty thousand, three hundred dollars ($300.00) per annum. The members of the county board in counties other than counties of the first class who shall be elected as chairman and secretary thereof and who shall perform the duties of chairman and secretary thereof shall each receive an additional

Compensation of members of county boards of elections.

Certain additional compensation.

compensation of one-half of the compensation of the individual members of the board.

Clerk's compensation.

The compensation of the clerk of the county board of elections in counties of the first class shall be as follows: for the first year of service in such position the sum of thirty-five hundred dollars ($3,500.00) per annum, to be increased at the rate of one hundred and fifty dollars ($150.00) per annum for each year of service, to the maximum of fifty-five hundred dollars ($5,500.00) per annum; and the compensation of the assistant clerks shall be, for the first year of service in such positions, the sum of three thousand dollars ($3,000.00) per annum, to be increased at the rate of one hundred dollars ($100.00) per annum for each year of service to the maximum of forty-five hundred dollars ($4,500.00) per annum. The compensation of the clerk-stenographer shall be fixed by the county board, to be paid by the county treasurer, semi-monthly as other county employees are paid; *provided, however,* that in counties of the first class, wherever assistant clerks and the clerk-stenographer have not, at the time of the adoption of this act, been appointed from the competitive class of civil service, the foregoing provisions concerning their salaries shall not apply but their salaries shall be, now or hereafter, in such sums as shall be recommended from time to time by the county board of elections and approved by the county board of freeholders of the county. This section shall apply to such clerks and assistant clerks whether heretofore or hereafter appointed and the years of service shall be computed from the time of their respective appointments to such positions.

Assistant clerks.

Stenographer.

Proviso.

Application of act.

Salary of commissioner of registration.

The commissioner of registration in a county of the first class shall receive twenty-five hundred dollars ($2,500.00) per annum, for services performed as such commissioner of registration, and for such services performed by a commissioner of registration in a county other than a county of the first class additional compensation shall be paid to such commissioner in an amount equal to fifty per

centum (50%) of his salary as member and secretary of the county board. In counties of the second class where a member of the county board serves as commissioner of registration, he shall receive no additional compensation for the performance of his duties as such commissioner unless he shall devote his full time to the performance of his duties as a member of the county board, secretary thereof, and commissioner of registration. "Full time" as here used means such time as is daily required of employees in the office of the county board. When full time compensation.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 325

AN ACT concerning certain legal assistants to the Attorney-General and making an appropriation to the Department of the Attorney-General.

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

1. Any legal assistant to the Attorney-General who has heretofore served in such office for a period of more than nine years shall receive a minimum salary of five thousand dollars ($5,000.00) per annum. Annual salary of assistants.

2. There is hereby appropriated to the Department of the Attorney-General for the fiscal year ending June thirtieth, one thousand nine hundred and forty-two, the sum of eleven hundred and sixty dollars ($1,160.00), to carry out the provisions of this act. Appropriation.

3. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 326

AN ACT concerning alcoholic beverages, and supplementing chapter one of Title 33 of the Revised Statutes.

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

C. 33:1-11.1. Those entitled to sell and distribute.

1. The holders of any valid and unrevoked Class A or Class B license, as defined in sections 33:1–10 and 33:1–11 of the Revised Statutes, except the holder of a bonded warehouse bottling license, shall be entitled, subject to rules and regulations, to distribute and sell alcoholic beverages within the limits of their licenses to any voluntary unincorporated organization of army or navy personnel operating a place for the sale of goods pursuant to regulations promulgated by the Secretary of War or the Secretary of the Navy, or, if the consent of the State Military Board shall have first been obtained, under the State National Guard regulations.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 327

AN ACT concerning the taxes imposed upon alcoholic beverages, and supplementing chapter forty-three of Title 54 of the Revised Statutes.

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

C. 54:43-2.1. Exempt from tax.

1. No tax imposed by chapter forty-three of Title 54 of the Revised Statutes shall be payable on any sale of alcoholic beverages by any person holding a valid and unrevoked license to sell alcoholic beverages, issued pursuant to the provisions of section 33:1–10 or section 33:1–11 of the Revised Statutes, to a voluntary unincorporated organization of army or navy personnel operating a place for the sale of goods pursuant to regulations promulgated by the Secretary of War or the Secretary of the Navy, or, if the consent of the State Military Board shall have been obtained, under the State National Guard regulations, when said sale is accompanied by the delivery of such beverages to any such organization.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 328

AN ACT appropriating moneys for the reimbursement of school districts for the education of crippled children.

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

Appropriation for educating crippled children.

1. There is hereby appropriated ninety-seven thousand, sixty-five dollars and sixty-four cents ($97,065.64) for the reimbursement of school districts for one-half of the excess cost of educating crippled children within the several districts of the State for the school year ending June thirtieth, one thousand nine hundred and forty-one, in accordance with the provisions of sections 18:10–41 and 18:10–49 of the Revised Statutes. The moneys in this item are to be deducted pursuant to section 18:10–31 of the Revised Statutes. Payments to the several school districts shall be made by the State Treasurer upon the warrant of the Commissioner of Education.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 329

AN ACT to appropriate funds for the dental health program of the New Jersey State Department of Health.

WHEREAS, Dental defects among children outnumber all other physical defects; and Preamble.

WHEREAS, Dental conditions among rural children are tragic; and Preamble.

WHEREAS, Rural areas need guidance in establishing facilities for treating dental defects of poor children; and Preamble.

WHEREAS, A demonstration rural program by the State Department of Health would help the people of New Jersey improve dental conditions among rural children; and Preamble.

WHEREAS, The present program of the State Department of Health, provided from social security funds, is inadequate; therefore, Preamble.

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

1. The sum of twelve thousand dollars ($12,000.00) hereby is appropriated to the New Jersey State Department of Health to organize a rural mobile demonstration dental program. Appropriation.

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

Approved August 4, 1941.

CHAPTER 330

AN ACT concerning county and 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. 40:2-30.1. Authorized to transfer funds to complete W. P. A. projects.

1. The governing body of any county or municipality, which heretofore has included or hereafter shall include in its budget an appropriation or appropriations of funds to be used for projects to be financed in part by the Works Progress Administration or by any other agency of the Federal government, shall have power, upon the abandonment of any such projects by the Works Progress Administration or by such other agency of the Federal government, to expend the sum or sums so appropriated for any project or projects, so abandoned, for the completion of any other project or projects, so abandoned, which can be completed by the use of such funds and the funds so appropriated for the project or projects to be completed and shall have power in any such case to make such transfers of appropriations as may be necessary to effectuate the purposes of this act.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 331

AN ACT vesting the title to real estate of which William Entwhistle died seized, and which is alleged to have escheated to the State of New Jersey, in the year one thousand eight hundred and eighty-three, in Jennie H. Humphreys, Mary S. Humphreys, Carol V. Humphreys, Jane G. Humphreys and Herbert L. Humphreys, their heirs and assigns forever.

Preamble.

WHEREAS, William Entwhistle, late of the township of Franklin, county of Essex and State of New Jersey, departed this life on the twentieth day of April, one thousand eight hundred and eighty-three, seized of certain lots and premises situate in the town of Nutley (formerly township of Belleville), county of Essex and State of New Jersey, conveyed by Richard Booth and wife to the said William Entwhistle by two deeds, one dated August 31st, 1868, and recorded in the Register's office of the county of Essex on September 19, 1868, in Book Y 13 of Deeds, on pages 425, 426 and 427, and one dated January 26th, 1869, and recorded in the Register's office of the county of Essex on February 24, 1869, in Book D 14 of Deeds, on pages 521 and 522, more particularly described as follows:

First tract.

First Tract: Beginning in the southerly line of a new street laid out and running by the Reformed Dutch Church at Franklin, said point being one hundred and fifty (150) feet westerly from the westerly side of the street running past John Rusby's store, and thence running (1) southerly along the rear of the lots belonging to Charles Booth, Richard Leonard and John Lancaster, one hundred and fifty-five (155) feet to a lot sold to John Rusby; thence westerly along

his line six (6) feet six (6) inches to the corner thereof; thence southerly along the rear of said Rusby's land seventy-nine (79) feet to land of the heirs of Abraham Stager, deceased; thence westerly along the same thirty-three (33) feet six (6) inches; thence northerly parallel with the first line two hundred and thirty-four (234) feet more or less to the first mentioned street; thence easterly along the said street forty (40) feet to the place of beginning.

Second tract.

Second Tract: Beginning in the southerly line of a new street lately laid out running along the southerly side of the Reformed Dutch Church at Franklin and at the northwesterly corner of a lot formerly conveyed by Richard Booth and Sibbel Booth, his wife, to William Entwhistle and thence running southerly along the said Entwhistle's lot two hundred and thirty-four (234) feet more or less to land of the heirs of Abraham Stager, deceased; thence westerly along the same forty (40) feet; thence northerly two hundred and thirty-four (234) feet more or less to the said street; thence easterly along said street forty (40) feet to the place of beginning.

Preamble.

WHEREAS, The said William Entwhistle left no person or persons capable of inheriting the said lands and premises; and

Preamble.

WHEREAS, The request and proper notice of intention to apply for the passage of this act has been given and duly published; now, therefore,

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

Vestment in Jennie H. Humphreys, etc.

1. All the estate, right, title and interest of every kind and character of which it is alleged the State of New Jersey is seized in and to certain real estate heretofore belonging to William Entwhistle, more particularly described in the preamble to this act, are hereby vested in Jennie H. Humphreys,

Mary S. Humphreys, Carol V. Humphreys, Jane G. Humphreys and Herbert L. Humphreys, their heirs and assigns forever; and such title so as aforesaid vested under the provisions of this act is validated and confirmed.

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

Approved August 4, 1941.

CHAPTER 332

AN ACT relating to the government, services, administration and finances of certain townships in the State and of certain political subdivisions within such townships.

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

1. This act may be cited as Township-Service Areas Act (1941). C. 40:156A-1. Title.

2. Whenever a political subdivision of the State shall have a board of commissioners with general powers as to the local governmental services within and throughout the area of such political subdivision, and shall be within the larger political subdivision of a township in the same county, and shall together with the township proper participate in the election of township officers and officials, the qualified voters of such township may adopt the provisions of this act as hereinafter provided. C. 40:156A-2. Adoption of act.

3. For the purposes of this act, unless the context indicates otherwise: C. 40:156A-3. Definitions:

"Township," means a township within which is located a political subdivision having a board of commissioners. Township;

Board of commissioners;

"Board of commissioners" does not include the board or commissioners of a special district, for a particular service, only, such as a fire or sewerage district; nor the governing body of a municipality under the commission form of government law.

Township proper;

"Township proper," means that part of a township outside the boundaries of a political subdivision which is located within the boundaries of the township.

Township committee;

"Township committee" means the general governing body of a township as provided in this act.

Board of committeemen;

"Board of committeemen" means those members of the township committee elected from, and by the qualified voters of, the political subdivision within the township as provided in this act.

Qualified voters.

"Qualified voters" means persons legally qualified to vote at the next preceding general election held in a township defined in this section.

C. 40:156A-4. Powers and duties.

4. Except as herein otherwise provided, a township and the township committee thereof shall have all the powers and duties conferred and imposed by general law upon townships and the governing bodies thereof, and such powers and duties shall be exercised and performed in accordance with and in the manner provided by general law.

C. 40:156A-5. Continuance of government.

5. The local governmental services of the political subdivision within the township which, prior to the adoption of this act pursuant to section thirty, have been furnished and administered throughout the whole area of such political subdivision, and separately from the services of the township proper, shall continue and shall be governed and administered by the board of committeemen defined in section three.

Extent of powers.

The powers contemplated in this section shall be deemed to include the appointment and supervision of personnel and all other matters necessary for the effective operation of the services herein described, and shall include incurring indebtedness, borrowing money and issuing negotiable bonds and notes when authorized to do so for and in the name of the political subdivision by a majority of the legal voters thereof.

But the powers and authority conferred by the preceding paragraphs upon the board of committeemen shall be limited to the government, administration, operation and maintenance of the services provided for in this section and shall in no way be construed to limit otherwise the general authority conferred upon the township committee by section four. Limitation of authority.

The provisions of the local budget law shall apply to the political subdivision within the township and, within the purposes and application of that law, to the board of committeemen as the governing body thereof. Application.

6. The amount to be raised by taxation of the political subdivision within the township shall be assessed by the township assessor on the taxable property in the political subdivision in the same manner as township taxes are assessed, and the amount shall be assessed, levied and collected at the same time and in the same manner as the township taxes. C. 40:156A-6. Local assessment.

7. The township collector shall pay over to the township treasurer all moneys collected by him pursuant to section six. The moneys so collected and paid over shall be kept by the treasurer in a separate account, and shall be disbursed and paid out by the treasurer only on the presentation to him of a written order duly signed by the board of committeemen or by a majority thereof. C. 40:156A-7. Disposition of collections.

8. All miscellaneous revenues derived from within the political subdivision within the township, and all other revenues from whatever source which pursuant to provisions of law are allocated or distributed to and for the uses of such political subdivision, shall be collected or received, as the case may be, by the township, and shall be placed and kept in a separate fund or funds to the credit and for the uses of such political subdivision. C. 40:156A-8. Disposition of miscellaneous revenues.

Disbursements from the separate fund or funds shall be made in the manner provided as to other revenues by section seven. Disbursements.

C. 40:156A-9. Purchasing authority.

9. When this act becomes effective as provided in section thirty-one, the township committee shall provide by ordinance for a purchasing board or purchasing officer of the township. The board or officer, as the case may be, shall have authority to purchase all materials and supplies required to be purchased by any board, body or officer of the township, of the political subdivision within the township, and of any special district. All purchases by any such board, body or officer, shall be made only as required by this section and by the ordinance passed in pursuance thereof.

C. 40:156A-10. Application.

10. Except as otherwise provided in this section and in sections eleven and twelve, the provisions of law regarding the various special districts and special district services in part only of a township's area shall apply to a township in which the provisions of this act are in effect as provided in section thirty-one.

Establishing special district.

But from and after the date that this act is in such operation and effect, a special district shall be established within the township only in and throughout territory coterminous with the boundaries of a ward. Before any such district shall be established there shall first be required a petition, to the township committee, requesting its establishment, and signed by at least fifty per centum (50%) of the ward's qualified voters representing at least fifty per centum (50%) of the ward's ratables.

Spreading expenses.

Nothing in this act shall be construed to authorize the township committee to spread all or any part of the costs of such special district services beyond the boundaries and inhabitants of the particular district. The costs of such services shall, with regard to other areas and inhabitants of the township, be borne entirely by those receiving the services within the district, except that the district, through its administrator, may on a basis of service charges or similar arrangements extend the special district services beyond the ward's boundaries.

If a special district, instead of being instituted by petition as hereinabove provided, shall be required as a local improvement or service by order of a department or other agency of the State government, the costs of such local improvement or service shall be assessed upon the inhabitants of the area benefited thereby. Assessment on area benefited.

11. When in a special district law applicable to townships, special district commissioners or boards of commissioners are provided for through annual district meetings and elections, there shall be in a special district established pursuant to section ten, a single commissioner who shall be the member of the township committee representing the ward wherein the special district lies. If a special district is established in pursuance of the requirement and order of a State department or other agency, and such district shall be located in more than one ward, the township committeemen from each of the wards wherein the district is located shall be the commissioners for the district. C. 40:156A-11. Commissioner. Ward representation.

In a special district established under section ten, a commissioner or commissioners, as the case may be, shall, except as provided in section twelve, have the powers and duties provided by law for special district commissioners in townships. Powers of commissioners.

12. The commissioner or commissioners, as the case may be, of a special district established pursuant to section ten, shall certify the amount of money voted at an annual district meeting to the township assessor. The assessor shall assess said amount on the taxable property in the district in the same manner as township taxes are assessed, and the money shall be assessed, levied and collected at the same time and in the same manner as other township taxes. C. 40:156A-12. Amount voted certified. Assessment.

The township collector shall pay over to the township treasurer all moneys collected by him pursuant to this section. The moneys so collected and paid over shall be kept by the treasurer in a separate account and shall be disbursed and paid out by the treasurer only on the presentation to Caring for collections.

him of a written order duly signed by the special district commissioner or commissioners, as the case may be.

C. 40:156A-13. Appointment of commissioners.

13. If the certificate of the county board of election pursuant to section thirty shows this act to have been adopted, the justice of the Supreme Court holding the circuit for the county shall forthwith appoint five persons resident in the township as ward and election district commissioners.

Oath.

The commissioners so appointed shall forthwith, having first taken and subscribed before some officer authorized to administer oaths, an oath faithfully and impartially to 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 inclusive.

Dividing township into wards.

C. 40:156A-14. Number of wards.

14. The commissioners shall divide the township into not less than five nor more than eleven wards, and in no case shall the wards be even in number.

Election districts.

They shall not divide the wards into election districts, but each ward shall constitute one election district the boundaries of which shall be coterminous with the ward boundaries.

Convenient division.

Subject to the requirements set forth in section sixteen, the commissioners shall make the ward division with a view to the least possible disturbance of existing election district lines.

C. 40:156A-15. Division considerations.

15. In dividing the township into wards, the commissioners shall have regard to area and approximate equality of ward population.

Wards shall be formed of contiguous territory.

C. 40:156A-16. Ward wholly in township.

16. A ward shall not be partly in one and partly in the other of the two political subdivisions concerned; each ward shall be wholly in the township proper or wholly in the political subdivision which is within the township.

C. 40:156A-17. Township ward lines.

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

Official filing.

clerk of the county, and a copy thereof with the Secretary of State and the justice who appointed them.

Description and map of ward.

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.

C. 40:156A-18. Ward lines published.

18. A notice of the ward lines as fixed by the commissioners shall be published by them in at least one newspaper circulating in the township, for two successive weeks next succeeding the filing of the report and certificate required by section seventeen.

Election officers of new wards and districts.

Upon completion of the publication, the former wards, if any, and election districts shall be superseded, and thereafter all officers elected or appointed in the township, for or representing the wards thereof, shall be elected from or appointed for the wards fixed by the commissioners.

Altering ward lines.

Notwithstanding the provisions of any other law, none of the ward lines fixed and determined by the commissioners shall be altered unless and until the voting population within such ward's boundaries shall exceed one thousand five hundred.

C. 40:156A-19. As to expenses.

19. The commissioners shall keep a record of all the expenses of fixing the ward lines, including map making and publication costs, and shall file the same, not more than ten days after the filing of their report and certificate, in the office of the clerk of the county together with an affidavit as to the truth and correctness thereof. These expenses shall be paid by the township.

Term ends.

Upon the completion of their functions and duties under this act, the commissioners, as such, shall cease to function.

C. 40:156A-20. Acts applicable.

20. Except as otherwise provided in this act, the provisions of law relating to elective and appointive officers in townships generally, and to the powers and duties of such officers shall apply to a township provided for by this act.

C. 40:156A-21. Number of committeemen.

21. The township committee shall consist of not less than five nor more than eleven members who shall be elected and hold office subject and pursuant to the provisions of this act.

Selection.

One member of the township committee shall be elected from each of the wards provided for in sections thirteen to nineteen inclusive.

C. 40:156A-22. Classes and terms of committeemen.

22. The members of the township committee shall be elected for two-year terms, except that the members first elected pursuant to this act shall, at their first meeting after their election divide themselves by lot into two classes and for terms as follows:

Arrangement:

Five-member;

(1) For a five-member committee: the term of two members composing the first class shall be one year, and the term of three members composing the second class shall be two years.

Seven-member;

(2) For a seven-member committee: the term of three members composing the first class shall be one year, and the term of four members composing the second class shall be two years.

Nine-member;

(3) For a nine-member committee: the term of four members composing the first class shall be one year, and the term of five members composing the second class shall be two years.

Eleven-member.

(4) For an eleven-member committee: the term of five members composing the first class shall be one year, and the term of six members composing the second class shall be two years.

Annual elections.

Pursuant to this section, and for the purpose of filling vacancies to be caused by the expiration of terms, members shall be elected annually from the appropriate wards. A member shall hold, and exercise the powers and duties of, his office until his successor has been elected and qualified.

Vacancies.

If a vacancy in the membership of the township committee shall occur for a reason other than expiration of term, the township committee shall appoint a resident of the ward from which the va-

cancy occurs. A member so appointed shall hold office for the remainder of the year in which the vacancy occurred. At the first annual election held after such vacancy occurred, a member shall be elected from the appropriate ward to fill the vacancy for the unexpired term only.

C. 40:156A-23. Chairman.

23. The township committee shall annually elect one of their number as chairman to preside at all meetings.

Quorum.

A majority of the committee shall constitute a quorum for the conduct of official business.

No salary.

All members of the township committee shall serve without compensation, whether their capacity shall be that of township committeemen, members of a board of committeemen pursuant to section five, or special district commissioners provided for in section eleven.

C. 40:156A-24. Act must be adopted by voters.

24. The provisions of this act shall be inoperative and of no effect unless and until adopted by the qualified voters of a township as hereinafter provided.

C. 40:156A-25. Petition favoring adoption.

25. Qualified voters in a township proper and in a political subdivision within the township, respectively, may propose the adoption of this act by filing petitions favoring such adoption with their governing bodies—that is, with the township committee and board of commissioners, respectively. A petition may specify the date for the holding of a popular referendum upon the question of the act's adoption.

Referendum.

Validity of petition.

The clerks of the township proper and of the political subdivision, respectively, shall forthwith ascertain and certify to the governing body thereof the number of signatures and the validity thereof affixed to a petition filed pursuant to this section.

Summarized petition filed with county clerk.

Whenever a clerk certifies that a petition is signed by at least ten per centum (10%) of the qualified voters, as described in the first paragraph of this section, the governing body shall forthwith adopt a resolution summarizing the petition's proposal, and forthwith cause a copy of the resolution to be filed with the clerk of the county.

Notification by county clerk.

Whenever the county clerk has received such resolutions from both such governing bodies, he shall forthwith notify these governing bodies in writing to that effect.

C. 40:156A-26. County board of election requested to hold referendum.

26. At the time of giving notice to the governing bodies, as provided in section twenty-five, the county clerk shall by formal order directed to and served by registered mail upon the county board of election, request the holding of a referendum to be held pursuant to this act. The order shall state the name of the township proper and of the political subdivision within the township, and the object and date of the referendum.

Date of referendum.

If both petitions specify one and the same date, that shall be the date specified in the county clerk's order. If the petitions specify no date or different dates, the order shall fix the date as that of the next general election to be held not less than ninety days after the filing of the petition last filed pursuant to section twenty-five.

C. 40:156A-27. Provisions applicable.

27. It shall be the duty of the county board of election to conduct the referendum election in compliance with the provisions of sections twenty-seven to twenty-nine, inclusive.

Eligibility to vote.

All qualified voters shall be entitled to vote, and the referendum shall, except as provided in sections twenty-eight, twenty-nine and thirty, be conducted and the results thereof ascertained and certified in the same manner and under the same conditions, restrictions and penalties as are provided by law for general elections. The clerk of the county, the county board of election, the commissioner of registration, and the clerks of the political subdivisions concerned, as the case may be, shall prepare and deliver all the necessary books and records of registry of voters as well as all ballots, booths, books and other equipment to be used in the course and for the purpose of the referendum.

Conduction of election.

Election equipment.

Expenses.

The expenses of the referendum shall, except as may be otherwise provided by law, be borne equally by the township proper and the political subdivision within the township.

C. 40:156A-28. Form of ballot.

28. In referenda under this act, separate printed ballots shall be furnished and used in substantially the following form:

PUBLIC QUESTION

Marking ballot.

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.

Proposition.

	Yes.	Shall the act entitled "An act relating to the government, services, administration and finances of certain townships in the State and of certain political subdivisions within such township," be adopted?
	No.	

C. 40:156A-29. When separate ballot boxes.

29. If an election district shall be located partly in the township proper and partly in the political subdivision within the township, the ballots cast by the qualified voters of each shall be deposited in separate ballot boxes and shall be kept separate.

C. 40:156A-30. Canvass.

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 certificate 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.

Adoption.

Copies filed.

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 justice of the Supreme Court holding the circuit for the county.

C. 40:156A-31. When adoption effective.

31. Following adoption by a favorable majority vote, as provided in section thirty, the provisions of this act shall be deemed in effect and operation as of twelve o'clock noon, of the first day of January next succeeding such adoption. If the referendum date, however, is less than thirty days prior to the last day in that year for the filing of nominating petitions for the election of township officers, the act shall be deemed in effect and operation as of twelve o'clock noon of the first day of January next but one succeeding the date of adoption.

C. 40:156A-32. Subsequent referenda.

32. The question as to the adoption of this act shall not be submitted to the voters of the same political subdivisions within two years from the date of the last previous referendum for that purpose.

C. 40:156A-33. Selection of township officials.

33. The nomination and election of the first set of township officers and officials in and for the township comprising the township proper and the political subdivision within the township, both having adopted this act, shall be in the manner provided by the next five succeeding sections.

Taking office.

The newly elected officers and officials shall take office on the effective date provided for in section thirty-one.

C. 40:156A-34. First officials.

34. The first set of township officers and officials shall be elected from and within the limits of the township at the general election immediately preceding the effective date, as provided in section thirty-one, at which township officers and officials are required by law to be elected.

No other election same year.

During the calendar year in which such election is held, there shall be no nomination or election for officers and officials of the township proper or of the political subdivision within the township, separately and respectively, and the incumbents thereof shall continue to hold office until the effective date provided for in section thirty-one.

C. 40:156A-35. Supplying election equipment.

35. The clerk of the county, the county board of election, the commissioner of registration, and the clerk of the township proper and of the political subdivision within the township, respectively, as

the case may be, shall prepare and deliver all the necessary books and records of registry of voters, as well as all ballots, booths, books and other equipment to be used for the registry of voters and the nomination and election of the township officers.

C. 40:156A-36. Acting clerk.

36. The clerk of the county shall have all the legal powers of a township clerk for the purposes of nomination and election of the first set of township officers under this act.

C. 40:156A-37. Polling places.

37. The county board of election shall select polling places, and shall appoint and provide proper election officers properly to conduct the election and perform the usual duties required of such officers by the general election laws.

C. 40:156A-38. Certificates of election.

38. Certificates of election shall be issued by the clerk of the county, which certificates shall be filed with the clerk of the township on the date when this act becomes effective pursuant to section thirty-one.

C. 40:156A-39. Transfer of funds, records, etc.

39. Immediately upon the effective date of this act, as provided in section thirty-one, officers of the political subdivision within the township having custody of its funds shall deliver all such funds, together with all appropriate books and records in their possession into the custody of the proper fiscal officer of the township who shall acknowledge delivery by giving his receipt therefor. The custody and disbursement of funds so transferred to a township officer shall be in the manner provided in sections seven and eight.

C. 40:156A-40. As to taxes, debts, etc.

40. From and after the date that this act becomes effective pursuant to section thirty-one, neither the lands and property in the township proper nor in the political subdivision within the township, respectively, shall be taxed or assessed for the debts or obligations of the other, but the lands and property of each shall be taxed and assessed for such debts and obligations of each until the same shall be fully paid and satisfied.

C. 40:156A-41. All privileges granted continue in force.

41. Permits, licenses and franchises granted to any place or person by a political subdivision

within a township shall, subject to their conditions, remain in full force and effect and be recognized by the township until the expiration of the term for which they were granted. But this section shall not be construed to prevent the revocation of any such permit, license or franchise before its expiration, in the manner provided by law.

As to revocation.

C. 40:156A-42. Legal actions not abated.

42. No suit, action or proceeding pending in any court or before any board or department wherein the township proper or the political subdivision within the township is a party, or has an interest, shall abate by reason of this act's effect and operation as provided in section thirty-one. Such suit, action or proceeding shall continue as if this act had not been so adopted, and in accordance with the applicable laws, ordinances and regulations of the township proper or political subdivision as the case may be. But the board of committeemen shall be substituted in the place and stead of the board of commissioners in any such suit, action or proceeding wherein the political subdivision within the township is a party or has an interest.

Substitution.

C. 40:156A-43. All ordinances continue in effect.

43. Upon the date when this act becomes effective, as provided in section thirty-one, the ordinances of the township proper and the political subdivision within the township in effect and operation immediately prior to that date shall continue in full force and effect unless and until repealed or modified by the township committee in accordance with law.

C. 40:156A-44. No effect on existing government.

44. Except as specifically provided herein or as necessary to the carrying out of such specific provisions, nothing in this act shall be construed to change, modify, or otherwise affect the government or the administration and operation of local services and functions, of the township proper and the political subdivision within the township, as they exist at the time this act becomes effective pursuant to section thirty-one.

C. 40:156A-45. Tenure.

45. Except as otherwise provided in section forty-six, the terms, offices, and employment of elected and appointed officers and employees of the

township proper, of the political subdivision within the township, and of any special district within the township, shall terminate on the date this act becomes effective pursuant to section thirty-one.

C. 40:156A-46. Certain municipal employees continue.

46. Nothing in this act shall be deemed to terminate the office or employment of any principals, teachers and employees in the public schools; library employees; or policemen and firemen; nor shall the tenure and pension rights under State laws of officers and employees of the township proper and the political subdivision within the township be affected by the provisions of this act.

Tenure and pension rights not affected.

Repealer.

47. All acts or parts of acts, general and special, in conflict with the provisions of this act are hereby repealed.

C. 40:156A-47. Constitutionality.

48. If a part of this act shall be held unconstitutional or for any other reason invalid, the remaining parts shall not be affected thereby.

49. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 333

AN ACT authorizing the taking of oaths, affirmations, affidavits and acknowledgments, and the making of proof of execution of certain instruments, before any commissioned officer of the United States Army, Navy or Marine Corps by any person in the military or naval service of the United States.

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

C. 38:23A-1. Validity of oaths or acknowledgments taken before military officers.

1. Any oath, affirmation or affidavit, required or authorized to be taken in any suit or legal proceeding in this State or for any lawful purpose whatever, by any person in the military or naval service

of the United States, for use within this State or any acknowledgment or proof of any deed or other instrument, relating to real or personal property within this State, by any person in such military or naval service, in order to entitle such deed or instrument to be recorded or filed in any public office of this State, may be taken or made before any commissioned officer of the United States Army, Navy or Marine Corps and the recital that he is such commissioned officer, including a recital of his rank and official designation as such and that the person taking such oath, affirmation or acknowledgment or making any such proof is in the military or naval service of the United States, in the jurat or certificate of such oath, affirmation, affidavit, acknowledgment or proof over his signature as such commissioned officer shall be sufficient proof that the person before whom the same is taken is such an officer and that such person taking such oath, affirmation, affidavit or acknowledgment or making such proof is in the military or naval service of the United States at the time of the taking or making the same and such oath, affirmation, affidavit, acknowledgment or proof when so taken or made and certified shall have the same force and effect as though taken or made before the Chancellor of this State and any such deed or instrument when so acknowledged or proved, if otherwise sufficient, shall be entitled to recording or filing in any public office of this State without any other or additional certificate of the authority of such officer to take the acknowledgment or proof of the execution thereof.

Statement by administering officer.

Proof.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 334

AN ACT respecting shad fishing in the Hudson river, and amending section 23:9–115 of the Revised Statutes.

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

1. Section 23:9–115 of the Revised Statutes is amended to read as follows: Section amended.

23:9–115. Upon application to the Board of Fish and Game Commissioners, and the payment of a fee of twenty-five dollars ($25.00) for each net, the board may issue, in its discretion, a license permitting the licensee to fish for shad, in the Hudson river, from March fifteenth to June fifteenth; *provided further, however,* no net shall be set or put in position and no shad shall be taken during the period from Friday noon until Saturday midnight of each week; *provided, however,* that any net which has been set prior to Friday noon shall be permitted to remain in position and be lifted at the next high water; *provided further, however,* that the aforementioned thirty-six hour lift period shall be the minimum period and the maximum lift period shall be at the discretion of the Board of Fish and Game Commissioners. License fee to fish for shad. Proviso. Proviso. Proviso.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 335

AN ACT concerning the membership in pension funds and retirement systems in municipalities in certain cases.

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

C. 43:11-4. Transfer to another position not to affect benefits.

1. Any person who, while holding any office, position or employment in any municipality of this State and while a member of and entitled to benefits in any retirement system or pension fund operated wholly in such municipality and to which system or fund the member contributes, accepts or is transferred to an office, position or employment in another branch of service of said municipality, shall remain a member of such retirement system or pension fund notwithstanding such transfer, whether voluntary or involuntary, from the branch of service in which said pension fund or retirement system is maintained and shall continue to be entitled to all the benefits of said pension fund or retirement system under the same conditions, and deductions and contributions to said pension fund or retirement system shall be made for him, as though he had not so transferred from said branch of service.

C. 43:11-5. Previous transfer does not affect rights.

2. Any person who, while holding any office, position or employment in any municipality of this State and while a member of and entitled to benefits under any retirement system or pension fund operated wholly in such municipality and to which system or fund the member contributed thereto, heretofore was transferred to an office, position or employment in another branch of service of said municipality shall continue and remain a member of such retirement system or pension fund notwithstanding such transfer from the branch of service in which said pension fund or retirement system

is maintained and shall continue to be entitled to all the benefits of said pension fund or retirement system under the same conditions and deductions and contributions to said pension fund or retirement system shall be made for him as though he had not so transferred from said branch of service.

3. This act shall not apply to any member of any uniformed police or fire department. C. 43:11-6. Exceptions.

4. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 336

AN ACT to amend "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvements of the facilities for transportation across the said river; authorizing the New Jersey Interstate Bridge Commission on behalf of the State of New Jersey for these purposes to enter into an agreement with the Commonwealth of Pennsylvania creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation," approved June thirtieth, one thousand nine hundred and thirty-one (P. L. 1931, c. 391) and providing for taxation of certain property of the Delaware River Joint Commission.

WHEREAS, An agreement was made between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Preamble.

Commission as a body corporate and politic and defining its powers and duties, which agreement is embodied in Act No. 200 of the Commonwealth of Pennsylvania, approved June twelve, one thousand nine hundred and thirty-one (P. L. 575), and embodied in chapter three hundred and ninety-one, Pamphlet Laws of New Jersey, one thousand nine hundred and thirty-one, page 1219, approved June thirty, one thousand nine hundred and thirty-one (Revised Statutes, section 32:3–1, et seq.).

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

C. 32:3-12. Article XI amended.

1. That Article XI of the agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Commission as a body corporate and politic and defining its powers and duties embodied in Act No. 200 passed by the Commonwealth of Pennsylvania, approved June twelfth, one thousand nine hundred and thirty-one, (P. L. 575) and embodied in chapter three hundred and ninety-one of the Pamphlet Laws of New Jersey, one thousand nine hundred and thirty-one, page 1219, approved June thirtieth, one thousand nine hundred and thirty-one, (Revised Statutes, section 32:3–1, et seq.), is amended to read as follows:

ARTICLE XI

Article as amended.

The effectuation of its authorized purposes by the commission is and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania and the State of New Jersey, for the increase of their commerce and prosperity and for the improvement of their health and living conditions; and since the commission will be performing essential governmental functions in effectuating said purposes the bonds or other securities or obligations issued by the commission, their transfer and the income therefrom (including any prof-

its made on the sale thereof) shall at all times be free from taxation within the Commonwealth of Pennsylvania and the State of New Jersey. The real property of the commission shall be subject to taxation in the taxing districts wherein the same is situate with the same right of appeal as is provided for other taxable property, *provided, however,* that the bridge structure and actual roadway shall be exempt from taxation.

Property taxable.

Proviso.

2. This act shall become effective as soon after the passage hereof as the Commonwealth of Pennsylvania has passed a substantially similar act embodying the provisions hereof.

C. 32:3-12.1. Act effective.

3. All acts or parts of acts inconsistent herewith are hereby repealed to the extent of such inconsistency.

C. 32:3-12.2. Repealer.

Approved August 4, 1941.

CHAPTER 337

AN ACT to incorporate the First Judicial District of the county of Middlesex and transferring to and vesting in the said district court thereof, the power and duties heretofore and now exercised by the district court of the city of New Brunswick, in the county of Middlesex.

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

1. All that part of the county of Middlesex comprised within the corporate limits of the city of New Brunswick, township of Cranbury, borough of Dunellen, township of East Brunswick, borough of Helmetta, borough of Highland Park, borough of Jamesburg, township of Madison, borough of Middlesex, borough of Milltown, township of Monroe, township of North Brunswick, township of Piscata-

C. 2:8-4.1. First judicial district of Middlesex county, how constituted.

way, borough of Plainsboro, borough of Sayreville, township of South Brunswick, borough of South Plainfield, borough of South River, borough of Spotswood, and concurrent jurisdiction with the Second Judicial District Court of the county of Middlesex of the corporate limits of Raritan township, be and the same is herewith incorporated and established to be the First Judicial District of the county of Middlesex and the provisions of law concerning District Courts, as far as the same may be applicable, shall apply to the district hereby incorporated and established.

Laws applicable.

C. 2:8-4.2. Judge.

2. The present judge of the district court of the city of New Brunswick shall be judge of the district court under this act established, and he shall continue for the term for which he was appointed as said judge of the New Brunswick district court, and shall receive the same compensation now paid to him as judge of said court.

Clerk and other officers.

The clerk and all other officers of the said New Brunswick district court shall be the clerk and officers of the district court of the First Judicial District of the county of Middlesex.

C. 2:8-4.3. Actions transferred and continued.

3. All actions, including small claims actions now pending in the district court of the city of New Brunswick are transferred to and shall be heard and determined by the district court of the First Judicial District of the county of Middlesex.

C. 2:8-4.4. Salary.

4. The additional salary of the judge of the said court for sitting as judge of the small claims court shall be paid by the board of chosen freeholders of the county of Middlesex.

C. 2:8-4.5. Maintenance.

5. The board of chosen freeholders of the county of Middlesex shall provide for the maintenance of the said court in this act incorporated and established.

6. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 338

AN ACT to incorporate the Second Judicial District of the county of Middlesex and transferring to and vesting in the said district court thereof the power and duties heretofore and now exercised by the district court of the city of Perth Amboy, in the county of Middlesex.

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

C. 2:8-4.6. Second judicial district of Middlesex county, how constituted.

1. All that part of the county of Middlesex comprised within the corporate limits of the city of Perth Amboy, the city of South Amboy, borough of Carteret, borough of Metuchen, township of Woodbridge, and concurrent jurisdiction with the First Judicial District Court of the county of Middlesex of the corporate limits of Raritan township, be and the same is herewith incorporated and established to be the Second Judicial District of the county of Middlesex and the provisions of law concerning district courts, so far as the same may be applicable, shall apply to the district hereby incorporated and established.

Laws applicable.

C. 2:8-4.7. Judge.

2. The present judge of the district court of the city of Perth Amboy shall be judge of the district court under this act established, and shall continue for the term for which he was appointed as said judge of the Perth Amboy district court, and shall receive the same compensation now paid to him as judge of said court.

Clerk and other officers.

The clerk and all other officers of the said Perth Amboy district court of the city of Perth Amboy are transferred to and shall be the clerk and officers of the district court of the Second Judicial District Court of the county of Middlesex.

C. 2:8-4.8. Actions transferred and continued.

3. All actions including small claims actions now pending in the district court of the city of Perth Amboy are transferred to and shall be heard and

determined by the district court of the Second Judicial District of the county of Middlesex.

C. 2:8-4.9. Salary.

4. The additional salary of the judge of said court for sitting as judge of the small claims court shall be paid by the board of chosen freeholders of the county of Middlesex.

C. 2:8-4.10. Maintenance.

5. The board of chosen freeholders of the county of Middlesex shall provide for the maintenance of the said court in this act incorporated and established.

6. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 339

AN ACT permitting the city of Trenton, county of Mercer, New Jersey, to provide for the payment of a pension to John Golio.

Preamble.

WHEREAS, John Golio, 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 foreman in the Water Department for a period of thirty-two (32) years, rendering excellent, efficient and faithful service to the city of Trenton in the performance of his duties; and

Preamble.

WHEREAS, John Golio became incapacitated while in said service and as a direct result thereof; and

Preamble.

WHEREAS, The city of Trenton does not have in force and effect any pension that would enure to the benefit of the said John Golio; therefore

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

Pensioned.

1. That the city of Trenton, in the county of Mercer, be permitted to grant and pay to the said John

Golio, for the remainder of his natural life, a pension to be effective upon the passage of this act, in the sum of twenty-two dollars and fifty cents ($22.50) per week, being one-half of his former weekly salary, which pension shall be paid in semi-monthly installments. Rate.

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 Golio 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 in budget.

3. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 340

AN ACT amending section 40:47–16 of the Revised Statutes, providing for an eight-hour day for policemen in police departments in municipalities in this State.

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

1. That section 40:47–16 of the Revised Statutes is amended to read as follows: Section amended.

40:47–16. In the police department of any municipality, eight continuous hours of actual duty in each twenty-four hours, shall be deemed a day's service, and no policeman shall be compelled to perform any police duty exceeding the time herein specified, except in cases of extreme urgency, such as strikes, riots, conflagrations or invasions. This section shall remain and be inoperative in any municipality until accepted or adopted by the legal voters thereof. Hours of service for police. Adoption by voters before effective.

Referendum.

The governing body of any municipality may, in the manner and form provided by law, submit the question of the acceptance of this section to the legal voters of the municipality and the question of acceptance or adoption of this section shall be so submitted whenever there shall be filed with the governing body of any municipality, a petition signed by at least twenty per centum (20%) of the legal voters thereof, requesting such submission.

When act in effect.

If a majority of the legal voters voting on such question at any election vote in favor thereof, this section on and after the first day of January following such election, shall become operative in the municipality in which such election was held.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 341

AN ACT concerning motor vehicles and traffic regulation, and amending section 39:3–41 of the Revised Statutes.

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

Section amended.

1. Section 39:3–41 of the Revised Statutes is hereby amended to read as follows:

Learner furnished law.

39:3–41. At the time of the issuance of a learner's permit to operate a motor vehicle, the commissioner shall give to each applicant for the learner's permit a compendium of this Title.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 342

AN ACT concerning motor vehicles and traffic regulation, and amending section 39:3–59 of the Revised Statutes.

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

1. Section 39:3–59 of the Revised Statutes is amended to read as follows: Section amended.

39:3–59. Every New Jersey registered motor vehicle hereafter equipped with multiple-beam road lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the head lamps is in use, and shall not otherwise be lighted. Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped. Beam indicator on automobiles.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 343

AN ACT concerning motor vehicles and traffic regulation, and supplementing chapter three of Title 39 of the Revised Statutes.

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

1. For a violation of a provision of chapter three of Title 39 of the Revised Statutes for which no specific penalty is provided, the offender shall be liable to a penalty of not more than fifty dollars C. 39:3-86. Penalty for violating motor vehicle law.

($50.00) or imprisonment for a term of not exceeding fifteen days or both.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 344

AN ACT concerning motor vehicles and traffic regulation, and amending section 39:3–40 of the Revised Statutes.

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

Section amended.

1. Section 39:3–40 of the Revised Statutes is amended to read as follows:

Illegal operation of automobile.

39:3–40. No person to whom an operator's license has been refused, or whose operator's license or reciprocity privilege has been suspended or revoked, shall personally operate a motor vehicle during the period of the refusal, suspension or revocation.

Not operate after revocation.

No person whose motor vehicle registration has been revoked shall operate or permit the operation of such motor vehicle during the period of such revocation.

Penalty.

A person who violates this section shall be fined not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00).

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 345

AN ACT concerning highway and traffic signs, amending section 39:4–141, supplementing chapter four of Title 39, and repealing article eighteen of chapter four of Title 39 of the Revised Statutes.

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

1. Section 39:4–141 of the Revised Statutes is amended to read as follows: Section amended.

39:4–141. The board or body charged with the maintenance of a highway or section thereof designated as provided in section 39:4–140 of this Title shall place "stop street" signs on the near right side of each highway intersecting the through street. Stop street signs.

A. GENERAL PROVISIONS

2. Legal authority. Traffic signs shall be placed only by the authority of a public body or official having jurisdiction as authorized by law and only for the purpose of regulating, warning or guiding traffic. C. 39:4-183.1. Authority.

This section, however, shall not prohibit public utility companies or other authorized persons or companies from erecting temporary MEN WORKING signs to protect construction, maintenance or repair work on or within a public highway; *provided,* such signs conform reasonably to the specifications included in this act. Men working signs. Proviso.

3. Signs hereafter erected. All traffic signs hereafter erected, whether initial installations or replacements, must conform in all respects to the provisions of this act. C. 39:4-183.2. Type of signs.

4. Display of unauthorized traffic signs. No person shall place, maintain or display upon or in view C. 39:4-183.3. Unauthorized signs.

of any highway, any unauthorized traffic sign, device or other contrivance which purports to be or is an imitation of or of such a nature as to be mistaken for an official traffic sign or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic sign and no person shall place or maintain, nor shall any public authority permit upon any highway, any traffic sign or signal bearing thereon or its support, any commercial advertising.

Signs on private property.

This shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

C. 39:4-183.4. Prohibited signs removed.

5. Prohibited signs deemed a nuisance; action for removal. A sign, device or other contrivance prohibited by section four of this act shall be deemed a public and private nuisance and any citizen may maintain an action at law or in equity for its removal. The sole question of law and fact shall be whether it is in imitation of or of a nature as to be mistaken for an official traffic sign.

C. 39:4-183.5. Damaging signs.

6. Damaging sign or signal. No person shall willfully or intentionally deface, injure or remove an official traffic sign or signal described in this act.

C. 39:4-183.6. Type of signs determined by commissioner.

7. Commissioner to determine signs. The commissioner may determine the character, type, location, wording or symbol, and use of all traffic signs on the highways of this State; may adopt a manual and specifications for a uniform system of traffic signs consistent with the provisions of this act for

Uniformity.

use upon public highways within the State. Such uniform system shall correlate with and so far as possible conform to the system then current as specified in the "Manual on Uniform Traffic Control Devices for Streets and Highways."

B. Specifications

8. Shape and color. All traffic signs shall be of the shape and color indicated in the table below. All square corners shall be rounded on a radius of one and one-half inches and all embossed metal signs shall have a border of five-eighth inch set in three-eighth inch from the edge.

C. 39:4-183.7. Specifications as to traffic signs.

Table.

Type	*Shape*	*Color of Background*	*Color of Message*
Regulatory			
Stop	Octagon	Yellow	Black
Speed	Rectangle with longer dimension vertical	White	Black
Movement			
Turning	Rectangle with longer dimension vertical	White	Black
Signals	Rectangle with longer dimension vertical	White	Black
One-Way	Arrow or horizontal rectangle with arrow on it	White	Black
Alignment	Rectangle with longer dimension vertical	White	Black
Exclusion	Rectangle with longer dimension vertical	White	Black
Stopping and Standing	Rectangle with longer dimension vertical	White	Red
Parking			
Prohibition	Rectangle with longer dimension vertical	White	Red
Restriction	Rectangle with longer dimension vertical	White	Green
Miscellaneous	Rectangle with longer dimension vertical	White	Black

Type	*Shape*	*Color of Background*	*Color of Message*
Warning			
Slow	Diamond	Yellow	Black
Caution	Square	Yellow	Black
Railroad Advance	Circle	Yellow	Black
Railroad Crossing	Cross-buck, non-reflectorized	White	Black
	Cross-buck, reflectorized	Black	White
Guide			
Route Marker			
U. S.	Shield	White	Black
State	Circle	White	Black
County	Square	White	Black
Auxiliary signs	Rectangle with longer dimension horizontal	White	Black
Destination	Rectangle with longer dimension horizontal	White	Black
Location	Rectangle with longer dimension horizontal	White	Black
Information	Rectangle with longer dimension horizontal	White	Black
Rest station	Clover leaf	Green	White

C. 39:4-183.8. Material.

9. Materials. Permanent traffic signs should be made of metal; wood may be used for large signs and also for temporary and seasonal signs; heavy cardboard may be used for special occasions or emergencies.

C. 39:4-183.9. Dimensions.

10. Dimensions. All traffic signs shall have the minimum dimensions shown in subsequent sections of this act covering detailed designs. Where conditions require greater visibility, necessitating a

larger sign, the longer outside dimension shall be lengthened by six (6) inches or a multiple thereof and the shorter dimension in proportion.

C. 39:4-183.10. Wording.

11. Message; wording and symbols. Wording and arrangement for each type of traffic sign shall be as specified in subsequent sections of this act; symbols on the sign shall take the place of a word message wherever indicated in subsequent sections of this act.

C. 39:4-183.11. Lighting.

12. Illumination. The symbols and main messages of STOP, slow-type and SPEED LIMIT signs and both the cross and letters R. R. of railroad advance warning signs shall be illuminated at night so as to be visible from all distances up to three hundred and fifty feet. All other traffic signs may be illuminated, if desirable.

Color of lights.

Illumination of traffic signs shall be white except that flashing red self-illumination may be used in the lettering of STOP signs; and shall be provided by one of the following methods:

Method of lighting:

Behind or within;

(a) A light, within or behind the sign, or luminous tubes, illuminating the main message, whether symbol or wording. The light may be flashing or steady.

Attached or separate;

(b) An attached or independently mounted flood light focused on the face of the sign.

Reflecting.

(c) Reflecting elements set in or on the face of the sign.

C. LOCATION

C. 39:4-183.12. Location of signs.

13. Location. All traffic signs shall be located as provided in subsequent sections of this act covering details of design and installation. Signs other than temporary signs in the roadway shall be placed on the right side of the roadway and approximately at right angles to it, except traffic signs erected on or within traffic circles, islands and safety zones.

C. 39:4-183.13. Distances.

14. Lateral distance from pavement or roadway. Where a raised curb exists, traffic signs shall be set so that no part of the sign should be less than twelve inches back of the curb line. Where no curb exists, traffic signs shall be erected at the outside edge of the graded shoulder.

C. 39:4-183.14. Height.

15. Height. On highways where parked vehicles do not obstruct the required visibility, the center of the sign shall be three and one-half feet above the crown of the pavement. On highways where parked vehicles may obstruct the required visibility, the center of the sign shall be eight feet above the pavement.

D. Maintenance

C. 39:4-183.15. Maintenance.

16. Continuous maintenance. All traffic signs shall be kept in good order and clearly legible at all times. Signs damaged or destroyed shall be replaced promptly.

Unused signs removed.

Signs no longer applicable shall be removed immediately.

E. Detailed Design and Installation

C. 39:4-183.16. Design of stop signs.

17. Stop sign. The design and location of standard Stop signs shall be as follows:

(a) Shape—Octagon, with two sides vertical.

(b) Colors—Yellow background, black letters and border; flashing red self-illumination or white reflecting elements for word Stop. A separate flashing red signal or red reflecting element may be used if the word Stop is reflectorized.

(c) Dimensions—24 by 24 inches or larger in multiples of 6 inches.

(d) Main message—Stop, located in center, in 6-inch letters.

(e) Secondary message—Through Traffic, Bad Corner, Road End, Railroad, or Drawbridge, located above and below the word Stop, in 3-inch letters.

(f) Location—STOP signs at highway intersections shall be located at the crosswalk line or in the absence of a crosswalk line, when physically possible not more than 30 feet from the intersected roadway. Location of stop signs.

STOP signs at railroad grade crossings shall be located 15 to 50 feet from the nearest track.

STOP signs at drawbridges shall be located exactly where it is desired that vehicles stop.

STOP signs at street ends shall be located in the center of the roadway at its end.

18. Other regulatory signs. The design and location of other regulatory signs, except the ONE-WAY sign, shall be as follows: C. 39:4-183.17. Regulatory signs.

(a) Shape—Rectangular with longer dimension vertical.

(b) Colors—White background, black letters and border, except on prohibited parking signs which shall have white background, red letters and border, and limited parking signs which shall have white background, green letters and border.

(c) Location—Regulatory signs herein included shall be located where the legal requirement is effective and in the case of prohibited and limited parking, signs shall be placed at the first and last point where the legal requirement is effective and at intervals not greater than 250 feet. Location.

This subsection shall not apply to the spacing of prohibited or limited parking signs which apply only between the hours of sunset and sunrise. Exception.

(d) Message and dimensions—One of the messages in the following table, with corresponding minimum dimensions as indicated, shall be used.

Instructive signs—table.

Message	Minimum Dimensions in Inches	
Speed Regulations	*Sign*	*Letters*
End Speed Zone	18 by 24	4
Speed Limit (40)	18 by 24	4–8
Turn Regulations		
No Turns	12 by 18	4–3
No Right Turn	12 by 18	4–3
No Left Turn	12 by 18	4–3
No "U" Turn	12 by 18	4–3
Signal Regulations		
Signal Set For ..... M.P.H.	12 by 18	3–2
Pedestrians Must Obey Signals	12 by 18	3–2
Alignment Regulations		
No Passing	18 by 24	5
End—No Passing Zone	18 by 24	3
Keep Right	18 by 24	4
Keep Right—Pass in Center Only	18 by 24	3
Keep in Single Line	18 by 24	4
Form ..... Lines	18 by 24	5–4
Exclusion Regulations		
One Way; Do Not Enter	18 by 24	4
Vehicles Excluded	18 by 24	4
Motor Vehicles Excluded	18 by 24	4
Commercial Vehicles Excluded	18 by 24	3
Trucks Over ..... Tons Excluded	18 by 24	3
No Thoroughfare	18 by 24	4
No Stopping	12 by 18	3–2
No Standing	12 by 18	3–2
Parking Prohibitions		
No Parking at Any Time	12 by 18	3–2
No Parking This Side	12 by 18	3–2
No Parking Here to Corner	12 by 18	3–2
No Parking Street Car Stop	12 by 18	3–2
No Parking Safety Zone	12 by 18	3–2
No Parking Theatre Exit	12 by 18	3–2
No Parking Passenger Zone	12 by 18	3–2–2
No Parking Loading Zone	12 by 18	3–2
No Parking Bus Stop	12 by 18	3–2
No Parking Taxi Stand	12 by 18	3–2
No Parking Fire House	12 by 18	3–2

Message	Minimum Dimensions in Inches	
Parking Restrictions	*Sign*	*Letters*
Parking ..... Hour	12 by 18	3–2
Parking Diagonal	12 by 18	2
Parking Parallel	12 by 18	2
Parking on Pavement Only	12 by 18	2
Live Parking Only	12 by 18	3–2
Miscellaneous Regulations		
No Pedestrian Crossing	12 by 18	3–2
Load Limit ..... Tons Gross	12 by 18	2

C. 39:4-183.18. Design of one-way signs.

19. One-way sign. Design and location of standard ONE-WAY sign shall be as follows:

(a) Shape—Arrow or rectangle with longer dimension horizontal with arrow on it.

(b) Colors—White arrow, black letters and border. If rectangle is used, background should be black.

(c) Dimensions—36 inches long by 12 inches.

(d) Message—ONE-WAY in 3½-inch letters.

Location of one-way signs.

(e) Location—ONE-WAY signs shall be placed on both corners of the outlet of the one-way street or highway as well as at mid-block entrances thereto.

Changing movement.

When a two-way street is changed to a one-way movement, the exit shall be protected with a ONE-WAY—DO NOT ENTER sign.

C. 39:4-183.19. Design of slow-type signs.

20. Slow-type signs. The design and location of standard SLOW-TYPE signs shall be as follows:

(a) Shape—Diamond (square with diagonal vertical).

(b) Colors—Yellow background with black letters and border.

Location of slow-type signs.

(c) Location—SLOW-TYPE signs shall be located at a distance in advance of the hazard at least equal to the safe stopping distance at speeds commonly used by drivers approaching such a point but in no case less than 100 feet.

Interpretive signs.

(d) Message and dimensions—One of the messages in the following table, with corresponding minimum dimensions as indicated, shall be used. When special conditions require an additional or other message, such additional or other messages may be used but should be as brief as possible.

Message	Minimum Dimensions in Inches	
	Sign	*Letters*
Details. Arrow bent to right (symbol for right turn)	24 by 24	
Arrow curved to right (symbol for right curve)	24 by 24	
Arrow bent to left (symbol for left turn)	24 by 24	
Arrow curved to left (symbol for left curve)	24 by 24	
Symbol for "T" intersection	24 by 24	
Reverse curve symbol	24 by 24	
Winding Road	24 by 24	4
Hill	24 by 24	8
Dip	24 by 24	6
Narrow Bridge	24 by 24	4
One Lane Bridge	24 by 24	4
Narrow Road	24 by 24	4
Drawbridge	24 by 24	4
Low Bridge	24 by 24	4
Underpass	24 by 24	5
Pavement Ends	24 by 24	4
Safety Zone (with arrow)	24 by 24	3
Bad Corner	24 by 24	4
Car Line	24 by 24	4
Tunnel	24 by 24	6
Viaduct	24 by 24	5
Stop Sign Ahead	24 by 24	4
Slow to ..... Miles	24 by 24	4

C. 39:4-183.20. Cautionary signs.

21. Caution type signs. The design and location of standard caution type signs shall be as follows:

(a) Shape—Square, with two sides vertical.

(b) Colors—Yellow background with black letters and border.

Location.

(c) Location—Caution type signs shall be located at a distance in advance of the hazard

equal to safe stopping distance at speeds commonly used by drivers approaching such a point but in no case less than 100 feet.

(d) Message and dimensions—One of the messages in the following table, with the corresponding minimum dimensions as indicated, shall be used. When special conditions require additional or other messages, such additional or other messages may be used but should be as brief as possible. Interpretive signs.

Message	Minimum Dimensions in Inches		
	Sign	*Letters*	
Diagram of Intersection (Diagrams of intersections shall reasonably indicate the angles of the highways forming the intersection, reading upward, with the highway of approach vertical on the sign and shall differentiate by weight of line between important and lesser highway.)	24 by 24		Details. Table.
Traffic Signals Ahead	24 by 24	4	
Men Working	24 by 24	4	
Road Work	24 by 24	4	
Detour Ahead	24 by 24	4	
Detour	24 by 24	4	
Road Closed	24 by 24	4	
Fresh Oil	24 by 24	5	
Fresh Tar	24 by 24	5	
Loose Stone	24 by 24	5	
Loose Gravel	24 by 24	5	
Rough Road	24 by 24	5	
Slippery When Wet	24 by 24	5	
Rough Shoulder	24 by 24	5	
Soft Shoulder	24 by 24	5	
School	24 by 24	6	
School Crossing	24 by 24	5	
Playground	24 by 24	4	
Church	24 by 24	6	
Hospital	24 by 24	4	
Quiet Zone	24 by 24	5	
Crosswalk	24 by 24	5	
Bridle Path	24 by 24	4	
Dead End Street	24 by 24	3-2	

C. 39:4-183.21. Railroad warning signs.

22. Railroad advance warning sign. The design and location of standard railroad advance warning signs shall be as follows:

(a) Shape—Circle.

(b) Colors—Yellow background with black border, symbol and letters.

(c) Dimensions—30 inches in diameter.

(d) Message—Diagonal cross (symbol for railroad crossing), in 2½-inch lines and letter "R" in each side quadrant in 6-inch letters.

Location.

(e) Location—Railroad advance warning signs shall be located normally about 350 feet from the railroad crossing in rural areas but not more than 450 feet or less than 200 feet, and a minimum of 100 feet in urban areas.

C. 39:4-183.22. Crossing signs.

23. Railroad crossing sign. The railroad crossing sign shall be of the cross-buck type and shall conform to the design and specifications adopted by the Association of American Railroads and shall be located 15 feet from the nearest rail of the nearest track.

C. 39:4-183.23. Destination signs.

24. Destination signs. The design and location of standard destination signs shall be as follows:

(a) Shape—Rectangle with larger dimensions horizontal.

(b) Colors—White background with black letters and border.

(c) Dimensions—High and long enough to accommodate name and arrow.

(d) Message—Each destination sign shall carry not more than four names, preferably in five-inch letters. These names should be those of the principal cities in the following order: at the top, the name of the city straight ahead, second from the top, the name of the city to the right, and third from the top, the name of the city to the left.

Where it will necessitate not more than four names, the next town of importance on the same route may be included under each principal city.

(e) Symbol—Direction arrow opposite each name (a vertical arrow means straight ahead).

(f) Location—Destination signs shall be located at or in advance of intersection and shall face and not be placed parallel to the route they are primarily intended to serve. Location.

25. Location and information signs. The design and location of standard location and information signs shall be as follows: C. 39:4-183.24. Information signs.

(a) Shape—Rectangle with longer dimensions horizontal.

(b) Colors—White background with black letters and border.

(c) Dimensions—12 by 18 inches or larger multiples of 6 inches.

26. Article eighteen of chapter four of Title 39 of the Revised Statutes (R. S. 39:4–146 to and including R. S. 39:4–183) is repealed. C. 39:4-183.25. Article 18 repealed.

27. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 346

AN ACT appropriating moneys for the reimbursement of school districts for manual training expenditures.

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

1. There is hereby appropriated the sum of one hundred thirty-nine thousand, seven hundred ninety-six dollars and eighty-five cents ($139,- Appropriation for reimbursing school districts for manual training.

796.85) for the reimbursement of school districts for expenditures incident to manual training for the school year 1940-1941, under the provisions of article three, chapter fifteen, of Title 18 of the Revised Statutes. The moneys for this purpose are to be deducted pursuant to Revised Statutes, section 18:10–31. Payments to the several school districts shall be made by the State Treasurer upon the warrants of the Commissioner of Education.

How payments made.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 347

AN ACT appropriating moneys for the reimbursement of school districts for vocational education.

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

1. There is hereby appropriated the sum of thirteen thousand, eight hundred eleven dollars and sixty-nine cents ($13,811.69) for the reimbursement of school districts for the amounts due them for vocational education for the school year 1940-1941, under the provisions of article five, chapter fifteen, of Title 18 of the Revised Statutes. The moneys for this purpose are to be deducted pursuant to Revised Statutes, section 18:10–31. Payments to the several school districts shall be made by the State Treasurer upon the warrants of the Commissioner of Education.

Appropriation for reimbursing school districts for vocational education.

How payments made.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 348

AN ACT to provide for participation by the State in the cost of furnishing assistance to blind persons, and supplementing chapter six of Title 30 of the Revised Statutes.

WHEREAS, The Social Security Board of the Federal Government has provided by regulation that each of the several States shall participate in a substantial amount in the cost of furnishing assistance to blind persons under the plan in operation in the several States; and Preamble.

WHEREAS, It is necessary for the State of New Jersey to so participate in order to effect compliance with the regulation of the Federal Social Security Board; now, therefore, Preamble.

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

1. There is hereby appropriated from the general State fund the sum of eighty-five hundred dollars ($8,500.00) for the purpose of providing for financial participation by the State of New Jersey in the cost of furnishing assistance to blind persons in the several counties for the fiscal year ending on the thirtieth day of June in the year one thousand nine hundred and forty-two. Appropriation to assist blind.

2. The said appropriation shall be made available to the New Jersey Commission for the Amelioration of the Condition of the Blind and shall be distributed to the several counties on a pro rata basis in accordance with the cost of furnishing assistance to the blind in each of the several counties. The commission shall certify to the Comptroller of the Treasury the amount allotted to each county and the amount so certified shall be paid from the State treasury upon the audit and war- Availability. Payment.

rant of the comptroller to the respective county treasurers.

3. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 349

AN ACT to amend an act entitled "An act to annex a portion of the township of Haddon, in the county of Camden, to the borough of Haddonfield," being chapter thirty-four of the laws of the year one thousand nine hundred and four, approved March sixteenth, one thousand nine hundred and four.

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

Section 1 amended.

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

Description of territory in Haddon township annexed to borough of Haddonfield.

1. All that portion of the township of Haddon, in the county of Camden, described as follows: Beginning at a point in the northerly line of Cooper's creek at a point opposite the line dividing lands formerly of William Mann and John Hopkins, said point being the most northerly corner of the borough of Haddonfield; thence down said Cooper's creek following the said northerly line of said creek, the various courses and distances thereof, to a point opposite the dividing line between lands formerly of John E. Hopkins and Joseph C. Stoy; thence along the boundary line dividing land of said Stoy, and Hopkins, in a southwesterly direction, to the southwesterly line of Stoy's Landing road; thence crossing lands late of William Goldy and Samuel R. Stoy, now of Jacob Heitz, southwestwardly to a corner of lands formerly of J.

Stokes Coles, now of John A. Macaulay, and land formerly of Jehu Wood, now of Samuel Wood, said point being in the line of land late of the said Samuel R. Stoy, now of Jacob Heitz; thence along the boundary line between said land formerly of J. Stokes Coles, now of John A. Macaulay, and land late of Jehu Wood, now of Samuel Wood, southwestwardly to the boundary line between land of said Samuel Wood and other land of John A. Macaulay; thence along the lands of Macaulay and Wood, southerly to the southerly line of Maple avenue or the road leading from Haddonfield and Camden turnpike to Stoy's Landing road; thence along said southerly line of said road, southwestwardly to the easterly line of land occupied as the right-of-way of the Pennsylvania railroad system, leading from Delair to Haddonfield; thence along said easterly line of said right-of-way and Wood's line to the southwesterly line of Haddon avenue; thence southeastwardly along the southwesterly line of Haddon avenue to the boundary line between lands late of Samuel M. Reeves and lands late of John E. Redman, now known as the West Haddonfield Land Company tract; thence along said boundary line of said Redman lands, and Reeves lands and lands of John Stoy, southwestwardly to the stream forming the head waters of Newton creek; thence up said stream in a southerly direction, the various courses and distances thereof, to a point corner to lands late of Isaac Ellis Hinchman, now of J. Clarence Hinchman, and lands formerly of William C. Hinchman, now of Charles C. Hinchman; thence along the boundary line between said land of J. Clarence Hinchman and Charles C. Hinchman, westwardly, to a point (which point is opposite the westerly line of lands set off to William C. Hinchman, junior, in the partition of the estate of Joseph C. Hinchman, which said line starts in the Tile Yard road, seventy-nine links northwestwardly from the middle of the road leading from Haddonfield to Mount Ephraim, and runs north eight degrees and twenty minutes east); thence south eight

degrees and twenty minutes west, running through lands of Charles C. Hinchman, and along the above described line, being the boundary line between lands of William C. Hinchman, junior, and lands late of Isaac Ellis Hinchman, to a point in the northerly line of the Tile Yard road; thence along the same eastwardly to a point, which is the northeasterly corner of the said Tile Yard road and the said road leading from Haddonfield to Mount Ephraim, known as the Kings highway; thence in a southeastwardly direction, crossing said road and in a straight line to a point in the center of the road leading from Haddonfield to Clement's bridge, and in the boundary line between the territory known as Haddon township, and the territory known as Centre township; thence along the boundary line between said townships northeastwardly to the easterly line of Cooper's creek aforesaid; thence down said Cooper's creek, the various courses and distances thereof, to the line between the township of Haddon and the borough of Haddonfield; thence following the various boundaries of the present borough of Haddonfield, as described in an act entitled "An act to incorporate the borough of Haddonfield," approved March twenty-fourth, one thousand eight hundred and seventy-five, to the place of beginning, be and the same is annexed to the borough of Haddonfield, in said county of Camden, so that the same shall be hereafter a part of and within the territorial limits of the said borough of Haddonfield.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 350

AN ACT to annex to the borough of Haddonfield, in the county of Camden and State of New Jersey, a part of the township of Haddon in the said county.

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

1. All that certain tract or portion of land situate, lying and being in the township of Haddon, county of Camden and State of New Jersey, which is included in the boundaries hereinafter described, be and the same is hereby set off from the said township of Haddon and annexed to and included in the borough of Haddonfield in the said county, the territory composed of said tract or portion of land being described as follows:

Certain land in Haddon township annexed to borough of Haddonfield.

Beginning at a corner in the boundary line between the borough of Haddonfield and the township of Haddon, in the stream forming the head waters of Newton creek and corner to lands formerly of J. Clarence Hinchman and Chas. C. Hinchman; thence westwardly along the present boundary line between the borough of Haddonfield and the township of Haddon to a point corner to the same (said point being in the extended westerly line of lands set off to Wm. C. Hinchman, Junior, in the partition of the estate of Joseph C. Hinchman, which said line starts in the Tile Yard road, seventy-nine links northwestwardly from the middle of the road leading from Haddonfield to Mt. Ephraim, and runs north eight degrees twenty minutes east); thence north eight degrees twenty minutes east along the extended westerly line of said lands to a point corner in the center line of Mt. Vernon avenue, as shown on Plan No. 2 of Haddon Homesteads, filed December 9, 1923; thence eastwardly along the center line of Mt. Vernon avenue to a

Description of annexed portion.

point for a corner in the aforesaid stream forming the head waters of Newton creek; thence up said stream in a southerly direction, and being along the present boundary line between the borough of Haddonfield and the township of Haddon to the place of beginning.

As to unpaid taxes.

2. 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 tract or portion of land, or on account of unpaid assessments now on or against the said tract or portion of land shall be and remain the property of the said township of Haddon; but the said borough of Haddonfield shall not be responsible or liable for the collection or payment of such unpaid taxes or assessments.

As to obligations of Haddon township.

3. The said township of Haddon shall not be required to surrender any of its assets and shall not be relieved of any of its indebtedness or liabilities on account or by reason of the annexation of said tract or portion of land to the said borough of Haddonfield.

As to obligations of Haddonfield.

4. The said borough of Haddonfield 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 annexation of said tract or portion of land to the said borough of Haddonfield.

5. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 351

AN ACT making an appropriation for the use of the Adjutant-General.

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

Appropriation for maintaining record of voters.

1. For the purpose of compiling and maintaining a record of names and post-office and service addresses of every qualified elector of all counties and municipalities in active service in the armed forces of the United States as required by Title 19, Revised Statutes as supplemented by the laws of one thousand nine hundred and forty and one thousand nine hundred and forty-one, there is hereby appropriated the sum of twenty thousand dollars ($20,000.00). The appropriation herein authorized shall be made from the general funds of the State and shall be expended by the State Treasurer, on warrant of the Comptroller of the Treasury and the certification of the Adjutant-General.

Authorization.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 352

AN ACT concerning the Board of Commerce and Navigation, and supplementing chapter two of Title 12 of the Revised Statutes.

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

C. 12:2-15.1. Charge for anchorage.

1. Whenever the Board of Commerce and Navigation acquires the land and constructs a public basin, or leases berthing space for boat anchorage

to the public, a reasonable charge shall be made for said space or anchorage by the Board of Commerce and Navigation, and revenue so collected is hereby appropriated to defray the costs of construction and other improvements. Any moneys now deposited with the Board of Commerce and Navigation for such purpose are hereby appropriated for construction and improvements.

Use of moneys collected.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 353

AN ACT concerning the confinement of dangerous lunatics or persons of unsound mind, and amending section 30:4–26.1 of the Revised Statutes.

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

Section amended.

1. Section 30:4–26.1 of the Revised Statutes is amended so that the same shall read as follows:

County insane asylums.

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 person 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

Temporary confinement in first-class cities.

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 court of common pleas or a judge thereof shall, by order, extend such period of confinement. The court of common pleas or a judge thereof shall also have power, as in their judgment they 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.

Period of detention.

Discharge.

Transfer by order of court.

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.

Custody.

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 justice of the peace or police justice, who 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 justice of the peace or police justice 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.

Apprehension of lunatics.

Summary inquiry as to mental condition.

Commitment.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 354

AN ACT concerning marriages and married persons, and amending section 37:1–7 of the Revised Statutes.

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

Section amended.

1. Section 37:1–7 of the Revised Statutes is amended to read as follows:

Issuance of marriage license.

37:1–7. The licensing officer is hereby empowered to issue marriage licenses to the contracting parties who apply therefor and are entitled under the laws of this State to contract matrimony, authorizing the marriage of such parties, which license shall be substantially in the following form:

Form of license.

"State of New Jersey. County of ....., city, town or township of .....

This is to certify that any person, religious society, institution or organization authorized by law to perform marriage ceremonies within the State of New Jersey to whom this may come, he or they not knowing any lawful impediment thereto, is hereby authorized and empowered to solemnize the rites of matrimony between

A..... B.....
of ..... in the county of ..... and State of ..... and C.....
D ..... of .....,
in the county of ..... and State of ....., and to certify the same to be the said parties, or either of them, under his hand and seal in his ministerial or official capacity.

In testimony whereof, I have hereunto set my hand and affixed the seal of said town,

township or city at ..... this
..... day of ..... one
thousand nine hundred and .....
.....
(Name and official title)''

If the contracting parties desire both a civil and a religious marriage ceremony, the licensing officer shall issue a license in duplicate, marking one as ''issued for civil marriage ceremony'' and one as ''issued for religious marriage ceremony.''

Nothing in this section shall be construed to prevent the remarriage of a couple already married to each other; *provided,* a new license is obtained and the marriage properly reported. Such license shall be plainly marked ''Issued for remarriage—originally married to same mate at ..... (state place) on ..... (state date).'' Such a license shall be issued without compliance with the provisions of section 37:1–4 of the Revised Statutes and the provisions of ''An act concerning marriages'' approved May third, one thousand nine hundred and thirty-eight (P. L. 1938, c. 126). When such marriage report is received by the State registrar he shall, if an original marriage certificate is recorded, make a notation thereon of the remarriage and its date and place.

Remarriage.

Proviso.

How license marked.

Issuance.

Notation of remarriage.

2. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 355

AN ACT appropriating thirty-nine thousand seven hundred sixty dollars ($39,760.00) to the Department of State Police.

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

Appropriation for State police salaries.

1. There is hereby appropriated thirty-nine thousand seven hundred sixty dollars ($39,760.00) to the Department of State Police for the fiscal year ending June thirtieth, one thousand nine hundred and forty-two, for the purpose of providing for the adjustments made necessary by the passage of pamphlet laws of one thousand nine hundred and forty-one, chapter two hundred eighty-three.

Provides for transfer of funds.

2. There is hereby appropriated from the State highway fund for transfer to the general State fund fifty per centum (50%) of the amount appropriated in section one of this act for the Department of State Police for the fiscal year ending June thirtieth, one thousand nine hundred and forty-two.

3. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 356

AN ACT concerning the qualifications of trustees and treasurer and of members entitled to vote for trustees and treasurer of certain religious societies or congregations, and supplementing chapter one of Title 16 of the Revised Statutes.

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

C. 16:1-9.1. Qualifications for trustees, etc.

1. Any religious society or congregation recognizing no superior judicatory may provide in its by-laws the qualifications for its trustees and treasurer and may further provide therein the qualifications of members entitled to vote for trustees and treasurer. Such provisions shall be effective only when adopted by two-thirds (2/3) majority of the members entitled to vote, who shall be present and voting at a meeting of which notice has been given as prescribed by section 16:1–1 of the time, place and purpose of such meeting.

C. 16:1-9.2. Not to affect present trustees, etc.

2. This act shall not affect the term of any trustee or treasurer already elected.

3. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 357

AN ACT concerning the legal settlement of certain needy persons, providing for the administration of public assistance in certain cases and prescribing penalties for the violation thereof and repealing sections ten to fifteen, both inclusive, and sections twenty-one to twenty-four, both inclusive, of "An act to provide for the protection, welfare of and financial assistance to certain needy persons in the State of New Jersey, providing for the administration thereof, and prescribing penalties for the violation thereof," approved June eighteenth, one thousand nine hundred and forty (P. L. 1940, c. 130).

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

C. 44:8A-1. Definitions:

1. Definitions. As used in this act:

Director of municipal aid;

"Director of municipal aid" means the Director of Municipal Aid of the State Municipal Aid Administration;

Director of welfare;

"Director of welfare" means the officer whose duty it is to administer public assistance in a municipality including the person designated by a local assistance board to be its chief executive and administrative officer, and an overseer of the poor;

Municipality;

"Municipality" shall include, in meaning, any city, borough, township, town, village or municipality governed by a board of commissioners or an improvement commission, whether participating in State aid for relief funds or not;

Public assistance;

"Public assistance" means assistance rendered to needy persons, not otherwise provided for under the laws of this State, where such persons are willing to work but are unable to secure employment due either to physical disability or inability

to find employment, and includes what is commonly called "emergency relief," and "temporary or outdoor poor relief" given to needy persons who can be relieved temporarily in their homes or without being maintained in an almshouse or welfare house;

"Person" may mean, according to the context, a person and his family; Person.

2. Immediate public assistance shall be promptly rendered to any needy person by the director of welfare of that municipality where the person is found at the time of application, subject to determination and adjustment of responsibility as hereinafter provided. C. 44:8A-2. Prompt assistance.

3. Subject to the provisions of this act, every person of full age who has been or shall be a resident of and domiciled within the boundaries of this State without interruption for two continuous years shall have legal settlement in this State for the purposes of this act provided said person during that period has resided for one continuous year in one municipality. C. 44:8A-3. Legal settlement in State.

4. Subject to the provisions of this act, every person of full age who has or shall have legal settlement in this State shall have municipal settlement for the purposes of this act in that municipality in which he has last resided for one continuous year. C. 44:8A-4. Municipal settlement.

5. The time spent by a person residing in this State shall be construed as an interruption of the continuity of residence required for legal settlement in this State under section three, while such person was or is C. 44:8A-5. Continuous residence:

(a) Receiving public assistance, as defined in this act; Assistance;

(b) Receiving public aid from any municipality, county, State or Federal agency when that aid could not have been obtained according to law unless the person is in need, whether received in the form of orders, cash or wages; Public aid;

Responsibility; (c) Receiving assistance under (a) or aid under (b) for such person or for his wife or a minor child for whose support either such person or his wife is responsible in this or in any other State;

Institutional care; (d) In a charitable, custodial or correctional institution in this State or while his wife or minor child is in a charitable, custodial or correctional institution of another State or of the Federal government;

Parole; (e) On parole from an institution of this State, another State or of the Federal government;

Fugitive; (f) A fugitive from justice;

Foreign; (g) Illegally in the United States;

In service; (h) In the armed forces of the United States;

Hospitalization. (i) In a veteran's hospital or similar institution;

Computing residence. and the two continuous years of residence required for legal settlement in this State under section three shall be computed from the date of the termination of any interruption hereinabove specified.

C. 44:8A-6. Determining municipal settlement. 6. For the purpose of determining municipal settlement under section four, the time spent by a person residing in this State under the circumstances enumerated in subsections (a) through (i) inclusive of section five shall not be construed as an interruption of the continuity of residence and such time shall not be computed in determining length of residence.

C. 44:8A-7. Public assistance excepted. 7. Public assistance shall not be deemed public assistance within the meaning of section five subsection (a) if it is given by reason of quarantine because of a communicable disease under the provisions of the public health laws of this State or if the cost of such assistance has been repaid by the recipient in full.

C. 44:8A-8. Continuance of settlement. 8. Every person who has or shall have a separate legal settlement, not derived from that of another person, pursuant to the provisions of this act

shall continue to have such legal settlement until he shall remove from this State and remain therefrom continuously for one year; except that absence from the State for one year or more because of service in the armed forces of the United States shall not result in loss of settlement providing the person was inducted into the service while residing in this State.

C. 44:8A-9. Temporary removal.

9. Every person who has removed or shall remove from this State and has remained or shall remain therefrom less than one year shall upon his return have the same municipal settlement as he had at the time of leaving this State.

C. 44:8A-10. Terminating absence.

10. The initiation of correspondence by another State or a public agency thereof seeking to return a person to this State shall terminate the period of absence from this State for the purpose of determining whether legal settlement has been lost.

C. 44:8A-11. Married woman:

11. The settlement of a married woman shall be that of her husband except as otherwise herein provided;

Husband's settlement;

(a) If her husband at the time of her marriage does not have settlement in any State, she shall retain her own settlement until her husband acquires one or until hers is lost.

Widow a divorcee;

(b) A widow or woman who is divorced or separated by judicial decree from her husband shall have the same settlement which she had at the time of the death of her husband or of her divorce or judicial separation, but may subsequently acquire a new settlement.

After separation.

(c) After continuous separation from her husband and absence from the State for one year, a married woman's settlement shall be lost until such time as she and her husband voluntarily resume living together, in which event her settlement will be that of her husband.

C. 44:8A-12. Settlement of minor.

12. The settlement of a minor born in wedlock shall be that of his parents or surviving parent or in case of divorce or separation, of the parent having his custody. In the case of the death of the parent having custody, the settlement shall be that of the surviving parent. In case of the death of both parents or in case of permanent separation from his parents by court order or by surrender of custody by an instrument in writing in accordance with law, the settlement of such minor at the time of such death or separation shall continue until his majority unless he shall gain a separate settlement as hereinafter provided.

C. 44:8A-13. Minor following mother's residence.

13. The settlement of a minor born out of wedlock shall be that of his mother; but such minor may acquire a separate settlement in the same manner as minors born in wedlock, as hereinafter provided.

C. 44:8A-14. Minor acquiring settlement:

14. A minor shall be deemed capable under the provisions of this act of acquiring a separate settlement, in the same manner as persons of full age, from the time he or she has complied with either of the following provisions:

Marrying;

(a) If a male, by marrying and living apart from parents.

Residing apart.

(b) By residing separately and apart from his parents and being lawfully employed when wages are paid to such minor. This provision shall not apply in the case of a minor serving an apprenticeship or securing an education in a regularly organized training school or other educational institution, or where such minor is dependent in whole or in part upon his parent or guardian for support; except that if such minor resumes living with either of his parents, his settlement shall be the same as it was before his departure.

Exceptions.

C. 44:8A-15. In case of child not living with mother.

15. When a widow, divorced woman or unmarried mother gains a new settlement by marriage, if, at the time of such marriage, her child is not in

her custody and is receiving care at public expense, the settlement of such child shall not follow that of its mother until such time as the child has been returned to the custody of its mother and has remained in her care without receipt of public assistance for the period of one year.

C. 44:8A-16. Minor brought into State.

16. No minor who is brought into this State, or who is placed out in any family therein by any person, society or corporation, public or private, of this or any other State, shall gain a separate legal settlement for the purposes of this act except as provided by section fourteen.

C. 44:8A-17. Person from another municipality.

17. When a person alleged to have a settlement elsewhere in the State than in the municipality in which he is found is in need of public assistance, the director of welfare of the municipality where such person is found shall provide the assistance necessary, but shall, as soon as possible, send a written notice stating the facts relating to such person's settlement to the director of welfare of the municipality in which such person is alleged to have a settlement.

Authorities notified.

C. 44:8A-18. Investigation.

18. The director of welfare receiving such notice shall forthwith cause an investigation to be made as to the settlement of such person. He may accept the responsibility for assistance granted to such person in which event said director of welfare, subject to the provisions of section twenty-nine, may elect:

Responsibility.

(a) To order such person moved and returned to the place of legal settlement at the expense of the municipality in which assistance is being granted, or

Removal to legal settlement.

(b) To be charged by the director of welfare of the municipality in which such person is found, for the cost of assistance which shall be granted, after the giving of such notice, for a period not exceeding four months and for such further period or periods, if any, as shall be agreed to by the director of welfare of the municipality in which such assistance is being granted.

Charged for cost.

Person returned to place of legal settlement.

In any case provided for under subsection "b" of this section, upon the expiration of said period of four months and of any extended period or periods, if any, provided by this section, the director of welfare of the municipality in which such person is found shall order and cause such person to be moved and returned to his place of legal settlement at the expense of the municipality in which assistance is being granted.

C. 44:8A-19. Protesting alleged settlement.

19. If the director of welfare receiving a notice under section seventeen decides to contest the allegation of the settlement of such person contained in such notice, he shall not later than thirty days after its receipt send a written protest stating the facts of the case relating to such person's settlement to the director of welfare who issued the notice.

C. 44:8A-20. Failure to protest.

20. Failure by a director of welfare to send such protest within the time specified or any extended time as herein provided shall constitute a concurrence in the decision of the director of municipal aid hereinafter referred to.

C. 44:8A-21. Determination of settlement.

21. If such protest is sent and the director of welfare of the municipality where the person is found does not accept the facts therein presented or if no protest is received by him, the determination of the settlement of such person shall be referred to the State Municipal Aid Administration by the director of welfare of the municipality where the person is found by sending to the State

Reference.

Municipal Aid Administration a written reference not later than forty days after the sending of the notice, a copy of which reference shall be sent at the same time to the director of welfare of the municipality wherein the person is alleged to have legal settlement.

C. 44:8A-22. Failure to send reference.

22. Failure by the director of welfare to send such reference within the time specified or any extended time as herein provided shall constitute an acceptance on behalf of the municipality of responsibility for the support of such person and

an admission that legal settlement is in the municipality of which he is director of welfare.

C. 44:8A-23. Extension of time.

23. The director of municipal aid, upon good cause shown, may extend the time allowed for sending a protest or reference.

C. 44:8A-24. Prescribed forms.

24. The notice, protest and reference required by this act shall be made in the forms prescribed by the director of municipal aid and shall be sent by registered mail.

C. 44:8A-25. Decision by director of aid.

25. The director of municipal aid shall render a decision determining legal settlement after due consideration of all the facts and arguments of the contesting directors of welfare. If insufficient facts are before him, he may cause an investigation to be made and set a date for a hearing, to be held after due notice to the welfare officials involved. He may in his decision order that the person be removed to his place of legal settlement and that the director of welfare of said municipality accept and receive such person and provide such assistance as may be necessary.

Investigation.

Removal may be ordered.

C. 44:8A-26. Director's decision final.

26. Any decision of the director of municipal aid shall become final upon the date of mailing of a copy thereof to the parties involved. The director of municipal aid shall be deemed to be a party to any judicial action involving any such decision, and may be represented in any judicial action by any qualified attorney who may be a regular salaried employee of the State Municipal Aid Administration, or at the director of municipal aid's request, by the Attorney-General.

Attorney.

C. 44:8A-27. Enforcement of decision.

27. The director of municipal aid may enforce his decision against the responsible municipality by withholding from it from any State funds which may be available for that purpose such sums as are sufficient to care for such person which sums shall be paid directly by the State Municipal Aid Administration to the municipality where the person is receiving assistance in reimbursement therefor.

C. 44:8A-28. Court may order assistance.

28. The director of municipal aid may apply to the court of common pleas 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 court of common pleas shall be a contempt of said court and the person so violating shall be subjected to all penalties which by law may be imposed for other contempts of such court.

Order obtainable.

Violation.

C. 44:8A-29. Reimbursement.

29. The municipality of legal settlement shall be required to reimburse the municipality where the person is found for all assistance given to such person subsequent to the date of the mailing of a notice pursuant to section seventeen. The cost of such assistance from time to time may be recovered by the municipality granting it from the responsible municipality in an action at law in a court of competent jurisdiction.

C. 44:8A-30. Furnishing aid to person in another municipality.

30. A director of welfare shall not furnish assistance to a person having legal settlement in his municipality while such person is residing in another municipality, without having first obtained the approval in writing of the director of welfare of the municipality where the person is residing.

C. 44:8A-31. Forced removal.

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 court of common pleas for the issuance of an order to the sheriff of the county where such person is, or to some other person or persons, to remove such person to the municipality in which he has his place of legal settlement and said sheriff or other person or persons are authorized and empowered to remove such person accordingly.

C. 44:8A-32. Bringing person in improperly.

32. No person shall, without legal authority, send or bring, or cause to be sent or brought, any poor person into a municipality with the purpose of making him a charge on such municipality, or for the purpose of avoiding the responsibility of support in the municipality from which he is brought or sent. Any person convicted of violating this section shall be guilty of a misdemeanor.

Penalty.

C. 44:8A-33. State to reimburse municipality for assistance rendered.

33. Persons having no legal settlement in the State shall be furnished public assistance by that municipality where found subject to reimbursement by the State to the extent of eighty per centum (80%) of the total cost of such assistance which shall be given in accordance with the standards, rules and regulations of the director of municipal aid.

C. 44:8A-34. Steps taken for legal removal.

34. All such cases shall be immediately directed to the attention of the director of municipal aid who shall forthwith take all lawful steps, under interstate agreements or otherwise, affecting the removal of or permanent resettlement of such persons.

C. 44:8A-35. Notify municipal aid of assisting nonresident.

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 Municipal Aid Administration 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 director of municipal aid 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 person 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 at law in a court of competent jurisdiction.

Cost borne by municipality.

Cost recoverable.

C. 44:8A-36. Refusal to return.

36. Any person applying for public assistance who refuses to return to another State wherein he has legal settlement after proper authorization therefor has been obtained shall upon acceptance of public assistance be guilty of a misdemeanor.

C. 44:8A-37. State's representative.

37. The director of municipal aid shall act as the agent of the State in effectuating the purposes of any reciprocal interstate agreements respecting the transportation of dependents and shall have complete control and supervision of cases which other States are seeking to return to this State.

Sole authority.

The director of municipal aid shall have sole authority to either accept or reject such cases in behalf of the State and its municipalities according to the provisions of this act; except that the said director may refuse to accept a case when it is in the public interest of this State to invoke a policy

Reciprocity.

of reciprocity as to those States whose legal settlement laws or the interpretation thereof unduly prevent the return of persons who are in equity and good conscience their responsibility, and the burden of proof shall be upon the State or public agency thereof seeking to return a person to this State.

C. 44:8A-38. Acknowledgment of responsibility.

38. The decision of the director of municipal aid to accept a case under section thirty-seven shall be final. It shall be the duty of the director of welfare of the municipality where the person sought to be returned has legal settlement to send an acknowledgment of responsibility for such case in writing to the director of municipal aid not later than ten days after the mailing of the decision.

C. 44:8A-39. Court may direct that person be accepted and received.

39. If a director of welfare fails to send such acknowledgment of responsibility within the time specified, the director of municipal aid may apply to the court of common pleas of the county wherein the person sought to be returned has legal settlement for an order directing the responsible municipality and its director of welfare to accept and receive said person and furnish such assistance

Order.

as may be necessary. Such order may be obtained upon five days' notice to the municipality respon-

sible for such assistance and to its director of welfare. Violation of any such order of the court of common pleas shall be a contempt of said court and the person so violating shall be subject to all penalties which by law may be imposed for other contempts of such court.

Penalty for violation.

40. All cases referred from out of the State which shall come to the attention of a director of welfare shall forthwith be referred to the State Municipal Aid Administration.

C. 44:8A-40. Cases referred.

41. At the request of the director of municipal aid it shall be the duty of a director of welfare to cause an investigation to be made of the residence within his municipality of a person alleged to have settlement within the State.

C. 44:8A-41. Investigation of residence.

42. Any person who knowingly brings, or causes to be brought, a destitute person from out of the State into this State without legal authority and leaves him or attempts to leave him for the purpose of making him a public charge, shall be guilty of a misdemeanor.

C. 44:8A-42. Bringing in destitute a misdemeanor.

43. This act shall not be construed to apply to transients.

C. 44:8A-43. Transients excepted.

44. Nothing in this act shall apply to or affect a person from outside the United States of America, or in any way change the rights or liabilities of such persons as conferred or imposed by any law of the United States, nor the right otherwise conferred by law to deport or remove such persons to any other State wherein the person still retains, or may have acquired, a settlement according to the laws of any State or country, and in all such cases no settlement shall be deemed to have been acquired within this State.

C. 44:8A-44. Act does not apply to foreigners.

45. Any particular grant of power contained in this act shall be held to be in specification, but not in limitation of general powers.

C. 44:8A-45. Powers.

46. The director of municipal aid may promulgate, alter and amend from time to time such rules, regulations and directory orders as are necessary and proper for carrying out any of the provisions of this act, which rules, regulations and orders shall be binding upon the municipalities.

C. 44:8A-46. Rules and regulations.

C. 44:8A-47. Legal settlement in State.

47. Every person residing in this State at the time of the passage of this act who had legal residence in this State under sections ten, twelve and thirteen of chapter one hundred thirty of the laws of one thousand nine hundred and forty, hereinafter repealed, shall have legal settlement in this State until such time as it is lost under the provisions of this act. However, the municipal settlement of such persons shall be determined only in accordance with the provisions of this act.

C. 44:8A-48. Certain sections repealed.

48. Sections ten to fifteen, inclusive, and sections twenty-one to twenty-four, inclusive, of chapter one hundred thirty of the laws of one thousand nine hundred and forty are hereby expressly repealed. Sections 44:1–102 to 44:1–127, inclusive, and sections 44:4–57 to 44:4–81, inclusive, of the Revised Statutes are hereby superseded insofar as they are inconsistent with the provisions of this act.

Sections superseded.

49. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 358

AN ACT providing for the reconstruction of a concrete wall on the north side of Shark river, and extending west from Ocean avenue bridge to First avenue, at Avon-By-The-Sea, and making an appropriation therefor.

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

Reconstruct wall on Shark river.

1. In addition to the powers conferred by the provisions of chapter six of Title 12 of the Revised Statutes, the Board of Commerce and Navigation is authorized and empowered to reconstruct a concrete wall, on the north side of Shark river, ex-

tending west from Ocean avenue bridge to First avenue, at Avon-By-The-Sea, in the county of Monmouth, and to do all things necessary, including dredging for back fill, in connection therewith for effectuating this act.

2. The sum of sixty-nine thousand dollars ($69,000.00) is hereby appropriated from the State highway fund to cover the cost of said work to be expended by the Board of Commerce and Navigation in the same manner as other State appropriations. Appropriation.

3. This act shall take effect immediately.

Approved August 4, 1941.

CHAPTER 359

AN ACT concerning municipalities governed by commission government, and amending section 40:72–1 of the Revised Statutes.

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

1. Section 40:72–1 of the Revised Statutes is amended to read as follows: Section amended.

40:72–1. The commission shall consist of three members in municipalities having less than ten thousand inhabitants; and of five members in municipalities having ten thousand inhabitants or more, subject to the provisions of sections 40:72–1.1 to 40:72–1.3 of this Title. Membership of commission.

Each member shall have been a citizen and resident of the municipality for at least two years immediately preceding his election, or shall have voted in such municipality at the two general elections for members of the General Assembly immediately preceding his election. Qualifications.

2. This act shall take effect immediately.

Passed August 6, 1941.

CHAPTER 360

AN ACT to incorporate and erect the township of Winfield in the county of Union, the territory of which shall comprise a part of the city of Linden and a part of the township of Clark, both in the county of Union.

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

Township of Winfield incorporated.

1. The following described territory now contained in the city of Linden, and in the township of Clark, both in the county of Union, are hereby declared to be a body politic and corporate by the name of the township of Winfield and shall be governed by the general laws of this State relating to townships.

Description of land taken from Linden.

2. (a) That portion of the territory taken from the city of Linden is described as follows:

Beginning at a point in the municipal boundary line between the city of Linden and the township of Clark, said point being at the intersection formed by the dividing line of property of the Union County Park Commission and property now or formerly of Kate Goodrich, said point being also distant southwesterly from the southerly side line of Raritan road as measured along property of the Union County Park Commission the following courses and distances from a point in the southerly side line of Raritan road, said point being distant along said side line north 75 degrees 21 minutes 30 seconds west 100.92 feet from an angle point on the side line of said Raritan road. (1) South 14 degrees 38 minutes 30 seconds west 3.73 feet to a point of curve; thence (2) on the arc of a circle curving to the left whose radius is 92.64 feet and whose

chord bears south 45 degrees 45 minutes 30 seconds west 80.37 feet an arc distance of 83.13 feet to a point of reverse curve thence (3) on the arc of a circle curving to the right whose radius is 1,432.67 feet an arc distance of 395 feet more or less to said municipal boundary line; running thence from the above described beginning point along the boundary line of Linden and Clark township the following courses and distances (1) in a general southeasterly direction along the municipal boundary line between the city of Linden and the township of Clark 1,875 feet more or less to a point; thence (2) on the arc of a circle curving to the right whose radius is 420 feet and whose chord bears north 57 degrees 34 minutes 45 seconds east 145.86 feet an arc distance of 104.61 feet more or less to a point; thence (3) on the tangent north 67 degrees 34 minutes 45 seconds east 100 feet to a point of curve; thence (4) on the arc of a circle curving to the left whose radius is 338 feet and whose chord bears north 61 degrees 29 minutes 45 seconds east 71.64 feet an arc distance of 71.77 feet to a point; thence (5) on the tangent north 55 degrees 24 minutes 45 seconds east 220 feet to a point; thence (6) on the arc of a circle curving to the left whose radius is 58.51 feet and whose chord bears north 33 degrees 11 minutes 40 seconds east 44.25 feet an arc distance of 45.38 feet to point; said point being on the southerly side line of Stiles street (Forty Acre road); thence (7) along the southerly side line of Stiles street (Forty Acre road) along an arc of a circle curving to the right whose radius is 648.40 feet and whose chord bears north 17 degrees 14 minutes 07 seconds west 30.31 feet an arc distance of 30.32 feet to a point; thence (8) along the tangent north 15 degrees 53 minutes 45 seconds west a distance of 269.50 feet to a point; said point being also on the southerly side line

of Stiles street (Forty Acre road); thence (9) along the tangent north 16 degrees 48 minutes 45 seconds west 361.70 feet to a point, said point being also on the southerly side line of Stiles street (Forty Acre road); thence (10) along the tangent north 17 degrees 29 minutes 45 seconds west 132.97 feet to a point of curve; said point being also on the southerly side line of Stiles street (Forty Acre road); thence (11) on the arc of a circle curving to the left whose radius is 472.48 feet and whose chord bears north 27 degrees 38 minutes 20.5 seconds west 166.41 feet an arc distance of 167.29 feet to a point of compound curve said point being also on the southerly side line of Stiles street (Forty Acre road); thence (12) on the arc of a circle curving to the left whose radius is 472.48 feet and whose chord bears north 40 degrees 20 minutes 20 seconds west 42.134 feet an arc distance of 42.17 feet to a point, said point being also on the southerly line of Stiles street (Forty Acre road); thence (13) on the tangent north 42 degrees 53 minutes 45 seconds west 724.20 feet to a point, said point being also on the southerly side line of Stiles street (Forty Acre road); thence (14) north 54 degrees 24 minutes 30 seconds west 344.83 feet to a point, said point being on the southerly side line of Raritan road; thence (15) north 75 degrees 21 minutes 30 seconds west 100.92 feet to a point, said point being on the southerly side line of Raritan road; thence (16) south 14 degrees 38 minutes 30 seconds west 3.73 feet to a point of curve; thence (17) on the arc of a circle curving to the left whose radius is 92.64 feet and whose chord bears south 45 degrees 45 minutes 30 seconds west 80.37 feet an arc distance of 83.13 feet to a point of reverse curve; thence (18) on the arc of a circle curving to the right whose radius is 1,432.67 feet an arc distance of 395 feet more or less to the municipal boundary line

of the city of Linden and township of Clark, said point being also the point of beginning.

(b) That portion of the territory taken from the township of Clark is described as follows:

Description of land taken from township of Clark.

Beginning at a point in the municipal boundary line between the city of Linden and the township of Clark, said point being at the intersection formed by the dividing line of property of The Union County Park Commission and property now or formerly of Kate Goodrich, said point being also distant southwesterly from the southerly side line of Raritan road as measured along property of The Union County Park Commission the following courses and distances from a point in the southerly side line of Raritan road, said point being distant along said side line north 75 degrees 21 minutes 30 seconds west 100.92 feet from an angle point in the side line of said Raritan road (1) south 14 degrees 38 minutes 30 seconds west 3.73 feet to a point of curve; thence (2) on the arc of a circle curving to the left whose radius is 92.64 feet and whose chord bears south 45 degrees 45 minutes 30 seconds west 80.37 feet an arc distance of 83.13 feet to a point of reverse curve; thence (3) on the arc of a circle curving to the right whose radius is 1,432.67 feet an arc distance of 395 feet more or less to said municipal boundary line; running thence from the above described beginning point along property of The Union County Park Commission the following courses and distances (1) on the arc of the circle last mentioned still curving to the right an arc distance of 366 feet more or less to a point of reverse curve being a corner in the line of land of The Union County Park Commission; thence (2) on the arc of a circle curving to the left whose radius is 573.45 feet and whose chord bears south 21 degrees 7 minutes

30 seconds west 562.58 feet and an arc distance of 588 feet to a point of reverse curve; thence (3) on the arc of a circle curving to the right whose radius is 635.83 feet and whose chord bears south 21 degrees 50 minutes 36 seconds west a distance of 637.59 feet and an arc distance of 667.91 feet to a point of tangency; thence (4) on the tangent south 51 degrees 56 minutes 12 seconds west 502.82 feet to a point, said point being also in the dividing line of property now or formerly of Kate Goodrich and property now or formerly of one Depew; thence (5) south 51 degrees 56 minutes 12 seconds west 57.89 feet to a point of curve; thence (6) on the arc of a circle curving to the right whose radius is 997 feet and whose chord bears south 59 degrees 56 minutes 51 seconds west 277.80 feet an arc distance of 278.79 feet to a point of tangency; thence (7) on a tangent south 67 degrees 57 minutes 30 seconds west 163.69 to a point of curve; thence (8) on the arc of a circle curving to the left whose radius is 1,348 feet and whose chord bears south 53 degrees 05 minutes west 692.09 feet and an arc distance of 699.93 feet to a point of compound curve, said point being also in the dividing line of property now or formerly of Depew and property now or formerly of the Bloodgood estate; thence (9) on the arc of a circle curving to the left whose radius is 972 feet and whose chord bears south 32 degrees 27 minutes 30 seconds west 194.766 feet and an arc distance of 195.10 feet to a point of reverse curve; thence (10) on the arc of a circle curving to the right whose radius is 1,534.50 feet whose chord bears south 38 degrees 04 minutes 40 seconds west 605.01 feet and an arc distance of 609 feet to a point of tangency; thence (11) on the tangent south 49 degrees 26 minutes 50 seconds west 56.35 feet to a point of curve; thence (12) on the arc of a circle curving to the left whose ra-

dius is 96.72 feet whose chord bears south 11 degrees 41 minutes 10 seconds west 118.46 feet and an arc distance of 127.49 feet to a point of compound curve; thence (13) on the arc of a circle curving to the left whose radius is 309.84 feet and whose chord bears south 40 degrees 33 minutes 10 seconds east 154.92 feet and an arc distance of 156.58 feet to a point of compound curve; thence (14) on the arc of a circle curving to the left whose radius is 96.72 feet and whose chord bears north 87 degrees 12 minutes 30 seconds east 118.46 feet and an arc distance of 127.49 feet to a point of curve; thence (15) on the tangent north 49 degrees 26 minutes 50 seconds east 56.35 feet to a point of curve; thence (16) on the arc of a circle curving to the left whose radius is 1,627.50 feet and whose chord bears north 46 degrees 47 minutes 40 seconds east 150.65 feet and an arc distance of 150.70 feet to a point of reverse curve; thence (17) on the arc of a circle curving to the right whose radius is 1,311.80 feet and whose chord bears north 54 degrees 23 minutes 45 seconds east 467.04 feet and an arc distance of 469.54 feet to a point of compound curve; thence (18) on the arc of a circle curving to the right whose radius is 673.19 feet whose chord bears north 79 degrees 25 minutes east 343.17 feet and an arc distance of 347 feet to a point of tangency, said point being also in the dividing line of property now or formerly of the Bloodgood estate and property now or formerly of Depew; thence (19) on the tangent south 85 degrees 49 minutes east 34.19 feet to a point of curve; thence (20) on the arc of a circle curving to the left whose radius is 396 feet and whose chord bears north 67 degrees 39 minutes 37.5 seconds east 353.67 feet and an arc distance of 366.63 feet to a point of tangency; thence (21) on the tangent north 41 degrees 8 minutes 15 seconds east 383.94 feet to a point

of curve; thence (22) on the arc of a circle curving to the right whose radius is 1,273 feet and whose chord bears north 51 degrees 15 minutes 45 seconds east 447.58 feet and an arc distance of 449.92 feet to a point of compound curve; thence (23) on the arc of a circle curving to the right whose radius is 1,433 feet and whose chord bears north 76 degrees 59 minutes east 770.52 feet and an arc distance of 780.12 feet to a point of reverse curve; thence (24) on the arc of a circle curving to the left whose radius is 1,300 feet and whose chord bears north 83 degrees 49 minutes 45 seconds east 395.52 feet and an arc distance of 397.06 feet to a point of compound curve; thence (25) on the arc of a circle curving to the left whose radius is 643 feet and whose chord bears north 61 degrees 19 minutes 45 seconds east 305.66 feet an arc distance of 308.62 feet to a point of tangency; thence (26) on the tangent north 47 degrees 34 minutes 45 seconds east 161.73 feet to a point of curve; thence (27) on the arc of a circle curving to the right whose radius is 420 feet an arc distance of 42 feet more or less to the municipal boundary line between the city of Linden and the township of Clark, said point being distant southwesterly from the southwesterly side line of Stiles street as measured along property of the Union County Park Commission its several courses thereof in a southwesterly direction 496 feet more or less; thence running (28) in a general northwesterly direction along the municipal boundary line between the city of Linden and the township of Clark 1,875 feet more or less to the point and place of beginning.

3. This act shall take effect immediately.
Passed August 6, 1941.

CHAPTER 361

AN ACT to regulate elections, and supplementing Title 19 of the Revised Statutes.

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

C. 19:54-13.1. When act applicable.

1. Whenever any national emergency exists whereby, in the judgment of the President of the United States and the Governor of this State, or pursuant to the terms of any statute of the United States or a statute of the State of New Jersey, it may become necessary to concentrate, either within or without this State in active service in the military forces of this State or of the United States, citizens of this State who are legal voters herein, this act shall apply.

C. 19:54-13.2. Order by Governor.

2. When such national emergency exists the Governor shall file an order with the Secretary of State, which order shall set out the nature of such emergency and direct that the provisions of this act be enforced. Thereupon the Secretary of State shall transmit to each county clerk, to the superintendents of election in counties of the first class and to the respective county boards of elections copies of this act and of the order filed with the Secretary of State as aforesaid.

Copies of act supplied.

C. 19:54-13.3. Purpose of act to permit voting by soldiers.

3. The purpose of this act is to afford every qualified voter of this State who is in active service in the military forces of this State or of the United States the right to vote in any primary, general or special election held in this State or in any subdivision thereof, notwithstanding the fact that such person may be absent on said election day from the election district in which he resides, whether such person is within or without this State, or within or without the United States. Any person shall be deemed to be in active service in the military forces of this State or of the United

Active service.

States if actually in active service as a member of the National Guard, or any branch or department of the Army or Navy or Marine Corps of the United States.

C. 19:54-13.4. Ascertaining qualified electors.

4. Thirty days prior to any primary, general or special election in this State or any subdivision thereof, the clerks of the various counties of this State shall ascertain either from the Adjutant-General of New Jersey, or from the Adjutant-General or proper authority of the United States, the names and post-office addresses of every qualified elector of this State in active service in the military forces of this State or of the United States as aforesaid. At least fourteen days prior to any primary, general or special election the county clerk shall forward by mail to each person in such active service as aforesaid, a ballot conveniently prepared, upon which ballot shall be printed the names of the candidates to be voted upon at said election and any State question to be submitted to the voters at said election. In the preparation of the ballot the county clerk shall likewise provide thereon sufficient space wherein the voter may vote for or write in his choice for any county, municipal or other office to be voted for at said election and to permit him to vote upon any county or municipal question submitted at such election.

Ballot mailed.

Provision for personal choice.

C. 19:54-13.5. Directions and envelopes to accompany ballots.

5. The county clerk shall send with each ballot either a printed copy of this act or printed directions for voting and transmitting the ballot as required by this act. The county clerk shall also send with each ballot, mailed as aforesaid to each qualified elector of this State in active service in the military forces of this State or of the United States, two envelopes, the outer one of which shall be a stamped envelope and addressed to the county board of elections of the county in which said elector last resided before becoming actively engaged in military service and shall contain a space upon the back thereof for the name of the military organization to which such person belongs and the

Space for endorsement.

home address in which such person is entitled to vote; the inner envelope shall be plain and contain no marks whatever.

C. 19:54-13.6. Names and addresses certified.

6. The county clerk shall certify to the commissioners of registration in all counties having permanent registration and to the county boards of elections the names and addresses of qualified electors to whom ballots are mailed as directed in sections four and five of this act. The commissioners of registration in all counties, upon the receipt of such information from the county clerk, shall remove the names of such qualified electors from the permanent registration binders, if said names appear therein, and retain such names in a special file designated "Military File."

Military file.

C. 19:54-13.7. Marking ballot.

7. Any qualified elector who is unable to vote at any primary, general or special election in the election district in which he resides because of absence from such election district due to his being in the active service in the military forces of this State or of the United States, notwithstanding, shall be entitled to mark the printed ballot so forwarded to him by the county clerk in accordance with the provisions of Title 19 of the Revised Statutes, as amended and supplemented, except where inconsistent with the provisions of this act. Any qualified elector intending to vote as aforesaid shall mark said ballot and deliver the same as hereinafter provided on the Tuesday preceding the holding of any election contemplated by this act, it being the intent and meaning of this act that all such ballots shall be so cast that they may be counted and canvassed by the respective county boards of elections on the day of the holding of any general, primary or special election. Such ballot after having been prepared by the person intending to vote the same shall be placed in the inner envelope, which envelope shall then be sealed and placed in the outer envelope to which reference has above been made. Such qualified elector shall then write upon the back of the outer envelope, in the space left therefor, the name of the

When ballot marked.

When ballots canvassed.

Preparation for mailing.

Indorsement.

military organization to which such qualified voter belongs and the home address of such qualified voter at which he would be entitled to vote, and beneath which he shall sign his name in his own handwriting. All ballots not cast at the time designated for the holding of any election hereunder shall be void and of no effect.

Ballots void.

C. 19:54-13.8. Mailing ballots.

8. All ballots authorized to be cast by virtue of the provisions hereof shall be mailed to the respective county boards of elections in the envelopes authorized to be used under this act. The said county boards of elections shall promptly thereafter make such investigation as may be necessary to ascertain whether or not the persons whose names appear on the outside of the outer envelopes are duly qualified voters actually entitled to vote at such election. Should any dispute arise as to whether any such person is entitled to vote the county board shall refer the matter to the court of common pleas for determination.

Ascertaining correctness of indorsement.

If disputed.

Investigation by election board.

The county boards of elections shall promptly upon receipt of ballots pursuant to this act make such investigation as may be necessary to ascertain whether or not the persons whose names appear on the outside of the outer envelopes are actually entitled to vote at such election. Should any dispute arise as to whether or not such person is entitled to vote, the county board shall refer the matter to the court of common pleas for determination.

If dispute.

Opening envelopes.

On the day of such municipal election the said county boards of elections, except in the case of those ballots which such county boards of elections or the court of common pleas has rejected, shall remove the outer envelopes in which the ballots are contained and keep them for a period of one year, at the expiration of which time they shall be destroyed. After removing the outer envelopes the county boards of elections shall then remove the inner envelopes in which the ballots are contained and then proceed to count and canvass the votes cast on said ballots. After the canvass is

Counting and canvass.

Result certified.

completed the county boards of elections shall certify the result of said canvass to the county clerk. Said certification shall show the results of the canvass by ward and district in order to enable the county clerk to add the result of the canvass made by the county boards of elections to the total vote cast in each ward and district by voters other than those in military service.

What canvass to show.

The county boards of elections shall keep for a period of one year all of the aforesaid ballots counted by them and all of the outer envelopes, together with their contents, which have not been opened because the county board or the court of common pleas has rejected them.

Preservation of ballots and envelopes.

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

Repealer.

10. This act shall take effect immediately.

Approved August 11, 1941.

CHAPTER 362

AN ACT to validate the incorporation and acts of rural cemetery associations and providing the procedure therefor, where associations have acquired lands in a county other than that in which or adjoining the county wherein the certificate of incorporation is recorded.

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

1. Whenever the certificate of organization or incorporation of a cemetery association is recorded in a county other than, or not adjoining, the county wherein lands conveyed or devised to the association are situate, any seven or more persons, named by the managers or trustees, if there be any, and, if there be no managers or trustees then by the lot

Reorganization of cemetery association where land in any other county.

owners, if there be any, and if there be no lot owners, then by the person or persons holding certificates of stock or interest, may reorganize such cemetery association, by holding in the county where such lands are situate, a meeting in accordance with section 8:1–1 of the Revised Statutes, and recording the certificate of such reorganization or reincorporation meeting in the office of the clerk of the county wherein such meeting was held and such lands are situate in accordance with section 8:1–2 of the Revised Statutes.

Certificate recorded.

Legally instituted.

2. When such certificate of reorganization or reincorporation has been recorded in the county where such lands are situate the association mentioned therein shall then be deemed legally incorporated and shall have and possess the general powers and privileges of a corporation.

Validating title to land.

3. Any and all deeds, conveyances and devises made to such association before the recording of such certificate in the county wherein the lands thereby conveyed or devised are situate are valid and title to such lands is vested in said association upon the recording of such certificate in the county wherein such lands are situate and such lands shall belong to and be the property of the reorganized association.

Validity of transfers by company.

4. Any and all deeds, conveyances and mortgages made by such association before the recording of such certificate in the county wherein the lands of the association are situate shall be, upon the recording of such certificate, as valid and effectual as if the original certificate of incorporation had been recorded in the county wherein such lands are situate.

Validity of permit to operate cemetery.

5. Any and all municipal permits for the operation of a cemetery granted or assigned to or held by such cemetery association before the recording of such certificate in the county wherein the lands of such association are situate are valid upon the recording of such certificate in the county wherein such lands are situate and such cemetery permits

shall be the property of the reorganized association.

Assets property of association.

6. All assets of such association acquired before the recording of such certificate in the county wherein the lands of such association are situate shall belong to and be the property of the reorganized association.

Provision for debts.

7. All debts and obligations of such association incurred or undertaken before the recording of such certificate in the county wherein the lands of such association are situate shall be and are the debts and obligations of and against the reorganized association.

Validity of reorganization.

8. No error, defect or omission in the original organization and incorporation shall invalidate the reorganization and reincorporation provided in this act.

9. This act shall take effect immediately.

Approved August 7, 1941.

CHAPTER 363

AN ACT to amend "An act relating to taxation of railroads, and repealing chapters nineteen through twenty-nine, inclusive, of Title 54 of the Revised Statutes, chapter ninety-one of the laws of one thousand eight hundred and eighty-five, chapter two hundred seventy-five of the laws of one thousand eight hundred and eighty-six, chapter three hundred thirty-three of the laws of one thousand nine hundred and twenty-one, and chapter four hundred twenty-three of the laws of one thousand nine hundred and thirty-three," approved July twenty-second, one thousand nine hundred and forty-one (P. L. 1941, c. 291).

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

C. 54:29A-46. Section amended.

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

Due date of franchise tax.

46. Payments; due dates. The full amount of franchise tax assessed by the commissioner for the year one thousand nine hundred and forty-one shall accrue and be due and delinquent on December fifteenth, one thousand nine hundred and forty-one, and the full amount of franchise tax assessed by the commissioner in each year thereafter shall be due and delinquent on December first in each such year.

Due date for property tax.

On December first in each year, the full amount of property tax payable under this act shall be due and delinquent.

Payment.

All payments shall be made to the State Treasurer.

2. This act shall take effect immediately.

Approved November 14, 1941.

CHAPTER 364

AN ACT concerning the permission of liability insurance companies to include provisions in liability policies for voluntary payments, and amending section 17:28–1 of the Revised Statutes.

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

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

17:28–1. No policy for more than one of the kinds of insurance specified in the several paragraphs of section 17:17–1 of this Title shall be issued except as hereinafter provided. Risks specified in paragraphs "d" and "e" of said section 17:17–1 may be embraced in one contract. Companies electing to issue policies on residences and private apartments may embrace in one policy risks specified in paragraphs "d," "e," "f," "j," "k," "l," "n," and "o" of said section 17:17–1, or any of them. A policy of automobile insurance as authorized by paragraph "b" of said section 17:17–1 may include the risks specified in paragraph "e" of said section 17:17–1 to the extent of loss or damage resulting from the use or operation of automobiles described in the policy, but such policy shall be in distinct and separable contracts of companies authorized to issue policies insuring the risks assumed. Any policy of automobile liability insurance authorized by paragraphs "d" or "e" of said section 17:17–1 of the Revised Statutes may contain a provision for payment on behalf of the injured party or for reimbursement of the assured for payment of medical, hospital, surgical and funeral expenses incurred as a result of an accident involving any automobile with respect to which the liability of the assured is covered by the policy, and

Kinds of policy issued.

Risks in one contract.

Automobile insurance.

Automobile liability insurance.

such provision shall not be deemed to be an accident insurance policy.

2. This act shall take effect immediately.

Approved November 18, 1941.

CHAPTER 365

AN ACT concerning salaries of constables and sergeants-at-arms in district courts, and amending section 2:8–33 of the Revised Statutes.

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

Section amended.

1. Section 2:8–33 of the Revised Statutes is amended to read as follows:

Fees receivable by sergeants-at-arms in district courts:

2:8–33. For their services the several sergeants-at-arms of the district courts shall receive from the clerks of such courts the fees provided by section 22:2–45 of the Title, Fees and Costs, and the amendments and supplements thereto, and, for their attendance upon the sessions of such courts, annual salaries as follows:

First-class counties;

a. In counties of the first class, not less than twenty-five hundred ($2,500.00) nor more than three thousand ($3,000.00) dollars;

Counties between 90,000-350,000;

b. In counties having between ninety thousand (90,000) and three hundred and fifty thousand (350,000) inhabitants, not less than fifteen hundred ($1,500.00) nor more than twenty-five hundred ($2,500.00) dollars;

Counties between 45,000-90,000;

c. In counties having between forty-five thousand (45,000) and ninety thousand (90,000) inhabitants, twelve hundred ($1,200.00) dollars;

d. In counties having between twenty-five thousand (25,000) and forty-five thousand (45,000) inhabitants, six hundred ($600.00) dollars; and Counties between 25,000-45,000;

e. In counties having less than twenty-five thousand (25,000) inhabitants, four hundred and fifty ($450.00) dollars. Counties under 25,000.

The amounts of the salaries herein provided for shall be fixed, at any time during the term of office of any such sergeant-at-arms, by the governing body of any municipality in which a city district court is located and in judicial district courts by the board of chosen freeholders of the respective counties in which such judicial district courts are located, and shall be paid semimonthly by the cities in which the city district courts are located and by the treasurer of the counties in which the judicial district courts are located. Fixing salaries. Payable.

This section shall not affect district courts in cities of the second class having more than one hundred and thirty-five thousand (135,000) inhabitants; nor shall anything in this section be construed to empower any person or body to decrease the salary of any sergeant-at-arms. Exceptions

2. This act shall take effect immediately.

Approved November 18, 1941.

CHAPTER 366

AN ACT confirming, validating and legalizing certain deeds of conveyance of or for lands, tenements, hereditaments or real estate heretofore or hereafter made and delivered by any sheriff, former sheriff, or other officer of the court, and making the record of such deed admissible in evidence, and amending section 2:75–18 of the Revised Statutes.

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

Section amended.

1. Section 2:75–18 of the Revised Statutes is amended to read as follows:

Validity of deed.

2:75–18. Any deed or deeds of conveyance heretofore or hereafter made and delivered by any sheriff, former sheriff, or other officer of the court, of any real estate, which shall have stood unchallenged on record for a period of one year from the date of record thereof, shall be deemed a valid deed for the conveyance of the property therein described, notwithstanding any informality or imperfection in the writ pursuant to the terms of which such sale was made or variance between the date of said deed and the date of acknowledgment or proof of said deed; but only when such sale shall have been duly confirmed by the court pursuant to whose writ such sale shall have been made.

Evidence in court.

Any such deed, or the record thereof, or a certified copy of such record, shall be admissible in evidence in all cases and in all courts of this State.

2. This act shall take effect immediately.

Approved November 18, 1941.

CHAPTER 367

AN ACT concerning attorneys and counselors-at-law, and amending sections 2:21–14 and 2:21–15 of the Revised Statutes.

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

1. Section 2:21–14 of the Revised Statutes is amended to read as follows: Section amended.

2:21–14. After the marriage of a woman attorney or counselor-at-law, and before she signs her name to any document which she is authorized or required to sign as attorney or counselor, she shall make and sign a statement in writing entitled in the Supreme Court and addressed to the Supreme Court of the following tenor and effect: Statement of marriage.

"I, ..., an attorney-at-law, or counselor-at-law, of the State of New Jersey, admitted to practice as an attorney, or counselor, at the..... term of the Supreme Court, 19...., do hereby certify that I did on the ..... day of ....., 19...., intermarry with ....., my present husband." Form.

"I do hereby elect to practice under my name as at the time of my admission with a hyphen after the surname followed by the surname of my husband" or Legal surname.

"I do hereby elect to practice under my name at the time of admission", as the case may be.

The statement shall be signed by both names and shall be verified by oath of the said attorney, or counselor, that the facts therein are true. Verification.

Statement filed.

The statement shall be filed in the office of the clerk of the Supreme Court, and the same or a certified copy thereof shall be evidence of the right of such attorney or counselor to continue the practice of law under the name elected, and all judges, justices and others concerned are hereby required to take notice accordingly.

Section amended.

2. Section 2:21–15 of the Revised Statutes is amended to read as follows:

Form of signature after change of name.

2:21–15. When a woman attorney or counselor shall marry or remarry, she shall thereafter continue to sign her name the same as at the time of her admission with a hyphen after the surname, followed by the surname of her then husband or she shall thereafter continue to sign her name the same as at the time of her admission, as she shall elect by filing the statement provided for in section 2:21–14 of this Title, by which election she shall be bound.

Form of signature.

When a woman attorney or counselor heretofore has married or remarried, she shall continue to sign her name the same as at the time of her admission with a hyphen after the surname, followed by the surname of her then husband, unless she shall elect to sign her name the same as at the time of her admission, by filing a statement in the form provided for in section 2:21–14 of this Title, by which election she shall be bound.

3. This act shall take effect immediately.

Approved November 18, 1941.

CHAPTER 368

AN ACT pensioning certain widows of certain employees of county clerks in counties of the second class.

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

C. 40:9-13. Pension of widow of employee in county clerk's office.

1. In any second-class county of this State, if any county clerk's employee, having been employed as an employee in such county clerk's office continuously for a period of forty years or more, shall die, or shall have died, leaving him surviving a widow, of the age of sixty years or more, such widow, so long as she remain unmarried, may receive an annual pension equal to one-third (⅓) of the amount of the annual salary of such employee at the time of his death.

C. 43:9-14. Application for pension.

Discretion exercised.

Authority granted.

Funds provided.

2. Persons who may become entitled to pensions under this act may make application in writing for said pensions to the board of freeholders of the county concerned. The board of freeholders of said county may exercise discretion and may grant or reject any such application for pension under this act. Any such pension granted by any board of freeholders under the provisions of this act shall be granted to such widow by written resolution of such board of freeholders. When any such pension shall be granted, as hereinbefore provided, then and in that event, the board of freeholders shall provide the funds for the payment of such pension or pensions and provisions for all pensions granted under this act shall be made in the appropriation or tax levy for the county clerk's office in said county.

C. 43:9-15. Payments.

3. Persons who shall become entitled to pensions under this act shall be paid such pensions in the same manner and at the same time as the county clerk's employees in active service in the several counties are respectively paid.

C. 43:9-16. Tax exempt.

4. All pensions granted under this act shall be exempt from any State or municipal tax, levy, sale, garnishment, attachment, or any other process, and shall be unassignable.

5. This act shall take effect immediately.

Approved November 18, 1941.

CHAPTER 369

AN ACT to permit the payment of a pension to any former secretary of the county tax board of any county of the third class having a population of not less than one hundred ten thousand nor more than one hundred twenty-six thousand inhabitants by the board of chosen freeholders of said county in certain cases.

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

C. 43:9-17. Pension for former secretary of county tax board.

1. The board of chosen freeholders of any county of the third class having a population of not less than one hundred ten thousand nor more than one hundred twenty-six thousand inhabitants may in its discretion by resolution provide for the payment of a pension not exceeding one thousand dollars ($1,000.00) per year to a former secretary of the county tax board of said county who was employed as such secretary for twenty years or more and has reached the age of sixty years.

C. 43:9-18. Application.

2. Any person eligible to a pension under this act may apply therefor to the board of chosen freeholders of said county and upon proof satisfactory to the board of the facts entitling him to said pension, the board may by such resolution fix the amount of the pension so to be paid subject to the limitation hereinbefore provided and the date from

which the same shall be payable. Said pension when so authorized shall be paid in equal monthly installments by the county treasurer out of county funds. Payments.

3. This act shall take effect immediately.

Approved November 18, 1941.

CHAPTER 370

AN ACT making appropriations for repairs, reconstruction and replacement of buildings and equipment at certain institutions.

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

1. There is hereby appropriated from the general State fund the sum of two hundred and seventy-two thousand, one hundred and fifteen dollars ($272,115.00), or so much thereof as may be necessary, for the purpose of repairs, reconstruction and replacement of buildings and equipment at the following enumerated institutions: New Jersey Colony for Feeble-minded Males, New Lisbon; New Jersey Colony for Feeble-minded Males, Woodbine; Home for Disabled Soldiers, Vineland; North Jersey Training School, Totowa; New Jersey Reformatory, Annandale; New Jersey Reformatory for Women, Clinton; New Jersey Sanatorium for Tuberculous Diseases, Glen Gardner; State Home for Boys, Jamesburg; State Home for Girls, Trenton; New Jersey State Hospital, Greystone Park; New Jersey State Hospital, Marlboro; New Jersey State Hospital, Trenton; New Jersey State Prison, Trenton; New Jersey State Prison Farm, Bordentown; New Jersey State Prison Farm, Leesburg; Village for Epileptics, Skillman; Vineland State School. Appropriation for repairs of various institutional buildings.

2. The State Treasurer is hereby authorized, empowered, and directed and it shall be his duty to set Fund set up.

New Jersey State Library

up and maintain the aforementioned appropriation in the "Institution Construction Fund" established heretofore pursuant to the statutes of this State, and subject to the requisition of the Department of Institutions and Agencies for the uses and purposes specifically enumerated herein.

Negotiations with federal authorities.

3. The State Board of Control of Institutions and Agencies is hereby empowered 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 "Institution Construction Fund" for the requisition of the Department of Institutions and Agencies for the purpose of carrying out the provisions of this act.

Corrections by comptroller.

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

Certain transfers provided.

In order that some degree of flexibility in administering the provisions of this act may be had, the Board of Control of Institutions and Agencies may apply to the State House Commission for leave to transfer a part of any item to any other item, for both of which said items are appropriated. Upon the approval of such application by the State House Commission it shall notify the Comptroller thereof in writing, whereupon the Comptroller shall make such transfer as in this section directed.

5. This act shall take effect immediately.

Approved November 19, 1941.

CHAPTER 371

AN ACT to amend "An act relating to taxation of railroads, and repealing chapters nineteen through twenty-nine, inclusive, of Title 54 of the Revised Statutes, chapter ninety-one of the laws of one thousand eight hundred and eighty-five, chapter two hundred seventy-five of the laws of one thousand eight hundred and eighty-six, chapter three hundred thirty-three of the laws of one thousand nine hundred and twenty-one, and chapter four hundred twenty-three of the laws of one thousand nine hundred and thirty-three," approved July twenty-second, one thousand nine hundred and forty-one (P. L. 1941, c. 291).

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

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

46. Payments; due dates. The full amount of franchise tax assessed by the commissioner for the year one thousand nine hundred and forty-one shall accrue and be due and delinquent on December twenty-third, one thousand nine hundred and forty-one, and the full amount of franchise tax assessed by the commissioner in each year thereafter shall be due and delinquent on December first in each such year. C. 54:29A-46. When franchise tax due.

On December first in each year, the full amount of property tax payable under this act shall be due and delinquent. When property tax due.

All payments shall be made to the State Treasurer. Payments.

2. This act shall take effect immediately.

Approved December 10, 1941.

CHAPTER 372

AN ACT concerning hours of employment of females in manufacturing establishments, bakeries and laundries, and providing penalties for violation, and amending section 34:2–28 of the Revised Statutes.

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

Section amended.

1. Section 34:2-28 of the Revised Statutes is amended to read as follows:

Women working at night.

34:2–28. In order to protect the health of females employed in manufacturing establishments, bakeries and laundries and by providing an adequate period of rest at night, no female shall be employed or permitted to work in any manufacturing establishment, bakery, or laundry in this State before seven o'clock in the morning or after twelve o'clock in the evening of any day; *provided,* that nothing herein contained shall apply to canneries engaged in the packing of perishable products such as fruits and vegetables or to glass manufacturing establishments; *and provided, further,* that the provisions herein contained may be suspended by the Governor, on his own order or upon application to him, in time of war or other serious national emergency. Such order shall be limited to a particular period of time, and shall be limited to a particular manufacturing establishment.

Proviso.

Proviso.

Limited period.

2. This act shall take effect immediately.

Approved December 12, 1941.

CHAPTER 373

AN ACT providing for acceptance by the State of New Jersey of appropriations made for education by the government of the United States for the receiving and disbursing thereof, and supplementing Title 18 of the Revised Statutes.

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

C. 18:23-19. Apportionment of school moneys.

1. Whenever moneys are made available for school purposes by any Act of Congress or any agency of the Federal Government, or made available or deposited in any manner in accordance with any law enacted by the Congress of the United States, such moneys shall be apportioned by the Commissioner of Education under plans approved by the State Board of Education. Such moneys shall be distributed as aid to the several districts or in any other manner designated for any educational purpose defined in the Federal statutes or in the regulations of Federal agencies making allotments or in the laws of the State of New Jersey.

Aid.

C. 18:23-20. Trust fund.

2. All moneys mentioned in section one of this act shall be considered trust funds and shall be distributed by the Commissioner of Education in conformity with plans approved by the State Board of Education.

C. 18:23-21. Custodian.

3. The State Treasurer is hereby appointed custodian for all moneys made available to the State of New Jersey under the provisions of section one of this act. He shall receive and provide for the proper custody thereof. He shall disburse such moneys upon the warrant of the State Comptroller when such disbursement has been certified by the Commissioner of Education to the Comptroller.

Care.

Disbursement.

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

5. This act shall take effect immediately.

Approved December 17, 1941.

CHAPTER 374

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:*

Section amended. 1. Section 43:21–19 of the Revised Statutes is amended to read as follows:

Definitions: 43:21–19. As used in this chapter, unless the context clearly requires otherwise:

Annual payroll: (a) (1) "Annual payroll" means the total amount of wages payable by an employer (regardless of the time of payment) for employment during the calendar year.

Average annual payroll; (2) "Average annual payroll" means the average of the annual payrolls of any employer for the last three or five preceding calendar years, whichever average is higher; *provided, however,* that only those wages be included on which employer contributions have been paid on or before January thirty-first of the calendar year for which the employer's contribution rate is computed.

Proviso.

Benefits; (b) "Benefits" means the money payments payable to an individual, as provided in this chapter, with respect to his unemployment.

Base year; (c) The term "base year" means the first four of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year; *provided,* that no calendar quarter shall comprise a part of more than one base year.

Proviso.

(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 section six (a) of this act shall be deemed to be a "valid claim" for the purpose of this subsection if the individual has fulfilled the condition imposed by section four (e). Benefit year; Valid claim;

(e) "Commission" means the Unemployment Compensation Commission established by section 43:21–10 of this Title, and for purposes of this chapter any transaction or exercise of authority by the executive director shall be deemed to be performed by the commission. Commission;

(f) "Contributions" means the money payments to the State Unemployment Compensation Fund required by this chapter. Contributions;

(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) Employing unit; Separate plants a unit; As to contractors;

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.

Liability for contributions;

Individual employment;

Proviso.

Employer;

(h) "Employer" means:

Explaining employing unit;

(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, eight or more individuals (irrespective of whether the same individuals are or were employed in each such day);

Acquired business;

(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;

Explaining employer;

(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;

What constitutes an employer;

(4) Any employing unit which together with one or more other employing units, is owned or controlled (by legally enforcible means or otherwise), directly or indirectly by the same interests, or which owns or controls one or more other employing units (by legally enforcible means or otherwise), and which, if treated as a single unit with such other employing units or interests, would be an employer under paragraph (1) of this subsection;

Continuing employer;

(5) Any employing unit which, having become an employer under paragraph (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

Subject to chapter;

(6) For the effective period of its election pursuant to subsection (c) of section 43:21–8 of this Title any other employing unit which has elected to become fully subject to this chapter.

Employment;

(i) (1) "Employment" means service, including service in interstate commerce performed for remuneration or under any contract of hire, written or oral, expressed or implied.

Entire service;

(2) The term "employment" shall include an individual's entire service, performed within or both within and without this State if:

In state;

(A) The service is localized in this State; or

Varied service;

(B) The service is not localized in any State but some of the service is performed in this State, and (i) the base of operations, 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.

As to contributions;

(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.

Services outside state;

(4) Services not covered under paragraph (2) of this subsection, and performed entirely without this State, with respect to no part of which contributions are required and paid under an unemployment compensation law of any other State or of the Federal Government, shall be deemed to be employment subject to this chapter if the individual performing such services is a resident of this State and the commission approves the election of the employing unit for whom such services are performed that the entire service of such individual shall be deemed to be employment subject to this chapter; *provided,* written objections on the part of a substantial proportion of such individuals affected are not presented to the commission within ten days following the filing of such election.

Proviso.

Localized service;

(5) Service shall be deemed to be localized within a State if

In state;

(A) the service is performed entirely within such State; or

In and out state;

(B) the service is performed both within and without such State, but the service performed without such State is incidental to the individual's service within the State, for example, is temporary or transitory in nature or consists of isolated transactions.

Service for pay;

(6) Services performed by an individual for remuneration shall be deemed to be employment subject to this chapter unless and until it is shown to the satisfaction of the commission that

(A) such individual has been and will continue to be free from control or direction over the performance of such services, both under his contract of service and in fact; and — Free from control;

(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 — Outside course;

(C) such individual is customarily engaged in an independently established trade, occupation, profession or business. — Independent action;

(7) The term "employment" shall not include: — Exceptions:

(A) Agricultural labor; — Agriculture;

(B) Domestic service in a private home; — Servants;

(C) Service performed as an officer or member of the crew of a vessel on the navigable waters of the United States; — Mariners;

(D) 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; — Family service;

(E) 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; — Political service;

(F) 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 subdivision or of the United States; — Political service outside;

(G) 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 — Varied services;

children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

Fraternal employment;

(H) 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;

Loan associations;

(I) 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;

Railroad unemployment insurance;

(J) 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).

Employment office;

(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.

Fund;

(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.

"State."

(l) "State" includes, in addition to the States of the United States of America, Alaska, Hawaii, and the District of Columbia.

(m) Unemployment. Unemployment:

(1) An individual shall be deemed "unemployed" for any week during which he is not engaged in full-time work and with respect to which his remuneration is less than his weekly benefit rate. Time employed;

(2) The term remuneration, as used in this subsection, shall include only that part of the same which exceeds three dollars ($3.00) for any one (1) week. Remuneration;

(3) An individual's week of unemployment shall be deemed to commence only after his registration at an employment office, except as the commission may by regulation otherwise prescribe. When unemployment week begins;

(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. Administration fund;

(o) "Wages" means remuneration payable by employers for employment. Wages;

(p) "Remuneration" means all compensation payable for personal services, including commissions and bonuses and the cash value of all compensation payable in any medium other than cash. Term remuneration expanded;

(q) "Week" means such period or periods of seven consecutive calendar days ending at midnight, as the commission may by regulation prescribe. Week;

(r) "Calendar quarter" means the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth, or December thirty-first, excluding, however, any calendar quarter or portion thereof which occurs prior to January first, one thousand nine hundred and thirty-seven, or the equivalent thereof as the commission may by regulation prescribe. Calendar quarter.

2. This act will take effect immediately.

Approved December 17, 1941.

CHAPTER 375

AN ACT to amend "An act concerning the administration of relief," approved March twenty-eighth, one thousand nine hundred and forty-one (P. L. 1941, c. 28).

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

Section amended.

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

C. 44:8-102. Sewing project worker.

16. In each of the calendar years one thousand nine hundred and forty-one and one thousand nine hundred and forty-two, the director is authorized to pay to each municipality participating in a sewing project an amount to be determined by multiplying the cost of each certified sewing project worker paid by the municipality to the Works Projects Administration by the same percentage under which payment of the relief load is made to such municipality for that year under section twelve of this act; *provided, however,* that in no case shall said cost of a certified sewing project worker paid by the municipality be computed at more than eight dollars ($8.00) per worker, per month for the calendar year one thousand nine hundred and forty-one, or more than ten dollars ($10.00) per worker, per month for the calendar year one thousand nine hundred and forty-two.

Proviso.

Section amended.

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

C. 44:8-103. Transportation for workers.

17. In each of the calendar years one thousand nine hundred and forty-one and one thousand nine hundred and forty-two, the director is authorized to pay to each municipality incurring transportation costs in furnishing transportation to W.P.A. workers on projects more than five miles from the corporate limits of such municipality, an amount to be determined by multiplying the transportation

costs incurred by such municipality in furnishing transportation to W.P.A. workers on projects more than five miles from the corporate limits of such municipality by the same percentage under which payment of the relief load is made to such municipality for that year under section twelve of this act; *provided, however,* that in no case shall said transportation costs incurred by such municipality be computed at more than two cents ($0.02) per mile per person. Proviso.

3. This act shall take effect immediately.

Approved December 17, 1941.

CHAPTER 376

AN ACT to amend an act entitled "An act creating the New Jersey Defense Council and defining its powers and duties," approved twenty-first day of December, one thousand nine hundred and forty.

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

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

1. There is hereby created the New Jersey Defense Council, which shall be composed of the following State officers: C. App.A:9-1. Composition of defense council.

State Budget Commissioner
Attorney-General
State Treasurer
State Comptroller
State Highway Commissioner
State Commissioner of Alcoholic Beverage Control
Commissioner of Labor

Superintendent of State Police
Engineer, State Water Policy Commission
Commissioner of Institutions and Agencies
Secretary, State Board of Agriculture
Commissioner of Education
Secretary to the Governor
Commanding General, National Guard
Adjutant-General
Quartermaster General
Commissioner of Motor Vehicles
Director of Aviation
State Purchase Commissioner
Director, Department of Commerce and Navigation
Director, New Jersey Council
Chief Examiner and Secretary, Civil Service Commission
Commissioner of Local Government
A Member of State Housing Authority designated by the Governor
General Solicitor, State Highway Department
Director, Department of Health

Tenure. The above-mentioned officials shall be members of the New Jersey Defense Council by virtue of the above-designated offices, and membership on the New Jersey Defense Council of such officers shall not extend beyond the term fixed for such office.

Civilian appointees. In addition to the said officers, the Governor may appoint from among the citizens of the State of New Jersey additional members not exceeding ten in number who shall hold no other State office and

Continuance. who shall continue as members of the New Jersey Defense Council at the pleasure of the Governor.

2. This act shall take effect immediately.

Approved December 17, 1941.

CHAPTER 377

AN ACT making appropriation of twenty-six thousand, five hundred eighty-one dollars and fifty-three cents ($26,581.53) to the State Highway Commissioner for the purpose of paying subcontractors for work done on the construction of the State highway bridge over the Shark river, in Monmouth county, Route No. 4 (1917).

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

Paying subcontractors.

1. The sum of twenty-six thousand, five hundred eighty-one dollars and fifty-three cents ($26,581.53), or so much thereof as may be necessary, is hereby appropriated to the State Highway Commissioner for the purpose of paying bills of subcontractors for work done on the construction of the State highway bridge over the Shark river, in Monmouth county.

Approval of bills.

2. No bill shall be paid unless approved by the State Highway Commissioner, and when so approved, shall be paid by the State Treasurer out of the highway fund.

Proportion payments.

In making the above appropriation it is understood that no subcontractor will be paid in full, but that a proportionate sum on all balances due such subcontractors will be paid in the discretion of the State Highway Commissioner.

3. This act shall take effect immediately.

Approved December 20, 1941.

CHAPTER 378

AN ACT concerning elections, and amending section 19:31–1.1 of the Revised Statutes.

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

Section amended.

1. Section 19:31–1.1 of the Revised Statutes is amended to read as follows:

Permanent registration of voters.

19:31–1.1. After July first, one thousand nine hundred and forty-three, no person shall be permitted to vote at any election in any municipality of this State unless such person shall be permanently registered, as provided by law, and at every election held in a municipality where permanent registration is not now in effect every voter before voting shall register permanently, after the effective date of this act, in the manner provided in chapter thirty-one of Title 19 of the Revised Statutes.

Provision for registering.

The commissioner having supervision of permanent registration in municipalities not now having permanent registration may make provisions to permanently register eligible voters immediately upon the passage of this act in accordance with the provisions of Revised Statutes 19:31–6 and Revised Statutes 19:31–7; *provided, further,* that at least three extra registration days for the registration of voters in such municipalities shall be provided in each of the years one thousand nine hundred and forty-one and one thousand nine hundred and forty-two, by the commissioner in such municipalities, on which days a general registration of all eligible voters shall be held at each polling place in each election district of each such municipality, or, during the year one thousand nine hundred and forty-one, at the city hall or other public place in each municipality, whichever method the commissioner shall decide to be best suited for the purpose, during such hours as the commissioner shall deter-

Proviso.

Extra registration days.

Place of registration.

mine; and during the year one thousand nine hundred and forty-two two registration days shall be held at the city hall or other public place in each such municipality, whichever method the commissioner shall decide to be best suited for the purpose during such hours as the commissioner shall determine; and the third registration day shall be held on general election day at each polling place in each district in each such municipality. Public notice of the method intended to be pursued by the commissioner, setting forth the dates and place or places where such registration shall take place, shall be published at least two entire days before the time set for the first day of such registration, in two or more newspapers published within the county, at least one of which shall be a daily newspaper circulating in the municipality affected.

Public notice given.

2. This act shall take effect immediately.

Approved December 20, 1941.

CHAPTER 379

AN ACT to supplement the criminal procedure of this State by providing for the issuance of a summons in lieu of a warrant of arrest in certain cases, and supplementing subtitle fourteen of Title 2 of the Revised Statutes.

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

1. Whenever a penal or criminal complaint is taken by any officer so authorized, or an indictment is found, a summons, instead of a warrant for arrest, may be issued for any corporation defendant named therein and for any individual defendant so named, unless the authority about to issue such summons shall have reasonable grounds to believe that the individual defendant so named will not appear upon such summons, in which case a warrant of arrest shall be issued.

C. 2:186A-1. When summons issued.

Issuing warrant.

C. 2:186A-2. What summons to show.

2. Such summons shall set forth substantially the nature of the offense and shall command the person named therein to appear at the time and place stated therein under penalty of being considered in contempt of court and punishable by a fine of not more than fifty dollars ($50.00).

C. 2:186A-3. Warrant issued.

3. If, after issuing the summons, the authority issuing the same becomes satisfied that the person summoned will not appear as so commanded, a warrant of arrest may be immediately issued.

C. 2:186A-4. Serving summons.

4. Such summons may be served in the same manner as a summons in a civil action.

C. 2:186A-5. Action in case of corporation.

5. If, after being summoned, a corporation defendant does not appear, the said corporation shall be considered as in court, and as appearing to said indictment or allegation; and the court shall order the clerk to enter an appearance for said corporation and endorse the plea of not guilty on said indictment or allegation, and further proceedings may then be had thereon, in the same manner as if the said corporation had appeared and pleaded not guilty thereto.

6. This act shall take effect immediately.

Approved December 20, 1941.

CHAPTER 380

AN ACT validating the sale of certain lands, tenements, hereditaments or real estate made under any decree in the Court of Chancery.

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

Use of surname.

1. No sale of any lands, tenements, hereditaments or real estate made by virtue of any suit heretofore commenced in the Court of Chancery shall be invalidated or impaired by reason of having failed to have designated the husband of a married woman by the surname of said married

woman; *provided, however,* the said husband was named in the said action by his wife's Christian and surname with "Mr." prefixed thereto, and that any and all proceedings had or taken in any suit against any person or persons who shall have been made a party or parties as herein provided shall be valid, binding and conclusive in all respects as it would have been had such person or persons been made a party by his or their own proper names. Proviso. Validity of proceedings.

2. This act shall take effect immediately.

Approved December 20, 1941.

CHAPTER 381

AN ACT concerning the securing to mechanics and others, payment for their labor and material in erecting any building, and supplementing article ten of chapter sixty of Title 2 of the Revised Statutes.

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

Title 2, chapter sixty, is hereby supplemented as follows: Supplementary.

1. When a "Stop Notice" has been filed pursuant to section 2:60–116 of this Title and the claim for which the "Stop Notice" was filed has been paid, satisfied or settled by the parties, the party filing such notice shall file, with the proper county clerk, a certificate duly acknowledged or proved, which shall contain: C. 2:60-128.1. Notice to be filed:

(a) The name of the owner of the land named in the notice; Owner;

(b) The name of the person by or on whose behalf the notice was filed; Name of filer;

Location; (c) The location of the property;

File number; (d) The file number of the county clerk's office indorsed upon each notice filed under authority of section 2:60–116 of this Title;

Date; (e) The date of filing the notice; and

Consideration. (f) The sum of money or other consideration paid in discharge of the claim.

C. 2:60-128.2. Discharge of stop notice.

2. The certificate shall also direct the proper county clerk to discharge the "Stop Notice" of record.

C. 2:60-128.3. Court may order discharge of stop notice.

3. If the claimant shall fail or refuse to file such certificate, then upon application by any proper party in interest, the circuit court of the proper county, upon five days written notice to the claimant, said notice to be served upon him in the same manner as provided by sections 2:60–117 and 2:60–118 of the Revised Statutes, or upon satisfactory proof that the claimant has been paid, or that he cannot be found within the State, may, upon good cause being shown, order the "Stop Notice" discharged.

C. 2:60-128.4. In case claimant not found.

4. The court, when the claimant cannot be found within the State, shall order the money claimed in the "Stop Notice" to be deposited in trust with the proper county clerk, to be claimed within six years. In case the sum so deposited with the proper county clerk shall not be claimed within six years from the date it is so deposited with the proper county clerk, the county clerk shall repay the funds so deposited to the original depositor, after deducting his service charge as provided by sections 22:2–17.5 and 40:38–10 of the Revised Statutes.

C. 2:60-128.5. Court record.

5. The county clerk shall thereupon attach the certificate or order to the original "Stop Notice" on file and shall note on the record thereof "discharged by certificate" or "discharged by court order," as the case may be, and for so doing he shall be entitled to the fee prescribed by section 22:2–19 of the Title Fees and Costs, for each "Stop Notice" discharged by certificate or order, filed and noted.

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

7. This act shall take effect immediately.

Approved December 20, 1941.

CHAPTER 382

AN ACT concerning the administration of decedent's estates, and supplementing chapter seven of Title 3 of the Revised Statutes.

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

1. Where the total value of the real and personal assets of the estate of an intestate shall not exceed one hundred dollars ($100.00), and the intestate leaves no surviving spouse, such one of the next of kin as shall have obtained the consent in writing of the remaining next of kin, if any, and shall have executed before the surrogate of the county where the intestate resided at his death, or, if then non-resident in this State, where any of the personal assets are located, an affidavit setting forth the residence of the intestate at his death, and the names, residences and relationships of all the next of kin and specifying the value, nature and location of the real and personal assets, shall be entitled to receive the personal assets of the intestate for the use and benefit of all the next of kin and creditors without administration or entering into a bond, and shall have all the rights, powers and duties of an administrator duly appointed for the estate and as such, may be sued and required to account in any court which shall have the same jurisdiction over him as over an administrator of the estate appointed by the surrogate. The consent shall be C. 3:7-8.1. Procedure in intestacy. Beneficiaries. Consent.

filed, and the affidavit filed and recorded, in the office of the surrogate.

C. 3:7-8.2. Discharge of claims.

2. Any bank, building and loan association, or other corporation or any person, association or society, who pays or delivers any personal assets of the intestate to such one of the next of kin aforesaid upon the receipt of a copy of the affidavit marked a true copy by the surrogate, or otherwise acts upon the receipt of the same, shall be forever discharged from all claims by any administrator of the intestate who may be appointed or by any other person, as to the assets so paid or delivered or as to such acts; and this notwithstanding that it may thereafter transpire that the intestate did in fact leave an estate exceeding one hundred dollars ($100.00) or leave a surviving spouse or next of kin not consenting or that the allegations of the affidavit are erroneous.

3. This act shall take effect immediately.

Approved December 20, 1941.

CHAPTER 383

AN ACT making an additional appropriation to the Department of Labor for the purpose of carrying into effect the provisions of article two of chapter eleven of Title 34 of the Revised Statutes, known as the "New Jersey Minimum Wage Law," for the fiscal year ending June thirtieth, one thousand nine hundred and forty-two.

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

Appropriation to labor department.

1. For the purpose of carrying into effect the provisions of article two of chapter eleven of Title 34, of the Revised Statutes, also known as the "New Jersey Minimum Wage Law," the sum of

twenty-five thousand dollars ($25,000.00) is hereby appropriated to the Department of Labor, for disbursement and expenditure for said purposes by the Department of Labor during the fiscal year ending June thirtieth, one thousand nine hundred and forty-two, which said sum shall be in addition to any other sum now or hereafter appropriated by law for said purposes for the use of the Department of Labor for the said fiscal year.

2. This act shall take effect immediately.

Approved December 20, 1941.

CHAPTER 384

AN ACT making an appropriation of ten thousand dollars ($10,000.00) to the Commission on Historic Sites for the acquisition and maintenance of the birthplace of Captain James Lawrence, Burlington, New Jersey.

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

Appropriation to historic sites commission.

1. There is appropriated to the Historic Sites Commission for the acquisition and maintenance of the birthplace of Captain James Lawrence, Burlington, New Jersey, the sum of ten thousand dollars ($10,000.00).

Use of money.

2. The money hereby appropriated may be used in conjunction with any other grants, whether of a State, Federal or private nature, for the acquisition and maintenance of said property, all pursuant to Title 28, chapter one, of the Revised Statutes.

3. This act shall take effect immediately.

Filed December 22, 1941.

CHAPTER 385

AN ACT defining the term "employment" as used in the unemployment compensation law, being chapter twenty-one of Title 43 of the Revised Statutes, and amending section 43:21–19 of the Revised Statutes, as amended by chapter ninety-four, pamphlet laws of one thousand nine hundred and thirty-nine, and chapter two hundred and forty-seven, pamphlet laws of one thousand nine hundred and forty.

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

Section amended.

1. Section 43:21–19 of the Revised Statutes is amended to read as follows:

Definitions:

43:21–19. As used in this chapter, unless the context clearly requires otherwise:

Annual payroll;

(a) (1) "Annual payroll" means the total amount of wages payable by an employer (regardless of the time of payment) for employment during a calendar year.

Average annual payroll;

(2) "Average annual payroll" means the average of the annual payrolls of any employer for the last three or five preceding calendar years, whichever average is higher.

Benefits;

(b) "Benefits" means the money payments payable to an individual, as provided in this chapter, with respect to his unemployment.

Base year;

(c) The term "base year" means the first four of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year.

Benefit year;

(d) "Benefit year" with respect to any individual means the fifty-two consecutive week periods 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; *provided,* that no succeeding benefit year shall commence before the expiration of one full year from and after the first day of the preceding benefit year. Any claim for benefits made in accordance with subsection (a) of section 43:21–6 of this Title shall be deemed to be a "valid claim" for the purpose of this subsection if the individual has fulfilled the condition imposed by subsection (e) of section 43:21–4 of this Title.

Proviso.

Valid claim;

(e) "Commission" means the Unemployment Compensation Commission established by section 43:21–10 of this Title, and for purposes of this chapter any transaction or exercise of authority by the executive director shall be deemed to be performed by the commission.

Commission;

(f) "Contributions" means the money payments to the State unemployment compensation fund required by this chapter.

Contributions;

(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

Employing unit;

Single unit.

Subcontracting.

Liability for contribution.

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.

Recovery.

When deemed employment.

Proviso.

Employer:

(h) "Employer" means:

Part time;

(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, eight or more individuals (irrespective of whether the same individuals are or were employed in each such day);

Acquires other business;

(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; Single unit;

(4) Any employing unit which together with one or more other employing units, is owned or controlled (by legally enforcible means or otherwise), directly or indirectly by the same interests, or which owns or controls one or more other employing units (by legally enforcible means or otherwise), and which, if treated as a single unit with such other employing unit or interests, would be an employer under paragraph (1) of this subsection; Control;

(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 Certain paragraphs applicable;

(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. Effective period.

(i) (1) "Employment" means service, including service in interstate commerce performed for remuneration or under any contract of hire, written or oral, expressed or implied. Employment:

(2) The term "employment" shall include an individual's entire service, performed within or both within and without this State if: Entire service;

(A) The service is localized in this State; or State;

(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 Various places;

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.

Subject to this act;

(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.

Other services;

(4) Services not covered under paragraph (2) of this subsection, and performed entirely without this State, with respect to no part of which contributions are required and paid under an unemployment compensation law of any other State or of the Federal Government, shall be deemed to be employment subject to this chapter if the individual performing such services is a resident of this State and the commission approves the election of the employing unit for whom such services are performed that the entire service of such individual shall be deemed to be employment subject to this chapter; *provided,* written objections on the part of a substantial proportion of such individuals affected are not presented to the commission within ten days following the filing of such election.

Proviso.

Localized service;

(5) Service shall be deemed to be localized within a State if

In state;

(A) the service is performed entirely within such State; or

Varied;

(B) the service is performed both within and without such State, but the service performed without such State is incidental to the individual's service within the State, for example, is temporary or transitory in nature or consists of isolated transactions.

(6) Services performed by an individual for remuneration shall be deemed to be employment subject to this chapter unless and until it is shown to the satisfaction of the commission that Subject to this act;

(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 Independent;

(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 Outside service;

(C) such individual is customarily engaged in an independently established trade, occupation, profession or business. Customary business;

(7) The term "employment" shall not include: Exceptions;

(A) Agricultural labor; Farming;

(B) Domestic service in a private home; Domestic;

(C) Service performed as an officer or member of the crew of a vessel on the navigable waters of the United States; Mariners;

(D) 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; Family;

(E) 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; Political;

(F) 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; Service elsewhere;

(G) Services performed in the employ of a corporation, community chest, fund, or founda- Varied employment;

tion, 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;

Fraternal;

(H) 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;

Building and loan, etc.;

(I) 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;

Service under R. R.;

(J) 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).

Insurance.

(K) Service performed by agents of insurance companies, exclusive of industrial life insurance agents, or by agents of investment companies, who are compensated wholly on a commission basis.

Employment office.

(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. Fund.

(l) "State" includes, in addition to the States of the United States of America, Alaska, Hawaii, and the District of Columbia. State.

(m) Unemployment. Unemployment:

(1) An individual shall be deemed "unemployed" for any week during which he is not engaged in full-time work and with respect to which his remuneration is less than his weekly benefit rate. Part time;

(2) The term remuneration, as used in this subsection, shall include only that part of the same which exceeds three dollars ($3.00) for any one (1) week. Remuneration;

(3) An individual's week of unemployment shall be deemed to commence only after his registration at an employment office, except as the commission may by regulation otherwise prescribe. Beginning.

(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. Administration fund.

(o) "Wages" means remuneration payable by employers for employment. Wages.

(p) "Remuneration" means all compensation payable for personal services, including commissions and bonuses and the cash value of all compensation payable in any medium other than cash. Remuneration.

(q) "Week" means such period or periods of seven consecutive calendar days ending at midnight, as the commission may by regulation prescribe. Week.

(r) "Calendar quarter" means the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth, or Calendar quarter.

December thirty-first, excluding, however, any calendar quarter or portion thereof which occurs prior to January first, one thousand nine hundred and thirty-seven, or the equivalent thereof as the commission may by regulation prescribe.

Investment company.

(s) "Investment company" means any company as defined in paragraph 1.a of chapter three hundred twenty-two of the laws of one thousand nine hundred and thirty-eight, entitled "An act concerning investment companies, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled 'investment companies'."

Act effective.

2. This act shall take effect July first, one thousand nine hundred and forty-one.

Filed December 23, 1941.

CHAPTER 386

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:*

Records available to federal authorities.

1. All the records and facilities of the Employment Service Division of the New Jersey Unemployment Compensation Commission are hereby made available to such department of the Federal Government constituted or designated for that purpose by any Act of Congress or by order or proclamation of the President of the United States; and

Jurisdiction of personnel.

when such records and facilities are made available to said Federal Government the personnel of said Division shall be under the absolute jurisdiction and control of such department, bureau or agency of the Federal Government constituted or

Cost of operation devolves on federal government.

designated for that purpose. When the records, facilities and personnel shall be taken over by the

Federal Government, pursuant to the provisions of this act, the entire cost of administering the operations of said division shall devolve upon and be payable by the Federal Government.

2. This act shall take effect on the first day of January, in the year one thousand nine hundred and forty-two, and shall continue in force only during the present emergency, or until the Legislature shall otherwise ordain. Act effective.

Approved December 23, 1941.

CHAPTER 387

AN ACT to amend "An act relating to taxation of railroads, and repealing chapters nineteen through twenty-nine, inclusive, of Title 54 of the Revised Statutes, chapter ninety-one of the laws of one thousand eight hundred and eighty-five, chapter two hundred seventy-five of the laws of one thousand eight hundred and eighty-six, chapter three hundred thirty-three of the laws of one thousand nine hundred and twenty-one, and chapter four hundred twenty-three of the laws of one thousand nine hundred and thirty-three," approved July twenty-second, one thousand nine hundred and forty-one (P. L. 1941, c. 291), and amendments thereto.

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

1. Section forty-six of the act of which this act is amendatory is amended to read as follows: C. 54:29A-46.

46. Payments; due dates. The full amount of franchise tax assessed by the commissioner for the year one thousand nine hundred and forty-one shall When franchise tax payable.

accrue and be due and delinquent on February second, one thousand nine hundred and forty-two, and the full amount of franchise tax assessed by the commissioner in each year thereafter shall be due and delinquent on December first in each such year.

Due date of property tax.

On December first in each year, the full amount of property tax payable under this act shall be due and delinquent.

Payments.

All payments shall be made to the State Treasurer.

2. This act shall take effect immediately.

Approved December 23, 1941.

CHAPTER 388

AN ACT concerning the establishment and administration of unemployment compensation, providing for the levy and collection of contributions therefor, providing penalties and making appropriations, 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:

Contributions payable.

43:21–7. (a) Payment. (1) On and after December first, one thousand nine hundred and thirty-six, contributions shall accrue and become payable by each employer for each calendar year in which he is subject to this chapter, with respect to wages payable for employment (as defined in subsection (i) of section 43:21–19 of this Title) occurring during such calendar year, except that for the month of December, one thousand nine hundred and thirty-six, such contributions shall accrue and become

payable with respect to wages payable for employment during the month of December, one thousand nine hundred and thirty-six. Such contributions shall become due and be paid by each employer to the commission 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.

Payments by employer.

No deductions from wages.

(2) In the payment of any contributions, a fractional part of a cent shall be disregarded unless it amounts to one-half cent ($0.00½) or more, in which case it shall be increased to one cent ($0.01).

Fractional cents.

(b) Rate of contribution. Each employer shall pay contributions equal to the following percentages of wages payable by him with respect to employment (*provided, however,* that if the Federal Social Security Act be at any time amended to permit such construction thereof by the Federal Social Security Act or by this chapter, the term "wages" as used in this subsection (b) and in subsection (c), below, shall, from and after the date when such amendment to the Federal Social Security Act shall become effective, mean all remuneration for employment except that part of such remuneration in excess of three thousand dollars ($3,000.00) thereof paid by any employer to any employee with respect to employment during any calendar year):

Rate of contribution.

Proviso.

Wages.

(1) Ten and eight-tenths per centum (10 8/10%) with respect to employment during the month of December, one thousand nine hundred and thirty-six; *provided,* that if the total of such contributions at such ten and eight-tenths per centum (10 8/10%) rate equals less than nine-tenths of one per centum (9/10 of 1%) of the annual payroll of any employer for the calendar year one thousand nine hundred and thirty-six, such employer shall pay, not later than January twenty-fifth, one thousand nine hundred and thirty-seven, an additional lump-sum contribution with respect to employment for such one month's period beginning December first, one thousand nine hundred and thirty-six, equal to the difference between nine-tenths of one per centum

December portion.

Proviso.

(9/10 of 1%) of his annual payroll of the calendar year one thousand nine hundred and thirty-six and the total of his contributions at such ten and eight-tenths per centum (10 8/10%) for such one month's period beginning December first, one thousand nine hundred and thirty-six; *and provided, further,* that the total of such contributions with respect to employment for such one month's period beginning December first, one thousand nine hundred and thirty-six, shall not exceed nine-tenths of one per centum (9/10 of 1%) of such employer's annual payroll for the calendar year one thousand nine hundred and thirty-six; *provided, further,* that if the Federal Social Security Act be amended or an extension thereunder be granted to permit payment of the tax on payrolls provided in section nine hundred one (1), at a date later than January thirty-first, one thousand nine hundred and thirty-seven, the commission may, by regulation, postpone to a later date the required payment of contributions as provided in this subsection.

Proviso.

Proviso.

Yearly payment, 1937.

(2) One and eight-tenths per centum (1 8/10%) with respect to employment during the calendar year one thousand nine hundred and thirty-seven;

Yearly payment, 1938 to 1941.

(3) Two and seven-tenths per centum (2 7/10%) with respect to employment during the calendar years one thousand nine hundred and thirty-eight, one thousand nine hundred and thirty-nine, one thousand nine hundred and forty and one thousand nine hundred and forty-one; and

Future percentage:

(4) With respect to employment after December thirty-first, one thousand nine hundred and forty-one, the percentage determined pursuant to subsection (c) of this section.

Separate accounts kept;

(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 shall be construed to grant any employer or indi-

No preferences.

viduals 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 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.

Dealing with benefits of preceding year.

(2) The commission 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.

Joint accounts.

(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 less 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.

Employer's rate.

(4) Each employer's rate for the twelve months commencing January 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:

Basis of determination.

(A) One and eight-tenths per centum (1 8/10%), if such excess equals or exceeds seven and one-half per centum (7½%), but is

less than ten per centum (10%) of his average annual payroll (as defined in paragraph (2), subsection (a) of section 43:21–19 of this Title);

(B) Nine-tenths of one per centum (9/10 of 1%), if such excess equals or exceeds ten per centum (10%) 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 and 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 and six-tenths per centum (3 6/10%).

Minimum rate.

(5) No employer's rate for the period of twelve months commencing January first of any calendar year shall be less than two and seven-tenths per centum (2 7/10%), unless the total assets of the fund, excluding contributions not yet paid at the beginning of such calendar year, exceed the total benefits paid from the fund within the last preceding calendar year; and no employer's rate shall be less than one and eight-tenths per centum (1 8/10%) unless such assets at such time were at least twice the total benefits paid from the fund within such last preceding year.

Contributions by workers.

(d) Contribution by workers. (1) 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 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. 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

Contributions held in trust.

workers as the commission may prescribe, and shall transmit all such contributions, in addition to his own contributions, to the office of the commission 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, except when the context clearly requires otherwise, the term "contributions" shall include the contributions of workers pursuant to this section; the term wages as used in this subsection (d) means all remuneration for employment, except that such term shall not include that part of such remuneration in excess of the first three thousand dollars ($3,000.00) thereof paid by any employer to any employee with respect to employment during any calendar year.

All contributions transmitted to commissioner.

Liability of employer.

"Contributions" defined.

(2) If an individual does not receive any wages from the employing unit which for the purposes of this chapter 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.

Employer's liability.

Proviso.

Recovery of contributions.

Notice of relationship.

(3) Every employer who has elected to become an employer subject to this chapter or to cease to be an employer subject to this chapter, 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 executive director may determine to be necessary to give notice thereof to persons in his service.

Exemptions.

(4) Contributions by workers, payable to the commission as herein provided, shall be exempt from garnishment, attachment, execution, or any other remedy for the collection of debts.

2. This act shall take effect immediately.

Approved December 23, 1941.

CHAPTER 389

AN ACT to provide for recording in the office of the county clerk or register of deeds and mortgages of any county, as the case may be, of certified copies of petitions and decrees of adjudication in bankruptcy, and orders approving bonds of trustees of bankrupts, and certified copies of arrangements or the wage-earner plans and orders of the bankruptcy court confirming the same.

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

C. 46:16-4.1. Procedure in bankruptcy recorded.

1. There may be recorded in the office of the county clerk or register of deeds and mortgages of any county, as the case may be, a certified copy under the seal of any court of bankruptcy of the United States of any petition in bankruptcy with the schedules omitted, decree of adjudication in bankruptcy, or order approving the bond of the trustee of a bankrupt, and any such certified copy of petition, decree of adjudication or order approving

the bond of the trustee, when so recorded shall be constructive notice to any purchaser, mortgagee or lienor of real estate of the bankrupt in such county of such petition, adjudication or appointment of trustee and of the pendency of proceedings against said bankrupt in said bankruptcy court. Any such certified copy shall be recorded in a book called "deeds," as provided by section 46:19–1 of the Revised Statutes, and shall be indexed by the name of the bankrupt under "grantors" and by the name of the trustee in bankruptcy under "grantees."

Effect.

Recording and indexing.

2. There may be recorded as provided in paragraph one a certified copy under the seal of any district court of the United States a copy of documents filed in any district court of the United States in any proceedings for the reorganization of a railroad under section seventy-seven of chapter eight of the acts of Congress relating to bankruptcy, and any such certified copy of such document when so recorded shall be constructive notice to any purchaser mortgagee, or lienor of real estate of the debtor in reorganization, in such county, of the contents of such document; and such documents shall be indexed by the name of the debtor in reorganization under "grantors" and by the name of the trustee in reorganization under said section seventy-seven under "grantees."

C. 46:16-4.2. Copy of certain documents pertaining to reorganization of railroads.

Effect.

Indexing.

3. A certified copy of an arrangement or wage-earner plan and of the order of the bankruptcy court confirming the same may be recorded in the office of the county clerk or register of deeds and mortgages of any county, as the case may be, and shall impart the same notice that an instrument of transfer from the trustee in bankruptcy to the debtor or such other person if recorded would impart. Any such certified copy shall be recorded in a book called "deeds," and shall be indexed by the name of the debtor or such other person under "grantees" and by the name of the trustee in bankruptcy under "grantors."

C. 46:16-4.3. Certain arrangements and plans recorded.

Recording and indexing.

4. This act shall take effect immediately.

Approved December 23, 1941.

CHAPTER 390

AN ACT to authorize the granting by the Board of Public Utility Commissioners of temporary autobus permits, to enable the furnishing of bus transportation to industries engaged in National Defense work, when such industries are located off existing bus routes, and supplementing article two, chapter four, of Title 48 of the Revised Statutes.

Preamble. WHEREAS, The Legislature is aware of the growing problems with respect to transportation to and from industries engaged in or affiliated with the National Defense, and

Preamble. WHEREAS, It is deemed advisable to permit the more flexible handling of such transportation as is presently within the jurisdiction of the Board of Public Utility Commissioners; therefore,

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

Extension of bus permit. 1. Any autobus owner operating under one or more municipal consents approved by the Board of Public Utility Commissioners or any company operating vehicles described in section 48:15–41 of the Revised Statutes, desiring to furnish transportation to industries engaged in the manufacture of products for National Defense or engaged in the production of any material to be used in connection with any contract with the Government of the United States for supplies incident to the National Defense, may petition the Board of Public Utility Commissioners for a temporary permit to furnish transportation from the route covered by such consents to any such industry located off the regularly approved route of such operator.

Temporary permit issued.

2. If the Board of Public Utility Commissioners, after hearing upon notice, is satisfied that such applicant operator should be granted a permit incidental to the municipal consent or consents or rights to operate vehicles described in section 48:15–41 of the Revised Statutes held by such applicant operator for the purpose of furnishing expeditious transportation to such industries located off the route, the said Board of Public Utility Commissioners may issue a temporary permit describing the route to be operated off the regularly approved route. In granting such temporary permit the board may impose such conditions as it may now impose in approving the grant of any municipal consent, *provided, however,* that it shall appear to the satisfaction of said Board of Public Utility Commissioners that the granting of such temporary permit will not prejudicially affect service to the public generally along the regular route of such applicant.

Conditions.

Proviso.

Revocation of permit.

3. Any such temporary permit may be revoked by the board granting the same after notice and hearing whenever it shall appear that the holder thereof has failed to comply with any law of this State or any lawful regulation imposed by the board in the granting of such permit or when the need for such off-route operation has ceased.

Property right not given.

4. Any temporary permit granted under this act shall not create a right of property of any kind but shall operate merely as a license.

Period of effectiveness.

5. This act and all temporary permits granted hereunder shall only remain in force for one year from the date when the act becomes effective.

6. This act shall take effect immediately.

Approved December 23, 1941.

CHAPTER 391

AN ACT providing for the defense of legal proceedings challenging the validity of "An act relating to the collection of certain delinquent taxes upon railroad companies," approved July twenty-second, one thousand nine hundred and forty-one (P. L. 1941, c. 290), and making an appropriation therefor.

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

State treasurer as defendant in certain proceedings.

1. The State Treasurer is hereby authorized and directed to defend the proceedings now pending in the Court of Chancery, entitled "Between David T. Wilentz, Attorney-General of New Jersey, Informant, and William H. Albright, State Treasurer, Defendant," both in said court and in any other courts before which said proceedings may come by appeal or otherwise, and his action heretofore taken in the defense of said proceedings is hereby ratified and confirmed.

Counsel

2. The State Treasurer is hereby authorized to employ counsel other than and independent of the Attorney-General to advise and represent him in said proceedings, and his action in heretofore employing such counsel and associate counsel for that purpose is hereby ratified and confirmed.

Appropriation.

3. For the purpose of carrying out the provisions of this act, and to pay the compensation of such counsel and other expenses incident to the litigation, there is hereby appropriated from such moneys as may be available, the sum of fifty thousand dollars ($50,000.00), or so much thereof as may be necessary. The compensation of such counsel and the other expenses incident to such litigation shall be fixed and approved by the State Treasurer and shall be paid by the State Treasurer upon war-

Compensation and payments.

rant of the Comptroller of the Treasury and vouchers approved by the State Treasurer.

4. This act shall take effect immediately.

Approved December 23, 1941.

CHAPTER 392

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 forty-two, and regulating the disbursement thereof," approved May seventeenth, one thousand nine hundred and forty-one.

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

1. D 8. Department of health.

Appropriation to health department.

To the department of health for the purpose of conducting bacteriological examinations, for the purchase of laboratory supplies and for the enforcement of the several statutes relating to premarital and prenatal examinations, there is hereby appropriated the sum of ten thousand dollars ($10,000.00).

Expenditures how made.

2. The appropriation herein authorized shall be expended in the same manner and subject to the same conditions and regulations as are contained in the act to which this act is a supplement.

3. This act shall take effect immediately.

Approved December 23, 1941.

CHAPTER 393

AN ACT directing the Governor to assist the Government of the United States in the present crisis and authorizing him to provide for the public safety.

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

C. App. A:9-30. Support of federal government by State.

1. The Governor is hereby directed to render to the Government of the United States, in the present crisis, and to provide for the public safety, any assistance within the power of the State, and to that end he is authorized to organize and employ any and all resources within the State, whether of men, properties or instrumentalities, and to exercise any and all power convenient or necessary in his judgment to render such assistance.

C. App. A:9-31. Assistance by public officials.

2. It shall be the duty of every public official in that State to furnish the Governor whatever information and assistance he may require in the execution of this act.

C. App. A:9-32.

3. This act shall take effect immediately.

Approved December 23, 1941.

CHAPTER 394

AN ACT concerning the Department of State Police and making an appropriation therefor.

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

Additional members of State police.

1. There shall be appointed to the Department of State Police one hundred additional members who shall have the powers and perform the duties of members of the said department. Such new members may be added to such troops or be assigned to such duty as the Superintendent of State Police, in his discretion, shall determine.

Action by superintendent.

2. The Superintendent of State Police, with the consent and approval of the Governor, may increase the present commissioned and noncommissioned officer personnel, from his present force, as he deems necessary to adequately command the additional members provided for herein.

Appointments temporary.

3. All appointments and promotions provided for by this act shall be temporary and for the duration of the present defense emergency only and any or all of such appointments and promotions may be terminated upon the order in writing of the Governor.

Appropriation.

4. There is hereby appropriated to the Department of State Police the sum of two hundred six thousand two hundred sixty-six dollars ($206,266.00) or so much thereof as may be necessary, for the purpose of carrying into effect the provisions of this act.

5. This act shall take effect immediately.

Approved December 23, 1941.

CHAPTER 395

AN ACT to amend "An act in relation to the appointment of certain subordinates under the control of boards of assessment and revision of taxes in the cities of this State, abolishing the office of assistant, ward or deputy assessor, and regulating the time and manner of making assessments," approved May sixteenth, one thousand eight hundred and eighty-nine (P. L. 1889, c. 296).

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

C. 40:171-71 Section amended.

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

Additional assistants.

2. In such city there shall be, from time to time, appointed by said board such clerks or assistants for such department or board as the exigencies of the service may require, but in no case shall the number be greater than forty-five.

2. This act shall take effect immediately

Approved December 23, 1941.

CHAPTER 396

AN ACT concerning the regulation and registration of power vessels, and supplementing Title 12, chapter seven, of the Revised Statutes of New Jersey.

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

C. 12:7-16.1. Vessels registered.

1. The owner of any power vessel operating upon waters within the State of New Jersey shall register said vessel with the State Board of Commerce

and Navigation upon forms to be supplied by the said Board of Commerce and Navigation.

C. 12:7-16.2. Information confidential.

2. The information supplied by such registrant to the Board of Commerce and Navigation shall be confidential and not open to the general public. This information, however, shall be made available to the New Jersey Defense Council and all other regularly constituted Federal defense agencies.

C. 12:7-16.3. Penalty.

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 an action of debt in any court of competent jurisdiction, to be sued for and recovered by the Board of Commerce and Navigation, which penalty shall be for the use of the State.

4. This act shall take effect immediately.

Approved December 23, 1941.

CHAPTER 397

AN ACT concerning the assessment and collection of taxes, and supplementing chapter four of Title 54 of the Revised Statutes.

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

C. 54:4-63.1. Completed.

1. As used in this act "completed" shall mean substantially ready for the use for which it was intended.

C. 54:4-63.2. Added assessment.

2. When any parcel of real property contains any building or other structure which has been erected, added to or improved after October first and completed before January first following, the assessor shall, after examination and inquiry, determine the full and fair value of such parcel of real property as of said January first, and if such value so determined exceeds the assessment made as of October first preceding, the assessor shall enter the

amount of such excess, as an added assessment against such parcel of real property, in a list to be known as the "Added Assessment List, 19" (inserting the name of the year in which the assessment is made); such entry to be made opposite the name of the owner and the description and area of the parcel of real property.

C. 54:4-63.3. Ascertaining assessment.

3. When any parcel of real property contains any building or other structure which has been erected, added to or improved after October first and completed between January first and October first following, the assessor shall, after examination and inquiry, determine the full and fair value of such parcel of real property as of the first of the month following the date of its completion, and if such value so determined exceeds the assessment made as of October first preceding, the assessor shall enter an assessment, as an added assessment against such parcel of real property, in the "Added Assessment List, 19," which assessment shall be determined as follows: by multiplying the amount of such excess by the number of whole months remaining in the calendar year after the date of completion and dividing the result by twelve.

C. 54:4-63.4. Prescribed form.

4. In listing the names and properties in the added assessment list the assessor shall follow such forms and methods as may be prescribed by the State Tax Commissioner.

C. 54:4-63.5. Added assessment filed with county board.

5. On October first following the assessor shall file the added assessment list and a true copy thereof, to be called the assessor's added assessment duplicate, with the county board of taxation.

Certified copy given collectors.

The county board of taxation shall meet for the purpose of examining, revising and correcting the added assessment list and duplicates, and on or before October tenth in each year cause the corrected, revised and completed duplicates, certified by it to be a true record of the added taxes assessed, to be delivered to the collectors of the various taxing districts in the county, and the added assessment lists shall remain in the office of the board as a public record.

C. 54:4-63.6. Detailed entries.

6. Added assessments shall be entered on the appropriate columns upon the added assessment lists and duplicates and there shall be extended on the duplicates the amount of tax computed on each assessment at the same rate as real property in the particular municipality is obliged to pay in the particular year.

C. 54:4-63.7. Preparing tax bills.

7. As soon as the added assessment duplicate is delivered to the collector of the taxing district, he shall at once begin the work of preparing, completing, mailing or otherwise delivering the tax bills to the individuals assessed for added assessments and shall complete that work at least one week before November first. The validity of any added tax or assessment or the time at which it shall be payable shall not be affected by the failure of a taxpayer to receive a tax bill but every taxpayer is put upon notice to ascertain from the proper official of the taxing district the amount which may be due for taxes or assessments against him or his property for added assessments.

Validity of added tax.

C. 54:4-63.8. When tax payable.

8. Taxes assessed under this act shall be payable on November first of the year of levy after which date, if unpaid, they shall become delinquent.

C. 54:4-63.9. Collection.

9. All taxes on account of assessments entered in the added assessment list shall be collected and accounted for in the same manner as other taxes.

C. 54:4-63.10. Amount payable.

10. The municipality on February fifteenth of each year shall, in addition to the regular installment of county taxes to be paid on said date, pay to the county an amount determined by multiplying the total amount of assessments in the added assessment list for the previous year by the county and State rate for the preceding year, and such amount shall be for the use of the county.

C. 54:4-63.11. Appeals.

11. Appeals from added assessments shall be made to the county board of taxation on or before December first of the year of levy, and the county board of taxation shall hear all such appeals within one month after the last day for filing such appeals. Appeals to the State Board of Taxation from the judgment of the county board of taxation shall be

made within one month from the date fixed for final decisions by the county board of taxation on appeals from added assessments. In all other respects such appeals shall be governed by the laws concerning appeals from real property assessments.

Act effective.

12. This act shall take effect October first, one thousand nine hundred and forty-one.

Approved December 27, 1941.

CHAPTER 398

AN ACT for the punishment of crimes, amending sections 2:135–5, 2:135–6, 2:135–7 and 2:135–8 of the Revised Statutes, repealing "An act to repeal sections 2:135–5 to 2:135–9, inclusive, of the Revised Statutes," approved November thirteenth, one thousand nine hundred and forty (P. L. 1940, c. 207), and repealing section 2:135–9 of the Revised Statutes.

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

Certain repealers repealed.

1. An act to repeal sections 2:135–5 to 2:135–9, inclusive, of the Revised Statutes, approved November thirteenth, one thousand nine hundred and forty, is repealed.

Section amended.

2. Section 2:135–5 of the Revised Statutes is amended to read as follows:

Horse racing a misdemeanor.

2:135–5. All racing for money or other valuable things, by running, pacing or trotting of horses, mares or geldings shall be a misdemeanor, and the authors, parties, contrivers and abettors thereof, and every other person concerned therein, either directly or indirectly, or present thereat, shall be

Penalty.

guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding one hundred

dollars ($100.00), or imprisonment not exceeding six months, or both, at the discretion of the court. Nothing in this section contained shall be construed to apply to pari-mutuel betting at race meetings as authorized by the Constitution of this State or any statute passed in pursuance thereof. Pari-mutuel betting excepted.

3. Section 2:135–6 of the Revised Statutes is amended to read as follows: Section amended.

2:135–6. No person shall make up any purse, plate or other thing, or shall contribute or collect, or ask any other person to contribute or collect any money, goods or chattels to make up any purse, plate or other thing, to be run, paced or trotted for by any horse, mare or gelding at any place in this State. Any person violating this section shall be guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding one hundred dollars ($100.00), or imprisonment not exceeding six months, or both, at the discretion of the court. Nothing in this section contained shall be construed to apply to pari-mutuel betting at race meetings as authorized by the Constitution of this State or any statute passed in pursuance thereof. Purse making, etc., illegal. Penalty. Pari-mutuel betting excepted.

4. Section 2:135–7 of the Revised Statutes is amended to read as follows: Section amended.

2:135–7. Any person who shall be a stakeholder of any sum of money or other thing which is bet, staked or wagered upon any running, pacing or trotting race of horses, mares or geldings, or who becomes the custodian or depository in any manner, of any pool or pools, money, property or other thing of value staked or bet upon such result, or shall cause to be printed or set up any paper or other thing giving notice of or advertising any such race, or shall be a rider or driver of any horse, mare or gelding in any such race, shall be guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding one hundred dollars ($100.00), or imprisonment not exceeding six months, or both, at the discretion of the court. Nothing in this section contained shall be construed to apply to pari-mutuel betting at race meetings as Stakeholder, etc., a misdemeanor. Penalty. Pari-mutuel betting excepted.

authorized by the Constitution of this State or any statute passed in pursuance thereof.

Section amended.

5. Section 2:135–8 of the Revised Statutes is amended to read as follows:

Illegal use of property.

2:135–8. Any person who shall let or rent his land for the purpose of a race course for the running, pacing or trotting of horses, mares or geldings, or shall knowingly suffer any such running, pacing or trotting upon lands belonging to him, or of which he may be in possession, shall be guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding one thousand dollars ($1,000.00), or imprisonment not exceeding one year, or both, at the discretion of the court. Nothing in this section contained shall be construed to apply to pari-mutuel betting at race meetings as authorized by the Constitution of this State or any Statute passed in pursuance thereof.

Penalty.

Pari-mutuel betting excepted.

Section repealed.

6. Section 2:135–9 of the Revised Statutes is repealed.

7. This act shall take effect immediately.

Approved December 27, 1941.

CHAPTER 399

AN ACT concerning county pensions and retirement, and supplementing chapter nine of Title 43 of the Revised Statutes.

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

C. 43:9-6.1. Withdrawal by war veteran.

1. An employee of any county, who is a veteran of any war and a member of any retirement system may, at any time, apply to withdraw from the system during the continuance of his employment. Upon his making application, of which ten days' notice shall be given, he shall receive, upon demand,

Receive payments with interest.

the amount of his payments with interest thereon at the rate of four per centum (4%) per annum, without prejudice to his rights as a veteran to any benefit to which he may be entitled under any other law.

2. This act shall take effect immediately.

Approved December 27, 1941.

CHAPTER 400

AN ACT to amend the title and body of "An act imposing an excise tax upon persons, copartnerships, associations or corporations, other than street railway, traction, gas and electric light, heat and power corporations, municipal corporations and corporations taxable under chapters nineteen to twenty-nine, inclusive, of Title 54 of the Revised Statutes, using or occupying public streets, highways, roads or other public places by virtue of a franchise or authority or permission from the State or any municipality thereof, except for the operation of autobuses or autocabs commonly called taxicabs," passed January twenty-third, one thousand nine hundred and forty (P. L. 1940, c. 4).

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

1. The title of the act to which this act is amendatory is amended to read as follows:

New title.

An act imposing an excise tax upon persons, copartnerships, associations or corporations, other than street railway, traction, gas and electric light, heat and power corporations, municipal corporations and corporations taxable under chapter two

hundred ninety-one of the laws of one thousand nine hundred and forty-one, using or occupying public streets, highways, roads or other public places by virtue of a franchise or authority or permission from the State or any municipality thereof, except for the operation of autobuses or autocabs commonly called taxicabs.

C. 54:30A-118. Section amended.

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

Franchise tax payable.

3. Every person, copartnership, association or corporation, other than street railway, traction, gas and electric light, heat and power corporations, municipal corporations and corporations which are taxable under chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one, using or occupying public streets, highways, roads or other public places by virtue of a franchise or authority or permission from the State or any municipality thereof, except consent, authority or permission for the operation of autobuses or autocabs commonly called taxicabs, shall, in the year one thousand nine hundred and forty-one and annually thereafter, pay for the franchise to use such public streets, highways, roads or other public places in this State an excise tax which shall be in lieu of any and all other tax or taxes upon the franchise or franchises of such taxpayer. The annual excise tax imposed on each taxpayer shall be a sum equal to five per centum (5%) of such portion of the taxpayer's gross receipts as the length of the lines or mains of such taxpayer in this State along, in or over any public street, highway, road or other public place, exclusive of service connections, bears to the whole length of its lines or mains, exclusive of service connections. In case the gross receipts of any such taxpayer for any calendar year shall not exceed the sum of fifty thousand dollars ($50,000.00) the tax on such taxpayer for such calendar year shall be computed at the rate of two per centum (2%), instead of at the rate of five per centum (5%).

Rate imposed.

Computation.

3. Section fifteen of the act of which this act is amendatory is amended to read as follows: C. 54:30A-30. Section amended.

15. All acts and parts of acts and any chapters or parts of chapters of the Revised Statutes inconsistent herewith are hereby repealed; *provided, however,* that nothing in this act shall be construed to alter, modify or repeal chapter four of Title 48 of the Revised Statutes (Revised Statutes, 48:4); *and provided, further,* that nothing in this act shall be construed to alter, impair or repeal any of the provisions of chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one, nor shall any corporation taxable under said chapter two hundred ninety-one of the laws of one thousand nine hundred and forty-one be taxable under this act. Repealers. Proviso. Proviso.

4. This act shall take effect immediately.

Approved December 27, 1941.

CHAPTER 401

AN ACT to amend sections six and thirteen of "An act for the taxation of the gross receipts of street railway, traction, gas and electric light, heat and power corporations using or occupying the public streets, highways, roads or other public places, for the exemption from taxation of the franchises, stock, and certain property of such corporations, and for the taxation of certain of the property of such corporations not so exempted from taxation," passed January twenty-third, one thousand nine hundred and forty (P. L. 1940, c. 5).

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

1. Section six of "An act for the taxation of the gross receipts of street railway, traction, gas and electric light, heat and power corporations using or C. 54:30A-54. Section 6 amended.

occupying the public streets, highways, roads or other public places, for the exemption from taxation of the franchises, stock, and certain property of such corporations, and for the taxation of certain of the property of such corporations not so exempted from taxation," passed January twenty-third, one thousand nine hundred and forty, superseding sections 54:31–1 to 54:32–7 of the Revised Statutes of 1937, as amended by chapter twenty-one of the laws of one thousand nine hundred and forty-one, is amended to read as follows:

Annual excise tax:

6. Every street railway, traction, gas and electric light, heat and power corporation using or occupying the public streets, highways, roads or other public places in this State shall in the year one thousand nine hundred and forty-one and annually thereafter pay excise taxes for the privilege of exercising its franchises and using the public streets, highways, roads or other public places in this State, as follows:

Computing tax on gross receipts;

(a) A tax computed at the rate of five per centum (5%) of such proportion of the gross receipts of such taxpayer for the preceding calendar year as the length of the lines or mains in this State, located along, in or over any public street, highway, road or other public place, exclusive of service connections, bears to the whole length of its lines or mains, exclusive of service connections. In case the gross receipts of any such taxpayer for any calendar year shall not exceed fifty thousand dollars ($50,000.00) the tax on such taxpayer for such calendar year shall be computed at the rate of two per centum (2%) instead of at the rate of five per centum (5%).

Tax on State lines;

(b) A tax at the average rate of taxation in this State as computed under the provisions of subsection (c) of this section upon the gross receipts of such taxpayer for the preceding calendar year from its business over, on, in, through or from its lines or mains in the State of New Jersey.

Computing rate of taxation;

(c) The average rate of taxation for the year shall be computed in the following manner: On or

before the first day of May in each year the State Tax Commissioner shall ascertain, from the table of aggregates for such year prepared by the county boards of taxation of the several counties and filed with the State Tax Commissioner in accordance with the provisions of section 54:4–52 of the Revised Statutes, the true value of all property, real and personal, located in each taxing district and subject to taxation at local rates in such taxing district and the rate of taxation in each such taxing district for such year.

Aggregate value;

The aggregate value of the general property of the State, for the purpose of determining the average rate of taxation, shall be (1) the aggregate value of all property so ascertained as aforesaid, plus (2) the aggregate value of all the property of railroad companies described in subsection II of section seventeen of the railroad tax law of one thousand nine hundred and forty-one (P. L. 1941, c. 291) subject to taxation for that year.

Aggregate taxes;

The aggregate taxes of the State, for the purpose of determining the average rate of taxation, shall be the sum of (1) the total taxes of all taxing districts obtained by multiplying the value of the property subject to taxation in each taxing district by the rate of taxation in each such taxing district for such year, plus (2) the amount of tax assessed by the State Tax Commissioner upon the property of railroad companies described in subsection II of section seventeen of the railroad tax law of one thousand nine hundred and forty-one (P. L. 1941, c. 291) for that year, plus (3) one-half of the amount of the franchise tax assessed upon railroad companies pursuant to said railroad tax law of one thousand nine hundred and forty-one for that year.

Average rate of taxation.

The average rate of taxation shall be computed and determined by the State Tax Commissioner by dividing such aggregate taxes by such aggregate value of the general property in the State, and the rate so arrived at and determined shall be entered upon the records of the State Tax Department and

shall constitute "the average rate of taxation" for that year.

C. 54:30A-61. Section 13 amended.

2. Section thirteen of said act is amended to read as follows:

Balance of excise tax apportioned.

13. The balance of the excise taxes imposed by section six (b) of this act upon each taxpayer in the year one thousand nine hundred and forty and each year thereafter is hereby apportioned to the various municipalities in the proportion that the apportionment value of the scheduled property of such taxpayer located in each municipality as of the preceding July first bears to the total apportionment value of the scheduled property of such taxpayer in this State as of that date. The State Tax Commissioner shall on or before June first, one thousand nine hundred and forty-one, and annually before June first in each year thereafter, or, in each case, within thirty days after the ascertainment of the average rate of taxation as computed under the provisions of subsection (c) of section six of this act for the current year (whichever date shall be later), compute the balance of such taxes and the apportionment thereof in the manner herein provided.

Computing balance and apportionment.

3. This act shall take effect immediately.

Approved December 27, 1941.

CHAPTER 402

AN ACT respecting the Court of Chancery, amending section 2:29–35 of the Revised Statutes and repealing chapter one hundred six of the laws of one thousand nine hundred and thirty-eight entitled "An act respecting the Court of Chancery," approved April twenty-eighth, one thousand nine hundred and thirty-eight, and chapter one hundred seven of the laws of one thousand nine hundred and thirty-eight entitled "An act respecting the Court of Chancery," approved April twenty-eighth, one thousand nine hundred and thirty-eight.

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

1. Section 2:29–35 of the Revised Statutes is amended to read as follows: Section amended.

2:29–35. When it shall be necessary or proper to make any male or female person a party defendant in any suit or proceeding hereafter to be commenced in the Court of Chancery and it shall appear by affidavit of complainant or petitioner or his solicitor that, notwithstanding diligent and careful inquiry therefor, as in the case of absent defendants, the affiant has been unable to ascertain whether or not such male or female person is married or affiant has ascertained that such male or female person is married and has not been able to ascertain the Christian name of the wife of such male person or the Christian name or the Christian name and surname of the husband of such female person, as the case may be, such action may proceed Making a party defendant in chancery. As to name. Procedure:

(1) against such male person and such wife, if any, as he has, by designating such male person by his proper Christian name and surname, as it ap- Against man and wife;

pears of record or otherwise, and by designating such wife by the Christian name and surname of such male person, as it so appears, with "Mrs." prefixed thereto, or

Against female and husband;

(2) against such female person and such husband, if any, as she has, by designating such female person by her proper Christian name and surname, as it appears of record or otherwise, and by designating such husband either

Surname;

a. by the surname of such female person, as it so appears, as "Mr. ...., husband of ....," using such surname of such female person in the first blank and such Christian name and surname of such female person in the second blank, or

Fictitious name.

b. by the name "John Doe, husband of ...., said name John Doe being fictitious," using such Christian name and surname of such female person in the blank, and

Serving process.

The service of process in any such action shall be the same as is provided by this chapter and the rules of the court and a married woman or husband of a married woman so designated who appears or answers shall appear and answer by her or his own Christian name and surname; but she or he shall also state the name by which she or he was made a party.

Procedure as with absent defendant.

When any such nominated wife or husband cannot be served with process within this State, such action may proceed against her or him as in the case of absent defendants whose names are known and the order of publication shall be the same as provided by this chapter and said rules.

Validity of proceedings.

Any and all proceedings had or taken in any action against a married woman or husband of a married woman, who shall have been made a party as aforesaid, shall be as valid, binding and conclusive in all respects as they would have been had she

or he been made a party by her or his own Christian name and surname. If at any time during the pendency of such action the true Christian name or Christian name and surname of such wife or husband, as the case may be, shall become known, the proceedings may be amended accordingly. Amending proceedings.

2. "An act respecting the Court of Chancery," approved April twenty-eighth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 106), and "An act respecting the Court of Chancery," approved April twenty-eighth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 107), are repealed. Acts repealed.

3. This act shall take effect immediately but shall not affect any suit or proceeding heretofore commenced in the Court of Chancery. Effect of act.

Approved December 27, 1941.

CHAPTER 403

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

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

1. No sale of lands, tenements, hereditaments or real estate heretofore made by virtue of any decree, order or judgment of any court of this State or any execution or other process issued thereon shall be invalid by reason of the fact that the wife of any male party to the proceedings, under and by virtue of which such sale was made, was made a party to, and was designated as a party in, such proceedings and was proceeded against therein as required by Validity of sale of property by order of court.

and pursuant to the provisions of section thirty-five of chapter twenty-nine of Title 2 of the Revised Statutes, instead of as required by and pursuant to the provisions of chapter one hundred six of the laws of one thousand nine hundred and thirty-eight entitled "An act respecting the Court of Chancery," approved April twenty-eighth, one thousand nine hundred and thirty-eight, or by reason of the fact that the husband of any female party to the proceedings, under and by virtue of which such sale was made, was made a party to, and was designated as a party in, such proceedings and was proceeded against therein as required by and pursuant to the provisions of section thirty-five of chapter twenty-nine of Title 2 of the Revised Statutes, instead of as required by and pursuant to the provisions of chapter one hundred seven of the laws of one thousand nine hundred and thirty-eight entitled "An act respecting the Court of Chancery," approved April twenty-eighth, one thousand nine hundred and thirty-eight, but the purchaser or purchasers of said lands, tenements, hereditaments or real estate having received his or her deed therefor, and his, her or their heirs, successors and assigns shall be deemed to have as good and complete title thereto as if the wife of such male party to the proceedings, under and by virtue of which such sale was made, had been made a party to, and had been designated as a party in, such proceedings and had been proceeded against therein as required by and pursuant to the provisions of said chapter one hundred six of the laws of one thousand nine hundred and thirty-eight, or as if the husband of such female party to the proceedings, under and by virtue of which such sale was made, had been made a party to, and had been designated as a party in, such proceedings and had been proceeded against therein as required by and pursuant to the provisions of said chapter one hundred seven of the laws of one thousand nine hundred and thirty-eight.

Act applicable.

Competent title.

2. This act shall take effect immediately.

Approved December 27, 1941.

CHAPTER 404

AN ACT to provide for temporary bonus for certain persons holding office, position, or employment under the government of any county, municipality, school district, or other political subdivision of this State, or of any board, body, agency, or commission of any county, municipality, or school district of this State.

Preamble. WHEREAS, Abnormal conditions due to present world conditions are so increasing the cost of living as perhaps to necessitate temporarily, at least, an increase in the income of persons holding office, position, or employment under the government of any county, municipality, school district, or other political subdivision of this State, or of any board, body, agency, or commission of any county, municipality, or school district of this State, who are dependent upon their salary or pay, the amount whereof was fixed during normal times, and perhaps will be again adequate and proper when the conditions resulting from the present world situation disappear; or if not, can be later readjusted to meet the then normal conditions, but in any event, should not be increased solely on account of abnormal conditions, except to meet them temporarily, and subject to readjustment when conditions again become normal; and

Preamble. WHEREAS, Statutes concerning such salary or pay generally provide that once the same is increased it cannot again be reduced except by consent of the recipient, and it is now deemed proper and expedient that power be given boards and authorities charged with the duty of paying such salaries or pay to increase the same temporarily and during a limited period only; therefore,

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

Legal body included.

1. Every board of chosen freeholders, common council, governing body, board of education, board, body and officer by whatsoever name, of any county, municipality, school district, or other political subdivision of this State, now having the power or charged with the duty of paying, on behalf of such county, municipality, school district, or other political subdivision of this State, or of such board, body, agency, or commission of any county, municipality, or school district of this State, the salary or pay of persons holding office, position, or employment thereunder, shall have the right and power in the discretion of such body, board, or officer, to grant and order paid in monthly or other installments, to any persons holding such office, position, or employment, such sum, in addition to the regular salary or pay of such persons holding office, position, or employment, by way of bonus for the fiscal year in which such order is made, as such body, board or officer may determine, not exceeding twenty per centum (20%) of the regular annual rate of such usual or regular salary or pay of such persons holding such office, position, or employment; *provided,* that nothing in this act shall be held or construed to permit such body, board, or officer to grant or order paid any such bonus to any member of such board, or body, or to himself, or to grant or pay any such bonus to any person whomsoever after the thirty-first day of December, nineteen hundred and forty-four; *and provided, further,* that no grant or payment of any bonus under this act shall be made to any such person if the regular annual rate of the usual or regular salary or pay of such person holding such office, position or employment is more than three thousand dollars ($3,000.00) per annum; *and provided, further,* that no grant or payment of any bonus under this act shall be held or construed as an increase in the salary or pay of any person receiving the same; neither shall the cessation of

Payments to employees.

Bonus.

Amount.

Proviso.

Proviso.

Proviso.

any such bonus, or any part thereof, be held or construed to amount to a reduction in the salary or pay of any persons holding office, position, or employment, nor shall the amount of any such bonus be taken into consideration or included in any calculation respecting any amount to be paid into or out of any pension, retirement or other similar fund or in any similar connection. Dealing with bonus.

2. If funds sufficient to pay any bonus granted under this act are not otherwise available, the same shall be raised by the county or municipality chargeable with the ultimate payment thereof by means of the issue of emergency notes or emergency bonds, pursuant to the provisions of section 40:2–31 of the Revised Statutes; and the governing body of any municipality shall raise, in the same manner, such amounts as shall be certified by the board of education of the school district for the purpose of carrying out the provisions of this statute. Raising funds to meet bonus.

3. The provisions of this act shall apply regardless of the method by which the salary or pay was or is fixed. Application of act.

4. This act shall take effect immediately.

Approved December 27, 1941.

CHAPTER 405

AN ACT concerning alcoholic beverages, and amending section 33:1–26 of the Revised Statutes.

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

1. Section 33:1–26 of the Revised Statutes is amended to read as follows: Section amended.

33:1–26. All licenses shall be for a term of one year from the first day of July in each year. The respective fees for any such license shall be pro- Term of license. Fees.

rated according to the effective date of such license and based on the respective annual fee as in this chapter provided. Where the license fee deposited with the application exceeds such prorated fee, a refund of the excess shall be made to the licensee.

Refunding excess.

Licenses are not transferable except as hereinafter provided. A separate license is required for each specific place of business and the operation and effect of every license is confined to the licensed premises. No retail license of any class shall be issued to any holder of manufacturer's or wholesaler's license, and no manufacturer's or wholesaler's license shall be issued to the holder of a retail license of any class. Any person who shall exercise or attempt to exercise, or hold himself out as authorized to exercise, the rights and privileges of a license except the licensee and then only with respect to the licensed premises, shall be guilty of a misdemeanor.

Not transferable.

Separate license for each place.

Issuing license limited.

Only licensee to operate.

In case of death, bankruptcy, receivership or incompetency of the licensee, or if for any other reason whatsoever the operation of the business covered by the license shall devolve by operation of law upon a person other than the licensee, the commissioner or other issuing authority may, in his or its discretion, extend said license for a limited time, not exceeding its term, to the executor, administrator, trustee, receiver or other person upon whom the same has devolved by operation of law as aforesaid. Under no circumstances, however, shall a license, or rights thereunder, be deemed property, subject to inheritance, sale, pledge, lien, levy, attachment, execution, seizure for debts, or any other transfer or disposition whatsoever, except to the extent expressly provided by this chapter.

Extension of license in hands of another.

License not property.

On application made therefor setting forth the same matters and things with reference to the premises to which a transfer of license is sought as are required to be set forth in connection with an original application for license, as to said premises, and after publication of notice of intention to apply for transfer, in the same manner as is re-

Transfer of license.

quired in case of an application for license as to said premises, the commissioner or other issuing authority may transfer, upon payment of a fee of five dollars ($5.00), any license issued by him or it respectively to a different place of business than that specified therein, by endorsing permission upon such license.

Fee.

On application made therefor setting forth the same matters and things with reference to the person to whom a transfer of license is sought as are required to be set forth in connection with an original application for license, which application for transfer shall be signed and sworn to by the person to whom the transfer of license is sought and shall bear the consent in writing of the licensee to such transfer, and after publication of notice of intention by the person to whom the transfer of license is sought, to apply for transfer in the same manner as is required in the case of an original application for license, the commissioner or other issuing authority, as the case may be, may transfer any license issued by him or it respectively to such applicant for transfer by indorsing the license. Such application and the applicant shall comply with all requirements of this chapter pertaining to an original application for license and shall be accompanied, in lieu of the license fee required on the original application, by a fee of ten per centum (10%) of the annual license fee for the license sought to be transferred, which ten per centum (10%) shall be retained by the commissioner or other issuing authority, as the case may be, whether the transfer be granted or not, and accounted for as other license fees.

Application for transfer.

Consent required.

Notice of intention.

Authority may transfer.

Compliance with requirements.

Fee.

Fee retained.

The action of the other issuing authority in granting or refusing to grant any application for a transfer of license to a different place of business or person shall be subject to appeal to the commissioner within thirty days from the date such action was taken.

Appeal.

No person who would fail to qualify as a licensee under this chapter shall be knowingly employed by

Rejected applicant not connected with place.

or connected in any business capacity whatsoever with a licensee; but specialized technical workers, required in any business may, with the approval of the commissioner, and subject to rules and regulations, be employed although failing to qualify as to residence or citizenship. Persons failing to qualify as to age, residence or citizenship may, with the approval of the commissioner, and subject to rules and regulations, be employed by any licensee, but such employee, if disqualified by age or citizenship, shall not, in any manner whatsoever serve, sell or solicit the sale or participate in the manufacture, rectification, blending, treating, fortification, mixing, processing or bottling of any alcoholic beverage; *and further provided,* that no permit shall be necessary for the employment in a bona fide hotel or restaurant of any person failing to qualify as to age or residence so long as such person shall not in any manner whatsoever serve, sell or solicit the sale of any alcoholic beverage, or participate in the mixing, processing or preparation thereof.

Minor or nonresident disqualified.

Proviso.

2. This act shall take effect immediately.

Approved December 27, 1941.

CHAPTER 406

AN ACT to amend "An act concerning the administration of relief," approved March twenty-eighth, one thousand nine hundred and forty-one (P. L. 1941, c. 28).

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

C. 44:8-99. Section amended.

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

Municipal relief.

13. In any calendar year beginning with the calendar year one thousand nine hundred and forty-two any municipality, and in which relief was being

administered by the director at the end of the preceding year, shall administer its own relief in such calendar year if it shall have given notice in writing to the director of its election so to do on or before the first day of January of such year and thereafter during such year such municipality shall administer its own relief and shall be entitled to receive State aid for relief for such year pursuant to the provisions of this act.

Notice given.

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

C. 44:8-100. Section amended.

14. In any calendar year beginning with the calendar year one thousand nine hundred and forty-two in every municipality in which relief was being administered by the director at the end of the preceding year and which does not elect to administer its own relief for that year by giving written notice to the director prior to the beginning of such year, the director shall continue to administer relief during such year and in such case.

Continued action by director of relief.

a. The municipality shall make an appropriation for the cost of administration of relief in such municipality for such calendar year in an amount not less than the amount appropriated by it for the cost of administration of relief for the preceding year and shall make an appropriation for relief, exclusive of the cost of administration thereof, for such calendar year in an amount not less than one mill of its "preceding year's ratables";

Provision for funds.

b. All obligations incurred for the cost of administration of relief in such municipality in such year shall be paid, from time to time, by the municipality out of its appropriation for administration of relief for such calendar year according to the orders of the director and not otherwise so far as such appropriation will permit and any excess shall be paid, from time to time, by the State Municipal Aid Administration out of the Municipal Aid Fund by an order or orders drawn by the director on the State Comptroller as hereinbefore provided;

Payments.

c. All obligations incurred for relief in such municipality in such year shall be paid, from time to

Obligations met.

time, by the municipality out of its appropriation for relief for such calendar year according to the orders of the director and not otherwise so far as such appropriation will permit and any excess shall be paid, from time to time, by the State Municipal Aid Administration out of the Municipal Aid Fund by an order or orders drawn by the director on the State Comptroller as hereinbefore provided; but any such municipality may elect to administer its own relief in any such calendar year by giving notice in writing of such election to the director on or before the first day of March of such year and thereafter the limitations imposed upon such municipality by subsections "b" and "c" of this section shall cease and such municipality shall administer its own relief and shall be entitled to receive State aid for relief for such year in an amount equivalent to such per centum of its "current year's relief load" as shall be arrived at by the application of the formula set out in section twelve of this act less such sum or sums, if any, as have already been paid by the director for the cost of administration of relief and for relief in such municipality from the Municipal Aid Fund and less such obligations, if any, as have already been incurred by the director for the cost of administration of relief and for relief in such municipality and are payable out of the Municipal Aid Fund during such year up to the time when said election shall become effective, which amount of State aid for relief shall be paid by the director by drawing an order or orders on the State Comptroller as hereinbefore provided.

Provision for expenses.

Self-relief by municipality.

State aid.

Apportionment.

Cost deducted.

3. This act shall take effect immediately.

Approved December 27, 1941.

CHAPTER 407

AN ACT concerning the time of submission of the Governor's budget message, and amending section 52:22–11 of the Revised Statutes.

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

1. Section 52:22–11 of the Revised Statutes is amended to read as follows: Section amended.

52:22–11. The Governor shall examine and consider all requests for appropriations, together with the findings and recommendations of the commissioner, and shall formulate his budget recommendations which shall be transmitted to the Legislature as a budget message on the third Tuesday of January in each year, excepting such years as the Governor shall be inaugurated, when he shall do so on or before February fifteenth following the commencement of his term. Preparation of budget message by governor.

The budget message shall embody the proposed complete financial program of the State Government for the next ensuing fiscal year and shall set forth in columnar form detailed as to each source of anticipated revenue and the purposes to which the recommended appropriations shall apply for each spending agency in substantially the following form: What message to show:

REVENUES

Free Treasury Funds:

a. An estimate of all free treasury funds to be on hand on the first of July next ensuing which are to be available for appropriations, supported by the calculations used in arriving at the estimated figures; Free funds;

b. The estimate of the anticipated revenues from the several sources of free treasury funds applicable to the budget period, together with the actual Anticipated revenues;

amount earned and the actual amount received from each source during the last completed fiscal year and the estimate of the revenues from each source for the current fiscal year.

Dedicated Funds:

Dedicated funds;

a. An estimate of the amount of each of the several dedicated funds to be on hand the first of July next ensuing, except such funds as are provided for under section 52:22–20 of this Title in which case the estimates shall be as of January first of the current year, which are to be available for the purpose to which such funds are dedicated, supported by the calculations used in arriving at the estimated figures;

Exceptions;

Revenues applicable to budget period.

b. The estimate of the anticipated revenues of each of such dedicated funds applicable to the budget period together with the amount earned and the actual amount received from each source during the last completed fiscal year and an estimate of the revenue from each source for the current fiscal year.

Federal aid:

Federal Aid Funds:

Estimate available;

a. An estimate of all Federal aid funds on the first of July next ensuing which will be available for the several purposes to which Federal aid is allotted, excepting in the case of funds for highway purposes, which shall be estimated as of January first of the current year;

Sources of anticipated revenues.

b. An estimate of the anticipated revenues from the several sources of Federal aid funds applicable to the budget period, together with the actual amount received from each source during the last completed fiscal year and an estimate of the revenues from each source for the current fiscal year.

Trust funds:

Trust Funds:

Anticipated;

An estimate of the anticipated revenues from the several trust funds applicable to the budget period.

Sinking Funds:

An estimate of the anticipated revenues from the several sinking funds applicable to the budget period. Sinking funds.

APPROPRIATIONS

The total of the appropriations recommended for the ensuing fiscal year in substantially the following form: Total appropriations:

Detailed Budget:

a. An itemized statement of all appropriation requests payable from free treasury funds; Payable from free funds;

b. An itemized statement of all requests for permission to spend dedicated funds; Spending dedicated funds;

c. An itemized statement of the amounts recommended by the Governor with respect to items "a" and "b" above; Recommendations;

d. An itemized statement of all amounts appropriated and permissions granted for the current fiscal year with respect to items "a" and "b" above; Statement of amounts;

e. An itemized statement of all amounts appropriated and permissions granted for the last preceding fiscal year with respect to items "a" and "b" above, detailed as to annual and supplemental appropriations, transfers of appropriations, State emergency fund allotments, and permissions to spend, as the case may be, and showing also total disbursements, reserves, lapses and free uncommitted balances. Details;

f. In addition, such recapitulation of revenues and appropriations as may more fully show comparisons and costs of the several departments. Recapitulation.

2. This act shall take effect immediately.

Approved December 27, 1941.

CHAPTER 408

AN ACT concerning building and loan associations, amending sections 17:12–107, 17:12–110, 17:12–111 and 17:12–115 of the Revised Statutes, and supplementing chapter twelve of Title 17 of the Revised Statutes.

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

Section amended.

1. Section 17:12–107 of the Revised Statutes is amended to read as follows:

Plan of reorganization:

17:12–107. Without limiting the generality of the methods by which an association may reorganize, any plan of reorganization may provide:

Name;

a. For reorganization under the existing name of the association or under a different name;

Date;

b. For the date upon which the reorganization shall be effective. If the plan fails to fix an effective date, the effective date shall be the date upon which the proposed plan is approved by the members of the association as set forth in section 17:12–106 of this Title. Where a petition of dissent has been filed pursuant to section 17:12–106 of this Title, and the Court of Chancery has made an order approving the plan, the date of the order shall be the effective date of reorganization, unless the court has, in its order, fixed a date upon which the plan shall be effective, in which event the date so fixed shall be the effective date of reorganization;

Crediting value to reduce principal;

c. For the crediting of the book value of shares pledged to secure mortgage loans against the principal amount of such loans, in reduction thereof;

Cancellation of withdrawal;

d. For the cancellation of or the postponement of notices of withdrawal on file with the association, for a period not to exceed two years from the effective date of reorganization;

Transfer of assets;

e. For the transfer of such assets, including real estate and defaulted bonds and mortgages, as may

be determined by the board of directors with the approval of the commissioner, to a corporation organized pursuant to section 17:12–109 of this Title for the sole purpose of liquidating such assets in an orderly manner;

Participating reserve;

f. For the transfer of such assets, including real estate and defaulted bonds and mortgages, as may be determined by the board of directors with the approval of the commissioner, to a "participating reserve" account to be set upon the books of the association for the purpose of liquidating such assets in an orderly manner;

Charging off value;

g. If the association shall make a transfer of assets as authorized by paragraphs "e," "f," or "j" of this section, any part of the reserve accounts of the association as shall be set forth in the plan of reorganization may be either charged off against the value of the assets so transferred, or transferred together with such assets, to such corporation, participating reserve account, or association created to receive such assets, as the plan of reorganization shall provide;

Reducing share liability;

h. For the reduction of the share 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;

Expenses;

i. For the manner in which expenses of reorganization shall be paid;

Transfer of sound securities;

j. For the transfer of such sound or liquid assets, including bonds and mortgages in good standing, as the board of directors shall determine with the approval of the commissioner, to a building and loan association to be organized pursuant to the provisions of section 17:12–109.1 of this Title, or to an association already organized or to be organized pursuant to said section 17:12–109.1 by another building and loan association in reorganization pursuant to this article, or to another building and loan association organized under the laws of this State or to a Federal Savings and Loan Association organized pursuant to an act of Congress approved June thirtieth, one thousand nine

hundred and thirty-three, entitled "Home Owners' Loan Act of 1933," and which has its principal office in this State. Upon such transfer, the reorganizing association shall, without further act of its members, directors, or officers, be constituted a liquidating corporation within the meaning of this Title.

Valid corporation;

Borrowing power;

k. For the borrowing, from any source whatsoever, whether within or without the State, of any sums of money necessary or convenient to effect the reorganization, without limitation as to amount, and upon such terms and upon such security as the plan of reorganization shall provide.

Suspension of payments;

l. For the suspension, for the period beginning with the adoption by the board of directors of a resolution to reorganize the association and ending with the rejection or the going into effect of the plan pursuant to section 17:12–106 of this Title, of payments on account of shares withdrawn and shares matured, and for the segregation by the association, for the same period, of all share dues paid by members, except where such dues are applied in reduction of a debt to the association. If the plan of reorganization becomes effective, the dues so paid shall be credited to the accounts of those members who paid them, without decrease or impairment for any cause. If the plan of reorganization does not become effective for any reason whatsoever, the dues so paid shall, at the option of the members who have paid them, be returned to them in cash or credited to their share accounts without decrease or impairment, except that dues paid by members indebted to the association shall be credited, without impairment, against such indebtedness in reduction thereof.

Crediting dues paid;

If plan not effective due returned or credited.

Section amended.

2. Section 17:12–110 of the Revised Statutes is amended to read as follows:

Incorporation approved and recorded.

17:12–110. The certificate of incorporation of the liquidating corporation created pursuant to paragraph "e" of section 17:12–107 of this Title shall be proved or acknowledged in the same manner as provided for deeds of real property, and 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 in the department. Before the certificate of incorporation is recorded and filed, it shall be submitted to the commissioner, who, if he approves the form thereof as being in accordance with law, shall endorse his approval thereon. For the filing of such certificate of incorporation, there shall be paid to the commissioner the sum of thirty-five dollars ($35.00). Upon the recording and filing of such certificate, the corporation shall be constituted a body corporate, subject to all the provisions of this chapter, insofar as the same are not inconsistent with the objects for which the corporation is formed.

Approval by commissioner.

Filing fee.

Body corporate.

3. Section 17:12–111 of the Revised Statutes is amended to read as follows:

Section amended.

17:12–111. For the transfer of assets pursuant to paragraphs "e" or "j" of section 17:12–107 of this Title, the members of the reorganizing association shall receive shares or certificates of interest as follows:

Shares receivable on transfer of assets:

If assets are transferred to a liquidating corporation as authorized by paragraph "e" of section 17:12–107 of this Title, there shall be issued pro rata to members of the reorganizing association, certificates of interest in the liquidating corporation, the aggregate amount of which shall equal the value of the assets transferred. Distribution of the proceeds of the operation of the liquidating corporation shall be made in the same manner as provided in section 17:12–108 of this Title.

Certificates of interest;

Distribution of proceeds;

If assets are transferred to a new association as authorized by paragraph "j" of section 17:12–107 of this Title, there shall be issued pro rata to members of the reorganizing association, shares of the newly created association of the type determined by the plan of reorganization, the aggregate value of which shall equal the value of the assets transferred.

Issue of pro rata shares to members of new association.

Certificates of interest transferred separately.

Certificates of interest issued by any association pursuant to this article may be transferred apart from the certificates of the reorganized association in connection with which they have been issued.

Section amended.

4. Section 17:12–115 of the Revised Statutes is amended to read as follows:

Association may transfer to another.

17:12–115. Any association of this State shall have power, as one transaction, not in the regular and usual course of its business, to transfer, sell or exchange all or part of its assets, including its name and good will, to any other association, and

Consideration.

may accept in return therefor cash, shares, share accounts and accounts of the purchasing association upon such terms as may be agreed upon by

Affirmative approval.

the affirmative vote of at least a majority of the directors of such association and by the affirmative vote of a majority of the votes cast by members present, in person or by proxy, at any annual meeting or special meeting called for such purpose; but

Approval by commissioner.

no such bulk transfer, sale, or exchange of property shall be effective unless approved by the commissioner. The consideration received upon any such

Distribution of consideration.

disposition of bulk property shall be distributed to members pro rata after the discharge of all liabilities of such association. Whenever such transfer

When entering on dissolution.

or sale or exchange shall include all or substantially all of the property of an association, or if such transfer, sale or exchange shall include all or a substantial part of the mortgage assets of the association, the association shall thereupon enter into voluntary dissolution and liquidation in the manner

Method of dissolution.

hereafter provided. The members shall, by the affirmative vote of at least a majority of the members present in person or by proxy at the special or annual meeting at which the transfer, sale, or exchange of assets is approved by them as herein provided, designate whether liquidation and dissolution shall be conducted in the manner provided by sections 17:12–81 to 17:12–94 of this Title, or whether the association shall be constituted a liquidating corporation within the meaning of this Title.

Trustees in dissolution.

If the members determine that liquidation shall be

conducted pursuant to the provisions of sections 17:12–81 to 17:12–94 of this Title, they shall elect trustees in the manner provided by section 17:12–82 of this Title, at the same meeting at which they approve the transfer, sale, or exchange of assets, and all proceedings in dissolution and liquidation shall thereafter be conducted in the manner provided by the said sections 17:12–81 to 17:12–94 of this Title. Any such association may, with the approval of the commissioner, make a bulk sale of its assets in lieu of merging or consolidating with one or more other associations or in lieu of reorganizing under the provisions of this article.

Bulk sale permissible.

C. 17:12-115.1. Liquidation.

5. Whenever, pursuant to the provisions of section 17:12–107 "j" or section 17:12–115 of this Title, liquidation of an association is to be conducted by a liquidating corporation, the association shall, within ten days after the transfer of assets has been made, make a certificate that such transfer has been effected, and stating the section of this Title pursuant to which such transfer was made. The certificate shall further state the name of the association which has made the transfer; the name of the association to which the assets have been transferred; the name by which the transferring association shall thereafter be known, which may be the same as that of the transferring association, but in any event shall include the words "liquidating corporation"; the address of the principal office of the transferring association, and the name of the agent in charge thereof upon whom service of process may be made. Such certificate, executed and acknowledged or proved in the manner required for deeds to real property, shall be filed in the office of the commissioner, and a copy thereof, certified by the commissioner, shall thereafter be recorded in the office of the clerk of the county in which the transferring association has its principal office. Upon the filing of such certificate in the office of the commissioner, the association shall thereupon be dissolved and it shall thereafter be known as a liquidating corporation and the board

What certificate to state.

Certificate filed with commissioner.

Copy recorded with county clerk.

Dissolution effected.

Final settlement.

of directors shall proceed to settle up and adjust its business and affairs in the manner provided by this Title.

C. 17:12-115.2. Authority for legal proceedings.

6. Any liquidating corporation formed or created pursuant to the provisions of this Title shall be a body corporate for the purposes of prosecuting and defending suits by or against it, of enabling it to settle and close its affairs, of disposing and conveying its property and making distribution to its members, but not for the purpose of conducting the business of a building and loan association, except insofar as may be necessary to accomplish the purposes of liquidation and dissolution.

C. 17:12-115.3. Settling affairs.

7. The directors of such liquidating corporation shall have full power to settle the affairs, collect outstanding debts, sell and convey the property of the association, and divide the proceeds among the members, after paying the association's debts. They may meet and act under the constitution of the association, and may prescribe, by a vote of the majority, the terms and conditions of the sale of property. In addition to the powers herein specifically enumerated, the directors shall have all the powers vested in trustees in dissolution by virtue of the provisions of section 17:12–83 of this Title.

C. 17:12-115.4. Members of liquidating corporation.

8. The members of such liquidating corporation shall be those who were members of the association at the time of the transfer of assets provided by sections 17:12–107 "e," 17:12–107 "j" or 17:12–115 of this Title, and their personal representatives, and those to whom such members may assign their interests. The incidents of membership in the corporation shall be the same as now or hereafter provided by law for membership in a building and loan association of this State, and the commissioner shall have the same powers of supervision and regulation thereof as he has or shall have over building and loan associations of this State.

Membership.

C. 17:12-115.5. As to directors.

9. The directors of the liquidating corporation shall be not less than six in number, all of whom shall be members of the corporation. They shall be elected, and shall have tenure, and their offices shall be subject to the incidents now or hereafter provided by law in the case of directors of building and loan associations of this State. The directors shall elect a president, a vice-president, a secretary and a treasurer and such other officers as they shall deem necessary, all of whom shall be members of the corporation.

Organization.

C. 17:12-115.6. Notice to creditors.

10. The corporation shall give public notice to the creditors of the association to bring in, under oath, their debts, demands and claims against the association in the manner, and with the effect provided in section 17:12–86 of this Title. Upon the expiration of the period limited in the notice, the corporation may, by petition filed in the Court of Chancery, verified by an affidavit made by an officer of the corporation that the provisions of this section have been complied with, secure an order from the Court of Chancery barring all creditors of the association who have not brought in their claims, debts, or demands within the time so limited, except any such creditor as may have made a loan to the association to enable it to reorganize or sell its assets, and thereafter all such creditors shall be forever barred from any action therefor or on account thereof against the corporation or its directors, officers, or members.

Order barring creditors.

Exception.

The provisions of this section 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 the liquidating corporation; and any obligation evidencing such indebtedness, any mortage, assignment of mortage or other document securing such obligation and any agreement with respect to any such indebtedness shall become and be binding upon the liquidating corporation and

Affect on indebtedness.

Obligation binding.

upon its assets with like force and effect as if originally incurred by the liquidating corporation.

C. 17:12-115.7. Instructions by court of chancery.

11. The Court of Chancery shall, upon a petition filed by such corporation, instruct such corporation in any matters touching upon the liquidation and dissolution of the affairs of such corporation upon such notice to creditors and members as the court shall deem reasonable and proper. The application for instructions made pursuant to this section shall not be deemed, and it shall not be necessary as a condition to procuring instructions, to vest the Court of Chancery with general jurisdiction of the affairs of such corporations.

General jurisdiction.

C. 17:12-115.8. Becomes a liquidated corporation.

12. Any association which shall have reorganized pursuant to section 17:12–107 "j" or sold its assets under section 17:12–115, prior to the date of the enactment of these amendments of and supplements to this Title, shall without further act of its members, directors or trustees be a liquidating corporation within the meaning of this Title as of the date of the enactment of these amendments and supplements.

13. This act shall take effect immediately

Approved December 27, 1941.

CHAPTER 409

AN ACT concerning 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:*

Section amended.

1. Section 35:1–2.1 of the Revised Statutes is amended to read as follows:

Official newspapers in New Jersey.

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 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.

Requirements.

Merged paper.

2. 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 circulation possessing an average news content of not less than thirty-five per centum (35%),

Official newspapers in counties or municipalities.

Requirements.

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.

Merged paper.

Repealer.

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

4. This act shall take effect immediately.

Approved December 27, 1941.

CHAPTER 410

AN ACT vesting the title to real estate of which Harry R. Candelent died seized, and which is alleged to have escheated to the State of New Jersey in the year one thousand nine hundred and thirty-nine, in Joseph F. Worth.

Preamble.

WHEREAS, Harry Robert Candelent died on the twenty-third day of February, one thousand nine hundred and thirty-nine, a resident of the township of Upper Freehold, in the county of Monmouth and State of New Jersey, seized of certain real estate located in said township of Upper Freehold; and

Preamble.

WHEREAS, Joseph F. Worth, on November twenty-eighth, one thousand nine hundred and thirty-nine, was duly appointed by the surrogate of the county of Monmouth, Administrator c.t.a. of the estate of said Harry Robert Candelent, deceased; although, in fact, he died intestate, except with respect to that provision of the will

which ordered and directed all his just debts and funeral expenses to be paid by his executrix, because of the prior death of the sole devisee of the residuary estate; and

Preamble.

WHEREAS, In order to pay the debts of said decedent, a petition for the sale of lands to pay debts in the matter of the estate of Harry Robert Candelent, deceased, was filed in the Monmouth County Orphans' Court, resulting in a sale of the lands hereinafter in this act described, to Mary Bolz, for the sum of $2,225.00, and such sale was confirmed on June twentieth, one thousand nine hundred and forty; and

Preamble.

WHEREAS, The purchaser at said sale has refused to take title to said lands and pay the purchase price therefor, alleging that the said Harry Robert Candelent left no heirs at law or next of kin capable of inheriting the said real estate; therefore,

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

Title vested in estate of Harry R. Candelent.

1. There is hereby conveyed, set-over, transferred and assigned to and vested in Joseph F. Worth, administrator with the will annexed of the estate of Harry Robert Candelent, deceased, of the township of Upper Freehold, in the county of Monmouth, and State of New Jersey, all right, title and interest which the State of New Jersey may have in and to certain lands bounded and described, as follows:

Description of tracts.

All those certain tracts or parcels of land and premises hereinafter particularly described, situate, lying and being in the township of Upper Freehold in the county of Monmouth and State of New Jersey bounded and described as follows:

First tract.

First Tract: Beginning at the center of the bridge crossing the easterly branch of Doctor's

creek, forming the raceway of Spring Mills, thence running as the magnetic needle now points, December 28, 1914, (1) along the center of the stone road, formerly the turnpike leading from Allentown to Trenton, north 88°10′ east three chains to a stone; thence (2) still by the same, south 73° 30′ east six chains and thirty-eight links to a stone; thence (3) south 3°20′ west nine chains and fifty-four links to the line of land of Charles Wikoff by which it runs; thence (4) as the magnetic needle formerly pointed, north 46° 15′ west five chains seventy-four links to a stone in Stone Bridge Run; thence (5) along said run the several courses thereof to its junction with the easterly branch of Doctor's creek; thence to the place of beginning, be the contents what they may, but excepting thereof from the above conveyance the following tract of land deeded to Daniel D. Dancer by deed dated September 23, A. D. 1915, taken from the above described tract.

Boundaries.

Beginning at the northeast corner of a lot of land sold by Edward H. Hendrickson and wife to Martin Worth, said corner situated in the center of the stone road leading from Allentown to Trenton, near Spring Mills, thence (1) south 16° west along said Hendrickson and Worth lines five chains and thirty-three links to the center of the Stone Bridge Run; thence (2) still from the same position of the compass along the said stone road north 73°28′ west one chain and six links; thence (3) south 16° west five chains and sixty-one links to the center of the aforesaid Stone Bridge Run; thence (4) up said run the various courses to the end of the first line, be the contents what it may.

Record.

Being the same premises conveyed to the said Charles T. McDonough by Oliver C. Worth, single, by deed dated September 13, 1918, and duly recorded in the Monmouth County Clerk's office in Volume 1071 of Deeds, on page 20, etc.

Second tract.

Tract Two: Being a triangular piece of meadow land bounded on the northerly side of the Allentown-Yardville Turnpike and on the other two sides by the several courses of Doctor's creek and the mill race of the Spring Mills, containing four acres of land more or less.

Record.

Being the same premises conveyed to the said Charles T. McDonough by Harris P. Johnson and wife by deed dated September 6, 1919, duly recorded in the Monmouth County Clerk's Office in Volume 1092 of Deeds, page 249, etc.

Certain lands included.

Including certain lands, premises and tracts of land heretofore conveyed to Harry R. Candelent by the State of New Jersey by a deed dated the 3rd day of December, 1934, which is to be recorded in the Monmouth County Clerk's Office, more particularly described as parcels E-20-E, E-20-F, E-20-G, X-20-H, as shown on a map filed with the Monmouth County Clerk's Office known as map of "New Jersey State Highway Department General Property Key Map—Route 27, Section 7, Mercer County Line to Allentown, made June 1933."

Certain exceptions.

Excepting from the above described premises the several tracts of land described in a certain deed made by Harry R. Candelent and Anna B. his wife to the State of New Jersey, dated January 25, 1934, recorded in Book 1645 of Deeds, page 265 in the Monmouth County Clerk's Office, which premises and tracts of land were conveyed for highway purposes, and more particularly described as parcels 4, E4-C, E4-D, E4-E, X4-G, X4-H and easements affecting parcels E4-A, E4-B as shown on a map of New Jersey State Highway Department as more particularly mentioned hereinabove.

Private act.

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

Approved December 27, 1941.

CHAPTER 411

AN ACT concerning railroads, and amending section 48:12–13 of the Revised Statutes.

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

Section amended.

1. Section 48:12–13 of the Revised Statutes is amended to read as follows:

General powers:

48:12–13. Every railroad company shall have the general powers conferred by Title 14, Corporations, Generally, of the Revised Statutes and the supplements thereto and shall be governed by the provisions and be subject to the restrictions and liabilities therein contained, so far as the same are appropriate to and not inconsistent with this chapter or with the provisions of the act under which any such company may have been created and organized, and, in addition thereto, shall have power:

Entering lands, surveying, etc.;

I. To enter at all times upon all lands or waters for the purpose of exploring, surveying and laying out the routes of its railroad and of locating the same, to make such surveys as may be necessary to the selection of the most advantageous route, and to locate all necessary buildings, works, conveniences and appurtenances, doing no unnecessary injury to property and subject to responsibility for all damages done thereto;

Acquiring property;

II. To acquire from time to time and hold and use all such real estate and other property as may in the judgment of its directors be necessary for terminal purposes and for the construction and maintenance of its railroad, stations, branches, sidings, car yards, engine houses. repair shops and other accommodations necessary to accomplish the objects of its incorporation, and to sell land thus acquired when not necessary for such purposes and objects;

III. To construct and operate its road, to construct or purchase all engines, cars, machinery and appliances for the transportation of persons and property, to charge and collect fares and charges for transportation of passengers and freight and to exercise all other powers by this chapter granted. Construct and operate road.

2. This act shall take effect immediately.
Approved December 27, 1941.

CHAPTER 412

AN ACT relating to the investment of the proceeds of the sale of public utility plants of municipalities, and amending section 40:62–6 of the Revised Statutes.

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

1. Section 40:62–6 of the Revised Statutes is amended to read as follows: Section amended.

40:62–6. All rentals received under any such lease shall be applied by the municipality in the same manner as provided by law for the application of income from such plant while operated by the municipality. The proceeds from any sale shall be used for the retirement of bonds issued for the purposes of such plant, if any, or in case no such bonds are outstanding, then to the retirement of other bonds of the municipality. If no such bonds are outstanding the proceeds or any balance thereof may be used for the general purposes of the municipality. Such proceeds may, pending their use for the retirement of such bonds, be invested in bonds of the Government of the United States or bonds of the State of New Jersey or bonds or notes of such municipality. Use of rentals. Proceeds of sale to retire bonds. General purposes.

2. This act shall take effect immediately.
Approved December 27, 1941.

CHAPTER 413

AN ACT to amend an act entitled "An act to add Route 18 to the State Highway system," approved July eighteenth, one thousand nine hundred and thirty-nine.

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

Section amended.

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

Proposed route.

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

Route 18.

Route No. 18. Beginning at Old Bridge and extending from thence to Route No. 35 in the vicinity of Eatontown by way of Colt's Neck and Marlboro.

2. This act shall take effect immediately.

Approved December 27, 1941.

CHAPTER 414

AN ACT concerning certain boroughs, and amending sections 40:87–32, 40:87–33, 40:87–34, 40:87–35, 40:87–36, of the Revised Statutes.

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

Section amended.

1. Section 40:87–32 of the Revised Statutes is amended to read as follows:

When mayor may act judicially.

40:87–32. Excepting in boroughs where a recorder's court has been duly established, the mayor may hear, try and determine according to law all

actions which may be brought for the recovery of any penalty prescribed for the violation of any ordinance of the borough, and all offenses charged before him by complaint on oath, in writing, to have been committed in violation of such ordinances for which the punishment is by fine or imprisonment.

Section amended.

2. Section 40:87–33 of the Revised Statutes is amended to read as follows:

Mayor's authority in criminal matters.

40:87–33. Excepting in boroughs where a recorder's court has been duly established, the mayor shall have the same power, authority and jurisdiction in all criminal matters, all cases of bastardy, relief and removal and settlement of the poor, all breaches of the peace, all cases of vagrancy and disorderly conduct, as is conferred by law upon any one or two justices of the peace.

Section amended.

3. Section 40:87–34 of the Revised Statutes is amended to read as follows:

Mayor's power of commitment.

40:87–34. Excepting in boroughs where a recorder's court has been duly established, the mayor is hereby empowered to commit any person convicted before him of any breach of the peace, vagrancy or disorderly conduct, to the borough lock-up or county jail for any time not exceeding ninety days, or to impose a fine not exceeding twenty dollars ($20.00), or both.

Section amended.

4. Section 40:87–35 of the Revised Statutes is amended to read as follows:

Court of record.

40:87–35. Excepting in boroughs where a recorder's court has been duly established, the mayor's court shall be a court of record, and all persons shall be amenable to punishment for contempt of said court in the same manner as in other courts of record having power to punish for contempt.

Section amended.

5. Section 40:87–36 of the Revised Statutes is amended to read as follows:

Issue of summons by mayor.

40:87–36. Upon oath, affirmation or affidavit made according to law that any person has violated any ordinance of the borough, excepting in boroughs where a recorder's court has been duly established, the mayor may issue a summons or warrant,

in his discretion, at the suit of said borough against the person so charged, which process shall, when a warrant, be returnable forthwith, and when a summons, in not less than three nor more than ten days. Such process shall state the ordinance alleged to have been violated.

6. This act shall take effect immediately.

Approved December 27, 1941.

CHAPTER 415

AN ACT concerning the payment of wages to employees, and amending section 34:11–4 of the Revised Statutes.

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

Section amended.

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

Payment of wages every two weeks in cash.

34:11–4. Every person, firm, association or partnership doing business in this State, and every corporation organized under or acting by virtue of or governed by the provisions of Title 14, Corporations, General, or by the provisions of the act entitled "An act concerning corporations" (Revision 1896), approved April twenty-first, one thousand eight hundred and ninety-six, in this State, shall pay at least every two weeks, in lawful money of the United States, to each and every employee engaged in his, their or its business, or to the duly authorized representative of such employee, the full amount of wages earned and unpaid in lawful money to such employee, up to within twelve days of such payment. If, however, at any time of payment, any employee shall be absent from his regular place of labor and shall not receive his wages through a duly authorized representative, he shall

If employee absent.

be entitled to such payment at any time thereafter upon demand.

Making agreement to contrary.

It shall not be lawful for any such person, firm, association, partnership or corporation to enter into or make any agreement with any employee for the payment of the wages of any such employee otherwise than as provided by this section, except to pay such wages at shorter intervals than every two weeks. Every agreement made in violation of this section shall be deemed to be null and void, and the penalties provided for in section 34:11–6 of this Title may be enforced notwithstanding such agreement; and each and every employee with whom any agreement in violation of this section shall be made by any such person, firm, association, partnership or corporation, or the agent or agents thereof, shall have his action and right of action against any such person, firm, association or corporation for the full amount of his wages in any court of competent jurisdiction in this State. Any such person, firm, partnership, association or corporation that can reasonably satisfy the commissioner that he, they or it have a paid-up cash capital invested in this State of not less than two hundred thousand dollars ($200,000.00), and that arrangements have been made with a banking institution for the payment in full of any negotiable check issued for the payment of wages, may, with the written consent of the commissioner, pay any such wages by negotiable check instead of in lawful money. Any person, firm, association, partnership or corporation may, with the written consent of the Commissioner of Labor, pay the wages of his, their or its employees by check if he, they or it furnish satisfactory proof to the commissioner of his, their or its financial responsibility and file with the commissioner a bond running to the commissioner for the benefit of said employees in double the amount of the maximum weekly payroll paid by him, them or it during the calendar year preceding the date of the filing thereof conditioned upon the payment by the bank upon which any such check

Agreement void.

Right of action maintained.

Payment by check.

Bond to guarantee payment.

is drawn immediately upon proper presentation of such check and secured by a surety authorized to do business in New Jersey and approved by the Commissioner of Banking and Insurance, which bond and the terms thereof may be enforced by an action at law either by the commissioner or, with the written consent of the commissioner, by any aggrieved employee. Any person, firm, association, partnership or corporation shall, as a condition precedent to the obtaining of the written consent of the commissioner under this section, make suitable arrangements for the cashing of such checks by employees without difficulty and for the full amount for which they are drawn.

Approval by banking commissioner.

Cashing checks.

Exceptions.

This section shall not apply to employees engaged in agricultural work or as watermen.

Section amended.

2. Section 34:11–6 of the Revised Statutes is amended to read as follows:

Penalties.

34:11–6. Every person, firm, association, partnership or corporation mentioned in section 34:11–4 of this Title and every officer or agent thereof who shall violate any of the provisions of said section 34:11–4 shall, for the first offense, be liable to a penalty of fifty dollars ($50.00), and for the second and each subsequent offense to a penalty of one hundred dollars ($100.00), to be recovered by and in the name of the Department of Labor of this State.

Penalty payable to labor department.

All penalties recovered for any violation of said section 34:11–4 shall be paid to the Department of Labor for the use of the State.

3. This act shall take effect immediately.

Approved January 5, 1942.

CHAPTER 416

AN ACT concerning extinct parishes or congregations of the Protestant Episcopal Church and providing for the dissolution thereof and the disposition of the property thereof in certain cases, and amending section 16:12–16 of the Revised Statutes.

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

1. Section 16:12–16 of the Revised Statutes is amended to read as follows: Section amended.

16:12–16. If and when the convention of said church which has ecclesiastical jurisdiction over a parish shall determine that regular church services are no longer maintained by such parish, said convention may declare such parish extinct, and thereupon the corporation having title to the property of said parish shall be thereby dissolved and the property of said parish and all rights and interest of said parish pertaining to property shall vest in the corporation organized to hold in trust property under the control of said convention, in trust, for the same religious purposes and with the power of disposition and sale to the same extent as the same vested or would have vested in the corporation having title to the property of said parish before it became extinct; *provided, however,* that this act shall not affect the reversionary interest of any person or persons in such property. Said property and the income therefrom and the proceeds of sale thereof shall be applied to religious and charitable uses connected with the church, and the convention may direct the use to which the same or any part thereof shall be applied, and may direct the transfer thereof or any part thereof to any incorporated parish or other corporation, the funds of which are devoted to carrying on any of the objects or pur-

Declaring parish extinct.

Disposition of property.

Proviso.

Use of proceeds and income.

Transfer of property.

New Jersey State Library

Official notice of abandonment filed with county clerk.

poses of said church in said diocese. If and when the convention of said church shall make such determination and declare a parish extinct, a certificate of such action by the convention under the seal of the convention, signed by the bishop or other officer who presided at the meeting of the convention at which such action was taken and attested by the secretary of said convention and duly acknowledged, shall be filed and recorded in the office of the county clerk of the county where the certificate of incorporation of said parish has been filed, or where such extinct parish is located.

2. This act shall take effect immediately.

Approved January 17, 1942.

CHAPTER 417

AN ACT making an appropriation for the refund of moneys erroneously paid as taxes by certain foreign insurance companies.

Preamble.

WHEREAS, The State of New York has repealed its act requiring the payment of a minimum tax of one hundred dollars ($100.00) by New Jersey insurance companies doing business in that State; and

Preamble.

WHEREAS, Our retaliatory statute (R. S. 17:32–12) requires the payment of like taxes to this State by New York insurance companies doing business in this State; and

Preamble.

WHEREAS, Some taxes were erroneously paid to the State Tax Commissioner by New York insurance companies doing business in this State, apparently without knowledge of the repeal of the New York statute; therefore,

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

Refund of taxes erroneously paid.

1. The State Treasurer, on certification from the State Tax Commissioner, is hereby authorized to refund, out of any moneys received by him from the taxes paid by insurance companies of the State of New York, doing business in this State, such sum or sums as shall be certified by the State Tax Commissioner as having been erroneously paid to him by any such New York insurance companies.

2. This act shall take effect immediately.

Approved January 17, 1942.

CHAPTER 418

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 forty-two, and regulating the disbursement thereof," approved May seventeenth, one thousand nine hundred and forty-one (P. L. 1941, c. 129).

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

Additional appropriations for legislative purposes.

1. The following sums or so much thereof as may be necessary, be and they are hereby appropriated out of the State fund for the respective public purposes herein specified, and shall be available for expenditure in the same manner as other appropriations made pursuant to the act to which this act is a supplement.

B. LEGISLATIVE

B 1. LEGISLATURE

Compensation and expenses of officers and employees	$20,150 00	
Indexing Journal of the Senate, Minutes of the House of Assembly and other incidental and contingent expenses	47,500 00	
		$67,650 00

2. This act shall take effect immediately.

Approved January 17, 1942.

CHAPTER 419

AN ACT accepting the gift of Frederick W. Eveleth, deceased, of the residue of his estate and empowering the State Treasurer to execute a refunding bond and release to the administrator of the estate.

Preamble.

WHEREAS, Frederick W. Eveleth died on December fifth, one thousand nine hundred and thirty-one, leaving a last will and testament probated in the Hudson County Surrogate's Office and duly recorded in Book 176 of Wills, Page 584, in and by which he directed his executor to convert his estate into cash and to divide the fund into two parts and to hold said parts in trust, one part in trust for his nephew, Kenneth McKenzie, and the remaining part in trust for his niece, Margaret McKenzie, and did further direct that the income from said trust funds should be paid to the

beneficiaries for and during their respective lives, and did further direct that upon the death of his nephew and upon the death of his said niece the respective trust funds set aside as above provided, together with all accumulated income remaining on hand, should be paid to the State of New Jersey; and in and by said will he did appoint the Trust Company of New Jersey as executor and trustee, which company refused to act; and

Preamble. WHEREAS, On January twentieth, one thousand nine hundred and thirty-two, George L. Record was appointed administrator with the will annexed of the said decedent and subsequent to his death on September twenty-seventh, one thousand nine hundred and thirty-three, his executrix filed an accounting of said estate; that on December first, one thousand nine hundred and thirty-three Kenneth McKenzie was appointed substituted administrator with the will annexed; and on February ninth, one thousand nine hundred and thirty-four, it was decreed by the Hudson County Orphans Court that the total assets of the estate at that time amounted to three thousand, six hundred four dollars and seventy-five cents ($3,604.75); and

Preamble. WHEREAS, The said estate was never subdivided into two trusts, and on February sixth, one thousand nine hundred and forty, Margaret McKenzie, the niece, died; and the total estate now amounts to approximately four thousand, six hundred sixty dollars ($4,660.00), although no account has been filed by the said Kenneth McKenzie, substituted administrator; and

Preamble. WHEREAS, Kenneth McKenzie is desirous of turning over to the State of New Jersey the one-half part of the estate held for Margaret McKenzie, and of making a compromise settlement as to the one-half part of the estate held for himself and

paying a lump sum in full payment of the said bequest set out in said will for his benefit in order that the trust may be terminated; therefore,

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

Refunding bond furnished for certain bequest made State.

1. The State Treasurer is hereby authorized to accept from Kenneth McKenzie, administrator with the will annexed of Frederick W. Eveleth, deceased, the one-half part of said estate amounting to approximately two thousand, three hundred thirty dollars ($2,330.00) which was bequeathed to the State of New Jersey subject to the life interest therein of decedent's niece, Margaret McKenzie, who died February sixth, one thousand nine hundred and forty, and the said State Treasurer is hereby authorized to waive an accounting and to execute and deliver unto the administrator with the will annexed of said estate a refunding bond and release in satisfaction of said bequest.

Compromise settlement.

2. The State Treasurer is hereby authorized to accept from Kenneth McKenzie, administrator with the will annexed of Frederick W. Eveleth, deceased, the sum of one thousand dollars ($1,000.00) being a compromise settlement of the one-half part of the estate of said decedent which was bequeathed to the State of New Jersey subject to the life interest therein of decedent's nephew, Kenneth McKenzie, who is now living, and the said State Treasurer is hereby authorized to waive an accounting and to execute and deliver unto the administrator with the will annexed of said estate a refunding bond and release in satisfaction of said bequest.

Proceedings.

3. This act shall take effect immediately.

Approved January 17, 1942.

CHAPTER 420

AN ACT to amend the title of "An act concerning investment companies, the supplement or supplements thereto, and amending section 17:13A–3 of the Revised Statutes," approved October third, one thousand nine hundred and thirty-nine (P. L. 1939, c. 353), so that the same shall read "An act to amend 'An act concerning investment companies, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled "investment companies",' approved June fourteenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 322)," and to amend section one 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 investment companies, the supplement or supplements thereto, and amending section 17:13A–3 of the Revised Statutes," approved October third, one thousand nine hundred and thirty-nine, is amended to read "An act to amend 'An act concerning investment companies, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled "investment companies" '." Title amended. New title.

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

1. Section three of the act of which this act is amendatory is amended to read as follows: Section 3 amended.

3. Authorization of domestic companies, individuals and partnerships. An investment company, other than a foreign corporation, desiring to secure a certificate of authority shall make application to the commissioner who may issue such certificate of authority to transact business to any such company when: C. 17:16A-3. Application for authorization:

When investment company has filed satisfactory statement;

a. The investment company, if a corporation of this State, has filed in the department a certified copy of its charter or certificate of incorporation and a statement, in such form as the commissioner shall prescribe, attested by its president or vice-president and secretary or treasurer under its corporate seal, showing the financial condition of the corporation; or if an individual or partnership, has filed in the department such evidence as may be satisfactory to the commissioner that the individual or members of the partnership are citizens of the United States and residents of this State and a statement, in such form as the commissioner shall prescribe, attested by the individual or by the members of the partnership, showing the financial condition of the individual or partnership.

Commissioner satisfied;

b. The commissioner shall be satisfied, by such examination and evidence as he sees fit to make and require; if a corporation, that the whole amount of the capital set forth in the certificate of incorporation and the required minimum surplus of the company has been actually paid in cash and is possessed by the company in money or in such stocks, bonds, bonds and mortgages, or other securities as are authorized for investment by this chapter, or, if an individual or partnership, that the minimum amount of unencumbered assets over its liabilities required by this chapter are held in such stocks, bonds, bonds and mortgages, or other securities authorized by this chapter for the investment of the funds of investment companies incorporated under the laws of this State. No investment company hereafter incorporated under the laws of this State shall be entitled to commence business unless it has a capital stock of at least one hundred thousand dollars ($100,000.00) and in addition thereto a surplus actually paid in in cash equal to one-half the minimum capital

Capitalization;

stock required by this chapter. Any company heretofore incorporated under the laws of this State and engaged in the investment business as defined in this act, within this State, shall be entitled to make application to the commissioner for a certificate of authority, authorized by this act; *provided,* such company shall at all times have capital stock and surplus actually paid in cash amounting to twenty per centum (20%) of its liabilities, such liabilities to be determined by the Commissioner of Banking and Insurance of this State; *and provided, further,* that the said capital and surplus shall be at a minimum amount of at least thirty thousand dollars ($30,000.00). No individual or partnership shall be entitled to commence business unless the amount of its unencumbered assets, invested as herein provided, over its liabilities shall not be less than one hundred fifty thousand dollars ($150,000.00).

Who may apply;

Proviso.

Proviso.

Minimum assets;

c. The company shall have deposited with the commissioner public stocks or bonds of this State or of the United States, or of the States of New York, Massachusetts, or Pennsylvania, or any of the counties, bureaus, towns or townships of this State, or such securities as are legal for trust funds in this State having a market value of not less than fifty thousand dollars ($50,000.00).

Securities deposited.

Every individual or partnership authorized to transact business pursuant to this chapter shall conform to all requirements of this chapter applicable to corporations of this State and which by their nature are applicable to individuals or partnerships. When in this chapter reference is made to officers of an investment company, such reference shall be deemed to be reference to the individual or to the members of a partnership. The commissioner may refuse to issue a certificate of authority to any individual or partnership and may cancel any outstanding certificate of authority of

Conforming to requirements.

Reference to officers.

Serving public interests.

any individual or partnership, if in his judgment, the interests of the public would be best served by such refusal or cancellation.

3. This act shall take effect immediately.

Approved January 17, 1942.

CHAPTER 421

AN ACT to amend "An act to provide for the incorporation and regulation of credit unions, and repealing sections 17:13–1 to 17:13–25, inclusive, of the Revised Statutes," approved June fourth, one thousand nine hundred and thirty-eight, being chapter two hundred ninety-three of the laws of one thousand nine hundred and thirty-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. 17:13-26. Credit union defined.

1. A credit union is hereby defined as a cooperative association organized in accordance with the provisions of this act or the provisions of chapter thirteen of Title 17 of the Revised Statutes for the purpose of promoting thrift among its members and creating a mutual fund which will establish a source of credit for them for provident or productive purposes, and all such credit unions shall be governed by the provisions of this act.

2. This act shall take effect immediately.

Approved January 17, 1942.

CHAPTER 422

AN ACT relative to transfer inheritance taxes, and amending section 54:34–4 of the Revised Statutes.

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

1. Section 54:34–4 of the Revised Statutes is amended to read as follows: Section amended.

54:34–4. The following transfers of property shall be exempt from taxation: Exemptions from taxation:

a. Property passing to or for the use of the State of New Jersey, or to or for the use of a municipal corporation within the State or other political subdivision thereof, for exclusively public purposes. State or subdivision;

b. Property passing to a beneficiary or beneficiaries having any present or future, vested, contingent or defeasible interest under any trust deed or agreement heretofore or hereafter executed by a resident or nonresident decedent, to the extent that the trust fund results from the proceeds of contracts of insurance heretofore or hereafter in force, insuring the life of such decedent, and paid or payable, at or after the death of such decedent, to the trustee or trustees under such trust deed or agreement. Property becoming trust fund;

c. Property passing to a trustee or trustees of any trust deed or agreement heretofore or hereafter executed, by virtue of any contract of insurance heretofore or hereafter in force insuring the life of a resident or nonresident decedent and the proceeds of which are paid or payable at or after the death of such decedent to such trustee or trustees for the benefit of a beneficiary or beneficiaries having any present or future, vested, contingent or defeasible interest under such trust deed or agreement. Certain insurance funds;

Property of educational institution;

d. Property passing since July first, one thousand nine hundred and twenty-four, to or for the use of any institution solely educational for whose benefit there may have been or may hereafter be appropriations made by the Legislature of this State.

Funds from United States;

e. That part of the estate of any decedent who has heretofore died, or may hereafter die, received, either heretofore or hereafter, by the legal representative of such decedent, whether directly from the United States or through any intervening estate or estates, by reason of any war risk insurance certificate or policy, either term or converted, or any adjusted service certificate, issued by the United States. Nothing contained in this paragraph (e) shall entitle any person to a refund of any tax heretofore paid on the transfer of property of the nature aforementioned; *and provided, further,* that the exemption provided for in his paragraph (e) shall not extend to that part of the estate of any decedent composed of property of the nature aforementioned, when such property was received by the decedent before death.

No rebate.

Proviso.

Proceeds of insurance policy.

f. The proceeds of any contract of insurance heretofore or hereafter in force insuring the life of a resident or nonresident decedent paid or payable at or after the death of such decedent to any beneficiary or beneficiaries other than the estate or the executor or administrator of such decedent.

Changing beneficiaries.

g. Any transfer, relinquishment, surrender or exercise at any time or times by a resident or nonresident of any right to nominate or change the beneficiary or beneficiaries of any contract of insurance heretofore or hereafter in force insuring the life of such resident or nonresident irrespective of whether such transfer, relinquishment, surrender or exercise of such right took place or whether the proceeds of such policy were paid or payable, before or after the taking effect of this act.

2. This act shall take effect immediately.

Approved January 17, 1942.

CHAPTER 423

AN ACT to amend the title of "An act changing the name of any religious corporation or church or of any society, conference, board, association or other organization thereof heretofore or now using the name 'Methodist Protestant Church,' 'Methodist Episcopal Church' or 'Methodist Episcopal Church South' by substituting therefor the name 'Methodist Church,' and supplementing Title 16 of the Revised Statutes," approved January twentieth, one thousand nine hundred and forty-one (P. L. 1940, c. 253) so that the same shall read "An act authorizing the use of the name 'The Methodist Church' by religious corporations and churches heretofore known as 'Methodist Episcopal Church,' 'Methodist Protestant Church' or 'Methodist Episcopal Church South.' "

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

Title amended.

1. The title of "An act changing the name of any religious corporation or church or of any society, conference, board, association or other organization thereof heretofore or now using the name 'Methodist Protestant Church,' 'Methodist Episcopal Church' or 'Methodist Episcopal Church South' by substituting therefor the name 'Methodist Church,' and supplementing Title 16 of the Revised Statutes," approved January twentieth, one thousand nine hundred and forty-one is amended to read "An act authorizing the use of the name 'The Methodist Church' by religious corporations and churches heretofore known as 'Meth-

odist Episcopal Church,' 'Methodist Protestant Church' or 'Methodist Episcopal Church South.' ''

2. This act shall take effect immediately.

Approved January 17, 1942.

CHAPTER 424

AN ACT to amend the title of "An act concerning public health, and amending section 24:18–2 of the Revised Statutes," approved March tenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 24) so that the same shall read "An act concerning public health and authorizing the purchase and distribution free of antipneumococcic serum in certain cases."

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

Title amended.

1. The title of "An act concerning public health, and amending section 24:18–2 of the Revised Statutes," approved March tenth, one thousand nine hundred and thirty-eight is amended to read "An act concerning public health and authorizing the purchase and distribution free of antipneumococcic serum in certain cases."

2. This act shall take effect immediately.

Approved January 17, 1942.

CHAPTER 425

AN ACT concerning education, and amending section 18:6–72.1 of the Revised Statutes.

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

Section amended.

1. Section 18:6–72.1 of the Revised Statutes is amended to read as follows:

Procedure applicable in financial transactions.

18:6–72.1. In making the appropriation, borrowing the moneys or authorizing the bonds provided for in sections 18:6–59 to 18:6–72 of this Title it shall not be necessary for the governing body of any municipality to comply with any procedure other than that applicable to such municipality and proceedings contained in this Title and in chapter forty-nine of Title 40, Municipalities and Counties (secs. 40:49–1 et seq.), except that this section shall not be construed to make unnecessary any procedure required by chapter twenty-seven of the Title State Government Departments and Officers (secs. 52:27–1 et seq.), relating to the Municipal Finance Commission. Any bonds authorized pursuant to said sections 18:6–59 to 18:6–72 may be sold and delivered in the manner or mode of procedure prescribed by chapter one of the Title Municipalities and Counties (secs. 40:1–1 et seq.).

Required procedure.

Sale of bonds.

2. This act shall take effect immediately.

Approved January 17, 1942.

CHAPTER 426

AN ACT concerning banking, savings, trust, guaranty, safe deposit, indemnity, mortgage, investment, loan and building corporations and associations and amending section 17:16–10 of the Revised Statutes.

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

Section amended.

1. Section 17:16–10 of the Revised Statutes is amended to read as follows:

Revocation of authority.

17:16–10. When the commissioner shall find that the affairs of any such corporation are in an unsound condition because of illegal or unsafe investments, or that its liabilities exceed its assets, he may cancel and revoke any certificate of authority issued to such corporation pursuant to the provisions of sections 17:16–2 to 17:16–14 of this Title.

2. This act shall take effect immediately.

Approved January 17, 1942.

CHAPTER 427

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 7 amended.

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

C. 37:1-26. Marriage in certain cases.

7. Nothing in this act contained shall be construed to repeal the provisions of section 37:1–5 of the Revised Statutes, which provides for immediate marriages, in cases of criminal charges.

2. This act shall take effect immediately.

Approved January 17, 1942.

JOINT RESOLUTIONS

Joint Resolutions

JOINT RESOLUTION No. 1

JOINT RESOLUTION designating State Highway Route No. 6 as United Spanish War Veterans Memorial Highway.

Preamble.

WHEREAS, New Jersey is desirous of recognizing and commemorating the splendid services and achievements of its sons who served in the Spanish-American War to perpetuate American ideals; and

Preamble.

WHEREAS, It is fitting and appropriate that legislative recognition be accorded the services and sacrifices of New Jersey soldiers so valiantly rendered; therefore

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

Designation of route 6.

1. That State Highway Route No. 6 shall be designated as the United Spanish War Veterans Memorial Highway as a memorial and in commemoration of the services of the members of the United Spanish War Veterans, and

Suitable markings.

2. That the State Highway Commissioner shall cause to be erected on said State Highway route suitable tablets and ornamentations to effectuate this resolution.

3. This joint resolution shall take effect immediately.

Approved April 14, 1941.

JOINT RESOLUTION No. 2

JOINT RESOLUTION creating a research committee to study the revision of the New Jersey Constitution and prescribing its powers and duties, and making an appropriation therefor.

Preamble. WHEREAS, The party platforms of both major political parties have indicated the necessity for constitutional revision; and

Preamble. WHEREAS, The Governor and members of the Legislature have advocated certain constitutional changes; and

Preamble. WHEREAS, It is in the interest of the citizens of the State that a commission be created for the purpose of inquiring into the subject of constitutional revision and of suggesting to the Governor and the Legislature changes in the articles of the present Constitution of the State and to report to the Governor and the Legislature recommendations in the form of proposed changes in the Constitution together with the reasons upon which said recommended changes are founded; now therefore

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

Commission created—membership. 1. There is hereby created a commission the members of which shall be appointed as follows:

Two members to be appointed by the Governor;

Two members to be appointed by the President of the Senate;

Two members to be appointed by the Speaker of the House of Assembly; and one member to be selected by a majority of the appointed members.

All members shall serve without compensation.

When appointments made. 2. Within seven days after the effective date of this joint resolution the Governor, the President of the Senate and the Speaker of the House of

Assembly shall make their respective appointments under this joint resolution.

Organization.

3. Within fourteen days after the effective date of this joint resolution the appointed members shall meet and select the member of the commission to be selected by the appointed members and shall elect from its membership a chairman who shall be its presiding and executive officer.

Quorum.

Four members of the commission shall constitute a quorum and the majority of the quorum may act for the commission.

Duties.

4. The commission shall be charged with the duty of inquiring into the subject of constitutional revision and of suggesting in what respects the Constitution of New Jersey should be changed and make recommendations to provide for the more effective working of present-day representative processes.

Hearings, witnesses, assistants.

5. The commission is authorized to hold hearings, call witnesses and to draft necessary legal and clerical assistance from such State departments as may be required. It shall also have authority to engage and appoint a secretary, not of its own number, and such competent and expert advisors and clerical and stenographic assistants as it may deem necessary to the proper accomplishment of the purpose of this joint resolution; *provided,* that the compensation to be paid such assistants shall at all times be within the limits of the appropriation hereby made.

Secretary and advisors.

Proviso.

Report.

6. The commission is directed to report on or before February second, one thousand nine hundred and forty-two, to the regular session of the Legislature of one thousand nine hundred and forty-two and to the Governor.

Appropriation.

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

8. This joint resolution shall take effect immediately.

Approved November 18, 1941.

JOINT RESOLUTION No. 3

A JOINT RESOLUTION memorializing the President of the United States and the Federal Loan Administrator to designate the Delaware river tunnel heretofore authorized as a project for immediate construction through the medium of a Federal loan under the National Defense Program.

Preamble. WHEREAS, The Legislatures of the State of New Jersey and the Commonwealth of Pennsylvania have heretofore authorized the construction of a tunnel under the Delaware river between opposite points in the county of Gloucester in the State of New Jersey and the county of Delaware in the Commonwealth of Pennsylvania, and created proper authorities or commissions in each of said States to construct, operate and maintain the same; and

Preamble. WHEREAS, Formal application has been made by the Gloucester County Tunnel Commission and the Delaware County Authority, acting as a joint authority or commission, to the Reconstruction Finance Corporation to finance the cost thereof through the purchase of tunnel revenue bonds of the county of Gloucester in the State of New Jersey; and

Preamble. WHEREAS, Plans for constructing, financing, operating and maintaining said tunnel have had the approval of the Reconstruction Finance Corporation and the Honorable Jesse H. Jones, Federal Loan Administrator under the Government of the United States, and said project has been included among a number of other important projects in the nation which are contemplated by the President as a part of a Post Emergency Works program; and

Preamble. WHEREAS, The great need for additional facilities to connect the main arteries of travel running through the great industrial areas of the middle and north Atlantic States in which a major portion of the nation's defense material is being produced, makes it essential that the construction of the proposed Delaware river tunnel proceed immediately as a part of the National Defense Program to supplement the present inadequate transportation facilities between strategic points on opposite banks of the Delaware river thereby affording additional safeguards both to the nation's civilian population as well as to its armed forces; and

Preamble. WHEREAS, The defense importance of said tunnel in this hour of national and world crisis is best evidenced by the fact that each succeeding Chief of Staff of the United States Army since one thousand nine hundred and thirty-five has referred to said tunnel as a "military necessity"; therefore,

BE IT RESOLVED *by the Senate of the State of New Jersey (the House of Assembly concurring)*:

Memorial. 1. The Legislature of the State of New Jersey does memorialize the President of the United States and the Federal Loan Administrator forthwith to recognize the vital importance of including the Delaware river tunnel aforesaid as a project for immediate construction as a part of the National Defense Program and to make available the funds to meet and pay the cost thereof.

Recognition of necessity.

Copies furnished certain federal officials. 2. That certified copies of this resolution, when adopted and approved by the Governor, be forwarded to the President of the United States, to the Federal Loan Administrator, to the Vice-President of the United States, to the Speaker of the House of Representatives of the United States, to the members of the Senate of the United States representing the State of New Jersey, and to each

member of the House of Representatives of the United States representing the State of New Jersey, in order that all persons in the Government of the United States may be duly impressed with both the commercial and military advantages which are to be gained from the immediate construction of this vital and strategic defense facility.

Approved December 10, 1941.

PROCLAMATIONS

Proclamations by the Governor

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The Congress has enacted the Alien Registration Act of 1940, which provides for the compulsory registration of all noncitizens in this country, at the local post offices during the period of August twenty-seventh and December twenty-sixth, one thousand nine hundred and forty, and

WHEREAS, It is the purpose of the State of New Jersey to co-operate with the Federal authorities and lend every assistance to them and to every noncitizen required to be registered.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do call upon all noncitizens within the State of New Jersey to present themselves during the period specified at their local post offices for the purpose of registration.

And I further call upon all citizens to give all possible aid to noncitizens in complying with the requirements of registration.

For the information of all, instructions for registration and specimen forms are available at all post offices; fingerprinting *must be done at the post office*; and all registration records will be kept secret and confidential.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-first day of August, in the year of Our Lord one thousand nine hundred and forty, and in the Independence of the United States the one hundred and sixty-fifth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

As Commander-in-Chief of the military and naval forces of the State of New Jersey I have a natural pride in the proficiency and integrity of those forces. The induction of the 44th Division, which includes the major portion of the New Jersey National Guard, into the Army of the United States for a year's training, is obviously imminent.

It is my great desire, as it should be that of every citizen of the State, to maintain these elements of the 44th Division as distinctly New Jersey troops. To insure this it is necessary for them to reach, by voluntary enlistment, the strength authorized by Regular Army peace-time tables of organization, and this will require the enlistment of approximately three thousand men in our State.

I therefore call upon all patriotic young men of New Jersey who do not have others dependent upon them for support to seriously consider enlisting in these elements of the 44th Division prior to September fifteenth, which date now seems to be the last date upon which enlistments in the New Jersey National Guard may be accepted.

Upon the enactment of the selective service bill into law such young men will be drafted into the service, and will not have the opportunity of selecting the unit and branch of service which they wish to join. I should like to point out that those who now enlist in the National Guard will have the advantage of training with the 44th Division at Fort Dix, New Jersey, with a unit and branch of service of their own choosing.

And I further appeal to all mayors, governing bodies of municipalities and public officials, as well as all patriotic organizations and public-spirited citizens, to aid the efforts of the officials of the

National Guard of our State to bring their organization to strength, in order to insure the integrity of such organization as a real New Jersey military unit, and thus put New Jersey as a State in the forefront of our great efforts for national defense.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this third day of September, in the year of Our Lord one thousand nine hundred and forty, and in the Independence of the United States the one hundred and sixty-fifth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Under date of August thirty-first, one thousand nine hundred and forty, the President of the United States did issue Executive Order Number 8530, ordering into the active military service of the United States certain units and members of the New Jersey National Guard; and

WHEREAS, The President did call upon the Governors of the several States and Territories to perform certain duties in execution of the foregoing order; and

WHEREAS, I, A. Harry Moore, Governor of the State of New Jersey, in pursuance to the provisions of the National Defense Act and Title 38:2–6, Revised Statutes of New Jersey, do hereby order

the following listed units of the New Jersey National Guard to assemble at their respective home stations on September sixteenth, one thousand nine hundred and forty, for induction into the active military service of the United States:

44th Division, less 44th Tank Company
119th Observation Squadron; and

WHEREAS, The officers and men of the foregoing units have made considerable sacrifices over a period of years in performance of military duties and are now called upon to make additional greater personal sacrifices in the interest of National Defense; now,

THEREFORE, I, A. HARRY MOORE, as Governor of this old historic State, urgently request all of our good citizens to co-operate in freeing the personnel of these units for military service, in protecting their families and providing for their re-employment upon return from military training, and maintaining such benefits as may accrue to them because of their present employment that they may feel free to devote themselves entirely to the task to which the President of the United States has assigned them.

[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 forty, and in the Independence of the United States the one hundred and sixty-fifth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The one hundred and fifty-third anniversary of the adoption of the Constitution of the United States will be observed on Tuesday, September the seventeenth.

Under this historic document a government has been created that has existed longer than the majority of governments of great countries of modern times.

Every citizen knows that it is the Constitution which protects him in his lawful aims of "life, liberty and the pursuit of happiness."

Vaguely, many citizens may feel that the Constitution is a complicated lengthy piece of reading matter, couched in legal phraseology, and therefore uninteresting to the layman.

The truth is that the opposite is true. It is written in plain English and is easily understandable.

At this time, when war devastates Europe, Asia and Africa and threatens our own peace and security—when subversive elements tells us that our system and our Constitution are outmoded—I am asking, as your Governor, that every citizen, as a patriotic exercise, peruse the Constitution of the United States during the week starting September seventeenth; I am recommending that someone in the family read a portion of it to all the others each evening for just a few minutes. And in the cases of the foreign-born who understand but cannot read English, I recommend that a child in the family, or a friendly neighbor, read it to these good people.

If we do not read the Constitution we cannot realize its meaning. But once we come to a greater knowledge of both the Constitution and the Declaration of Independence, we shall be better able to

combat the onslaughts that are being made against it—we shall stand, as our fathers stood, to protect it. And in this determination, we shall pray to Almighty God to protect it and to preserve us in the freedom that is our heritage.

To the end that Constitution Day may be fittingly observed, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim

TUESDAY, SEPTEMBER 17TH

as

CONSTITUTION DAY,

and I particularly ask all clergymen to call the attention of their flocks to this anniversary and urge the people to join in prayers of gratitude and petition and also suggest that this day be emphasized by special exercises in the schools of New Jersey.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twelfth day of September, in the year of Our Lord one thousand nine hundred and forty, and in the Independence of the United States the one hundred and sixty-fifth.

A. HARRY MOORE,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, In the judgment of the President of the United States and the Governor of this State, a national emergency exists whereby it has become necessary to concentrate within this State, in active service in the military forces of this State and of the United States, citizens of this State who are legal voters herein; and

WHEREAS, Pursuant to the provisions of chapter one hundred ninety-four of the laws of New Jersey for the year one thousand nine hundred and forty, it is directed that when such an emergency exists the Governor shall file with the Secretary of State an order, so that such persons who are citizens of this State and legal voters herein, in active military service, may vote in any election; now

THEREFORE, I, A. Harry Moore, Governor of the State of New Jersey, pursuant to the statute in such case made and provided, do hereby declare that such national emergency exists, and do direct that the provisions of chapter one hundred ninety-four of the laws of one thousand nine hundred and forty be made operative and effective.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this twenty-fourth day of September in the year of Our Lord one thousand nine hundred and forty, and in the Independence of the United States the one hundred and sixty-fifth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

For several years Fire Prevention Week has been observed throughout our State and nation. Attention has annually been called to the great loss of life and property by fire, and the necessity of correcting existing fire hazards, instruction to both children and adults in fire prevention, and promoting measures for fire protection.

Whatever has been said in the past needs greater emphasis this year, because we have before us the problem of national defense. Because fire threatens national defense, fire prevention becomes, more than ever, the patriotic duty of all citizens. Any stoppage of the wheels of vital industries or damage to storage and transportation facilities would have most disastrous results.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim the week of

OCTOBER 6TH TO OCTOBER 12TH

as

FIRE PREVENTION WEEK,

and I ask the whole-hearted co-operation of the people of every community, both individually and through their organizations.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirtieth day of September in the year of Our Lord one thousand nine hundred and forty, and in the Independence of the United States the one hundred and sixty-fifth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The Congress of the United States has enacted the Selective Training and Service Act of one thousand nine hundred and forty, which declares that it is imperative to increase and train the personnel of the armed forces of the United States and that in a free society the obligations and privileges of military training and service should be shared generally in accordance with a fair and just system of selective compulsory military training and service and the President has signed and proclaimed his approval of such act, and

WHEREAS, The President has fixed and proclaimed Wednesday, the sixteenth day of October, one thousand nine hundred and forty, between the hours of seven A. M., and nine P. M. as the time for the first registration of those required to register under the provisions of the Selective Training and Service Act aforesaid, and

WHEREAS, The President has called upon the Governors of the several States and Territories, the Board of Commissioners of the District of Columbia, the officials of counties and municipalities, and all citizens to do and perform the acts and services necessary to make effective the provisions of the said Selective Training and Service Act, providing for the registration of all persons required to register thereunder; now,

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, by virtue of my office, do proclaim:

1. The first registration in the State of New Jersey under the Selective Training and Service Act of one thousand nine hundred and forty shall take place on Wednesday, the sixteenth day of October, one thousand nine hundred and forty, between the hours of seven A. M. and nine P. M.

2. Every male citizen of the United States and every male alien residing in the State of New Jersey (other than those enumerated in the following paragraph) who on Wednesday, the sixteenth day of October, one thousand nine hundred and forty, has attained the twenty-first anniversary of the day of his birth and has not attained the thirty-sixth anniversary of the day of his birth, shall present himself for, and submit to, registration at the regular polling place or other duly designated place of registration within the voting precinct or district in which he has his permanent home, or in which he may happen to be, on Wednesday, the sixteenth day of October, one thousand nine hundred and forty. Every such person who is not within the continental United States on Wednesday, the sixteenth day of October, one thousand nine hundred and forty, shall within five days after his return to the continental United States present himself for, and submit to, registration. Regulations have been prescribed providing for the special registration of those who, on account of sickness or other causes beyond their control, are unable to present themselves for registration at the designated places of registration on Wednesday, the sixteenth day of October, one thousand nine hundred and forty.

3. The following persons shall not be required to register and shall be relieved from liability for training and service:

Commissioned officers, warrant officers, pay clerks, and enlisted men of the Regular Army, the Navy, the Marine Corps, the Coast Guard, the Coast and Geodetic Survey, the Public Health Service, the federally recognized active National Guard, the Officers' Reserve Corps, the Regular Army Reserve, the Enlisted Reserve Corps, the Naval Reserve, and the Marine Corps Reserve;

Cadets, United States Military Academy;

Midshipmen, United States Naval Academy;

Cadets, United States Coast Guard Academy;

Men who have been accepted for admittance (commencing with the academic year next succeeding such acceptance) to the United States Military Academy as cadets, to the United States Naval Academy as midshipmen, or to the United States Coast Guard Academy as cadets, but only during the continuance of such acceptance;

Cadets of the advanced course, senior division, Reserve Officers' Training Corps or Naval Reserve Officers' Training Corps; and

Diplomatic representatives, technical attaches of foreign embassies and legations, consuls-general, consuls, vice-consuls, and consular agents of foreign countries, residing in the United States, who are not citizens of the United States, and who have not declared their intention to become citizens of the United States.

4. It is the responsibility and obligation of every person subject to registration in the State of New Jersey to familiarize himself with the rules and regulations governing such registration and to comply therewith. From time to time information regarding such rules and regulations will appear in the public press.

5. To insure full co-operation in carrying into effect the registration of all persons required to register, all employers and governmental agencies are urged to give those under their charge sufficient leave of absence on the day and between the hours aforesaid in which to fulfill the obligation of registration incumbent upon them.

6. In order that our public school teachers who, through their respective boards, superintendents of schools and the Commissioner of Education, have patriotically volunteered their services as registrars, may be free to assist in the registration, I direct that Wednesday, the sixteenth day of October, one thousand nine hundred and forty, be a public school holiday and that on that day all public schools throughout the State be closed.

7. I call upon all county clerks, municipal clerks, boards and persons regularly concerned with the conduct of elections under the laws of the State of New Jersey, the Commissioner of Education, all boards of education, superintendents of schools and public school teachers, and every other citizen, to co-operate fully and completely in the registration of every person within the State who is required to register in this first important step in the development of our national defense.

We of New Jersey are proud of our history and of the part that our citizens have played in the development and in the defense of our country. Loving peace, our people have answered every call to service and sacrifice in every generation of our existence as a State and as a nation. We covet nothing but peace and the preservation of the things that we hold dear, but the time has come for us to show our determination to defend these blessings. So we are called again to the high service of preparation for the defense of our homes, our families, our free institutions and our ways of life. In our resources and our strength we are unequaled. With unity of mind, heart, purpose and action we of New Jersey answer this call as a solemn, patriotic service in the support of our program of national defense.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this second day of October, in the year of Our Lord one thousand nine hundred and forty, and of the Independence of the United States the one hundred and sixty-fifth.

A. HARRY MOORE,
Governor.

By the Governor:

THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

October twenty-seventh has been observed as Navy Day for several years past.

The United States Navy constitutes our first line of defense and a guarantee of peace.

Due to the present naval program it will not be possible for the United States Navy to observe the custom which has prevailed in past years of receiving visitors at its shore activities and aboard its ships. However, the day can be appropriately observed in other ways.

National security being, in such large measure, dependent upon the Navy, it is particularly appropriate that this year we pay special tribute to the men of this branch of the service.

THEREFORE, I, A HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim

OCTOBER 27TH, 1940

as

NAVY DAY,

and ask the people of New Jersey to observe Navy Day by listening to the broadcasts of speeches and messages concerning it, and by sponsoring community celebrations in honor of the Navy. I particularly request that the flag be displayed on all public buildings, places of business and private homes on this day.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this eleventh day of October, in the year of Our Lord one thousand nine hundred and forty, and in the Independence of the United States the one hundred and sixty-fifth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The critical state of world affairs has made necessary the Act of Congress by which hundreds of thousands of our finest young men are being selected for intensive military discipline and training. Several of the most important centers for this work are located in New Jersey. The greater proportion of those called into the service of the nation are young men at that plastic and generous period of life when their service to their country should be surrounded by wholesome and constructive outlets for their recreation and "leave" time.

Our responsibility for their essential welfare is not open to question. These young men are responding to the highest call of the community. They are being asked, as a minimum, to divert a year or more of their lives from the course of their normal aspirations and development, in the interests of the whole people. We should co-operate with military authorities to see that they are not surrounded by a vicious and demoralizing environ-

ment. Nor should we leave anything undone which will protect them from unhealthy influences and crude temptations. Our responsibility to the families and communities from which these men are selected is clear.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, call upon the good neighbors, the responsible citizens, the men and women of good will, who, by and large, compose the leadership of our sound community life, to volunteer their interest and services for the organization and active support of Community Defense Service Councils. The objective of these shall be so to create, direct, and redirect recreational, social, civic and other community activities as to promote the health and conserve the vitality of the men in the training camps, particularly during that portion of their time when they are at leisure to visit nearby communities in search of recreation and relaxation.

I am certain that thousands of the citizens whose duty includes services other than the military will at once realize the importance of what I am asking and will welcome the opportunity afforded them to extend friendly and understanding support by this means to those who must bear the brunt of personal sacrifice in the military service.

I am equally certain that such citizens will welcome this call to serve their immediate neighbors, their communities, the State of New Jersey, and the United States of America as offering an opportunity to express in a tangible way their personal devotion to our ideals as a nation.

Not only may volunteers expect thus to render a personal contribution to the happiness and well-being of the young defenders of our country, but they may also look forward in all hopefulness to that day when Peace may come again into this troubled world, and men and women practiced in the services of good will may be called upon to offer the difficult services and sacrifices incident to the construction of an enduring peace.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this seventeenth day of October, in the year of Our Lord one thousand nine hundred and forty, and in the Independence of the United States the one hundred and sixty-fifth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

With unusual gravity we contemplate the observance of Armistice Day in one thousand nine hundred and forty.

In Europe such observance as the people may be able to give will undoubtedly seem to them like a mockery of their hopes, and there remains to them only the thought of their dead, who appear to have died in vain.

With us in America, the picture is somewhat different. We can best pay tribute to those who gave their lives in the World War by earnestly striving for the maintenance of peace in this country.

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim

MONDAY, NOVEMBER 11TH,

as

ARMISTICE DAY,

and I request that two minutes of silence be observed at eleven o'clock on the morning of the

eleventh, and that suitable exercises be held in the churches and by patriotic and civic bodies on that day. As a signal to the period of silence, I direct that "Roll Call" be sounded from the steps of the capitol, to be followed by two minutes of silence, and then "Taps" as a token of remembrance for the dead.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this eighth day of November, in the year of Our Lord one thousand nine hundred and forty, and in the Independence of the United States the one hundred and sixty-fifth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Following the example set by the President of the United States, I, A. HARRY MOORE, Governor of the State of New Jersey, do hereby proclaim

THURSDAY, NOVEMBER 21ST,

as

THANKSGIVING DAY

As we give thanks for the blessings which we as individuals have received, let us, in all thanksgiving and in all humility, acknowledge that our nation

has been bountifully blessed above all other nations in innumerable ways. Recognizing this fact, may we strive to hold fast to these precious gifts, and let us not forget that the sterling virtues which characterized the founders of our country are vitally necessary to its preservation. May we all strive to keep our nation from the evils which afflict other lands, so that Thanksgiving Day of 1940 will be not merely a day of rejoicing over the good that has come to us, but will also be one of humble supplication to Almighty God to keep us in the ways of peace and democracy. In accordance with time-honored custom, I urge that Thanksgiving Day services be held in all churches, and I hope that such services will be largely attended. I also ask that the flag be displayed as an evidence of patriotism and gratitude.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fourteenth day of November, in the year of our Lord one thousand nine hundred and forty, and in the Independence of the United States the one hundred and sixty-fifth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

This season of the year is sacred alike to Christian and Jew. To the Christian it speaks of the birth of the "Prince of Peace." To the Jew it speaks of the Feast of Lights. To the Christian it recalls the time when there was born the inspiration to "Peace on earth, good will toward men." Christians for the last one thousand nine hundred and forty years have dedicated themselves to its perpetuation and practical realization in life. To the Jew it commemorates the time when all foreign "isms" were cast aside and religion triumphed over paganism. The Jewish Chanukkah Festival, which this year commences on the twenty-fifth of December, and the Christian Christmas ring out their identical message: "IN THE NAME OF GOD, THE COMMON FATHER, PEACE ON EARTH, GOOD WILL TOWARD MEN."

In extending the Season's Greetings to the people of the sovereign State of New Jersey, through the Good Will Commission of our State, I am happy to combine the message of both dominant faiths. In these days of social unrest and of racial and religious discrimination, it is well to emphasize the great essentials in which we are agreed, rather than to remember our differences. The first great essential is "In the Name of God." We are a religious people. We are a believing people. Paganism is a foreign "ism" which has no place in American life. The second great essential is "Peace on earth; good will toward men." This is the spiritual goal for which we strive. We are not an aggressive people. We seek to live and let live, and we do not assume a sense of superiority over other peoples. The fundamental belief of democracy is in the equality of all peoples.

Because we are so inspired by the high aims and goals of our democratic way of life, we are concerned not only with the spiritual but also with the economic and social conditions of our people. Because we so firmly believe in America, we fearlessly state that all foreign "isms" of government, economics or social organizations have no place in our American democratic system of life. We have faith in the guarantees of our sacred Constitution, as it stems from a deep and sanctified faith in God and the inviolability of the individual, his rights and liberties.

In this true American spirit, I, A. HARRY MOORE, Governor of the State of New Jersey, ask the citizens of our State, at this season of the year, to dedicate themselves to the sacred task of combating all forms of hatred and intolerance and all social, racial and religious discrimination. Let this be our motto, "IN THE NAME OF GOD, PEACE ON EARTH, GOOD WILL TOWARD MEN." And with this motto as our guide, let us commence to build a community in our State that will be the example of true American co-operative living.

[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 forty, and in the Independence of the United States the one hundred and sixty-fifth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
DEPARTMENT OF STATE.

WHEREAS, The State Tax Commissioner on the eighth day of January, nineteen hundred and forty-one, under the provisions of chapter eleven, Title 54, Revised Statutes; and

WHEREAS, The following-named corporations so reported have, for the two years preceding such report, failed, neglected or refused to pay the State taxes assessed against them for the year one thousand nine hundred and thirty-eight, under the laws of the State of New Jersey, and made payable unto the State Treasury; and

WHEREAS, Under the provisions of said act the charters of said corporations are revoked and all powers conferred by law upon such corporations declared inoperative and void, unless the Governor gives further time for payment; and

WHEREAS, The Governor has not given further time to the corporations so reported and hereinafter named for the payment of such taxes, and the same are still unpaid;

THEREFORE, I, A. HARRY MOORE, Governor of the State of New Jersey, pursuant to the provisions of said act of the Legislature, do hereby issue this Proclamation that the charters of the following-named corporations so reported and in default, to wit:

UNPAID TAXES FOR THE YEAR 1938

A. A. Coat, Apron & Linen Supply Co., Inc.,
Aalten Kennels, Inc.,
A. A. Realty Company,
Aaron Realty and Construction Corporation,
A & B Abattoir, Inc.,
Abbey Men's Shop, Inc.,
Abbott L. Schiff & Company,
Abco Adjustment Co.,
Abfi Realty Corporation,
Abinger Construction Co.,
A. and B. Liquor Co.,
Abraham & Co., Inc.,
Abrams and Abrams,
Abrams, Inc.,
Acacia Manufacturing Company,
Academy Coat, Apron & Towel Supply Company,
Academy Construction Co., Inc.,
Academy Petroleum Corporation,
Academy Street Realty Co.,
A. C. Bertholon, Incorporated,
Accessory Boys Auto Stores, Inc.,
Ace Drug Stores,
Ace Fiber & Corrugated Box Co., Inc.,
Ace Line Novelty Company, Inc.,
Ace Merchandise Co., Inc.,
Ace Paint & Wallpaper Company,
Ace Realty Co., Inc.,
Ace Service Stations, Inc.,
Acco Realty Corporation,
Acme Auto Delivery Company,
Acme Improvement Co., Inc.,
Acme Iron & Steel Co., Inc.,
Acme Publishing Co.,
Acme Register Company,
Acme Service, Inc.,
Acme Wire & Iron Works, Inc.,
A. Cohen, Inc.,
Actinol Corporation of America,
Active Investment Company,
Adams Stores of Newark, Inc.,

Adams Women's Wear Inc.,
Adas Israel of New Jersey,
Adelphia Holding Corporation,
Aden Clothes, Inc.,
Adjustable Arch Support Corporation,
Admiral Hotel Corporation,
Adolph Zettersten, Inc.,
Advance Products, Inc.,
Aerial Advertising Company,
Aerocar Sales of N. Y., Inc.,
A. Fishman Hat Company, Inc.,
A. G. Horowitz Central Pharmacy,
A. G. H. Realty Co.,
A. Glass, Inc.,
A. Heins & Co. Inc.,
Ahlfeld Construction Company,
Aid-All Co., Inc.,
Air-Clime Engineering Co., Inc.,
Air Vent Venetian Blind Co.,
Aitrop Company,
Ajax Cleaners, Inc.,
A. J. Krohn & Sons, Inc.,
A. & J. Trucking Co., Inc.,
Akson Sanitary Manufacturing Company,
Aladdin's Lamp, Inc.,
Alamac Country Club, Inc.,
Albert H. Adler Plumbing & Heating Co., Inc.,
Albert Pharmacy, Inc.,
Albilaine Holding Co.,
Alcook Agency,
Alexander Homes Co., Inc.,
Alex F. Laube, Inc.,
Alfo Laboratories, Corporation,
Alfred Farming Corporation,
Alfred Mdse. and Operating Co., Inc.,
All-American Export Corporation,
Alliance Corp.,
Allied Amusement Co., Inc.,
Allied Engineering Company,
Allied Oil Co., Inc.,
Almac Realty Co., Inc.,
Alma Jenks, Inc.,
Almy Paper Company,

Alosha, Inc.,
Alpine Investment Company,
Al's Cash and Carry Meat Market, Inc.,
Al's Tavern, Inc.,
Aluminum Products Corporation,
Amalgamated Sales Corporation,
Amar Realty Corporation,
Ambassador Court Realty Corporation,
Amboy Heights Building Company,
A. and M. Distributing Corp.,
A. Melnick Co.,
American Aluminum Casting Co.,
American Automotive Products of New Jersey, Inc.,
American Building Contractors,
American Burial Foundation Sales Corporation,
American Carrier Corporation,
American Carrier Service,
American Combustion Corporation,
American Credit Exchange,
American Erectors, Inc.,
American Heating Company,
American Home Improvement Company,
American Iron & Metal Company,
American Lacquers, Inc.,
American Mercantile Corporation,
American Mining Corporation,
American Pulp Corporation,
American Service Stations, Inc.,
American Skein Dyeing and Printing Company, Inc.,
American Writing Instrument Co.,
Amerloid Products Corp.,
Ampere Products Company,
Ampet Oil Co.,
A. M. P. Holding Co.,
A. M. Sacarny, Inc.,
Amsterdam Bros.,
Amusement Center, Inc.,
Anaid Realty Co.,
Analo Realty Co.,
Andersen Building Corporation,
Andrew Fletcher Wilson, Inc.,

Andrew J. Robinson Company of New Jersey,
Aniline Chemical Mfg. Co.,
Aniline Sales Corporation,
"Animated Air, Incorporated",
Anna Holding Company,
Annandale Graphite Corporation,
Annatte Realty Co.,
Anne Realty Company, Inc.,
Anness Hollow Tile & Clay Company,
Annett-Mahnken Realty Company,
Ann's, Inc.,
Anthony's Chocolate Shop, Inc.,
Antimony Products Company,
Anti Roach Powder Company,
A. Oliveri & Son, Inc.,
Apartmenthomes, Inc.,
Apartment Management Corporation of New Jersey,
Aperto Holding Co. Inc.,
Apex Beef & Provision Co.,
Apex Investment Company,
A. & P. Leather Goods Co.,
Applicraft Corporation,
Approved Holding Company,
A. and Q. Shoe Company, Inc.,
Arcel Realty Co., Inc.,
Arch Preserver Shoe Company,
Arco Realty Corporation of Passaic County,
Argyle Cement Block Co., Inc.,
Aristofoto Corporation,
Arlene, Charles & Ned Realty Corp Inc.,
Arlev Building Co.,
Arlin Permanent Wave Shoppe, Inc.,
Armory Holding Co.,
Arnold's,
Aronowitz Bros., Inc.,
Aronow & Paul, Inc.,
Arrow Grocery Market, Inc.,
Arrow-West Hoboken Co.,
Art Construction Company,
Arthur H. Jurgensen, Inc.,
Arthur Motors, Inc.,
Art Investment Co.,

Artistic Silk Mills,
A. Rubino and Sons, Inc.,
Arvesen Construction Company,
Aryan Holding Corporation,
Asbestos Home Improvement Corp.,
Asbury Coal Co.,
A. Schottland, Inc.,
Ashbel, Inc.,
A. Shulman & Sons, Inc.,
A. Singer, Inc.,
"Ask" LeClair Co., Inc.,
Asko Realty Co., Inc.,
Associated Cemeteries Holding Company, Incorporated,
Association of American Diesel Engineers,
Astaire Millinery Shops, Inc.,
Astor Holding Co.,
Astoria Textile Print Works, Inc.,
A. T. Herbert Motor Sales Co.,
Athlian Greenpasture Company,
Atlantic Beef Co.,
Atlantic Bootery Inc.,
Atlantic Building Company,
Atlantic City Ice Company,
Atlantic City Publicity and Artist Bureau, Inc.,
Atlantic City Vacation Fund Club, Inc.,
Atlantic Continental Hotel Co.,
Atlantic Dry Goods, Co.,
Atlantic Motor Trucking Co., Inc.,
Atlantic Seaboard Fruit Juices, Inc.,
Atlas Construction Co.,
Atlas Granite Corp.,
Atlas Instrument Mfg. Corp.,
Atlas Paper Box Co., Inc.,
Atlas Wrecking & Building Supply Corporation,
Atled Realty Co.,
Auctioneers, Inc.,
Audeon Corporation,
Audrey Lingerie, Inc.,
Audubon Properties, Inc.,
August Fastert, Inc.,
August S. Gross, Inc.,
Augustus Holding Co., Inc.,

Augustus W. Smith, Incorporated,
Austin Coal Co.,
Automobile Finance Company, Inc.,
Auto Trailers, Inc.,
Autumn Realty Co., Inc.,
Avalon Refrigerating Co.,
Avenue C. Plumbing and Heating Supply Company, Inc.,
"Axis, Inc.",
Aztec Holding Corporation,

Bacrite, Inc.,
Bailey Shirt Shops, Inc.,
Baird's Ice Cream Company,
Bakery Holding Corp.,
Balbec Oil Corporation,
Ball Oil Co. Inc.,
Bamboo Garden, Inc., A Corporation,
Bandler Company,
Bank St. Loan Association,
Barber-Edwards Realty Co.,
Barker Products, Inc.,
Barkman Land Company,
Barlow Company,
Barlow Grocery Company,
Barmil Realty Corporation,
Barney's Clothes,
Barrett Tire & Sales Corporation,
Barr Realty Corporation,
Barter-Oppenheim, Inc.,
Barton's for Hamburgers, Inc.,
Bass Millwork Company,
Battery and Motor Service, Inc.,
Baurus Realty Company,
Bay City Finance Corporation,
Baycity Holding Company,
Bay City Plumbing and Heating Supply, Inc.,
Bayer Painting Company, Inc.,
Bayonne Auto Radiator Co.,
Bayonne Beef Co.,
Bayonne Supply Company,
Baywest Company,
B. B. & B. Corporation, Inc.,

B. and B. Building Company of South River, N. J.,
B. & B. Holding Company,
B. & B. Provision Corp.,
B. Conlan and Company,
Beacon Corporation,
Beacon Laboratories, Inc.,
Beau Monde Hosiery Mills Inc.,
Beauregard-Hoyt Company, Inc.,
Beaver Dam Cranberry Co.,
Beaver Kill, Inc.,
Beaver Manufacturing Company,
Beaver Manufacturing Company, Inc.,
Becker Engineering Co., Inc.,
Bedford Bus Company, Inc.,
Bedford Lumber Co.,
Belgrade Curtain Co., Inc.,
Belhall Company,
Belleview Hospital,
Belleville Machine & Tool Co.,
Bellevue Garage, Incorporated,
Bell Express, Inc.,
Bell Gardens Company,
Bell Junk Co., Inc.,
Bell-Mar Company,
Bell Silk Mills, Inc.,
"Bellson-Grand Corp.",
Belmar Realty Corporation,
Belmont Pretzel Company,
Belmont Security Co.,
Belvedere & Kolb Motors, Inc.,
Belvedere Motor Sales Corp.,
Belvidere Piano Hammer Corporation,
Benbrook's Market, Inc.,
Benco Distributors, Inc.,
Ben Cohen, Inc.,
Benjamin Dress Co. Inc.,
Benjamin Lipitz, Inc.,
Benjamin T. Greenfield, Inc.,
Bennett News Agency,
Ben Realty Co.,
Bentley Construction Co.,
Ben-Trap Corporation,
Bergen French Shop, Inc.,

Bergen Horse Co.,
Bergen Maid Dress Shop,
Bergen Management, Inc.,
Bergen Milk Transportation Company,
Bergen Orange Passaic Holding Company,
Bergen Public Development Corporation,
Bergen Realty Developers, Inc.,
Bergen Terminals,
Beri Realty Company,
Berkeley Confectionery,
The Berkeley Shop, Inc.,
Berlenbach Foundry Co.,
Berliner Silk Company,
Bernard Realty Corporation,
Bernice Beauty Salon, Inc.,
Bernley Holding Co.,
Bernstein and Sons, Inc.,
Bert A. Waters, Inc.,
Bert G. Oldford & Company, Inc.,
Bertha Corporation,
Bertolette Machinery & Supply Co. Inc.,
Bervan Holding Company,
Berwick Corporation,
Best Homes, Inc.,
Bestmaid Dress Co. Inc.,
Beth Holding Corporation,
Better Fabrics Co.,
Better Oil Company, Inc.,
Betty Rose Shop, Inc.,
Beverly Improvement Corporation,
Beverly Shops Inc.,
B. G. Coats, Inc.,
B. H. Holding Company,
Big Stand, Inc.,
Bill's Mayfair Tavern, Inc.,
Biltmore-Ostend Hotel Co.,
Bilt Rite Construction Co., Inc.,
Bimbler Construction Company,
Birmingham Company,
Birn Co., Inc.,
B. I. Sinoway, Inc.,
B. Katchen Iron Works, Inc.,
Black Holding Co., Inc.,

Black Horse Pike Corporation,
Black Panther Oil Company, Inc.,
Blackwood Theatre Company,
Blairvine Realty Company, Inc.,
Blanchard Realty Company,
Blocks,
Block Service Inc. #1,
Bloomfield Confectionery Co. Inc.,
Bloom's Dress Market,
Bluebird Diners,
Blue Moon Cocktail Lounge, Inc.,
Blue Ribbon Dairy Farms, Inc.,
Blum, Incorporated,
Boardwalk Finance Company,
Boaz Realty Corporation,
Bob Jenson's Bar and Grill, Inc.,
Bock-Lewis Sales Co. Inc.,
Bohec Sign Service Co., Inc.,
Bonded Guarantee Credit and Collection Service,
Bonnet Beach Realty Company,
Bono Macaroni Co., Inc.,
Boon Brothers, Inc.,
Booth Park Development Company,
Bosca Products, Inc.,
Bosetti Bianchi Silk Co.,
Bouchard Navigation Company,
Boulevard Bus, Inc.,
Boulevard Park Construction Company,
Boulevard Pontiac Corp.,
Bound Brook Poultry Farms, Inc.,
Bowman Bros., Inc.,
Boyd Development Company,
Boyd's Clothes,
Boyd's Market,
Bozarth Lumber Company,
Braddock Bowl Tavern, Inc.,
Bradley Stores, Inc.,
Branch Brook Dry Goods, Inc.,
Branch Iron Works, Inc.,
Branford Florist, Inc.,
Braun-Brengard Holding Company, Inc.,
Brautigam Collection Service,
Breco Management Corporation,

Bre-Dill Co.,
Breiter's of Perth Amboy, Inc.,
Bretwood Manor,
Breuninger Drug Store, Inc.,
Brewster Corporation,
Bright Engineering Company, Inc.,
Brinley Corporation,
Bristol Dress Co., Inc.,
Broadacre Poultry Farms, Inc.,
Broadbank Corporation,
Broadcast Advertising Co.,
Broad and Central Realty Company,
Broad Holding Co.,
Broad Street Holding Corporation,
Broad St. Motors, Inc.,
Broadview Construction Co.,
Broadview, Inc.,
Broadway Company, Inc., of Passaic, New Jersey,
Broadway Fruit Exchange,
Broadway Prescription Pharmacy, Inc.,
Broadway Window Shade Co., Inc.,
Brocker Chemical Company,
Bromley Wine & Liquor Store, Inc.,
Brom Realty Company,
Brookdale Wines & Liquors, Inc.,
Brookers Fire-proof Warehouse, Inc.,
Brooklawn Housing Corporation,
Brooks Holding Company,
Brooks & Hughes, Inc.,
Brooks Investment Company,
Brooks Motors, Inc.,
Broome Livery Stables,
Brown Pharmacal Company,
Brown's Food Store, Inc.,
Brown Weaving Co., Inc.,
Brown and Williamson, Inc.,
Bruce-MacPherson, Inc.,
Brunton Radio Corp.,
Brynmore Bags Inc.,
B. & S. Motor Co., Inc.,
Buck White, Inc.,
Budal Homes, Inc.,
Budal Realty Company,

Budal Realty, Inc.,
Budd Lake Athletic Association Holding Company,
Budd Lake Country Club Estates,
Budget Furniture Co., Inc.,
Budget Outfitters, Inc.,
Buena, Incorporated,
Buffalo Beauty and Barber Supply Co.,
Builders' Material Supply Co.,
Building & Loan Stock Exchange,
Building Material Lumber Co., Inc.,
Bur-Co Engineering & Construction Co.,
Burket Construction Company,
Burn-Well Coal Co.,
Burtt Line, Inc.,
Butler Food Stores of New Jersey,
Butler News Company,
Butler Realty Company,
B. V. Holding Corp.,
B. & W. By Products Co., Inc.,

C. A. Burris, Inc.,
Cafe Royale, Inc.,
Caldwell Bros., Inc.,
Caldwell Confectionery, Inc.,
California Fruit Co., Inc.,
Callender Realty Corporation,
Calvert Company,
Cambert Realty Company,
Camden Hospital Corporation,
Camden Stores, Inc.,
Camera Patents Corporation,
Cannel Silk Co.,
Canoe Brook Estates,
Canopy Quality Market, Inc.,
Canton Tea Garden,
Cape Cod Realty Co.,
Capital City Speedway, Inc.,
Capital Memorial Co., Inc.,
Capital Paint & Hardware Store, Inc.,
Capitol Agency, Inc.,
Capitol Cravat Co., Inc.,
Capitol Homes, Inc.,

Capitol, Inc.,
Capitol Products Company,
Cardinal & Wiseman Co.,
Carino & Lamonica Co., Inc.,
Carl H. Stiger Corporation,
Carlo's Express, Inc.,
Carlton Coal Company,
Carlton Industries, Inc.,
Carlton Realty Corp.,
Carlton's, Inc.,
Carlton Trading Company Inc.,
Caro Market, Inc.,
Carroll Dairy, Inc.,
Carr Realty Company,
Carter Style Shops, Inc.,
Casco Corporation,
Cash and Carry Kosher Meat and Poultry Market, Inc.,
Casper Pavilion, Inc.,
Cassiterite Concentrating Corporation,
C. Cedar Cove, Inc.,
Cedar Crest Farms, Inc.,
Cedar Farms, Inc.,
Cedar Hardware & Paint Stores, Inc.,
Cekay Realty Company,
Cellulose Company, Inc.,
Center Restaurant, Inc.,
Central Beef Co., Inc.,
Central Jersey Agricultural Improvement Association, Inc.,
Central Motor Sales, Inc.,
Central New Jersey Horsemen's Association,
Central New Jersey Power Company,
Central Pie Bakery,
Central Poultry Company,
Central Real Estate Corporation,
Central Realty Service and Management Co.,
Central Reed Furniture Manufacturing Co.,
Central Shoe Rebuilding, Dry Cleaning & Hat Renovating Co., Inc.,
Central Style Shoppe,
Central Supply Company,
Central Wallpaper, Paint & Decorating Co.,

Centre Realty & Investment Co.,
Century Chemical and Glass Company, Inc.,
Century Holding Company,
Century Milk Company, Inc.,
Century Paper Co. Inc.,
C. F. Bruen Co., Incorporated,
Chain Shoe Repair Shop of Hackensack, New Jersey, Inc.,
Chamberlin Holding Company,
Champenois and Company, Incorporated,
Champion Engine Company,
Chancery Lane Investment Company,
Chapel Hill Country Club, Inc.,
Charles A. Ginnetti, Inc.,
Chas. C. Dow, Inc.,
Charles E. Mead, Inc.,
Charles F. Baily & Company,
Charles N. Bailey, Inc.,
Charles Rogghe & Son, Inc.,
Charles Smyth Company,
Charles T. Kavanagh, Incorporated,
Charles W. Kersey & Son, Inc.,
Charlgo Realty Co., Inc.,
Charm Floral Shop,
Charm Furnishing Co., Inc.,
C. H. Durfee Products Corporation,
Cheateau Company,
Checker Beef Co., Inc.,
Chesham Realty Corporation,
Chester Beef Co.,
Chester Valley Sales Corporation,
Chestnut Garage and Service Station, Inc.,
Chestnut Holding Co.,
China Lantern, Inc.,
Christensen Drug Company, Inc.,
Christie Diner, Inc.,
Christie Motors, Inc.,
Christine, Inc.,
Church Candle Company, Inc.,
Circle Pool Corporation,
Circle Stores, Inc.,
Circo Company,
Cities Consolidated, Inc.,

Citizens Budget Company of South Jersey,
Citizens Mortgage and Abstract Company,
Citrus Appliance Corporation,
City Auto Sales, Inc.,
City Hall Holding Company,
City Hall Plaza Investment Corporation,
C. J. Lame Farm Agency, Inc.,
Clairsun Co., Inc.,
Claradon, Inc.,
Clara Paulin Realty Corp.,
Claremont Park Corporation,
Claremont Service Station,
Clark-Cran Realty Co.,
Clark Homes, Inc.,
Clark Packing Company,
Clark Realty Company,
Clawallerson Land and Improvement Company,
Clay Realty Co.,
Clayton Haines Brick Agency,
Clayton Improvement Company,
Clear-Vu Products, Inc.,
Clemac Corporation,
Clement Land Company,
Clendenny Tavern, Inc.,
Cleveland Sales & Service Co.,
C. Lewis Lavine, Inc.,
Cliffside Laundry Company,
Clifton Airport, Inc.,
Cliftona Print & Dye Works, Inc.,
Clifton Center Realty Corporation,
Clifton Homes Building Co., Inc.,
Clifton Sheet Metal Works,
Clifton Waste Paper & Stock Co. Inc.,
Climax Realty Co., Inc.,
Clintex Holding Company,
Clinton N. Hernandez, Inc.,
Clinton Publishing Company,
Clinton Realty Company, Inc.,
C. L. K. Realty Co.,
Closson-Parkhurst Engineering Corp.,
Club Evergreen, Inc.,
Club La Salle, Inc.,
Club Mecca, Inc.,

Club Unique,
Club Windsor, Inc.,
Clyde Plan Corporation of New Jersey,
Coast Amusement Company,
Coast Dairies, Inc.,
Coit Gas & Oil Co.,
Colden Corporation,
Coleman, Lafin & Collins Company,
Colgate Holding Company,
College Cleaners, Inc.,
Colloidal Corporation of New Jersey,
Colman Company,
Colman Corporation,
Colonial Motors, Inc.,
Colonial Terrace Realty Corporation,
Colonial Village, Inc.,
Colonia Operators, Inc.,
Colts Express Company,
Columbia Carton Corporation,
Columbia Outfitting Company Inc.,
Columbia Products Corporation,
Columbia Skooter Co., Inc.,
Columbia Sportswear, Inc.,
Columbia Water Ride Co., Inc.,
Colville Container Corporation,
Combination Real Estate Co.,
Combination Rubber and Belting Company,
Comfort Home Systems, Inc.,
Commander Realty Co.,
Commerce Street Holding Company,
Commercial Boat Corporation,
Commercial Oil Co. Inc.,
Commercial Reference Co. Inc.,
Commercial Trailer Co.,
Commonwealth-Baer Service,
Community Modernization Campaign, Inc.,
Compton Realty Company,
Conant Bros., Inc.,
Concord Realty Company,
Congezer and Son, Inc.,
Congress Clothes, Inc.,
Congress Tavern, Inc.,
Connelly's North Arlington Florist, Inc.,

Connor Construction Company,
Conol Chemical Co., Inc.,
Conservation Corporation,
Consolidated Building Cleaning Corporation,
Consolidated Oil Properties Company, Inc.,
Consolidated Paving Co., Inc.,
Consolidated Sheet Metal Works, Inc.,
Consolidated Specialty Corporation,
Consolidated Trucking Corporation,
Consumers Coal and Coke Co.,
Continental Cafe, Inc.,
Continental Imports, Inc.,
Continental Pure Foods Company, Inc.,
Contos & Bozios, Inc.,
Convention Land Co.,
Cooperative Poultry Farms, Inc.,
Coopers, Incorporated,
Copley Development Corporation,
Coppola's Drug Store, Inc.,
Coral Realty Company,
Cora M. Burdett, Inc.,
Cornelia Trucking Co. Inc.,
Cornell Cafeteria, Inc.,
Corona Holding Co.,
Corporation Five,
Corrigan Investment Company,
Cortelyou Sportswear, Inc.,
Cortlandt Realty Co.,
Cottage Homes, Inc.,
Cottage Service Realty Co.,
Country Club Beverages, Inc.,
County Finance Company,
County Highway Service Station, Inc.,
Courteous Transfer Lines,
C. P. Finance Company,
Craftsman Homes, Inc.,
Craig & Hornor Co. Inc.,
Craig Realty Company,
Crane Dye Works,
Cranfield Construction Company,
Cranford Decorating Co.,
Crans The Radio Man, Inc.,
Credit Collection Company, Inc.,

Credit Finance Corporation,
Credit Service Bureau of America,
Crescent Development Company,
Crescent Engineering Co.,
Crest Haven Company, Inc.,
Crescent Jewelers, Inc.,
Crescent Libraries, Inc.,
Cress Investment Corporation,
Cresskill Slope Investment Company,
Crest Haven Memorial Park, Inc.,
Crestview Motor Sales, Inc.,
Crisby Realty Corporation,
C-Rite Company,
C. R. Lightner Improvement Co. Inc.,
Crosstown Realty Company,
Crown Engineering Co., Inc.,
Crown Equipment Co., Inc.,
Crown Laboratories,
Cruller and Doughnut Baking Co. of Passaic, N. J., Inc.,
C. R. Williams Manufacturing Corporation,
Crystal Glass Manufacturing Co., Inc.,
Crystal Lake Amusement Co.,
Crystal Lake Forest Park Co.,
Crystal Lake Swimming Pool, Inc.,
C. and S. Dress Company,
C. S. Throckmorton, Inc.,
Cumberland Oyster Company,
Customers Savings Association, Inc.,
C. & W. Delivery Service, Inc.,
C. W. Realty Company,

Dairy Products Carrier Corporation,
Dajoy Operating Corp.,
Dale Ice Cream Company,
Dalton Realty Corporation,
Dana Hardware Co., Inc.,
Dangert Holding Corporation,
Daniel F. Arnold, Inc.,
Dante Silk Company,
Darcy's Express, Inc.,
Dardanelles Lumber Company,
Dari-Land Food Products, Inc.,

Dartmouth Hat Corporation,
Daul's,
Davann Amusement Corporation,
Dave and Evelyn's, Inc.,
Davenlou Corporation,
Dave Pesin, Inc.,
Davida Corporation,
David Builders, Inc.,
Davies Brothers Company,
Davis & Co.,
The Davis & Davis Construction Company,
Davison & Harkness, Inc.,
Davis Super Service, Inc.,
Davis and Townley, Incorporated,
Dawn Dyeing & Finishing Co., Inc.,
Dayton Farm Produce Company,
Dayton Holding Company,
Decker, Inc.,
De Hart Markets, Inc.,
D. and E. Holding Corporation,
Dehydrox Asphalt Company,
Delancey Realty Co.,
Delaware Bay Fisheries, Inc.,
Delevan Corporation,
Del Holding Company,
Delora Realty Co.,
Del-Sea Realty Co.,
Delta Holding Company, Incorporated,
Delta Realty & Investment Company,
Del Ve, Inc.,
De Luxe Diner, Inc.,
Deluxe Transportation Co., Inc.,
Demarest Development Company,
De Mattia Brothers,
Denby Foods, Inc.,
Denier Holding Company,
Dent-L-Saver, Inc.,
Dependable Motors, Inc.,
Depre Corporation,
Derby Bar and Grill,
Dermal Chemical Company,
Derosa Construction Company, Inc.,
Dervan Corporation,

De Santis Gold Mines, Inc.,
Deslauriers Steel Mould Co., Inc.,
Devices, Inc.,
De Voe Bros., Inc.,
Dewy Meadow Poultry Farms, Inc.,
D. & F. Golf Range,
D. G. and I. Realty Co., Inc.,
D. Hinkes & Son, Inc.,
Diamond Coat, Apron & Towel Supply Co.,
Didato Company, Inc.,
Diehls Old Tavern,
Dielectric Corporation,
Diesel Engines, Inc.,
Diezel Construction Co.,
Digby Realty Co.,
Dilley Co., Inc.,
Direct Coal Co., Inc.,
Di Renna Patents,
Distilled Products Co.,
Ditalia Bros., Inc.,
Dix Realty Co., Inc.,
D. Kurtz, Inc.,
D. Mansueto & Son, Inc.,
Dr. Bidtels Products Company, Incorporated,
Doctors' Essential Foods Company,
Dolly Madison Restaurant,
Dolly Madison Sweet Shoppe,
Domestic Oil Equipment Co., Incorporated,
Donald N. Landis Co.,
Donald's Pharmacy, Inc.,
Don Petrin Rendezvous, Inc.,
Dopkel Realty Company, Incorporated,
Dorfan Manufacturing Company, Inc.,
Dorian Company,
Doris Dress, Inc.,
Dornis Ideal Builders, Inc.,
Dorn Investment Co.,
Dorothy Dodd Shoe Company,
D'Orsay Holding Company,
Dorsey of Essex County, Inc.,
Dotty's Dress Shoppe,
Doty-Demos Company, Inc.,
Dougal Ave., Construction Company,

Dougherty's, Inc.,
Dover Beverage Corporation,
Dover Drug Co., Inc.,
Dover Plumbing Supply, Inc.,
Downs Dahlia Farms, Inc.,
Dow's Flying Service, Inc.,
D. P. O'Brien Company, Inc.,
Drake's,
Drake's Mens Shop, Inc.,
Dreher Realty Co.,
Dri-Molass Refining Corporation,
Drug Service Exchange, Inc.,
DuBois Realty Company,
Duby The Florist, Inc.,
Dudiak Builders, Inc.,
Dump Truck Owners' Association of N. J.,
Duncan Mackenzie's Sons Co. Inc.,
Duncan & Morgan, Inc.,
Duplex Motor Development Corporation,
Durrant Bar & Grill,
D. & W. Casino, Inc.,
D. & W. Holding Company,
Dyer Hardware, Inc.,

Eagle Feed Co.,
E. & A. Holding Co., Inc.,
E. A. Leach & Company,
Eastern Appraisal Co.,
Eastern Consumers and Producers Cooperative, Inc.,
Eastern Continental Holding Co., Inc.,
Eastern Graphite Corporation,
Eastern Land Company,
Eastern Lumber and Supply Co.,
Eastern Parkway Market, Inc.,
Eastern Refining Company, Inc.,
Eastern Standard Lines, Inc.,
Eastern Theatrical Corp.,
East Orange Dairy Co.,
East Paterson Park Realty Corporation,
East Raritan Building Co.,
East View-Realty Corporation,
East View Water Corporation,

East Woodbury Water Company,
E. Bearison, Inc.,
Eben B. Smith Lumber Company,
Ebsapco Inc.,
E. and C. Construction Co.,
Eclipse Music Co., Inc.,
E. C. Mahaffey Co.,
Economic Bulletin Publishing Company,
Economy Construction Company, Inc.,
Economy Oil & Supply Company,
Edco, Inc.,
Eddie King Studios, Inc.,
Eddie's Wireless Inc.,
Eddy Paint & Varnish Company, Inc.,
Edelson Shoe Corporation,
Eden Company, Inc.,
Eden Realty Corporation,
Edgewater Stone Co.,
Edgewood Poultry Farm, Inc.,
Edstan Motors Co.,
Edstol Mfg. Co.,
Edward G. Kaufer, Inc.,
Edw. G. Kurtz Co.,
Edward H. Sinn, Inc.,
Edward Jordan, Inc.,
Edwin F. Benedict, Inc.,
Efficiency Oil Heating Corp.,
Eflor Realty Corporation,
E. G. Bunting Co.,
E. H. Eastwood and Company, Inc.,
Ehrlich's Pharmacy,
Eisenberg-Eaton Construction Co.,
E. J. & C. Nixon Realty Co.,
Elec. Holding Company,
Elco Building Co.,
Electric Home Appliances, Inc.,
Electric Motor Service,
Electrified Appliances, Inc.,
Electro-Physical Laboratories, Inc.,
Elgar Construction Corp.,
Elgar Realty Corp.,
Elgo Corporation,
Elgood Finance Corporation,

Elite Embroidery Co.,
Elizabeth Food Products Co.,
Elizabeth Petroleum Corporation,
Eljay Silk Co., Inc.,
Elk Realty Co., Inc.,
Elkwood Sweet Shoppe, Inc.,
Elliott Motor Company, Inc.,
Ellis Autos, Inc.,
Ellis Motor Car Company,
Ellison Wine & Liquors, Inc.,
Elm Manor Corporation,
Elmora Manufacturing Co.,
Elmo Realty Company,
Elso Embroidery Manufacturing Co.,
Elton Company,
Elysian Market,
Elzey Motor Co.,
Embassy Realty Corp.,
Embro Realty Company,
E. M. Elwell, Inc.,
Ementy Realty Co.,
Emgee Realty Co.,
Emmar Corporation,
Empire Dairy Farms, Inc.,
Empire Dairy Products Corp.,
Empire Knitting Mills, Inc.,
Empire Realty & Investment Company, Inc.,
Empire Securities Corporation,
Empire Upholstering Co., Inc.,
Empire Venetian Blind Mfg. Co.,
Empire Waste Products Corp.,
Empirical Holding Company,
Empress Dyeing Company, Inc.,
E. Nagle Trucking Co.,
Enduro Neon Sign Corp.,
Engineering Associates, Inc.,
Engineering Laboratories, Inc.,
Englewood Upholstery Shop, Inc.,
Enterprise Corporation,
Enterprise Publications, Incorporated,
Enzal Products Co., Inc.,
E and P Corporation,
Eppstein & Hirshfield, Inc.,

Erae Realty Co.,
Erie Liquors, Inc.,
Esco Construction Co., Inc.,
Eskay Products, Inc.,
Espo Corporation,
Esquire Bar, Inc.,
Essex Auto Laundry Co.,
Essex County Smoked Fish Corporation,
Essex Distributing Corporation,
Essex Metal Ceiling Co.,
Essex Mountain Development Company,
Essex Oil Heating & Equipment Co. Inc.,
Essex Park Realty Co.,
Essex Royalties Corporation,
Essex Tie Shops, Inc.,
Essex Undergarment Co., Inc.,
Essex Wire Cloth Company, Inc.,
Essex Wool Products Co., Inc.,
Essey's Sport Shop, Inc.,
Etherow Estates Inc.,
Eureka Holding Company,
European Loan and Investment Company, Inc.,
Everett Realty Corporation,
Evergreen Estates,
Everitt Company,
Ewing Heights Investment Company,
Excello Hosiery Co.,
Excel Printing Company,
Exchange Generator and Starter Service,

Fabe Corporation,
Faiello Bros., Inc.,
Fairfax Agency, Inc.,
Fairfax Corporation,
Fairlawn Bus Company,
Fairlawn Corporation,
Fairlawn Press, Inc.,
Fairmount Supply Company,
Fair Shop, Inc., of Perth Amboy, N. J.,
Fairview Company of Cape May, N. J.,
Fairview Market, Inc.,
Fairway Homes Company,
Falcon Trucking Company, Inc.,

Fallotico Holding Co., Inc.,
Falls City Diner, Inc.,
Family Finance Company,
Famous Products, Incorporated,
Famous Smith's Diner, Inc.,
Fargate Company,
Farley's, Inc.,
Farmer's Feed and Supply Co.,
Farmer's Finance Company, Inc.,
Farm Owners Corporation,
Farrier Realty and Investment Corporation,
Fashion Shop, Inc.,
Fayen Corporation,
F. B. X. Co-op.,
F. C. Corporation,
F. C. Demarest & Co., Inc.,
F. C. R. Co.,
Federal Contracting Company, Inc.,
Federal Credit Corporation,
Federal Finance Corporation,
Federal Fruit Co.,
Federal Knit Wear Company,
Federal Oil Burner Corporation,
Federal Petroleum Corporation,
Federal Sales Company,
Federal Textile Printing Co.,
Federated Automotive Buyers, Inc.,
Fehr Laces, Inc.,
Felco Faucet Corporation,
Fenton L. Sayre, Inc.,
Ferber Construction Company,
Ferguson, Hempel and Meredith Company,
Ferracute Machine Company (No. 1),
F. E. S. Holding Company,
F and G Trading Corporation,
Fiba-Seal Chemicals, Inc.,
Fidea Holding Corporation,
Fidelity-Camden Investment Co.,
Fidelity Discount Corp.,
Fidelity Distributing Corporation,
Fidelity Funding Corporation,
Fidelity Music Co., Inc.,
Filles Chemical Corporation,

Filmore Co., Inc.,
Filsam Construction Co.,
Firemen's Building Barber Shop, Inc.,
First Securities Co. of Eatontown,
Fischer's Food, Inc.,
Fishman & Son, Inc.,
Fittin-Tully Chevrolet, Inc.,
Flemington Sportwear Company, Inc.,
Flood Corporation,
Floorcraft, Inc.,
Floral Realty Corp.,
Florence Construction & Realty Company,
Florence Realty Company of Woodbridge,
Flow-Star Department Store, Inc.,
Flying-Car Corporation,
Fogg Service Co.,
Food King,
Food Testing & Research Laboratories, Inc.,
Fopel Manufacturing Co.,
Ford Foods, Inc.,
Fordham Realty Company,
Foreign Films, Inc.,
Foremost Silk Hosiery Co. Inc.,
Foresters of America Home Association of Elizabeth New Jersey,
Forest Grove Homes Inc.,
Forest Hill Floral Co., Inc.,
Forest Hill Realty Co., Inc.,
Forest Products, Inc.,
Forests of Ecnerwal,
Formost Hat Manufacturing Company, Inc.,
Fort Lee French Cleaners & Dyers, Inc.,
Fort Lee Theatre,
Fort Plains Camp for Boys,
Founders Realty Company,
14th Street Corporation,
Fox Poultry Equipment Co. Inc.,
Frank Aiello, Inc.,
Frank A. Kohler, Inc.,
Frank Cohen Associates, Inc.,
Frank Cohen, Inc.,
Frank Cordts Furniture Company,
Frank Ehlers, Inc.,

Frank Garsch, Inc.,
Frank Hammond, Inc.,
Frank Hughes Company,
Frank J. Picone, Inc.,
Frank Kaplan & Sons, Inc.,
Frankleer Holding Co., Inc.,
Franklin Food Company, Inc.,
Franklin Hurley Realty Company,
Franklin Millinery of Hackensack Inc.,
Franklin Parking Co., Inc.,
Franklin Retail Stores of Paterson,
Franklin Telephone Company,
Franklin Trading and Securities Corporation,
Franklyn Shoe Shop,
Frank M. Kennedy Paint & Color Co.,
Frank Roughgarden, Inc.,
Frank Sacks, Inc.,
Frank & Simons, Inc.,
Frank's Newark,
Frazees,
Fredem Holding Company,
Frederick A. Elsasser, Inc.,
Frederick Grampp, Inc.,
Frederick Schill & Co.,
Frederick T. Warner, Inc.,
Fred Menzel Company, Inc.,
Frederic & Fred Hairdressers, Inc..
Fred Solleder, Inc.,
Freedman Service, Inc.,
Freedman Truck Sales Company,
Frehill Holding Co.,
Freight Service, Inc.,
French Costume Co.,
French Novelty Mill,
Frenchy's Barber Shop,
F & R Holding Company,
Friedberg Beverages, Inc.,
Friedberg & Co.,
Friedlander-Selig Co., Inc.,
Friedman Bros., Inc.,
Friedman's Style Shop, Inc.,
Fried & Mills, Inc.,
Friedstrass Co.,

Frostoff Distributing Corporation,
Fruitland, Inc.,
F. & S. Auto Supplies, Inc.,
Fuchs Embroidery Co.,
Fuel Reduction Corporation,
Full Value Products Distributors Co.,
Furniture Manufacturers Outlet,
F. W. Kummer, Inc.,

G. A. Burkhardt, Inc.,
Gaiety Club, Inc.,
Gale Home Building Corporation,
Gale's Millinery, Inc.,
Galinsky's Department Store, Inc.,
Gallia Printing Company,
Gambrinus Rathskeller, Inc.,
Garbo Hat Co., Inc.,
Garden Dairies, Inc.,
Garden Diners, Inc.,
Garden Empire Corporation,
Garden State Associates, Inc.,
Garden State Company,
Garden State Homes, Inc.,
Garden State Meat & Provision Co. Inc.,
Gardner and Meeks Company,
Garfield O. K. Bakery Co.,
Gargone Holding Company,
Garino and Sons Piece Dyeing and Finishing Company,
Garton Realty Company,
G. & B. Holding Co., Inc.,
G. B. Realty Corporation,
Geary Holding Company,
Gecht-Pittel Drug Co.,
Geebee Realty Company,
Gelato Construction Corporation,
Gelber's Market, Inc.,
Gelzer & Bidgood, Inc.,
Gem Market,
General Adding Machine Corporation,
General Business Corp.,
General Cleaners, Inc.,
General Contracting and Construction Co., Inc.,

General Drilling Corporation,
General Guarantors Corporation,
General Household Corp.,
General Market Inc.,
General Motor Freight Forwarders, Inc.,
General Supply and Equipment Company,
General Water Proof Products Co.,
Geocar, Inc.,
Geonervroe Inn, Inc.,
George B. Hitchcock Associates,
George Blake,
George Erhard, Inc.,
George Fleckenstein, Inc.,
George H. Byrd, Inc.,
George L. Bailey, Incorporated,
George R. Van Sciver, Inc.,
George and Val, Inc.,
George W. Garman, Incorporated,
George Wyrill Coal Co. Inc.,
Gerald Collins & Co., Inc.,
Gerkin's, Inc.,
Germer Textile Patents, Inc.,
G. Ernest Dale, Inc.,
Gershop Corporation,
Gerte, Inc.,
Gertrude Arms, Inc.,
G. F. Fischer Co.,
G. & G. Construction Corp. Inc.,
G. H. Corporation,
Gibralter Petroleum Corporation,
Gigetts Drug Store, Inc.,
Gillis Supply Co.,
Gilpin's Inc.,
Gilsinn Holding Co., Inc.,
Ginsberg Lathing Co.,
Gionti Realty & Construction Co.,
Gitomer Brothers,
Gitter's Market,
Giulio Latini, Inc.,
Giuseppe Bruschi, Inc.,
Giuseppe Dell'Omo, Inc.,
Giusto Express Co. Inc.,
G. J. S. Improvement Corporation,

Gladys Stager Shop, Inc.,
Glassboro Silver Fox Ranch,
G. & L. Dress Co., Inc.,
Gleicher & Immerman, Inc.,
Glenn D. Gillett, Inc.,
Glen Park Co.,
Glenwood Arms Corporation, Inc.,
Glenwood Land Company,
Gloucester County Press, Inc.,
Gloucester Investment Company,
G. & M. Corporation,
G. M. Products Corporation,
G. Newell Karner, Incorporated,
Gobe Realty Corp.,
Goble's Service, Inc.,
Goldbug Pop-Corn and Candy Co., Inc.,
Goldin, Inc.,
Goodelman's, Inc.,
Goodelman's Liquor Store, Inc.,
Good-Rest Sales Company,
Gordon Bros. Inc.,
Gordon & Jacobs, Inc.,
Gordon's Market, Inc.,
Gorlin & Simon, Inc.,
Gormel Finance Corporation,
Gottfried Upholstering Co., Inc.,
Gould Realty Company,
Grady's Trucking, Inc.,
Graffen Holding Co.,
Graham Bakery,
Graham Realty & Trading Co., Inc.,
Graham Silk Company Inc.,
Grale Products Co. Inc.,
Grand-Clinton Corporation,
Grand Footwear, Inc.,
Grand Theatrical Enterprises,
Grand Upholstery Co., Inc.,
Grand View Park Swimming Pool Co.,
Grant Construction Co.,
Grant Furniture Exchange, Inc.,
Grantwood Auto Supply Co.,
Gra-Ray Realty Co.,
G. Realty Corporation,

Great American Holding Co., Inc.,
Greater Holdings Co. Inc.,
Greater New Jersey Sanitation, Inc.,
Great Realty Co., Inc.,
Greenfield Auction House, Inc.,
Green Frog Luncheonette, Inc.,
Green Stores, Inc.,
Greenville Home News, Inc.,
Gregory Construction Co.,
Gresdon Realty Co.,
Grossman & Rice,
Grosz Electric, Inc.,
Group Realty Co., Inc.,
Grove Coat Apron & Linen Supply, Inc.,
Grover Bro. Co., Inc., Pemberton, New Jersey,
Gruen Electric Co.,
G. S. G. Corporation,
G. S. & S. Laundry, Inc.,
Guaranteed Shares Corporation,
Guaranty Piece Dye Works, Inc.,
Guardian Petroleum Corporation,
Guild-Craft, Inc.,
G. W. Fornoff Sons, Inc.,
Gwin's Southern T Shoppe, Inc.,

Hackenridge Company, Inc.,
Hackensack Kosher Meat and Poultry Market,
Hackettstown Realty Co.,
Hackettstown Silk Hosiery Co., Inc.,
Haddon Coats, Inc.,
Haddonfield and Camden Turnpike Co.,
Hale's Service Bureau,
Hallet Shops, Inc.,
Hall's Food Center,
Halsey & MacDonald, Inc.,
Halstead Modern Market, Inc.,
Hamilton-Hayes Corporation,
Hamilton National Company,
Hamilton Park Holding Company,
Hamilton Silk Company, Inc.,
Hamilton Storage Co.,
Hamilton-Woodcliff Realty Company,
Hammonton Park Mfg. Co. Inc.,

Hampton Realty Company,
Handman Plumbing & Heating Co., Inc.,
Han-Kem Auto Sales, Inc.,
H. & A. Novelty Company,
Hanover Piece Dye Works, Inc.,
Hanover Sewer Co.,
Hans Muller, Inc.,
Harben Realty Co.,
Harbod Laboratories, Inc.,
Hard Rock Mining Company,
Harley Realty Company,
Harlou Silk Mills, Inc.,
Harold Amusement, Inc.,
Harold Management Corp.,
Harold's, Inc.,
Harrel Shoppe,
Harrison Avenue Corporation,
Harrison Central Corporation,
Harrison Distributors, Incorporated,
Harrison Hand Laundry Inc.,
Harrison Realty & Improvement Company,
Harr Kegtap System, Inc.,
Harry E. Howe, Inc.,
Harry F. Dexter, Inc.,
Harry Heir Clothing Company,
Harry Klinger, Inc. of Union City,
Harry M. Brody, Inc.,
Harry Milberg Inc.,
Hart Restaurants, Inc.,
Harvey L. Fliehman, Inc.,
Harwin Realty Co., Inc.,
Harwood Company,
Hasbell Realty Co.,
Haskell Improvement Company, Inc.,
Hats — Fratz — Hats, Inc.,
Hawkins Construction Company, Incorporated,
Hawkins Dry Goods Shop, Inc.,
Hawstone Realty Co.,
Hawthorne Petroleum Products, Inc.,
Haxton Machine Works, Inc.,
H. B. Realty Operating Corporation,
H-B Wrist Snapper, Inc.,
H-C-M Realty Company,

Healey Sewer Equipment Company, Inc.,
Health Service, Inc.,
Heat & Air Conditioning Corporation,
Heat Transfer Engineering Corporation,
Hecht Bros Construction Company,
Hedden Building Company, Inc.,
Hedden Holding Company, No. 1,
Hedden Securities Company,
Hedros Holding Corporation,
Hegold Silk Co.,
Helen Milosy, Florist, Inc.,
Helen Shoppe,
Helfgott's,
Helmar Land & Improvement Corporation,
Hemmendinger, Inc.,
Henderson & Company,
Hendrickson's, Inc.,
Henkel & Company Incorporated,
Henry Henkel & Sons, Inc.,
Henry J. White & J. Halperin, Incorporated,
Henry Lange, Inc.,
Henry Motors, Inc.,
Henry Uihlein, Incorporated,
Herbert Chevrolet Motor Sales, Inc.,
Herbert Chevrolet Service, Inc.,
Herb's, Inc.,
Herdor Holding Corporation,
Herford Lumber and Supply Company,
Herman C. Davis Co., Inc.,
Herman Hotz Agency,
Herman Lippin, Inc.,
Herman's Gardens, Inc.,
Herr Metal Ceiling Co.,
Hertz Bros. School of Music, Inc.,
Hewart Realty Co.,
Heyman and Goodman Company,
H and F Company,
H. Firstenberg, Inc.,
H. F. McDonnell Co., Inc.,
H. F. N. Corporation, Inc.,
H. G. Catlow Co.,
H. Goldberg, Inc.,
H. G. & S. Amusement Corporation,

H. & H. Realty Company #2,
Hickox Realty Company, Inc.,
Higgins Heating Corporation,
High Bridge Theatre Co.,
High Construction, Co.,
Highland Park Realty Company #2,
Highway Estates, Inc.,
Highway Tu-Rest Homes, Inc.,
Hi-Grade Realty Company,
Hill City Realty Co.,
Hillcrest Club and Restaurant,
Hillcrest Gardens, Inc.,
Hillcrest Park Land Association,
Hillside Times Publishing Co. Inc.,
Hill Steel Case Co.,
Hilltop Realty Corp.,
Hilltop Syndicate, Incorporated,
Hilther, Inc.,
Hirsch Homes, Inc.,
Hirsch Metal & Iron Co., Inc.,
Hi-Spot Corporation,
H. J. Connors Construction Co.,
H. & J. Machinery Exchange, Inc.,
H. J. Mangan's Son Company,
H. J. R. Oil & Gas Company, Inc.,
H. & M. Liquor Co.,
H. & M. Realty Company,
Hoagland-McCombe, Inc.,
Hoboken Distributing Company,
Hoboken Foodland, Inc.,
Hoboken Loan Association, Inc.,
Hoboken Warehouse Company, Inc.,
Hofbrauhaus,
Hogate Corporation,
Hohokus Park, Inc.,
Holiday Beach Company,
Hollander Realty Company,
Holle Land Corporation,
Hollingsworth's, Inc.,
Holloway Construction Co.,
Holloway Dyeing Company,
Hollywood Curtain & Novelty Shop Inc.,
Holmes Incorporated,

Home Construction Co., Inc.,
Home Construction & Supply Company,
Home Development Company,
Home Furnishers,
Home Oil Tank Corporation,
Home Organization, Inc.,
Home Owners Mortgage Association,
Honchars, Inc.,
Honeygirl Dairies, Inc.,
Hopatcong Land Company,
Hopf, Inc.,
Horwech Realty Co., Inc.,
Hotel Commercial, Inc.,
Hotel Flanders Co.,
Hotel Lee Holding Company, Inc.,
Hotel Plaza Dining Service, Inc.,
Household Utilities, Inc.,
Howard Corporation,
Howard Finance & Discount Co. Inc.,
Howard Land Company, Inc.,
Howe Corporation,
Hoya Realty Company,
H. P. Theilacker & Co., Inc.,
H. & R. Norton, Inc.,
H. & S. Corporation,
Huda Commercial Auto Body Works,
Hudson Boulevard Garage, Inc.,
Hudson County Grocers Co-operative Company, Inc.,
Hudson County Milk & Cream Co. Inc.,
Hudson Fur Dyeing, Inc.,
Hudson Laboratories, Inc.,
Hudson Storage Battery Co.,
Hudson Terrace Realty Company,
Hudson View Realty Co.,
Hughes Decorating and Furnishing Company,
Hull Eng. and Metals Corporation,
Hunterdon-James, Inc.,
Huntington Water Company,
Hunts Park, Inc.,
Huron Fur Dyers,
Hygienic Laboratory,
Hygrade Case Company,

Hy-Grade Meat and Grocery Co. Inc.,
Hyper-Humus Management Service, Inc.,

Ideal Mutual Investment Company of New Jersey,
I. Margolis, Inc.,
Imperial Industries, Inc.,
Imperial Neon Sign Company,
Independent Beverage Company, Incorporated,
Independent Food Products Co.,
Independent Ice & Coal Co.,
Independent Publishing Company,
Individual Home Builders, Inc.,
Industrial Outdoor Advertising Co.,
Inland Company, Inc.,
Inlet Point Company,
Institute of Applied Psychology, Inc.,
Inter Boro Oil Company,
Inter-City Bus Company,
Inter-City Farmers' Market Company,
International Automotive Products Corporation,
International Building Material Co.,
International Coat & Suit Co., Inc.,
International Distillers' Products, Inc.,
International Home Builders, Inc.,
Inter-Office Communication Co.,
Interstate Barrel & Drum Co. Inc.,
Interstate Fuel Corporation, Inc.,
Inter-State Metal Cornice Company,
Interstate Milk and Cream Company,
Inter-Suburb Realty Corporation,
Intervale Homes, Inc.,
Investment Funding Co.,
Investment & Mortgage Corp.,
Invincible Parlor Frame Co., Inc.,
Ionization Corporation,
Irish Veterans' Co-Ordinated Activities, Inc.,
Irman Coat Company, Inc.,
Ironbound Manufacturers Machinery Co.,
Iron Realty Co.,
Irving Dress Company, Inc.,
Irvington Maplewood Realty Co.,
Italian American Publishing Company,
Italian Quality Bakery, Inc.,

I. Weinberg, Inc.,
I. Weissman, Incorporated,

Jabberwock Country Club,
Jackmyrth Holding Co.,
Jackson-Westphal Realty Co.,
Jacob Katz Securities Corp.,
Jacobs Bros., Inc.,
Jacobson Bros., Inc.,
Jaeger Velodrome, Inc.,
J. A. Henrici Company,
James A. Morrisse, Incorporated,
James Bernfeld Company, Inc.,
James E. Gano Corporation,
James H. Fitzgerald, Inc.,
James McGrath Co.,
James Mooney & Co.,
James Print Works, Inc.,
James R. Marsh, Inc.,
James Smith, Inc.,
Janel, Inc.,
Janet Shops, Inc.,
J. A. Paillard Dye Works, Inc.,
Japanese Gold Fish Hatchery Co.,
Jarvis and Fitzgerald, Inc.,
Jata Textile Co., Inc.,
Jawar Manufacturing Company, Inc.,
Jay Begtrup, Inc.,
Jaydee Company, Inc.,
Jay Dee Food Market, Inc.,
Jaytil Realty Investment Co.,
J. B. Wolfe Inc.,
J. D. Courtney, Inc.,
J. Dietrich, Incorporated,
J. D. Realty Investment Co.,
Jean's Luncheonette, Inc.,
Jefferson Dress Co., Inc.,
Jefferson Land Company #1,
Jen-Fay Realty Corporation,
Jerome Realty Company,
Jerome Silk Corp.,
Jersey Automobile Corporation,
Jersey Container & Equipment Co. Inc.,
Jersey Dairy Company,

Jersey Electric Clock Company,
Jersey Giants Professional Football Team,
Jersey Home Appliance Co., Inc.,
Jersey Home Modernizers, Inc.,
Jersey Label Company,
Jersey Mattress and Upholstery Manufacturers, Inc.,
Jersey Milk & Cream Company,
Jersey Mortgage Investment Company,
Jersey Musical Instrument Co., Inc.,
Jersey Oil Company, Inc.,
Jersey Outlet Stores, Inc.,
Jersey State Memorial Park Sales, Inc.,
Jersey Sweet Shops, Inc.,
Jersey Tire Exchange,
Jersey Transit Co.,
J. & F. Cafe, Inc.,
J. F. E. Corporation,
J. Freeman, Inc.,
J. & F. Seel Roofing Co., Inc.,
J. G. Corporation,
J. G. Development Company,
J. Geraghty Trucking and Forwarding Co.,
J. Ginsberg Corp.,
J. Gordon & Co.,
J. Gross Inc.,
J. G. Shahnazarian & Co. Inc.,
J. H. Beef Company,
J. H. Roarke & Co. Inc.,
Jimmy's Fruit Market, Inc.,
J. J. Glennon Foundry Co.,
J. & J. McMahon, Inc.,
J. Kurtz & Co.,
J. Leven, Inc.,
J. Marinaro & Son Inc.,
J. and M. Construction Co., Inc.,
Joan-Bar Petroleum Company,
Joelfas Corporation,
Joe's Inc.,
John A. Holmes Construction Company, Inc.,
John Amico & Son, Inc.,
John B. Acocella, Inc.,
John B. Davis, Inc.,

John & Charles, Hairdressers,
John Coykendall Company,
John Eggers & Bros. of North Bergen, Inc.,
John J. Albiez, Inc.,
John J. McGarry, Inc.,
John R. Morris, Inc.,
Johnson Engineering Corp.,
Johnson Process Co., Inc.,
Johnson Products Corporation,
Johnson Realty and Holding Co.,
Jomax Silk Company,
Jones Break-Up, Incorporated,
Jones Engineering Corporation,
Jones & Gulick Company,
Jones Taxi and Livery Co., Inc.,
J. O. Partain & Company,
Joseph Berger, Inc.,
Joseph Beumee Construction Co., Inc.,
Joseph Ginsberg, Inc.,
Joseph Menitove, Inc.,
Joseph Parisi, Inc.,
Joseph P. Barrett, Inc.,
Joseph Perkel, Inc.,
Joseph's Beauty Salon, Inc.,
Joseph's Gift Shops, Inc.,
Joseph Wadsworth, Inc.,
Journal Square Fruit Exchange #1,
Journal Square Garage and Service, Inc.,
Joyce-Rogers, Inc.,
J. Pellegrino Baking Co., Inc., of Garfield, N. J.,
J. and R. Dress Company, Inc.,
J. & S. Building Company,
J. S. Lawston Co. Inc.,
J. & S. Simon, Inc.,
Judee, Inc.,
Judson's, Inc.,
Julius Levine Paper Co., Inc.,
Junior Holding Company,
J. W. Arrowsmith, Inc.,
J. W. Wilder and Co., Inc.,

Kaighn Avenue Plumbing, Heating and Roofing Supply Dealers,
Kalb Beauty Supply, Inc.,
Kalb, Inc.,
Kane and Kane, Inc.,
Kantor's Exclusive Gowns, Inc.,
Kaplan Supply Company, Inc.,
Karel H. Toll, Inc.,
Karl O. Johanson, Inc.,
Kasbro Construction Co.,
Kashmir-Tekirian, Inc.,
Kass Bros., Inc.,
Katz Bros., Inc.,
Kauder-Lincoln Products, Inc.,
Kaufman Brothers Silks, Inc.,
Kaufman Realty Co.,
Kaufman Waste Materials, Inc.,
Kavanaugh Cigar Company, Incorporated,
Kay Advertising Co., Inc.,
Kay Oil Burner Co.,
Kay's Floor Covering Store,
K. B. K. Realty Co.,
K. & D. Sportwear Manufacturing and Novelty Co., Inc.,
Kearny Auto Exchange Co.,
Kearny Packing Co.,
Keating Convenience Store, Inc.,
Kelly Awning Co., Inc.,
Kenney & Marshall, Inc.,
Kensington Apartments, Inc.,
Kensington Furniture Co.,
Kessler's Garage, Inc.,
Keyport Manufacturing Co., Inc.,
Keyport Single System Laundry, Inc.,
Key Products, Inc.,
Kimbro Realty Corporation,
Kinderkamack Investment Corporation,
King Auto Supply Inc.,
King Oscar Markets,
Kingsboro Homes of New Jersey Inc.,
Kings Builders, Inc.,
Kings Food Market, Inc.,
King's Gardens Company,

Kingsley Educational Association, Incorporated,
King's Shoe Store, Inc.,
King's Tavern, Inc.,
Kingston Flour Mills, Inc.,
Kingston's, Inc.,
King's Women's Wear,
Kinnette Holding Company,
Kiobitel Holding Co.,
Kisly & Son, Inc.,
The Kismet Corporation,
K. & J. Beef Company, Inc.,
K. & J. Markets, Inc.,
K. & K. Co., Inc.,
Klein Realty Co.,
Klemco Dye & Print Works,
K. L. Mill Supply Company,
K. & N. Cleaners, Inc.,
Knight-Deleeuw Co.,
Knights of Columbus Building Association of Newark, N. J.,
Kohler Chemical Company, Inc.,
Kokos Confectionery Co., Inc.,
Kompak Company,
Kopplin & Reilly,
Koretz Realty Co.,
Kraft and Nielsen, Inc.,
Kraut's Apparel Shop,
K-Rect Installation & Trucking Co.,
Krich Stove & Range Co.,
Krochonis Realty, Inc.,
Kroyden Dairy, Inc.,
Kruesheld Corporation,
K. S. K. Economic Engineers, Inc.,
Kulp Lamp Co.,
Kunitz Kiddie Shop, Inc.,
Kutall Corporation,

Lacombe-Pannick Realty Company,
Lady Fair Beauty Salon, Inc.,
Lafayette Heights Realty Company,
Lafayette Provision Company,
The Laggren Brothers Corporation,
Lake Building Company, Inc.,

New Jersey State Library

Lake Edenwold, Inc.,
Lake Hiawatha Bar & Grill, Inc.,
Lakehurst Construction Company,
Lakehurst Real Estate Corporation,
Lakeside Hotel Corporation,
Lakeside Land Company,
Lakeview Estates,
Lakeview's, Inc.,
Lakewood Dairy & Poultry Farms, Inc.,
Lakewood Farms Realty Company,
Lakewood Realty Company,
La Mar Realty Co., Inc.,
Lambertville Beverage Co. Inc.,
Lambertville Laundry,
Lambertville Rubber Company Incorporated,
Landing Heights Development Company,
Landlords' Protective Service, Inc.,
Landerine Hardware Company,
Lane Building Corp.,
Lappin Tea Co.,
Larsen Talcourt Company,
La Salle Handbag Company, Inc.,
La Salle Laboratories, Inc.,
Lasanda Realty & Construction Co. Inc.,
Latham Watch Co.,
Latin-American Car Advertising Company,
Laurel Chemical Company, Inc.,
Laurence Harbor Plumbing Supply Co.,
Lawley's Auto Service, Inc.,
Lawnside Auto & Parts Co., Inc.,
Layton Farms, Incorporated,
Layton Optical Corporation,
Lazaroff's Pharmacy, Inc.,
L. & B. Hat Company, Inc.,
L. Cooper Rabbit Dressing, Inc.,
L. DiGirolamo, Inc.,
Leader Publishing Company Inc. of Hudson and Bergen,
Leather Tanners & Finishers, Inc.,
Lec Holding Corporation,
Leeds Silk Hosiery Mills, Inc.,
Leeger Realty Corporation,
Lektro Shave Corporation.

Lenor Holding Company,
Lenoz Realty Company, Inc.,
Lenrose Amusement Corp.,
Leo & George Auto Parts, Inc.,
Leonardo Grill, Inc.,
Leonard's of Newark, Inc.,
Leon F. Clayton, Inc.,
Leppert's Market, Inc.,
L.E.S. Holding Corp.,
Leslie Blau Agency,
Leslie Blau, Inc.,
Lester E. Lenrow, Inc.,
Levy & Sacks, Inc.,
Levinson's Market, Inc.,
Lewco Construction Company,
Levitt & Son, Inc.,
Levy's Market, Inc.,
Lewis Bros. Inc.,
Lewis C. Carty Co., Inc.,
Lewis Hanson Co., Inc.,
Lewis E. Slocum Holding Company, Inc.,
Lexco Realty Corporation,
Lexington Laundry, Inc.,
L. & F. Construction Co.,
L. H. North, Inc.,
L. & H., Inc.,
Liberty Auto Radiator Company, Inc.,
Liberty Brass Foundry, Inc.,
Liberty Manufacturing Company,
Liberty Market, Inc.,
Libkind's Dairy, Inc.,
Lida Manufacturing Co., Inc.,
Lido Beauty & Health Method, Inc.,
Lid Realty Co.,
Life Service, Inc.,
Lighthouse Real Estate Agency, Inc.,
Lila Beauty Shoppe,
Lincoln Apartment Hotel Co., Inc.,
Lincoln Beverage Co., Inc.,
Lincoln Park Clothes Co., Inc.,
Lincoln Park Lumber Co.,
Lincoln Pharmacy, Inc.,
Lincoln Refunding Inc.,

Linden Glass Co. Inc.,
Linden Properties, Inc.,
Linden Realty Company,
Lindwood Shop, Inc.,
Linsol Products Company, Inc.,
Linstrom Home Builders, Inc.,
Liondale Novelty Print Co.,
Lion Paper and Bag Co. Inc.,
Lion Shoe Manufacturing Company,
Lippe & Merkel, Inc.,
Lippey Printers, Inc.,
The Literary Holding Company,
Livingston Homes, Inc.,
Livingston Realty & Mortgage Co.,
L. J. Leader, Inc.,
L & K Raw & Thrown Silk Corp.,
Llanerch Corporation,
Llewellyn Corporation,
Lloyd's of Ocean City,
L. & L. Service Co.,
Locust Hill Development Company,
Lodi Land Company,
Lodi Realty Financing Corporation,
Loebel's Dept. Stores,
Log Amusement Co.,
Log Cabin Holding Corporation,
Lombardy Securities Company,
Lomo Realty Corporation,
London Leather, Inc.,
London Mode, Ltd.,
Longacre Realty Company,
Longacre Store,
Longhill Country Club Estates, Inc.,
Long View Rest,
L. Ostrow & Sons, Inc.,
Lottie Sadowski, Inc.,
Lott Universal Roller Bearing Corporation,
Lou Dempsey, Jr., Inc.,
Louis Bunevich, Inc.,
Louis Gattlieb, Inc.,
Louis Greenberg, Incorporated,
Louis Schmieder, Inc.,
Lower Brothers, Incorporated,

Lowy's Food Stores, Inc.,
Loyal Ice Cream Distributors, Inc.,
Lower Forge Corporation,
L. T. McCormick Co.,
L. Turk Construction Company,
Lucci Family Market,
Lucenier Studios, Inc.,
L. U. & F. Realty Co.,
Lukens Motor Car Co., Inc.,
Lund Holding Corporation,
Lund & Sons, Inc.,
Lusbie Realty Corporation,
Luther L. Wallace, Jr., Inc.,
Lyndhurst Development Corporation,
Lyndhurst Radio Service, Inc.,
Lyons Pharmacy, Inc.,
Lyric Theater, Inc.,

MacArthur Petroleum and Solvents Corp.,
Macaulay Co., Inc.,
Mace, Inc.,
Machinery & Equipment Company, Inc.,
Macin Realty Company, Inc.,
Mackenzie Handkerchiefs Inc.,
MacKenzie Motors,
Mack Holding Co., Inc.,
Mack Linoleum Co. Inc.,
Mack's Fish Market, Inc.,
Mac & Mac Clothes, Inc.,
Macneill Holding Company,
Madden Blade Corp.,
Madeleine Shops, Incorporated,
Madison Holding Company,
Madison Homes Company,
Madison Hotel, Inc.,
Madison Ice-Cream Company, Inc.,
Madison Metal Products Corporation,
Madison Millinery Shop,
Madison Oil Company of New Jersey Inc.,
Madison Pottery Company, Inc.,
Madison Sportswear Co.,
Magic-Lax Corp.,
Magnet Air & Heat Controls, Inc.,

Magnetic Motors, Inc.,
Mahway Golf Range, Inc.,
Maiden Lane Amusement Corporation,
Mail Finance Corporation of New Jersey,
Majestic Building Products Co.,
Majestic Fuel Oil Co.,
Majestic Realty Co., Inc.,
Major Silk Co.,
Mal Drugs, Inc.,
Malin Diners, Inc.,
Maloney Realty Holding Company,
Manco Distributors, Inc.,
Mandor Grocery Co.,
Mann-Berck, Inc.,
Manney & Greene, Inc.,
Manor Holding Co.,
Mantoloking Development Co.,
Manufacturers' Garment Outlet Co.,
Manufacturing Distributors Co.,
Maple Shade Brick Company,
Mapleton Co., Inc.,
Maplewood Circulating Library,
Maplewood Inn, Inc.,
Maray Corporation,
Marbert Servicenter, Inc.,
Marco Haulage and Transportation Company,
Maregis Company,
Margerum Provision Co., Inc.,
Margo Realty Co., Inc.,
Margott, Inc.,
Marhal Corporation,
Marine Place Corporation,
Marine & Stationary Chemical Co.,
Marino Investment Company,
Marion Holding Co.,
Marion Properties, Inc.,
Market Basket,
Market-Nutria Realty Corp.,
Market Shoe Company, Inc.,
Marlboro Garden Homes, Inc.,
Marling Company,
Marlton Pike Manor,
Marmon Re-Roofing Co., Inc.,

Marniel Holding Corporation,
Marsa Furniture, Inc.,
Marsaneil Company,
Marshal Holding Company,
Martin's Foods, Inc.,
Mart Silk Company, Inc.,
Marvalson, Inc.,
Marvin Factors, Inc.,
Marwen, Inc.,
Mary-Ann Beauty Studio, Inc.,
Massopust Bros. & Company,
Mastercraft Homes, Inc.,
Maurice, Inc.,
Maurice Realty Company,
Max Bendix, Inc.,
Max D. Vilensky, Inc.,
Max Goodman, Inc.,
Maxwell Company of Perth Amboy,
Max Wolpin's Furniture House,
Mayfair Ice Cream Corp.,
Mayflower Food Shop, Inc.,
Mayflower Trucking Company,
Mayme, Inc.,
May's Dresses, Inc.,
May Service Station, Inc.,
Maywald-Fleming, Inc.,
Maywood Ale Co.,
Maywood Estates,
Mazzoni, Bros., Inc.,
M. B. Sussman, Inc.,
McAuley Mountain Coal Company,
McCabe Investment Corporation,
McClary Corporation,
McRae Realty and Construction Co.,
McKenna's Auction House, Inc.,
McMichael Holdings, Inc.,
Mclean Piece Dye Works, Inc.,
M-D Products Company,
Meadowbrook Amusement Corporation,
Medics, Inc.,
Mehlan Realty Corporation,
Mellara Realty & Construction Co.,
Melman Construction Co.,

Melrose Dairy,
Melvin-Sarah Realty Co.,
Memorial Parks, Incorporated,
Mennen Realty Co.,
Men's Fashion Clothing Co.,
Meralo Holding Company,
Mercer Electric Co., Inc.,
Mercer Farms Company,
Merchant Players, Inc.,
Merchants Sales Development, Inc.,
Merit Developing Co.,
Mesker Oil Burner Co., Inc.,
Messenger Naylor Co., Inc.,
Metkraft, Inc.,
Metropolis Realty Co.,
Metropolitan Adjustment Corporation,
Metropolitan Bond & Mortgage Corporation,
Metropolitan Bottling Co., Inc.,
Metropolitan Cutlery Inc.,
Metropolitan Engineering Corporation,
Metropolitan Haulage Company,
Metropolitan Housing Corporation,
Metropolitan Leather Products Corp.,
Mezick Custom Built Homes, Inc.,
M. Fellerman Soda Fountain Co.,
M. & G. Brown Realty Corp.,
M. G. & Company, Inc.,
M. G. S. Mfg. Corporation,
Mial Silk Company,
Mica Facing Corporation,
Michaels Credit Co.,
Michael Seergy, Inc.,
Michael Sloboda, Incorporated,
Mid City Beef Co., Inc.,
Midtown Market, Inc.,
Midtown Shows, Inc.,
Mid-Tunnell Realty Company,
Milbrick Realty Co., Inc.,
Mildan Corp.,
Milford Poultry Farm, Inc.,
Military Park Building Barber Shop, Inc.,
Millbank Realty Corporation,
Millburn Associates,

Miller Construction Co.,
Miller & Dobrin, Inc.,
Miller Grape Co., Inc.,
Miller-Ryan Motors, Inc.,
Millprag Corporation,
Millwood Realty Company,
Mineral Processing Corp. of America,
Minetta Lewis Holding Corporation,
Min's, Inc.,
Mirmill Co., Inc.,
Misell, Inc.,
Mitterhoff & Slatnick, Inc.,
M. J. Quinlan Furniture Co., Inc.,
M. J. Zwain, Inc.,
M. Kupperman, Inc.,
M. Leffertz Shoe Co., Inc.,
M. L. Gaddis, Inc.,
M and M Holding Corporation,
M. Minzter, Inc.,
M. Mortensen & Co.,
M. & M. Realty Co. of Perth Amboy,
Model Poultry Farms, Inc.,
Model Realty Co.,
Model Realty and Construction Company,
Model Sportswear Company, Inc.,
Modern Auto Exchange and Wrecking Co., Inc.,
Modern Cloak Shoppe,
Modern Coat Mfrs., Inc.,
Modern Lumber Corp.,
Modern Oil Heating Corporation,
Modern Suburban Home Corp.,
Moe's Bargain Store, Inc.,
Mohawk Refining Corporation,
Molite Corporation of America,
Monarch Dye Works,
Monarch Upholstery and Rug Cleaning Co.,
Mongiello Brothers, Inc.,
Monmouth Agency, Inc.,
Monmouth Carpet & Linoleum Laying Co., Inc.,
Monmouth Liquor Distributors, Inc.,
Monmouth Wine & Liquor Co., Inc.,
Mono Investing Company,
Monroe Coal & Supply Co. Inc.,

Montclair Bakery, Inc.,
Montclair Painting and Renovating Company,
Montclair Research Laboratories, Inc.,
Monte Beck, Inc.,
Monteray Company, Inc.,
Montgomery Holding Co.,
Montgomery Loan Company,
Montville Foundation, Inc.,
Monument Furniture House,
Mooney's Express,
Moon Silk Manufacturing Company,
Mooseheart Restaurant Inc., #1,
Mor-Bes Corp.,
Morganville Chemical Works,
Morly Holding Co.,
Morningside Investment Corp.,
The Morrich Company,
Morrisania Service Station,
Morris Cantor Company,
Morris Cleaning & Dyeing Co.,
Morris County Poultry Farms, Inc.,
Morris Construction Co.,
Morris & Essex Construction Co.,
Morris Lipman, Incorporated,
Morrison Concrete Products Co.,
Morris Plains Cut Rate Drugs, Inc.,
Morris Schleifer, Inc.,
Morris Schoenbrun, Inc.,
Morristown Automobile Exchange, Inc.,
Morristown Coat Co., Inc.,
Morvay Specialty Co. Inc.,
Morwil, Marcel Coffee Company,
Morwood Corporation,
Motherland Publishing Company,
Motor Freight & Transportation Corporation,
Motor Rental Corp.,
Mountain View Pool Co.,
Mountain View Water Company,
Mount Clemens Health & Rheumatic Institute of New Jersey,
Mount Holly Laundry,
Mount Morris Realty Co.,
Mount Motor Freight, Inc.,

M. Picon & Son Auto Wrecking Company,
M. R. Building Corporation,
M. Realty, Inc.,
M. Salmowitz Co.,
M. Siegel, Inc.,
M. S. M. Developing and Printing Company,
Mulford T. Sharp, Inc.,
Muller Furniture Company,
Muller-Louisot Company, Inc.,
Multibar Corp., of N. J.,
Municipal Securities Corp.,
Munkacsy Mineral Water Corp.,
Muriel Weaving Co., Inc.,
Murray's Liquor Stores,
Murry Meisel, Inc.,
Musto Transportation System, Inc.,
M. Vlas, Inc.,
My Home Laundry Co., Inc.,

Naborsons Holding Corporation,
Nagler-Herzog, Inc.,
Namrod Corporation,
Namron Realty Co.,
Nassau Company, Inc.,
Nassau Fabrics Corp.,
Nasto Physical Culture Shoe Corp.,
Natal Realty and Finance Corporation,
Nathan Stein, Inc.,
Nathenson Furniture Company,
National Appliances, Inc.,
National Bedroom Furniture, Inc.,
National Bronze Powder Mfg. Co.,
National Coal and Ice Company, Inc.,
National Credit Bureau,
National Dock and Terminal Corporation,
National Drying Machinery Company,
National Food & Beverage Co., Inc.,
National Food Products Corporation,
National Investigation & Collection Service, Inc.,
National Institute, Inc.,
National Memorial Park Sales Organization,
National Memorial Parks, Inc., (#1),
National Motor Trucking Corp.,

National Motor Truck Transportation Company, Inc.,
National Newspaper Sales Corporation,
National Products and Importers, Inc.,
National Restaurant, Inc.,
National Sportmen's Club,
National Standard Rating Service Inc.,
National Transformer Corporation,
National Union Exchange, Inc.,
Natlee Shoppe, Inc.,
Natural Foot Health Service, Inc.,
Needlecraft Manufacturing Co., Inc.,
Neilsan Dairy, Inc.,
Neldon Realty Corporation,
Nelson's Neighborhood Store, Inc.,
Neon Hudson Sign Service,
Neptune Holding Company,
Neshanic Realty Co., Inc.,
Neureiter and Horre,
Nev-Mar Co., Inc.,
New Argyle Cement Block & Excavating Co., Inc.,
Newark Airport Garage, Inc.,
Newark Art Gallery, Inc.,
Newark Construction and Investment Company,
Newark Delivery Service, Inc.,
Newark Electrical Supply Co., Inc.,
Newark Dumb-Waiter Co.,
Newark House Wrecking Co.,
Newark Lithograph Co.,
Newark Livery Stables, Inc.,
Newark Machine Company,
Newark Milk Company,
Newark Oxwelding Co., Inc.,
Newark Petroleum Corporation,
Newark Realty Corporation,
Newark Temple Corporation,
Newark Textile Dyeing & Finishing Co., Inc.,
Newark Willys Company,
New Bluebird Tea Room, Inc.,
New Chemical Products Co., Inc.,
New Egypt Hotel, Inc.,
New England Village Corporation,
New Frolics, Inc.,

New Great Notch Lodge Inc.,
Newjen, Inc.,
New Jersey Air Service, Inc.,
N. J. Auction Co. Inc.,
New Jersey Automobile Exhibition Company,
New Jersey Bar and Restaurant Supply Company,
N. J. Biscuit Distributors, Inc.,
New Jersey Cake Dealers Protective Association,
N. J. Camel & Sons, Inc.,
N. J. Colonial Homes, Inc.,
New Jersey Concrete Products Corporation,
New Jersey Discount Co., #1,
New Jersey Dehydrating Company,
New Jersey-Empire Pickle Works,
New Jersey Endownment Company, Inc.,
New Jersey Fisheries, Inc.,
New Jersey Gravel and Sand Company,
New Jersey Masonry Corporation,
New Jersey Natatoriums, Inc.,
N. J. & N. Y. Freightways, Inc.,
New Jersey Petroleum Products Corporation,
New Jersey Pipe & Iron Company,
New Jersey Plumbing & Marine Co.,
N. J. Press Clipping Service, Inc.,
New Jersey Publications, Inc.,
New Jersey Rag Laundry Co., Inc.,
New Jersey Realty Investors Fund,
New Jersey Shores, Incorporated,
New Jersey Truckmen's Institute,
New Jersey Wrestling Club Inc.,
New-Man Holding Corporation,
New Milford Estates, Inc.,
New Milford Milk Company,
New Method Gas-Saving Appliance Corporation,
The Newocen Realty Company,
New Oyster Bay Restaurant,
New Royal Delicatessen, Inc.,
News Flash Reporter, Incorporated,
New York and Albany Lighterage Company,
New York Bakery, Inc.,
New York Bargain Store Company,
New York Food Market,

N. Y. & N. J. Building Service, Inc.,
New York Stock and Bond Finance and Realty Company,
N. & H. Trading Company,
Niagara Leather Coat Co., Inc.,
Nick Thul, Inc.,
Night Speedways Inc.,
Ninat Realty Corporation,
Nineveh Investment Corporation,
Nochimson Silk Company,
Noil Co., Inc.,
Noinu Corporation,
Norfolk & New Brunswick Hosiery Company,
Norman-Florist, Inc.,
North American Nurseries, Inc.,
North Bergen Dyeing & Finishing Co., Inc.,
North Bergen Embroidery Works, Inc.,
North Broad Auto Sales, Inc.,
North Development Co.,
North East Construction Co., Inc.,
North End Supply Co., Inc.,
Northern New Jersey Holding & Manufacturing Co.,
North Hudson Battery & Electric Co.,
North Hudson Drivurself Co.,
North Hudson Improvement Company,
North Jersey Colonial Home Builders, Inc.,
North Jersey Construction Co.,
North Jersey Poultry Company,
North Jersey Realty Company, Inc.,
North Park Service Station, Inc.,
Norwood Development Co.,
Nottingham Corporation,
Nottus Investment Company, Inc.,
Novaky Brothers Co., Inc.,
Novatan Leather Co., Inc.,
Novelty Merchandise Company, Inc.,
N. S. Low Shoe Co.,
N. Stone & Co., Inc.,
Nu-Enamel Hackensack Co., Inc.,
Nu-Loy Metals, Inc.,
Nurserymen's Co-operative Association, Inc.,
Nutley Builders, Inc.,
Nu-Way Exterminating Co.,

Oaks Coffee & Gift Shop, Inc.,
Oak Drug Company, Inc.,
Oak Investment Corporation,
Oakland Manufacturing Company, Inc.,
Oaklyn Amusement Corporation,
"Ob-Jor Laboratories, Inc.,"
Ocean County Sales Co., Inc.,
Ocean Court Apartments, Inc.,
Ocean Cullett Co., Inc.,
Oceanic Amusements, Inc.,
Octavie Company, Inc.,
Odette Foundations, Inc.,
Ogden Realty Company,
O. H. Rowe Enterprises, Inc.,
Oil Products Corporation,
Oil-Ways, Inc.,
Old Bergen Distilleries, Inc.,
Old Colony Corporation,
Old Homestead Dairy Products Co.,
Old Mansion, Inc.,
Old Spot of Elizabeth, New Jersey Inc.,
Olive Realty Co.,
Olsson & Fehn, Inc.,
O-Pan-Top Manufacturing Co.,
Orange Biltmore,
Orange Blossom Beauty Shop, Inc.,
Orangeburg Sports, Inc.,
Orange Engraving Company,
Orange Garden Homes, Inc.,
Orange Land Company,
Orange Properties, Inc.,
Orchard & Mulberry, Inc.,
Orchard Smelting & Refining Co. Inc.,
Organic Fertilizer Corporation,
Orient Corporation,
The Orient Market Co.,
Orion Co., Inc.,
Oro Separating Corporation,
Osborne Construction Co., Inc.,
Otken Holding Company, Inc.,
Otsego Building Corporation,
Owl Fruit Exchange,
Owners Homes,

Oxford Garage, Inc.,
Oxford Pressing Club, Inc.,
Oyster Bay Bar, Inc.,

Pacific Grocery, Inc.,
Packard-Broad St., Inc.,
Packard-Passaic, Inc.,
Packard Pompton, Inc.,
Paco Realty Co., Inc.,
Palace Meat Market, Inc.,
Palermo Importing Co., Inc.,
Palisade Apartment Corporation,
Palisade Embroidery Inc.,
Palisades Amusement Park Operating Corp.,
Palisades Scooter Corp.,
Palmer's Service Stations, Inc.,
Palm Oil Company,
Palomar, Inc.,
Palo Motor Lines, Inc.,
P. A. Majestic Bakery, Inc.,
Paper House of New Jersey Inc.,
Paradise Court Realty Corporation,
Paradox Chemical Corporation,
Paragon Dye Works,
Paragon Fabrics, Inc.,
Paramount Cleaners of Union County,
Paramount Credit Corporation,
Paramount Handbag Company,
Paramount Land Company,
Paramount Markets, Inc.,
Paramount Properties, Inc.,
Paramount Typesetters, Inc.,
Pardee Realty & Investment Co.,
Parisian Miss Bag Corporation,
The Parisian Print Works,
Paris Modes, Inc.,
Park Decorating Co.,
Park Development Corporation,
Parker Johnson Company, Inc.,
Park Garage, Inc.,
Park Heights Realty Corporation,
Park Royal Hats, Inc.,
Park Sales Corporation.

Park's Apparel, Inc.,
Park Theatre, Inc.,
Parnassia Laboratories,
Parray Realty Company,
Par Realty Company,
Passaic Auto Laundry,
Passaic Colonial Realty Company,
Passaic Handkerchief Works, Inc.,
Passaic Optical Shop, Inc.,
Passaic Trucking Co., Inc.,
Pastry Shop Tea Room,
Patco Company,
Patent Manufacturing Company,
Paterson Airways, Inc.,
Paterson Bus Terminal,
Paterson Carbonic Gas Co.,
Paterson Iron Foundry Co.,
Paterson Milk & Cream Company, Inc.,
Paterson Model Homes, Inc.,
Paterson Retail Liquor Stores, Inc.,
Paterson Window Shade Co.,
Paul A. Roubaud, Inc.,
Paul Billy, Inc.,
Paul B. Richter, Inc.,
Paully Instrument Company, Inc.,
Paul Moran, Inc.,
Paulsboro Dress Co.,
Paul's Restaurant, Inc.,
Paulva Realty Corporation,
Paul W. Rice, Inc.,
P. & C. Holding Company,
P. C. Wood Inc.,
Peace Street Company,
Pearl Button Corporation,
Pearlmont Holding Corporation,
Pecht's Bakery, Inc.,
Pee-Chee Farms, Inc.,
Peertex Corporation,
P. E. F. Realty Co.,
Peggy Joy Shops, Inc.,
Pennie Realty Corporation,
Penn-Jersey Finance Company,
Pennsauken Holding Company,

Penn-Well Lubricants, Inc.,
Penn Varnish Co.,
"Pen-Y-Bryn Hotel, Inc.,"
People's Agency, Inc.,
Peoples Builders, Inc.,
Peoples Burner & Fuel Corp.,
Peoples Burner & Fuel Inc.,
Peoples Investment and Realty Company,
Perfetti Beachfront Corporation,
Pernetti Jewelry Company,
Perrotta & Pepper, Inc.,
Perry, Inc.,
Perth Amboy Holding Company,
Perth Amboy Realty and Loan Company,
Perth Amboy Title Company,
Perth Amboy Waste Co., Inc.,
Pete & Marys Inc.,
Peter F. Gough, Inc.,
Peterson & Read Company,
Petite Hand Bag Co., Inc.,
Petratone, Incorporated,
Petrullos' Everglades, Inc.,
P. & F. Holding Corp.,
P. & G. Construction Co.,
Pharmaceuticals, Incorporated,
P. Henry Roberts Land, Investment and Securities Co., Inc.,
Philadelphia Market House, Inc.,
Philco Print Works,
Philip & Band, Inc.,
Philip Knorr, Inc.,
Philip Murphy Inc.,
Philip Pulwer, Inc.,
Philip Tischler, Inc.,
Philip Zinman & Co.,
Philip Zinman, Inc.,
Phillipsburg Silk Company,
Phillips Distributing Co., Inc.,
Phillips Furniture Co., Inc.,
Phillip's Restaurant,
P. H. Mueller Company,
Phoenix Dress, Inc.,
Phoenix Textile Print Works, Inc.,

Photo-Lith Inc.,
Physicians and Surgeons Pharmacy, Inc.,
Pickwick Tavern, Inc.,
Picone Bros. Inc.,
Picton Contracting Co.,
Piedmont Silk Company, Inc.,
Pierpont Construction Company, Inc.,
Pincus Bros. & Sheck, Inc.,
Pinehill Poultry Farm,
Pine Oil Products Corporation,
Pioneer Automatic Heating Company,
Pioneer Used Car Corporation,
Pistell, Wright & Co., Ltd.,
Pitney Home Builders, Inc.,
Plainfield Construction Block Co.,
Plainfield Hotel Corporation,
Plainfield Motor Co.,
Plainfield Perth Amboy Realty Corporation,
Plainfield Silk Mills,
Plainfield Trap Rock Company,
Plaza Building Company,
Plaza Silk Co., Inc.,
Pleasant Garage, Inc.,
Pleasantville Investment Company,
Plymouth Piece Dye Works,
Pocono Study Tours, Inc.,
Point House Tavern, Inc.,
Police Reporter, Inc.,
Polish National Home of Orange, N. J., Inc.,
Pollina Corporation,
Pollock and Pollock, Inc.,
Polly Jeanne Dress Shop,
Polly Perrey, Inc. of New Jersey,
Poly Chemical Laboratories, Inc.,
Polycrome Print Works, Inc.,
Pomade Beauty Salon,
Pomeranz Pliable Dressing Co. Inc.,
Pompton Auto Boys, Inc.,
Pontery Holding Company,
Poplar Meat Market,
Poriles, Inc.,
Porous Concrete Drain Pipe Corporation,
Poroxide Corp.,

Portable Auto Lift Company,
Potamkin Brothers, Inc.,
Potts and Kaufmann,
Poulson and Son,
Power Realty Company,
Power Service, Inc.,
Powertrons Inc.,
Premier Realty Co.,
Premier Ice Cream Co.,
Presdo Manufacturing Company,
President Restaurant, Inc.,
Press-Blair Finance Corporation,
Price Cravats, Inc.,
Prince Grocery Co.,
Princeton Agency, Inc.,
Princeton Coal & Supply Company,
Princeton Investment Co.,
Priscilla Coal Mining Co.,
Processed Lumber Company,
Professional Pharmacies, Inc.,
Progressive Box Co.,
Progress Neckwear Co.,
Promotion Investment Co.,
Prophett-McEwing, Inc.,
Prospect Construction Co.,
Protective Foods, Inc.,
Prout & Walker, Inc.,
Provident Housing Corporation,
Provision Importers, Inc.,
Prudential Dye Works,
P. & S. Holding Company,
Pure Milk Dairy, Inc.,
Pure Silks, Inc.,
Puritan Rough Dry Laundry,
Purple Box, Inc.,
Putchat & Gars Construction Co.,
Pyramid Manufactured Products Co. Inc.,
Pyro Chemical and Paint Co.,

Quality Homes, Inc.,
Quality Market of Rahway, Inc.,
Quality Meats & Provisions, Inc.,
Queen City Boxing Club, Inc.,

Queen Street Realty Company,
Quennard Latex Products Corporation,

Radio Tavern, Inc.,
Rafters,
Ragnar Hasselgren, Inc.,
Rahway Laundry Transport Inc.,
Railroad Employee Publishing Co., Inc.,
Rainbow Grill Co. of Bordentown,
Raleigh Hotel Co.,
Ralph Cornell, Inc.,
Rancocas Textile Company,
Rand Stores, Inc.,
Ranger Manufacturing Company, Inc.,
Rankin Agency,
Ranlin Holding Corporation,
Rannells-Ackerman, Inc.,
Ransley Motors, Inc.,
Raritan Building Company,
Raritan Engineering Corporation,
Raritan Improvement Company,
Raritan Investment Company, Inc.,
Raritan Towers, Inc.,
Raybestos Brake Service Co., Inc.,
Raydon Products Corporation,
Ray-Lo Investment & Holding Co. of Paterson, New Jersey,
Raymond Boulevard Wholesale Produce Market, Inc.,
Raymond Wine & Liquor Co.,
Raymore Investment Company,
Ray's Cancellations,
Ray Silk Co. Inc.,
R. Cohen, Inc.,
R C R Realty Company,
R. C. Wood Construction Company Inc.,
R. D. Realty Company,
R. D. Woodruff Construction Company, Inc.,
Real Estate Improvement Corporation of New Jersey,
Realty Liquidators, Inc.,
Rebmash Realty Corp.,
Recovery Realty Corp.,

Recreation Advertising Service Inc.,
Recreation Camp Corporation,
Red Bank Fuel & Supply Co.,
Red Bank Manor Company,
Red Bank Yacht Works,
Rednor-McDermott, Inc.,
Red Oaks, Inc.,
Red Robin Grill, Inc.,
Red Star Wholesale & Retail Grocery, Inc.,
Red Stripe Restaurant, Inc.,
R. E. F. Holding Company,
Refinance Corporation,
Reforso Knitting Mills, Inc.,
Regal Distributors of N. J. Inc.,
Regal Sales, Inc.,
Regal Spinning Corp.,
Regent Cleaners & Dyers, Inc.,
Regent Hat Co., Inc.,
Regent Print Works, Inc.,
Regent Tavern, Incorporated,
Rehbec Co., Inc.,
R. G. Holding Co.,
Reich's, Inc.,
Reiseman Co., Inc.,
Reliable Coal Co., Inc.,
Reliable Garage of Hackensack, Inc.,
Reliable Paint Market,
Reliable Quilt Shop,
Reliable Silk & Curtain Shoppe,
Reliable Warping and Winding Co.,
Reliance Machine & Engineering Co., Inc.,
Reliance Transport Service, Inc.,
Rem Realty Corporation,
Renchino, Inc.,
Rendezvous, Inc.,
Renelog Realty Co.,
Reo Chemical Corporation,
Republican Realtors, Inc.,
Retlaw Realty Co.,
Reversible Sash and Lock Company,
Rex Chemical Company, Inc.,
Rexirv, Inc.,
Rex Match Company, Inc.,

Rex Textile, Inc.,
Reynolds Clothes Inc.,
Reynolds Holding Company,
R. F. & W. Inc.,
Rhea Realty Co., Inc.,
Rialto Beauty Salon, Inc.,
Rice Motor Sales,
Richard Bradley, Inc.,
Richard H. Johnson Company,
Richland Sand and Gravel Co.,
Richmond Hat Corporation,
Ricker Heating & Ventilating Co. Inc.,
Ridge Foundation,
Ridgeview Holding Company,
Ridgewood Garage, Inc.,
Ridgewood Manor,
Ridgewood Park Company,
Ridgewood Realty Company, Inc., #1,
Riley Bilt Homes,
Riley's Sample Shoe Markets,
Rima Inc.,
Rite-Fit Manufacturing Corporation,
Ritter Remedy Company,
River Bar, Inc.,
River Realty Co., #1,
Riverview Bar and Grill Corp.,
R. J. Burns & Company,
R. J. Johnston, Inc.,
R. M. Applegate, Inc.,
R. M. Building Company,
R. M. Rothfuss, Inc.,
Roberta Beauty Salon,
Robert Co., Inc.,
Robert H. von Stein & Co., Inc.,
Roberto Drug Co., Inc.,
Rochelle Land & Improvement Company, Inc.,
Rocke-Stuart, Inc.,
Rockland Concrete Sales Co. Inc.,
Rockwell Grill, Inc.,
Roco Trading Corporation,
Rodgers Motors Sales, Inc.,
Roehrich Auto Sales Co.,
Rogers Clothes, Inc.,

Rogol Co., Inc.,
Rohe Company,
Roll & Abel Farm Products Corp.,
Romaine Silk Company,
Roman Garden, Inc.,
Roman Republican Holding Company,
Romar, Inc.,
Roof Coating Company, Incorporated,
Roof Coating—(Inc.),
Roosevelt Homes, Inc.,
Root Sales Service, Inc.,
R. O. Realty Co.,
Rosebud Silk Mills,
Rose Hosiery Co., Incorporated,
Rose Lane, Inc.,
Roseld-Deal Realty Corporation,
Roselle Packing Co.,
Roselle Printing & Publishing Co., Inc.,
Rosemarie Company,
Rosemount Memorial Park, Inc.,
Rosenblum, Inc.,
Rose Printers & Publishers, Inc.,
Roseville Pharmacy,
Roslyn Park Company,
Rosy's Auto Exchange, Inc.,
Rotary Piston, Inc.,
Rouson Sportwear, Inc.,
Rowban Realty Company,
Roxy Beauty Salon, Inc.,
Royal Automobile Club,
Royal Delicatessen, Inc.,
Royal Distributors, Inc.,
Royal Garage Co.,
Royal House Furnishers, Inc.,
Royal Match Company,
Royal Park Finance Co.,
Royal Shoe Company, Inc.,
Royal Specialty Company, Inc.,
Royle-Singer Company, Inc.,
Roy R. Bair, M. D., Inc.,
R. & S. Amusement Corporation,
R. & S. Corp.,
R. & S. Service Garage, Inc.,

R. S. V. Holding Company,
Rubin Bros. Drug Sales, Inc.,
Ruby Dress Co., Inc.,
Rudelle Realty Corporation,
Rudy Cloud, Inc.,
"Rudy's Food Market",
Rumson Sewage Disposal Company,
Rumson Sportswear Company,
Russell C. Goltra, Inc.,
Rustic Furniture Company, Inc.,
Rutherford Drug Company,
Ruth-Harold Co., Inc.,
R & W Construction Company,
R. W. Smith, Inc.,
Ryan Motors, Inc.,
Ryngless Hosiery, Inc.,

Sabelle Corp.,
Safe Parachute Jump Co.,
S. A. Ferrary & Co.,
Safety Holding Company,
Safety Sales Co.,
Safety Service Station,
Safeway Roofing Company, Inc.,
Safe-Zone Realty Company,
Sager Realty Co.,
Saint Demetrios Realty Corp.,
St. Jude Corporation,
St. Regis Cafeteria,
Sajo Holding Company,
Salem and Pennsgrove Traction Company,
Sally Lee, Inc.,
Salon de Tea,
Salzano Baking Corporation,
Samanou and Sons, Incorporated,
S. A. Mischanski, Inc.,
Sam Levy, Inc.,
Sample Dress Stores, Inc.,
Sampler Shop, Inc.,
Sam's Tonsorial & Beauty Parlors,
Samuel Alboum, Inc.,
Samuel Argush, & Sons, Inc.,
Samuel E. Silver And Co., Inc.,

Samuel Frox, Inc.,
Samuel Kreitzberg, Inc.,
Samuel Nichols, Inc.,
Sandell Development Company, Inc.,
Sandy Hook Park & Beach Corp.,
Sanford Confectionery Co., Inc.,
Sanford Wines & Liquors, Inc.,
Sanitary Milk & Cream Co. Inc.,
Saooky Realty Corp.,
Sarubbi Construction Co., Inc.,
Sature Corporation,
Saveria Ruffalo Realty Corp.,
Sav-Hair, Incorporated,
Sav-On-Markets,
Savotherm Corporation,
Savoy Corporation,
Savoy Handbags, Inc.,
Savoy Restaurant of Journal Square,
Saxwill Company, Inc.,
"S. B. Construction Company",
S. B. H. Holding Company,
S. Bromberg, Inc.,
S. B. Taylor, Inc.,
Scarr Finance Corporation,
Schafer Auto Body Co.,
Schafer Motor Freight Service, Incorporated,
S. Chait Paint Corporation,
Schapiro Machinery Supplies,
Scharf Display Studios, Inc.,
Schlosser Newspaper Supply Company, Inc.,
Schmiedt's County Smoke & Slaughter House, Inc.,
Schoch Brothers Inc.,
Scholl Investment Co.,
School of Communication Engineering,
Schott's Tavern, Inc.,
Schultz Automotive Service Co. Inc.,
Schultze Construction Co., Inc.,
Schumacher Bros., Inc.,
Schwiers, Inc.,
Sclawy Bros., Inc.,
Scorso & Kirk, Inc.,
Scranton Fuel Company,

Seaboard Construction Company,
Sea Bright and Rumson Sheet Metal and Roofing Co.,
Sea Coast Amusement Co.,
Sea Coast Trading Co.,
Seagate Beach Company,
Sea Girt Holding Company,
Searles, Inc.,
Sears Liquor Company,
Seasam Construction Co.,
Seashore Health School & Day Camp Inc.,
Seaside Coal and Fuel Oil Co.,
Seaver Company,
Secaucus Live Stock, Inc.,
Security Associates, Inc.,
Security Construction Co., Inc.,
Seeley Sales Co.,
Select Homes Co., Inc.,
Selee Realty Corp.,
Selig Wildman, Inc.,
Senior Realty Corp.,
S. & E. Realty and Construction Co.,
Service-Center, Inc.,
Service Heating Co.,
Servis Craft Shops, Inc.,
Seymour Fur Shop, Inc.,
S. Farber Silk Corp.,
S. Geller, Inc.,
Shakespeare Fellowship of America Ltd.,
S. & H. Amusement Company,
Shannon-Rose, Inc.,
Sharewell Corporation,
Sharpe Motors, Inc.,
Sharrier Air Conditioning Corp.,
S & H Auction Sales Co. Inc.,
Shaw Silk Company, Inc.,
Sheridan Bus Company, Inc.,
Sherman-Aine-Abowitz, Inc.,
Sherman & Frank, Inc.,
Sherman Motors, Inc.,
Sher Radio Co., Inc.,
Shirley Company,
Shirley Kiddie Shop, Inc.,

Shore Finance Corporation,
Shore Gravel Corporation,
Shore Grill, Inc.,
Shore Grocery Co.,
Shore Land Company,
Shoreline Caterers Corp.,
Short-Haul Transportation Company,
Shu-Gleam Corporation,
Sifonette Corporation,
Silhouette Shops, Inc.,
Silk City Exchange Inc.,
Silliman Company,
Silvercrest Bakery, Inc.,
Silver Dollar Cocktail Bar,
Silverwhite Co. (Inc.),
Simbro Foods, Inc.,
Simmen's Baking Co.,
Simon's Apparel Shop,
Simons' Market, Inc.,
Sinai Farms, Inc.,
Sirgany, Inc.,
S. & I. Trucking Co.,
S. Jacobson,
S. J. Aldarelli, Inc.,
S. J. Thorn, Inc.,
Slavin Service Station Inc.,
S. Levy Co.,
Small Drug Co., Inc.,
Smalley Trap Rock Corporation,
Smart Men's Wear, Inc.,
Smith-Burnett Co., Inc.,
Smyth Sales, Inc.,
S & N Corporation,
Sobul, Inc.,
Soda Fountain and Refrigeration Service, Inc.,
Sokolow & Glick, Inc.,
Solid Textile Company,
Sol Lubash, Inc.,
Sol-U-Products, Inc.,
Somerset Boulevard Holding Corporation,
Soranno Florist, Inc.,
Southern California Restaurant, Inc.,
Southern Fisheries of New Jersey,

Southern New Jersey Building and Improvement Co.,
South Hackensack Iron & Steel Co., Inc.,
South Jersey Foundry Co.,
South Jersey Publishing Company, Inc.,
South Munn Holding Company,
South Orange Avenue Realty Co.,
South Park Realty Co.,
South River Heights Realty Co.,
Sowat Realty Corporation,
Sparrow Hill Market, Inc.,
Sparta Importing Company,
Sparta Water Company,
Specialties Trading Company, Inc.,
Specialty Lumber Company,
Spencer & Ewing, Inc.,
Spencer Holding Co.,
Spencers' Business College,
Spiezle's Clothes Shop, Inc.,
Sprague Manufacturing Company, Inc.,
Spring Dale Furniture Co., Inc.,
Springdale Holding Co., Inc.,
Springfield Construction Company,
Springfield Grocery, Inc.,
Spruce-Charlton Co., Inc.,
S. P. & W. Realty Company,
S. Rafkind, Inc.,
SS. Corporation of New Jersey,
S. Spitzer Wine & Liquor Co.,
S. & S. Poultry Farms,
S. & S. Supply Company,
Stabile Trucking Co., Inc.,
Stadium A. C.,
Standard Circle Service Station, Inc.,
Standard Explosives Corp.,
Standard Food Products, Inc.,
Standard Lumber & Supply Co., #2,
Standard Motor Express Terminal, Inc.,
Standard Silk Machinery Exchange, Inc.,
Standifer Construction Co., Inc.,
Stanford Building Co.,
Stanley Novelty Company, Inc.,
Stanley Trading Co.,

Stanton M. Pascal & Co.,
Star Clothing, Inc.,
Stark's Broad Street, Inc.,
Stark's Journal Square, Inc.,
Stark's Paterson, Inc.,
Starr Glass Company,
Star Shoe Co. of Bergen County,
State Bargain Stores Co.,
State Billiards, Inc.,
State Business Bureau,
State Capitol Fuel Co., Inc.,
State Construction Company,
State Development Corporation,
State Fur Dressing Corp.,
State Line Lake Club, Inc.,
State Motors, Incorporated,
State Realty Co.,
State Safety Service Corporation,
State Trading Corporation,
Statler Garage Corporation,
Stearn Brothers,
Stefan Kulaszewski Incorporated,
Steil's, Inc.,
Sterling Bus Corporation,
Sterling Delicatessen, Inc.,
Sterling Farms, Inc.,
Sterling Grocery Company,
Sterling Hardware Co., Inc.,
Sterling Homes Company,
Steuben Taverns, Inc.,
Stevens Millinery Company of Hackensack,
Stewart's Jewelry Shop, Inc.,
Stiles Screw Corporation,
Stillman-Delahanty-Ferris Company,
Stoneham Hardware Company,
The Stone Harbor Beach Club, Inc.,
Stonehenge Estates,
Stonewall Realty Co.,
Stop & Shop, Inc.,
Storch's Cut-Rate Dairy, Inc.,
Store Builders of Linden, Inc.,
Stove Manufacturers Sales Corporation,
Strand Land Co.,

Strand Photoplay Company,
Strand-Red Bank Operating Co.,
Stratton Realty Company,
Streamline Hosiery Mills, Inc.,
Stromberg's Bakery, Inc.,
Styled Utilities, Inc.,
Stylist Manufacturing Company,
Success Realty Company,
Sugarman, Inc.,
Summer Bros., Inc.,
Summer Estates, Inc.,
Summers Corporation,
Summer's Pharmacy, Inc.,
Summit Bar, Inc.,
Summit Cleaners, Inc.,
Summit Golf Club,
Summit Holding Company,
Summit Laundry Inc.,
Sun Flower Farms,
Sunrise Food Market, Inc.,
Sunshine Realty Company,
Supel's Feed Farm,
Super Electric Mfg. Corp.,
Super Hats, Inc.,
Superior Bric-Kraft Corporation,
Superior Cloak & Suit Manufacturing Corporation,
Superior Crystal Co., Inc.,
Superior Furniture Corporation,
Superior Holding Corporation,
Superior Home Remodeling Co.,
Superior, Inc.,
Superior Institute of Welding,
Superior Sportswear, Inc.,
Superior Tire & Rubber Corp.,
Superior Tire Service of Morristown, Inc.,
Superior Welding Co., Inc.,
Super Realty Corp.,
Supreme Coat Company,
Supreme Construction Company,
Supreme Finishing Corporation,
Sureseal Manufacturing Company,
Sussex Calcite Company,

Sussex Laboratories,
Swanee Club, Inc.,
Swimmer Stores, Inc.,
Switlik Parachute & Equipment Corporation,
Sybel Garment Corporation,
Sykes Drug Co., Inc.,
Sylvan Castle, Inc.,
Sylvia Investment Co., Inc.,

T. Adametz Contracting Co., Inc.,
Tally-Ball Manufacturing Co.,
Tannenbaum Construction Corp.,
Tasty Food Luncheonette,
Taunton Land Development Company,
T. C. O'Brien Company,
Teaneck Road Holding Corporation,
Teddy's, Inc.,
Tenants Holding Company,
Tenro Developments, Inc.,
Terhune Engineering Products, Inc.,
Terminal Amusement Co.,
Terminal Food Products,
Terminal Securities Corporation,
Terrace Homes, Inc.,
Teschner Glass Company,
Texas Hot Weiner Lunch,
Texital Industries Corporation,
Texloid Co.,
Textile Sales Corp.,
Textiles Trading Co.,
Theatre Management Corporation,
Theatre Operating Co., Inc.,
Theodore Dorman, Inc.,
Theo. E. Brown & Co.,
Thermidol, Inc.,
Thomas F. Cummings Coal Co.,
Thomas J. Milnamow, Jr. and Sons, Co.,
Thomas Motors,
Thomas Tenore, Inc.,
Thomas Tootell, Incorporated,
Thomas W. Milton & Co., Inc.,
Thompson Bros., Inc.,

Thompson & Company Incorporated of New Jersey,
Thoron Power Tubes, Inc.,
Thor Realty Corporation,
Thrift Cleaners, Inc.,
Thrift Range Heater Company,
Thropp Foundry Company,
Thul Machine Company, Inc.,
Tide Water Coal & Oil Corporation,
Tidewater Dredging and Engineering Co. of New Jersey, Inc.,
Tiffany Electric Company, Inc.,
Time and the Conways, Inc.,
Time Sales Service Bureau, Inc.,
Times Realty Company,
Tirrell Machine Company,
T. J. Corbally Detective Agency,
T. J. Healy, Incorporated,
T. M. B. Corporation,
Toms River Auction Center,
Top Holding Company,
Tor Realty Co., Inc.,
Totila Corporation,
Tower Hill Manor Construction Company,
Town Maid Hosiery Company, Inc.,
Townshend Corporation,
Trabos, Inc.,
Trade Control System, Inc.,
Traders Holding Company,
Trading Post Holding Corporation,
Trailer Corporation,
Trainer Brewing Company,
Transport Company,
Travel Trailer Corporation,
Traverstone Corporation,
Travolta Tire Service, Inc.,
Tremont Place Realty Company,
Trenton Broadcasting Company,
Trenton Motors Company, Inc.,
The Trenton Stamp and Coin Company,
Treval Realty Co.,
T. R. Goodlatte and Sons (Inc.),
Triangle Fuel Oil Company, Inc.,

Tri-County Contracting Co., Inc.,
Trinity Realty Co.,
Trio Amusement Co.,
Tri-Point Company,
Trius Realty, Inc.,
Trojan Color Co.,
Trojan Piece Dye Works,
Tronbar Corporation,
Tropical Realty Co.,
Troy Ice & Coal Service,
Truif, Inc.,
Trustee Realty Co., Inc.,
Trusty Automatic Oil Burner Company,
Tru-Tyle Board Co., Inc.,
Try These Company,
T. S. S. Amusement Corporation,
Tube Cut Rate Drug, Inc.,
Tudor Manor Apts.,
Turnbull Construction Co.,
Turner Baking Company,
T. V. H. Inc.,
The T. W. B. Corporation,
T. Wm. Cleveland, Inc.,
Twin-Boro Holdings, Inc.,
Twin Brook Farms, Inc.,
Twins Hotel Co., Inc.,
Twin State Holdings, Inc.,
Tyme Products, Inc.,

U. C. Brass Rail Bar and Grill,
U. G. Peters & Sons, Inc.,
Ultra Ray Pearl Essence Corp.,
Ultra-Short Wave Products, Inc.,
Uneeda Slipper Company,
Unhairing Patents Corporation,
Unican Sales Agency, Inc.,
Union Associates of Westfield,
Union Avenue Auto & Parts Exchange, Inc.,
Union Avenue Tavern, Inc.,
Union City Bake Shop & Lunch Room Inc.,
Union Company, Inc.,
Union County Press,
Union Fields, Inc.,

Union Food Corp.,
Union Fruit Exchange, Inc.,
Union Labor Investment Corporation,
Union Screw & Bolt Company,
Uni-Tan Extract Corp.,
United Auto Paint Shops, Inc.,
United Brewing Company,
United Building Company,
United Candy Company,
United Credit Clothing Co., Inc.,
United Dress Co., Inc.,
United Fuel Distributors Inc.,
United Holding & Realty Corporation,
United Home Builders, Inc.,
United Housing Corporation,
United Mortgage and Investment Corporation,
United Motor Transportation, Inc.,
United Properties, Inc.,
United Railway Signal Company,
United Rug Processing Corp.,
United Shingle Company,
United States Foreign Trading Corporation,
United States Lace Corporation, Inc.,
U. S. Salvage Corporation,
United Vegetable Oil Corporation,
United Wine Industries, Inc.,
Unity Clothing Company,
Universal Battery & Service Stations, Inc.,
Universal Engineer Publishing Company,
Universal Fur Dressing Co., Inc.,
Universal Home Construction Co., Inc.,
Universal Iodine Pencil Co., Inc.,
Universal Jewelers Supply Co.,
Universal Motor Company,
Universal Photo Engraving Co., Inc.,
Universal Textiles Corporation,
Urbem Realty Co.,
Used Furniture Exchange,
Utilities Company,
Utility Consumers Protective League, Inc.,
Utility Heating Service, Inc.,
Utility Realization Corporation,
Utility Tubing Company,

Vacuum Bread Cooling Corporation,
Valco Diner Co. Inc.,
Val-I-Tone Research Laboratories, Inc.,
Valley Brook Investment Co.,
Valley Forge Distributing Company,
Valley Realty Company,
Val-U Dresses, Inc.,
Van Amusement Company,
Van-B Machine Corporation,
Van Buiten Auto Supply Co.,
Vanderbilt-Osborne Corporation,
Vanderpool-Austin, Inc.,
Van Duyne & Van Duyne, Inc.,
Van Gieson Corporation,
Vanity Hat Shops, Inc.,
Van-Linn Corp.,
Van Riper Manufacturing Company,
Vapolito Importing Company, Inc.,
Vee & Ess Company, Inc.,
V. E. H. Holding Corporation,
Velvet Textile Corporation,
Vendome Realty Co.,
Venetian Blind Mfg. Co.,
Veteran Piece Dyeing & Finishing Co., Inc.,
Viburne Corporation, Inc.,
Victor Corporation,
Victoria Amusement Company of Camden, New Jersey,
Victoria Hosiery Mills, Inc.,
Vietor Products Corporation,
Vigorito-Zoccolillo Poultry Co., Inc.,
Village Ice & Coal Depot, Inc.,
Village Inn, Inc.,
Vincent Contracting Co., Inc.,
Vineland Credit Jewelers, Inc.,
Vineland Farm Agency,
Vineland Marble & Granite Works, Inc.,
Virginia Smith, Inc.,
Vitamin Research Laboratories, Inc.,
Vitolo Shirt Company,
Vogeltype Aligning Paper Corporation,
Vulcan Print Works,

Wabash Construction Co.,
Wackieclub,
Wagner's Department Store, Inc.,
Wagner & Wurtzel Company,
Wahlgold Realty Company,
W. A. Jarden, Inc.,
Waldorf Clothes No. 224,
Waldwick Lake Improvement Company,
Walkathon Dance Marathon, Inc.,
Wallace & Stilwell, Inc.,
Wallner's Cafe,
Wall Realty Company,
Wally Realty Co.,
Walray Dairy, Inc.,
Walter and Sweet, Inc.,
Walter T. Jennings Co.,
Walton's Transportation & Express Co., Inc.,
Wardell Steam Laundry Company,
Ward Flush Valve Company,
Warmont Holding Co.,
Warnock Bros., Inc.,
Warwick Realty Company,
Washington Auto Company,
Washington Hat Works, Inc.,
Washington Homes, Inc.,
Washington Realty and Investment Company,
Watchung Laboratories, Inc.,
Watchung Stone Company,
Waterproof Preservative Solder Paint Co., Inc.,
Watson Bagel Co.,
Waverly Fur Dressing Inc.,
Wave Shops, Inc.,
Wayfair Company, Inc.,
W. B. Paper Box Co.,
W. B. R. Company,
W. B. W. Mercantile Co.,
Wealoch, Inc.,
Weather Control Corporation,
Weber Air Compressor Corporation,
Webster Institute,
Wedgwood Sportwear Co., Inc.,
Weequahic Park Casino, Inc.,
Weequahic Sash & Door Co.,

Wehrberg Realty Co.,
Weill's Art Shop, Inc.,
Weinstein Grocery Company, Inc.,
Weisberg Co., Inc.,
Weiss & Rosenblatt Co.,
Welding Alloy Manufacturing Company,
Welding Service Company,
Welding Timer Manufacturing, Inc.,
Weld-Tite Manufacturing Co., Inc.,
Welsh Realty and Investment Co., Inc.,
Wernercaps, Inc.,
West Amboy Agency,
Western Realty Company,
Western Wire Forming Corp.,
West Essex Realty Company,
West-Essex Sun Service Station, Inc.,
Westfield Pharmacy, Inc.,
Westfield Realty Associates, Inc.,
West Hudson Cab,
West Jersey Engineering and Construction Company,
West Jersey White Truck Co., Inc.,
Westny Holding Corporation,
West New York Sportsmen Club, Inc.,
West New York Sweater Shop,
Westport Tavern, Inc.,
West Scotch Plains Holding Co., Inc.,
West Shore Express Co.,
West Wildwood Building Co.,
W. F. Howell Hardware Company, Inc.,
W. Frank Hopping, Inc.,
W. & H. Company, Inc.,
White Arrow Laboratories, Inc.,
Whitehall Beverage Corp.,
White Rock Poultry Farm, Inc.,
White Star Laundry Company, Inc.,
Whitney Paper Products Co., Inc.,
Wholesale Coal Trucking Co.,
Wiener Body Co., Inc.,
Wilan Realty Company,
Wilbur Coon Shoes, Inc.,
Wildwood Park, Inc.,
Wiley Motors Inc.,

Wilfred Benson Company, Inc.,
Willard Dunham Construction Company,
Willbea Realty Co.,
Willfrank Corporation,
Will-Hoff, Incorporated,
Wm. A. Schrul, Inc.,
William B. Kalker, Inc.,
Wm. D. Reel Fuel Co., Inc.,
William Eckel, Inc.,
William H. Bohl Incorporated,
William J. Doremus, Inc.,
William M. Graham, Inc.,
William R. Richart, Inc.,
Williams Pontiac, Incorporated,
Williams Prescription Pharmacy, Inc.,
William Weinberger & Co.,
William Would & Son, Inc.,
Willie Glazer, Inc.,
The Willis Corporation,
Willits' Beverages, Inc.,
Wills-Bosch Silk Co.,
Wilmak Holding Company,
Wilmax Corporation,
Wilson Apartment Co.,
Wilson S. Brower Company, Inc.,
Wilson Transportation Company,
Wiltshire Holding Co.,
Wiminetz & Goodkin, Inc.,
Windsor Construction Company, Inc.,
Windsor Realty Company,
Winters Corporation,
Wisteria Farm Corporation,
Wittrock's Crossways, Inc.,
W & J Realty Company,
W. J. S. Realty Company,
W. K. Realty Co.,
W. L. Sooy & Son, Inc.,
Wolf & Frank, Inc.,
Wolf, Glucksman & Wolf,
Wolman Drug Co., Inc.,
Wonder Shine Company,
Wondrex Company, Inc.,
Woodbine Clothing Company, Inc.,

Woodbridge Company, Inc.,
Woodbury Hotel Corporation,
Wood Construction Company,
Woodcrest Corporation,
Woodlawn Trucking Corporation,
Woodwayne Corporation,
Woops Botnick,
Worboys Corporation,
World Fair Hat Co., Inc.,
W. R. Brown & Co., Incorporated,
Wright Company,
W. S. Allen & Son, Inc.,
Wyckoff Realty Company,
Wyllie-Saylor Granite Company,
Wyndmoor Realty & Construction Co.,
Wyoming Heights, Inc.,
Wyrill-Egan Corporation,

Yourl, Inc.,
Yvette Company,
Y. W. Realty Corporation,

Zahn and Bowly Company,
Zaritzky Furniture Co., Inc.,
Z. B. Inc.,
Zucker-Stein and Company, Inc.,
Zweben's Bakery, Inc.,

Three in One Market, Inc.,
Three-U Realty Company,
Four Apartment Realty Co.,
"Four Pines, Inc.",
Four Towers Supper Club,
12-14 French Street Corporation,
20 North Van Brunt Street Corporation,
23 Bartholdi Avenue Corporation,
Thirty Jackson St., Inc.,
30 Whitman Avenue Corporation,
Thirty-Three Fleming Avenue, Inc.,
40 Commerce Street Corporation,
Forty-One Realty Company,
59 Brighton Avenue, Inc.,
61 Lincoln Park, Inc.,

Sixty-Four Park Avenue Corp.,
Sixty-Five Broadway Realty Corporation,
Sixty-Five Stratford, Inc.,
65-67 Brunswick Street Corp.,
73 West Kinney Street, Inc.,
92 Willow Avenue Corporation,
Ninety-Seven Ridge Road Corporation,
111 Park Ave., Corp.,
One-Twenty-Three Littleton, Inc.,
125 Prospect, Inc.,
One Thirty Seven Keer Ave. Inc.,
148 Market Street Corp.,
159-161 Walnut Street Corp.,
192 Market Street Company,
214 Main Street, Inc.,
215 Charlton St. Corp.,
Two Hundred and Thirty-Five Monroe Street Corporation,
249 Park Ave., Corp.,
Two-Sixty-Six Broome, Inc.,
270 Main Street Corporation,
286 Schley Street Holding Corporation,
292 Grand Street Realty Co.,
Three-Fifty-One Corporation,
370 Broad Avenue Corporation,
421 Broad St., Inc.,
Five-Eighteen Hunderdon, Inc.,
Five-Nineteen Market, Inc.,
634 Bergenline Avenue, Inc.,
701 Bloomfield Avenue Corp.,
Seven-Eighty-Four Harrison, Inc.,
828 Broad St. Company,
Nine Eighty Eight Broad Street, Inc.,
Fourteen Hundred and Two Realty Co.,
2729 Boulevard Corp.,
2840 Boulevard Corporation,

are void, and all powers conferred by law upon such corporations and each of them, are hereby declared inoperative and void.

Given under my hand and the Great Seal of New Jersey, this eighth day of January,
[SEAL] A. D. one thousand nine hundred and forty-one, and in the Independence of the United States, the one hundred and sixty-fifth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, On the eighth day of January, in the year nineteen hundred and forty-one, acting pursuant to section 54:11–2 of the Revised Statutes, the Governor of this State issued his Proclamation declaring the charters of certain corporations of New Jersey are repealed and that all powers conferred by law upon said corporations are inoperative and void; and now,

THEREFORE, Acting pursuant to section 54:11–4 of the Revised Statutes, I, A. HARRY MOORE, Governor of the State of New Jersey, being satisfied that said corporations did not neglect or refuse to pay the capital stock tax assessed against them, under the statute in such case provided, for the year nineteen hundred and thirty-eight within two consecutive years from said assessment, and that said corporations were inadvertently reported to the Governor for action under said section 54:11–2, do

hereby declare that the action of the Governor of New Jersey under said section 54:11–2 on the eighth day of January, nineteen hundred and forty-one, purporting to repeal the corporate powers conferred by the law of New Jersey on

Aladdin's Lamp, Inc.,
Bellson Grand Corp.,
Boulevard Bus, Inc.,
Branford Florist, Inc.,
Central Motor Sales, Inc.,
Economy Oil & Supply Company,
Elizabeth Food Products Co.,
Exchange Generator and Starter Service,
Frederick Schill & Co.,
Frehill Holding Co.,
Helen Milosy, Florist, Inc.,
James A. Morrisse, Incorporated,
Joseph's Beauty Salon, Inc.,
Judsons, Inc.,
Mace, Inc.,
Molite Corporation of America,
Montville Foundation, Inc.,
Newark Machine Company,
Newark Oxwelding Co., Inc.,
Packard Passaic, Inc.,
Rebmash Realty Corp.,
R and S Service Garage, Inc.,
Schwiers, Inc.,
Seaside Coal and Fuel Oil Co.,
S. Geller, Inc.,
Somerset Boulevard Holding Corporation,
Springdale Holding Co., Inc.,
Watchung Laboratories, Inc.,
Williams Prescription Pharmacy, Inc.,

is without force and effect in the law and I hereby make Proclamation to that effect and order said Proclamation 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 twentieth day of January, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-fifth.

A. HARRY MOORE,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Forty-four years ago, on February seventeenth, one thousand eight hundred and ninety-seven, the need for a better understanding between parents of school children and teachers was recognized.

That the problems of schooling and the administration of schools might be clarified to parents, the National Congress of Parents and Teachers was then called. Out of it came the organization of State and Local Parent-Teacher Associations.

The progress accomplished by these groups is a matter of record. School children and their teachers have reaped the most immediate benefits but the parents who have participated are perhaps most acutely aware of the values that have accrued from the movement.

Unanimity of hope that this important work may continue to go forward is the best testimony for its success thus far. That all citizens of civic spirit

may recognize these movements and their worth and join in an encouragement of their furtherance, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim

MONDAY, FEBRUARY 17TH,

as

NEW JERSEY PARENT-TEACHER DAY,

and I urge that the day be observed by appropriate exercises in the schools of our State.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirtieth day of January, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Narcotics have brought a blessing to mankind by alleviating physical pain and mental suffering. Yet their illegitimate use have often caused addicts to become degraded and degenerate liabilities to our social order resulting in many early deaths and filling our prisons with murderers, robbers and criminals of all kinds. Promotion of education to fight this menace in New Jersey and throughout the nation is of the utmost importance.

In order to combat the improper use of habit-forming drugs and the resultant antisocial and criminal tendencies of narcotic users and to impress upon law-abiding citizens of this State the necessity for vigilance, education and strict enforcement of laws regulating the sale of narcotics,

I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim the week beginning

FEBRUARY 21ST to FEBRUARY 28TH

as

NARCOTIC EDUCATION WEEK,

and ask co-operation of schools, churches, civic organizations and all persons interested in eradicating this menace to orderly living, to join in the observation of this week.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fourteenth day of February, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

At a time of famine in many parts of the world, we are fortunate to live in our aptly named Garden State. In a year of destruction, we can happily emphasize the simple processes of planting and growth and reaping. There is no more completely satisfying way for young people to learn Nature's deeply hopeful promises of a better world to come than by having their own home and school gardens.

Toward spreading these teachings, among the young, and I hope also among some of the older generation,

I, CHARLES EDISON, Governor of the State of New Jersey do hereby proclaim

APRIL 21ST TO APRIL 25TH

as

CONSERVATION WEEK,

and I recommend that school authorities arrange appropriate activities in this period.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this first day of March, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The week of March ninth has been designated by the American Optometric Association as "Save Your Vision Week" to focus the public's attention upon the benefits of effective vision and the magnitude of the problems created by a lack of understanding of the need for the conservation of this important function; and

WHEREAS, The need of conserving this vision is an important phase of our National Defense Program for the conservation of man power in our industrial development; and

WHEREAS, It is self-evident that efficient vision is equally essential to the school child, to the automobile driver, to skilled labor and to the soldier alike; and

WHEREAS, The professions and public-minded citizens have recognized our mutual responsibility to do all things possible to conserve the health and promote the safety of our people while meeting the increased tempo in this time of National Preparedness;

THEREFORE, I, CHARLES EDISON, Governor of New Jersey, do hereby proclaim the week from

MARCH 9TH to MARCH 15TH

as

"SAVE YOUR VISION WEEK,"

and I ask that the people of the State of New Jersey take this occasion to give thought and consideration to the means of conserving this great gift which is SIGHT.

[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 forty-one, and in the Independence of the United States the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

We approach the birthday of Thomas Garrigue Masaryk, the great Czecho-Slovakian liberator. Jerseymen from Czecho-Slovakia and those who are connected by family ties with that land will do well to celebrate the anniversary of his birth as a day dedicated to liberty everywhere.

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim

MARCH 7TH

as

CZECHO-SLOVAK DAY,

and I urge its observance throughout the State.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fourth day of March, in the year of Our

Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The anniversary of Hungarian independence, obtained through the leadership of Louis Kossuth, is one which appeals to all lovers of liberty.

In particular, I direct the attention of American citizens of Hungarian origin living in New Jersey to this anniversary, in order that the message which Louis Kossuth and his followers preached and practiced may again be brought home to them.

THEREFORE, I, CHARLES EDISON, Governor of New Jersey, do hereby proclaim

MARCH 15TH

as

HUNGARIAN DAY,

and I hope the day will be widely observed.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this sixth day of March, in the year of Our Lord one thousand nine hundred and

forty-one, and in the Independence of the United States, the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

In order to aid the people of America who are fighting the battle of democracy British Aid Week will be conducted.

This is a cause which thousands of our citizens will be glad to join.

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim the week from

MARCH 17TH TO MARCH 24TH

as

BRITISH AID WEEK,

and I urge its widespread observance.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this sixth day of March, in the year of Our Lord one thousand nine hundred and

forty-one, and in the Independence of the United States, the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The President of the United States has proclaimed Monday, April seventh, one thousand nine hundred and forty-one, as Army Day, and has invited the Governors of the forty-eight States to issue Army Day Proclamations; and, acting under the authority vested in him as Commander-in-Chief, has ordered military units throughout the United States and its territories and possessions to assist civic bodies, as far as may be practicable, in the appropriate observance of Army Day; and

WHEREAS, The constantly changing conditions in Europe and Asia indicate that our country should be immediately and adequately prepared; that a strong United States Army is a national necessity; and the proper observance of Army Day will afford to the people an opportunity to observe some of the measures taken for our national security;

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim

MONDAY, APRIL 7TH,

as

ARMY DAY,

and I request the mayors of the several municipalities within the State to issue proclamations for the observance of Army Day, and that patriotic, fraternal and civic organizations throughout the State observe the day by appropriate exercises.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twentieth day of March, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The structure of American life rests upon the spiritual basis of mutual understanding, respect and good will. The narrowing and confining spirit of racial and national superiority has no place in the American way of life. Many national, racial and religious groups have united to make worthy contributions to the American soul.

Today we are engaged in the gigantic task of national defense. As a nation we are determined to safeguard, not only fields and cities, but also those essential freedoms which give form and meaning to our daily lives.

We must ever be a united people. We must be determined that in this crisis of our history there will be no setting of group against group to destroy the singleness of our purpose. We must be determined to resist the propaganda of all totalitarian states, which would, by playing upon ancient prejudices, confuse the minds of our people and disrupt our organization for the production of defense materials, and thus weaken us in the presence of the greatest danger we have ever faced.

To avoid such confusion and moral sabotage we must all individually rededicate ourselves to the traditional principles of human understanding and mutual respect and good will between man and his neighbor. We cannot permit the subversive propaganda which has destroyed the many nations of Europe to destroy us. America in this hour must be strong; now,

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim

THE MONTH OF MAY, 1941,

as

GOOD WILL MONTH,

THE WEEK OF MAY 11TH

as

GOOD WILL WEEK,

THE DAY OF MAY 18TH

as

GOOD WILL DAY,

in order to afford the citizens of our State a special opportunity for the intensification of their

effort to preserve our national unity. I urge that this month be made the period for thoughtful study of the fundamental ideals upon which our American Democracy rests. I urge the co-operation of the churches and synagogues, of organizations of every kind, urban, rural, civic, religious, labor, business and social, as well as of the press and radio, in this demonstration of our belief in the principles and ideals for which America stands.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this eighth day of April, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States, the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The first day of May has been designated by the President and Congress of the United States as Child Health Day; and

WHEREAS, New Jersey's participation in appropriate observance of the occasion is essential to a proper development of Child Health promotion; now,

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim

MAY 1ST, 1941,

as

CHILD HEALTH DAY,

and call attention to the commendable achievements of our State and communities in the developments of child health programs. I urge families and communities alike to seek to determine if we are taking full advantage of the forward strides made by science and government to assure to each child health of mind and body.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-third day of April, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The term "Mother" has from time immemorial and more particularly from the birth of Christ, been associated with all that is fine and noble in life.

The spirit of self-sacrifice, devotion and idealism that has motivated Motherhood throughout the ages has been reflected to a great extent in the best and finest achievements of the human race.

In these times of stress, both foreign and domestic, it is perhaps well that we pause to consider and to attempt to reassert those fundamental concepts and teachings inculcated in us in our youth by our Mothers—the concepts of peace, fair play, good will and tolerance.

Knowing that the Mothers of the World will continue their noble efforts in behalf of mankind, and with a sense of deep appreciation,

I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim

SUNDAY, MAY 11TH,

as

MOTHER'S DAY.

[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 forty-one, and in the Independence of the United States the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, National Defense is our paramount consideration; and

WHEREAS, Our Navy is acknowledged to be our first line of defense; and

WHEREAS, Naval Aviation is both vital to our defense and offers training and splendid careers to qualified young American men;

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim the week of

MAY 4TH TO 10TH, 1941,

as

NAVAL AVIATION WEEK

in the State of New Jersey, and do hereby designate

SUNDAY, MAY 4TH,

for special inauguration of this important week, and call upon the citizens of our great State to inform themselves of the opportunities and qualifications of Naval Reserve Aviation, and to bring these to the attention of qualified young Americans.

[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 forty-one, and in the Independence of the United States the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The news of the world today is replete with stories of strife and violence, of racial and religious intolerance, of ruthless aggression and dictatorial mandates.

In contrast to this disordered civilization and general chaotic condition of the Universe, we in the United States are blessed with the American Way of Living, embodying those traditional and fundamental concepts best symbolized by the American Flag.

The American Flag is the universal symbol of unity, justice, domestic tranquillity . . . of liberty in a constitutional democracy, a Democracy of self-sacrifice devoted to the general welfare of its people.

In grateful appreciation and with the hope that all Americans will continue to cherish their Flag,

I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim

JUNE 8TH TO 14TH

as

FLAG WEEK.

[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 forty-one, and in the Independence of the United States the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Ingrained in the hearts of all normal people are respect and love for worthy parents. Too often, however, this respect and love lack expression.

In a world where so many traditions are rapidly crumbling and so many long-established customs and standards are changing, it is imperative that we hold fast to fundamental virtues and give expression to a sentiment which should be constant and changeless.

It is with this thought in mind that I call attention to the growing custom of celebrating Father's

Day. In order that public recognition may be made of those fine qualities which are the attributes of Fatherhood.

I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim

SUNDAY, JUNE 15TH,

as

FATHER'S DAY,

and I trust that observance of this day will strengthen family ties throughout the nation.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fifteenth day of May, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The Congress of the United States has designated May twenty-second of each year as National Maritime Day to commemorate the sailing of the first successful transoceanic steamship "Savannah" on May twenty-second, one thousand eight

hundred and nineteen, and to honor the memory of those merchant marine officers and men who lost their lives in the World War.

In view of the unsettled conditions in the world today, it is particularly fitting that we stress the importance of our merchant marine, not only as an instrumentality for expanding or at least maintaining our foreign trade, but as an important adjunct of our national defense, with the hope that when the present conflict is over our ships may attain that position which the thrift and energy of our people desire in the world's commerce.

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim

THURSDAY, MAY 22ND,

as

NATIONAL MARITIME DAY.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-first day of May, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Be it known that United Service Organizations for National Defense, composed of six basically religious welfare agencies has announced plans for a nationwide U. S. O. Sabbath to be observed on the eighth of June. The day will be dedicated to our great United States, and the young people who serve it in Army, Navy and defense industries.

Interfaith in character, the organization will sponsor a twenty-four-hour program, in which Protestant, Catholic and Jew will share equally. It need scarcely be added that the United States is one of the few places in the world today where such a program could be inaugurated and carried out.

With deep reverence, THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do call you, each and every one, to your observance of U. S. O. Sabbath with those of your own particular creed.

Let us on that day reaffirm our faith in the infinite mercy and justice of God, and give thanks to him for the many blessings He has bestowed upon us. And let us pray, too, each in his own heart but with common voice, for the safety and well-being of those in the service of our country, that their minds be free from care, their souls undaunted, and in their hearts, great courage.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-eighth day of May, in the year of Our Lord one thousand nine hundred

and forty-one, and in the Independence of the United States the one hundred and sixty-fifth.

CHARLES EDISON,
Governor.

By the Governor:
THOMAS A. MATHIS,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

On March first, one thousand nine hundred and thirty-five, the United States Government placed on sale United States Savings Bonds. These bonds are direct obligations of the government.

Today there is further need of safety for the United States and for all its people, and it is the solemn duty of each and every citizen to do all in their power to help to promote the sale of these bonds by purchasing them as generously as their economic position will permit.

United States Savings Bonds are the quickest way in which you can both serve your country and conserve your earnings, because your money will be safe. The full faith and credit of the United States Government is pledged for payment of both principal and interest. Your money will be put to work at once in the national defense program to protect the freedom and safety of the United States.

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim

TUESDAY, JULY 15, 1941,

as

UNITED STATES SAVINGS BONDS DAY,

and urge all citizens of New Jersey to do their part to help the government by purchasing as many bonds as they can afford. For those who cannot afford to purchase a bond outright, the government has issued Defense Stamps which will be accepted for defense bonds when they have accumulated in sufficient amounts.

Let us all apply our resources to the fullest extent and place New Jersey in the forefront in this great movement for national defense.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fourteenth day of July, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.
THE SENATE OF NEW JERSEY.

WHEREAS, Arthur F. Foran was, at the general election held in the month of November, one thousand nine hundred and thirty-nine, elected by the voters of the county of Hunterdon to represent said county in the Senate of this State and subsequently did qualify as such Senator and after such election and qualification did, on the twenty-eighth day of July, one thousand nine hundred and forty-one, resign the office of Senator, thereby causing a vacancy to exist in the Senate of this State;

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, and I, I. GRANT SCOTT, 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, the fourth day of November, one thousand nine hundred and forty-one, for the purpose of electing a Senator for said county to fill the vacancy caused by the resignation of the said Arthur F. Foran.

[SEAL] Given under our hands and the Great Seal of the State of New Jersey, this twenty-ninth day of July, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

I. GRANT SCOTT,
President of the Senate.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, In the judgment of the President of the United States and the Governor of this State, a national emergency exists whereby it has become necessary to concentrate within this State, in active service in the military forces of this State and of the United States, citizens of this State who are legal voters herein; and

WHEREAS, Pursuant to the provisions of chapter three hundred sixty-one of the laws of New Jersey for the year one thousand nine hundred and forty-one, it is directed that when such an emergency exists the Governor shall file with the Secretary of State an order, so that such persons who are citizens of this State and legal voters herein, in active military service, may vote in any election; now,

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, pursuant to the statute in such case made and provided, do hereby declare that such national emergency exists, and do direct that the provisions of chapter three hundred sixty-one of the laws of one thousand nine hundred and forty-one be made operative and effective.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fourteenth day of August, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

In these times of stress, both foreign and domestic, it is well for us all to seriously evaluate all those factors which tend to jeopardize the American way of life.

One of the most ruthless and merciless foes of mankind is Fire. Every year unfortunate thousands are either killed or evicted. Real and personal property likewise has been victimized, thereby destroying the real wealth of our State and Nation.

Now, above any time in our Nation's history, we as citizens must be cognizant of the seriousness of the fire hazards. With our various units of government exerting efforts on all fronts to strengthen the fabric of our national life, a serious responsibility rests upon all citizens to co-operate with their authorities in order that the minimum of devastation may result.

In order that special emphasis can be placed upon this vital problem so that all of our citizens become more and more fire-conscious, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby designate the week of

OCTOBER 5TH THROUGH OCTOBER 11TH, INCLUSIVE,

as

FIRE PREVENTION WEEK.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this eighteenth day of August, in the year of

Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

On September seventeenth, our people commemorate the writing of the Constitution of the United States. The observance of this anniversary originated in New Jersey, as a method of calling attention to the fundamental principles on which the American system of government rests.

It is especially appropriate, in this year of dedication to the national defense, that we should look to the foundations laid by the fathers.

The Constitution of the United States is a remarkable instrument, and has served us well through more than one hundred fifty changing years. Its strength is to be found in a number of enduring principles, skillfully worked into the document by the members of the Convention of 1787. In the first place, it is simple, unencumbered by details likely to be outmoded with the passage of time. In the second place, it has proved flexible enough to permit government to meet new needs and use new methods without those revolutionary explosions which have swept over most of the earth several times since its adoption. In the third place, it pro-

vides efficient safeguards for essential liberties. And finally, it establishes legislative, executive, and judicial departments endowed with sufficient power and energy to enable government to face any emergency in such a fashion as to justify the high purposes expressed in the preamble: "to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty."

It is important to remember, however, that the Constitution of the United States was made for a *union* of *States*, each of which must have its own Constitution for the guidance of its own governmental affairs. In the last analysis, the union can be no stronger than its various members. Today, world problems are imposing greater burdens than ever on our government in Washington. It is therefore more important than ever that the States be prepared to play their full part. It is important if the total job of government is to be done, and if we are not to betray the great truth that democracy, like charity, begins at home. It would serve us little, if we won the world conflict at the expense of those republican principles which we have pledged ourselves to defend.

As your Governor, I therefore urge that Constitution Day be observed with a seriousness of purpose never before equaled in our State. Let us be grateful for our inheritance of the Constitution of the United States; but let us prove ourselves worthy by acting to enhance that inheritance. I suggest that we look closely to the constitution and governmental practices of our own State. Let us ask ourselves how well they conform to the standard set by the Constitution of the United States, and how well prepared our State and local governments are to meet the greater burdens of the days to come. And let us act as fearlessly as our predecessors to meet any deficiencies which we may find in our present system. To the end that this anniversary may be fittingly remembered, I, CHARLES

EDISON, Governor of the State of New Jersey, do hereby proclaim

WEDNESDAY, SEPTEMBER 17TH,

as

CONSTITUTION DAY,

and I respectfully urge that the day be observed by all civic and religious organizations, as well as individual citizens, and in the public schools, by giving patriotic thanks for the blessing of constitutional government and by making firm resolution to pass this blessing on to future generations in even fuller measure than we have received it.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this sixth day of September, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, His Excellency, Franklin D. Roosevelt, President of the United States, has designated the week of September fifteenth to twentieth, one thousand nine hundred and forty-one, as Retailers-

for-Defense-Week to Aid in the Sale of Defense Saving Stamps; in order that our citizens throughout the nation may become fully aware of the vital significance of the Savings Bond Drive in relation to the whole problem of national defense; and

WHEREAS, It is to the interest of New Jersey, as well as to the nation as a whole, to enthusiastically support this noble effort, directed toward our national security; and

WHEREAS, It is to the particular interest of New Jersey to underwrite this sale to the end that our State may do its part toward making this drive the success it deserves to be; and

WHEREAS, New Jersey fully appreciates the role it occupies in the union of forty-eight glorious States all of which are firmly united and dedicated to the task of retaining the democratic ideal in this war-torn world, despite any obstacles which jeopardize it;

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim the week from

SEPTEMBER 15TH TO 20TH

as

RETAILERS-FOR-DEFENSE-WEEK
TO AID IN THE SALE OF DEFENSE
SAVINGS STAMPS.

[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 forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT.

The re-establishment of scheduled air-line service at the Newark Municipal Airport with appropriate ceremonies on September fourteenth furnishes deep satisfaction to the people of this State. To the municipal authorities of Newark, to the manager of the airport, and to all those public-spirited citizens who made this occasion possible, go the congratulations of the citizens of New Jersey.

As Chief Executive of the State, I take this opportunity to call to public attention the vast significance of aviation to our safety, prosperity, convenience and recreation.

On the sixty flying fields in New Jersey more than two thousand pilots and an equal number of students perfect their technique. Many of our young men so trained now man the equipment of the military and naval services, while others direct the commercial aircraft so necessary to modern commerce.

More than sixty-five factories in the State are engaged in manufacture of aeronautical equipment, some of these being the leaders of their class in the nation. Many thousands of our citizens have found employment in this field.

Not in almost ten years has a commercial passenger in any type of flying lost his or her life in or over this State.

Because of these and kindred facts, I deem it opportune to emphasize the significance of aviation

to the well-being of our people and do hereby proclaim

SEPTEMBER 14TH, 1941,

as

NEW JERSEY AVIATION DAY.

[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 forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The present international situation is rapidly placing a major emphasis upon the vital role of merchant ships.

At present, our Federal government is in the midst of developing the greatest fleet of merchant ships in existence. It is to the interest of our citizens that they become better acquainted with the splendid progress made by the shipbuilders of the nation in the national defense efforts.

New Jersey, with its great shipbuilding facilities, is playing a leading role in ship construction.

In order that our citizens become more appreciative of the significance of the shipbuilding program and its relation to our national defense and foreign policy, and in order that we of New Jersey become more acutely aware of the great contributions our State is making for the realization of an adequate defense program to safeguard America and its heritage,

I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim

SATURDAY, SEPTEMBER 27TH,

as

LIBERTY FLEET DAY.

[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 forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Since Colonial times, our American women have made vital contributions to our American heritage. Their courage and self-sacrifice have furnished the inspiration and hope so necessary to any society.

Once again the American women of today are carrying on the best traditions of their sex. Our present national emergency clearly demonstrates their ability to cope with the many problems associated with our national defense efforts.

Our business women, as well as all other domestic and professional classes, are to be highly commended for their very constructive contributions to America during these critical times.

In order that we of New Jersey can show our appreciation of the efforts of our business women throughout our State and nation, in behalf of national defense in all of its phases,

I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim

OCTOBER 5TH TO OCTOBER 11TH

as

NATIONAL BUSINESS WOMEN'S WEEK.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirtieth day of September, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Joint Resolution No. 3, P. L. 1932, directs the Governor to proclaim October eleventh of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brigadier General Casimir Pulaski;

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim

SATURDAY, OCTOBER 11TH, 1941,

as

GENERAL PULASKI'S MEMORIAL DAY,

and I call upon officials of the government to display the flag of the United States on all governmental buildings, and I invite the people of the State of New Jersey to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

[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 forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Nineteen forty-one marks the twenty-third anniversary of the signing of the Armistice—an anniversary which should be observed this year with more than usual solemnity and fervor.

With most of the world engulfed in the flames of war, we in America should duly appreciate the blessings of peace.

Let us, therefore, on this twenty-third anniversary of the signing of the Armistice, fittingly honor those who made the supreme sacrifice in all good faith that the scourge of war would never again desecrate the noble handiwork of our civilization. No tribute which we might pay them would do greater honor to their memory than a sincere effort to rededicate ourselves to those ideals and principles for which they so heroically gave their lives.

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim

TUESDAY, NOVEMBER 11TH,

as

ARMISTICE DAY.

[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 forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, On the eighth day of January, in the year nineteen hundred and forty-one, acting pursuant to section 54:11–2 of the Revised Statutes, the Governor of this State issued his proclamation declaring the charter of the Premier Realty Company of New Jersey is repealed and that all powers conferred by law upon said corporation is inoperative and void; and now,

THEREFORE, Acting pursuant to section 54:11–4 of the Revised Statutes, I, CHARLES EDISON, Governor of the State of New Jersey, being satisfied that said corporation did not neglect or refuse to pay the Capital Stock Tax assessed against it, under the statute in such case provided, for the year nineteen hundred and thirty-eight within two consecutive years from said assessment, and that said corporation was inadvertently reported to the Governor for action under said section 54:11–2, do hereby declare that the action of the Governor of New Jersey under said section 54:11–2 on the eighth day of January, nineteen hundred and forty-one, purporting to repeal the corporate powers conferred by the law of New Jersey on the

PREMIER REALTY COMPANY

is without force and effect in the law and I hereby make Proclamation to that effect and order said proclamation filed in the office of the Secretary of State.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
third day of October in the year of Our

Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

American Education Week will be observed this year from November ninth to November fifteenth. The theme this year is "Education for a strong America."

America needs strength now more than any other time in its history. Strength to defend itself, strength in the bodies of its citizens, and its armed forces, strength in individual and political morality, strength in national morale.

It is entirely fitting that one week of the year be set aside during which all citizens should study and evaluate the significant contributions of our school system to our national life.

No democracy is stronger than its least informed citizen. Today our schools are charged with the task of equipping students to cope with complexities never before equaled in our nation's history.

Our nation looks to our schools, now more than ever, as the bulwarks of our democracy.

During these critical times, when millions are being spent for national defense, let us ever be mindful of the fact that our greatest defense rests in the minds and hearts of our youth. It is they, who, during these momentous days, must be afforded every possible opportunity within the framework of our education systems to develop their individual aptitudes and abilities, to the end that they can render more effective service as citizens of the general welfare.

I sincerely urge all of our citizens of New Jersey to observe this week with all of the consideration it so justly deserves. I urge that our schools be visited daily during the entire week and that our schools arrange special programs to which the general public should be invited.

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby designate the week of

NOVEMBER 9TH–15TH

as

AMERICAN EDUCATION WEEK.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this sixteenth day of October, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Monday, November tenth, will mark the one hundred sixty-sixth anniversary of the founding of the United States Marine Corps, the oldest branch of the nation's military services, in whose ranks thousands of sons of New Jersey have served with honor and distinction. It is most fitting that our citizens commemorate the occasion by a public expression of their appreciation of the contributions of this valiant corps to the development and security of the nation it has so heroically served in war and peace.

The Marine Corps was established by an act of the Continental Congress on November tenth, one thousand seven hundred and seventy-five, and the record of its achievements since that date presents an illustrious history. Thousands of marines have died in this service, and it is to them, their brothers in arms—past and present, and their families that we do honor in commemorating the anniversary of their corps.

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim

MONDAY, NOVEMBER 10TH,

as

MARINE CORPS DAY,

and ask that the people of the State observe this anniversary with a grateful remembrance of the sacrifices of these soldiers of the sea and of their spotless record of service to our country from its very beginning. I ask further that the flag of the country they have so well and faithfully served be

prominently displayed in recognition of their anniversary.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this seventeenth day of October, in the year of Our Lord one thousand nine hundred and forty-one and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, On May twentieth, one thousand nine hundred and forty-one, with a view to ensuring the most effective correlation and use of the instruments of civilian defense, President Franklin D. Roosevelt established by executive order the Office of Civilian Defense; and

WHEREAS, By his proclamation of May twenty-seventh, one thousand nine hundred and forty-one, the President further declared that an unlimited national emergency confronts this country, which requires that its military, naval, air, and civilian defenses be put on a basis of readiness to repel any and all acts or threats of aggression directed toward any part of the Western Hemisphere; and

WHEREAS, It is the manifest duty and desire of every person in the United States to participate in measures essential to civilian defense; now,

THEREFORE, I, CHARLES EDISON, Governor of New Jersey, do hereby designate the period commencing on Armistice Day, Tuesday, November eleventh, one thousand nine hundred and forty-one, and continuing through Sunday November sixteenth, as a time for all persons throughout the State to give thought to their duties and responsibilities in the defense of this country, and to become better informed of the many vital phases of the civilian defense program and of the opportunities which it offers for the participation of every individual American in the defense of our priceless heritage.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-fourth day of October, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:

J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

Since the sublime celebration of the first Thanksgiving Day by our Pilgrim Fathers, it has become an annual custom to set aside one day of the year to offer thanks to Almighty God for the particular blessings which have descended upon us during the year.

We are so prone to accept our manifold blessings as a matter of course that it is well for us to pause now and then to consider the debt of gratitude that we owe to God.

Thanksgiving Day this year should have a special significance to all of our citizens. Never before have we had a greater reason to be thankful for a democratic form of government and its blessed freedom.

Let us upon this day rededicate ourselves to a deeper appreciation of our American Heritage. Let us strive to promote the common good of all with the same spirit of self-sacrifice which our Pilgrim Fathers so dramatically demonstrated upon their first Thanksgiving Day.

Let us as individuals acknowledge in our humility the bountiful blessings of our nation and state; and let us not forget that the sturdy virtues, which characterized the fathers of our country, are still vitally necessary to its preservation.

Let Thanksgiving Day of 1941 be not merely a day of rejoicing over the good that has come to us, but let it also be a day of humble supplication to Almighty God to keep us in the ways of peace and democracy.

I urge that Thanksgiving Day services be held in all churches. I also ask that the flag be displayed as an evidence of patriotism and gratitude.

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, following the example set by the President of the United States, do hereby designate Thursday, November 20th, as Thanksgiving Day.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this tenth day of November, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

SINCE, We of the State of New Jersey are blessed by living in a democracy wherein the dignity and the sanctity of the human personality is protected by law; and

SINCE, We well know that freedom and free spirit of men lie crushed in other lands; and

SINCE, We believe that the only true path leading to righteousness and peace throughout the world lies in our petitions to Almighty God; now,

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby declare and proclaim the hour of twelve o'clock high noon each day hereafter as the hour for Prayer for Peace, and as

Chief Executive of New Jersey, I most earnestly request that each citizen of our State, wherever he may be, lay aside his daily tasks for at least two minutes and offer a prayer to Almighty God that peace be restored to the world so that all people throughout the years to come may live in freedom.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirteenth day of November, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The most pressing problem facing the State of New Jersey today is the full employment of its workers and the greatest service to defense production, of which this State has been favored with almost the greatest amount accorded any State;

WHEREAS, The material and equipment supply essential to the defense effort has resulted in the curtailment of operations of business serving purely nondefense needs to the extent of an expected sizable disemployment of workers whose jobs will be affected by such shortage of materials and equipment or the curtailment of production of nondefense articles;

WHEREAS, In New Jersey this disemployment is imminent in the industries engaged in the production of the following:

Automobiles
Farm machinery
Domestic laundry equipment
Domestic mechanical refrigerators
Domestic ice refrigerators (metal)
Commercial and industrial refrigerating and air conditioning equipment
Vacuum cleaners
Domestic electrical appliances (toasters, flatirons, mixers, etc.)
Sewing machines
Stoves: (a) electric ranges; (b) gas ranges; (c) coal, oil, wood, etc.
Heating equipment: (a) boilers and radiators; (b) industrial unit heaters
Metal office furniture
Metal domestic furniture
Office appliances
Commercial coin machines
Cooking utensils (other than aluminum)
Radio receiving sets and radio tubes
Residential construction

WHEREAS, The usual method of curtailing labor forces is to release the lesser-skilled persons, for whom there is now an insufficient number of work opportunities;

WHEREAS, The present great demand for skilled workers by our defense industries offers an opportunity to thoughtfully plan the necessary curtailment of forces in nondefense operations in the manner recently agreed upon between national representatives of the automotive industry, organized labor and government. This has the purpose of negotiating transfers on a voluntary basis so that skilled workers in nondefense employment, whose skill is vitally needed in defense plants can, with the consent of their employers, agree to trans-

fer to defense jobs with the promise of seniority protection and agreement to return to the original employer when defense work arises in his establishment and rehiring at the conclusion of the emergency, thus accomplishing the curtailment through the transfer of workers needed elsewhere and the retention through upgrading and training of the lesser-skilled workers, who would normally have been released;

WHEREAS, The Federal Social Security Board has designated the New Jersey State Employment Service Division of the Unemployment Compensation Commission as the agency to facilitate reemployment of displaced workers, to develop the inventories of skills necessary to a plan of transfer; and to act as service agency in the voluntary actions of employers and workers in the development of negotiated transfers, the machinery for which is now set up and operating; and

WHEREAS, In such a plan the right of all citizens is preserved to make their contribution to the defense program through participation in such negotiated transfers on a mutual and voluntary basis; now,

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby endorse the efforts of the New Jersey State Employment Service Division of the Unemployment Compensation Commission and call upon all public officials, employers and citizens of the State of New Jersey to cooperate with and support this agency of the State in directing to it such problems and collaborate with it in the solution thereof, and do hereby make proclamation to that effect.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this thirteenth day of November, in the year of our Lord one thousand nine hundred

and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

The American Red Cross has begun its Annual Membership Roll Call. In the words of President Roosevelt, "Its success in this period of emergency is a matter of vital concern to all of us as citizens of a free democracy."

The American Red Cross has established a unique reputation for practical humanitarianism not only throughout our nation, but throughout the entire world as well.

During this present emergency the Congress of the United States has placed a tremendous responsibility on the Red Cross to cope with the welfare problems of service men and their families.

Since all of us realize the value of the Red Cross as a humanitarian institution, it should be needless for me to stress the fact that now, above any other time since its origin, the Red Cross is in dire need of your support.

I earnestly ask all of our citizens to enroll as members of the Red Cross this year, to the end that this great organization can adequately carry on its vital role as one of the truly great benevolent agencies in the world.

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby designate the time from

NOVEMBER 11TH TO NOVEMBER 20th

as

RED CROSS ENROLLMENT PERIOD.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fourteenth day of November, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The State Defense Council has been co-operating energetically with the Federal agencies in the defense program; and

WHEREAS, The State Defense Council has steadfastly recommended that every bit of industrial, agricultural and labor resources of the State of New Jersey be enlisted in the firm determination to expedite as rapidly as possible the production of military implements and food;

New Jersey State Library

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby appoint

DECEMBER 5, 6 AND 7, 1941,

for the observance of

"NATIONAL DEFENSE THROUGH DEMOCRATIC EMPLOYMENT PRACTICE,"

and I urge the people of the State, through their county and city Defense Councils, their churches, schools and other organizations, to reaffirm on these days their support of the employment in our defense effort of all loyal and qualified workers on the basis of their ability, without regard to race, color, creed or national origin. In so doing, we thwart those enemies of America who seek to divide our people, we defend democracy in the world by the practice of democracy in our own land, and we devote to our country at a time most critical in history the full and whole-hearted strength of all her people.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twenty-sixth day of November in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

December eighth to fourteenth America will witness its "First Annual Bible Week."

Now above any time in our national history it behooves all of us to turn to the Book of God for inspiration and consolation.

The crying need of today is the application of those precepts which are found in the Bible, and which urge upon us the love of God and of our fellowmen.

To the end that our citizens become not only more cognizant of this blessed book, but also more duly appreciative of its noble precepts;

I, CHARLES EDISON, Governor of the State of New Jersey, do hereby designate

DECEMBER 8TH TO 14TH

as

BIBLE WEEK.

[SEAL] **Given under my hand and the Great Seal of the State of New Jersey, this twenty-eighth day of November, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.**

CHARLES EDISON,
Governor.

By the Governor:

J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

In order that we of New Jersey can be afforded an effective opportunity to show our loyalty and unity during this grave national crisis;

I, CHARLES EDISON, Governor of the State of New Jersey, do hereby designate

WEDNESDAY, DECEMBER 10TH,

as

UNITY DAY,

and urge that the American flag be publicly displayed on all buildings and private homes.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this eighth day of December, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, Our President, Franklin D. Roosevelt, issued, on December twelfth, a formal Proclamation relative to the Red Cross War Fund Drive; and

WHEREAS, The armed forces of the United States are engaged in defending this country against the treacherous attacks by the combined Axis countries, and we have been forced into a war of tremendous scope, which will bring suffering to great numbers of people; and

WHEREAS, The American National Red Cross has for more than sixty years been recognized as the agency which plays a vital role in bringing relief to the suffering, in furnishing shelter, food and clothing to the homeless, in rebuilding broken lives, and in rehabilitating the victims of disasters, both in peace and in war; and

WHEREAS, The American National Red Cross has already begun the work of binding up the wounds of the victims of these attacks in Hawaii and the Philippines; and

WHEREAS, The American National Red Cross is the key agency in furnishing training in first aid, home nursing, nutrition, and nurses' aid programs, for workers in the civilian defense plans; now,

THEREFORE, I, CHARLES EDISON, Governor of the State of New Jersey, do hereby proclaim on this date the Red Cross War Fund Campaign for the State of New Jersey for the raising of a minimum sum of $3,000,000.00 as our share of the $50,000,000.00 fund of the American National Red Cross,

and I do appeal to the people of this State to make this campaign an overwhelming success.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fifteenth day of December, in the year of Our Lord one thousand nine hundred and forty-one, and in the Independence of the United States the one hundred and sixty-sixth.

CHARLES EDISON,
Governor.

By the Governor:
J. A. BROPHY,
Secretary of State.

Decrees of Dissolution

Decrees of Dissolution

IN CHANCERY OF NEW JERSEY

In pursuance of Chapter 185 of the Laws of 1896, copies of decrees of dissolution of the charters of the following corporations have been filed in the office of the Secretary of State:

Name	*Filed*
Gibraltar Bonds, Incorporated	Nov. 6, 1940
Pinewald Development Company, Inc.	Nov. 6, 1940
Fairview Construction Company	Dec. 12, 1941
The Hun School	Dec. 24, 1941

Change of Corporate Title of Municipalities

(1251)

Change of Corporate Title of Municipalities

In pursuance to law, the following changes of corporate titles of municipalities have been filed in the office of the Secretary of State:

By the action of the Council of the Borough of Tenafly, the corporate name of "The Mayor and Council of the Borough of Tenafly" was changed by resolution to "The Borough of Tenafly," on February 25, 1941. Filed March 14, 1941.

By Ordinance No. 177 of the Borough of Stone Harbor, a portion of Eightieth Street, Borough of Avalon was annexed to the Borough of Stone Harbor, December 27, 1941. Filed January 14, 1942.

Statements of Results of Municipal Elections

Statements of Results of Municipal Elections

At a Special Election held in the Township of Clark, Union County, New Jersey, on May 20, 1941, on the question: "Shall Chapters 70 to 76 of the title Municipalities and Counties of the Revised Statutes (40:70–1 et seq.) providing for the Commission Form of Government, be adopted in the Township of Clark?" was adopted and a certified copy of the result filed in the office of the Secretary of State on May 24, 1941.

At a Special Election held in the Borough of Medford Lakes, Burlington County, New Jersey, on August 22, 1941, on the question: "Shall Chapters 70 to 76 of the title Municipalities and Counties of the Revised Statutes (40:70–1 et seq.) providing for the Commission Form of Government, be adopted in the Borough of Medford Lakes, County of Burlington and State of New Jersey?" was adopted and a certified copy of the result filed in the office of the Secretary of State on August 25, 1941.

Cumulative Table of Contents

NEW JERSEY LAWS OF 1938, 1939, 1940 AND 1941

GENERAL AND PERMANENT LEGISLATION

SCHEDULE 1
Table of Allocation of 1938 Statutes

SCHEDULE 2
Table of Allocation of 1939 Statutes

SCHEDULE 3
Table of Allocation of 1940 Statutes

SCHEDULE 4
Table of Allocation of 1941 Statutes

SCHEDULE 5
Table of Numbered Sections Added to Revised Statutes

SCHEDULE 6
Table of Public Validating Acts (1938, 1939, 1940 and 1941)

Prepared by

COMMISSION ON STATUTES

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CUMULATIVE TABLE OF CONTENTS

OF

NEW JERSEY LAWS OF 1938, 1939, 1940 AND 1941

GENERAL AND PERMANENT LEGISLATION

The following Table of Contents with the Schedules annexed have been prepared and printed pursuant to chapter 379 of the laws of 1939 to indicate changes made in the general and permanent statute law since the enactment of the Revised Statutes (1937).

The classification used is that of the Revised Statutes, except where it became necessary to add new chapters or other subdivision headings or sections by number. In no case is the allocation official except where it is provided for in the legislation itself. Where a chapter or other subdivision heading or a section number is indicated as "(added)" in the Table it has been added and the number has been assigned pursuant to the provisions of the statute so classified. Where a chapter or other subdivision heading is indicated as "(new)" it has been set up and a number assigned merely for convenience in classification and it has no official character and should be disregarded in citation.

Acknowledgment is made to Charles DeF. Besoré, Esq., for the use of the arrangement and material of his "Table of Contents, etc., of 1938," which forms the basis of the arrangement of this Table of Contents.

Title 1. ACTS, LAWS AND STATUTES.

Chapter 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.

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.

Title 2. ADMINISTRATION OF CIVIL AND CRIMINAL JUSTICE.

Subtitle 1. THE COURTS.

Note: For act authorizing payment of money into court in satisfaction of judgment, etc., or pending appeal, etc., see 1939, c. 313; for allowances of fees, etc., to attorneys, etc., see 1939, c. 140.

Chapter 1. COURT OF ERRORS AND APPEALS.

Additional Legislation.

Limitation on practice of law, by judges, suppl., 1941, c. 282.

Chapter 2. COURT OF CHANCERY.

R. S. 2:2–14 amended 1941, c. 307.

Chapter 6. COURTS OF COMMON PLEAS.

R. S. 2:6–3 amended 1939, c. 162; 1939, c. 269.

R. S. 2:6–16 " 1938, c. 395

Additional Legislation.

Continuation of trial by another justice or judge where original justice or judge prevented from continuing, suppl., 1939, c. 19.

Chapter 7. ORPHANS' COURTS AND SURROGATES.

Note: For tenure of deputy surrogates; second class counties, see 1939, c. 223.

Additional Legislation.

Appointment of special deputy surrogate; 1938, c. 97.

Chapter 8. DISTRICT COURTS.

R. S. 2:8–13 amended 1940, c. 70.

R. S. 2:8–14 " 1938, c. 388; 1941, c. 279.

R. S. 2:8–23 " 1938, c. 205; 1939, c. 237.

R. S. 2:8–33 " 1941, c. 255; 1941, c. 365.

R. S. 2:8–46 " 1939, c. 59.

Additional Legislation.

First judicial district of Middlesex county established, 1941, c. 337.

Second judicial district of Middlesex county established, 1941, c. 338.

Bipartisan appointments of judges, in counties, suppl., 1941, c. 288.

Chapter 11. COURTS OF OYER AND TERMINER.

Note: For continuation of trial by another justice or judge where original justice or judge prevented from continuing, see 1939, c. 19.

Chapter 12. COURTS OF QUARTER SESSIONS.

Note: For continuation of trial by another justice or judge where original justice or judge prevented from continuing, see 1939, c. 19.

Chapter 16. PROVISIONS COMMON TO MORE THAN ONE COURT.

Note: For additional powers of certain court attendants in criminal, etc., matters, see 1938, c. 124; for certified shorthand reporter required at certain hearings, see 1940, c. 175.

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.

Chapter 21. LICENSE TO PRACTICE AS ATTORNEY OR COUNSELOR.

R. S. 2:21–14 amended 1941, c. 367, s. 1.
R. S. 2:21–15 " 1941, c. 367, s. 2.

Subtitle 5. LIMITATION OF ACTIONS; ADVERSE POSSESSION.

Chapter 24. LIMITATION OF ACTIONS.

Note: For limitation of actions where street, etc., vacated by camp meeting association, see 1939, c. 182.

Additional Legislation.

Limitation of actions for recovery of amount of reduction in compensation by public employees, suppl., 1938, c. 200.

Subtitle 6. PRACTICE AND PROCEDURE IN CIVIL ACTIONS GENERALLY.

Chapter 26. PROCEDURE COMMON TO MORE THAN ONE COURT.

Article 2. Abatement and Survival of Actions.

R. S. 2:26–9 amended 1938, c. 29.

Article 6A. (new) Payment of Moneys into Court.

Additional Legislation.

Payment of moneys into court in satisfaction of judgment, order or decree finally or pending judicial review thereof, 1939, c. 313.

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.

Article 12. Receivers.

R. S. 2:26-203 amended 1939, c. 124.

Chapter 27. PROCEDURE IN COURTS OF LAW GENERALLY.

Note: For payment of moneys into court in satisfaction of judgment, order or decree finally or pending judicial review thereof, see 1939, c. 313.

R. S. 2:27-124 amended 1938, c. 189, s. 1.
R. S. 2:27-125 " 1938, c. 189, s. 2.
R. S. 2:27-126 " 1938, c. 189, s. 3.
R. S. 2:27-127 " 1938, c. 189, s. 4.
R. S. 2:27-206 " 1938, c. 233, s. 1.
R. S. 2:27-208 " 1938, c. 233, s. 2.
R. S. 2:27-209 " 1938, c. 233, s. 3.
R. S. 2:27-337 " 1938, c. 373.

Chapter 29. PROCEDURE IN COURT OF CHANCERY.

Note: For recording certified copies final decrees affecting title to real estate in county recording office authorized, see 1939, c. 170; for payment of moneys into court in satisfaction of judgment, order or decree finally or pending judicial review thereof, see 1939, c. 313; for joinder of actions and causes of action by municipalities in tax lien foreclosures; permitted, vacant land, see 1940, c. 84.

R. S. 2:29-35 amended 1941, c. 402, s. 1.

Additional Legislation.

Procedure where marital status or Christian name of wife of male party defendant unknown, 1938, c. 106; repealed 1941, c. 402, s. 2.

Procedure where marital status or Christian name of husband of female party defendant unknown, 1938, c. 107; repealed 1941, c. 402, s. 2.

Injunctions, etc., in labor disputes, etc., regulated, 1941, c. 15.

Chapter 31. PROCEDURE IN ORPHANS' COURTS AND BEFORE SURROGATES.

Note: For payment of moneys into court in satisfaction of judgment, order or decree finally or pending judicial review thereof, see 1939, c. 313.

R. S. 2:31-94 amended 1938, c. 71.

Chapter 32. PROCEDURE IN DISTRICT COURTS.

Note: For creation of monthly term when tenant for monthly or longer term holds over, see 1941, c. 317.

R. S. 2:32-34.1 amended 1941, c. 57.

R. S. 2:32-103 " 1939, c. 183.

R. S. 2:32-107 " 1939, c. 174.

R. S. 2:32-351 " 1938, c. 72.

Subtitle 8. SPECIFIC CIVIL ACTIONS, REMEDIES AND PROCEEDINGS.

Chapter 42. ATTACHMENT.

R. S. 2:42-8 amended 1939, c. 207.

Chapter 47. DEATH BY WRONGFUL ACT.

R. S. 2:47-2 amended 1938, c. 175.

Chapter 50. DIVORCE AND NULLITY OF MARRIAGE—ALIMONY AND MAINTENANCE.

R. S. 2:50-2 amended 1938, c. 187.

R. S. 2:50-34 " 1938, c. 188.

R. S. 2:50-37 " 1938, c. 235.

Additional Legislation.

Procedure where defendant appears before, during or after publication, 1938, c. 191.

Method of institution, etc., of suits for alimony and maintenance or custody, suppl., 1938, c. 234.

Chapter 58. LANDLORD AND TENANT; RIGHTS AND REMEDIES.

Note: For creation of monthly term when tenant for monthly or longer term holds over, see 1941, c. 317.

Chapter 60. LIENS—BONDS OF AND MONEY PAID TO CONTRACTORS ON PUBLIC WORKS.

Note: For lien in favor of State and county institutions for care and treatment of inmates thereof, see 1938, c. 239; for welfare-house liens under reimbursement agreements, see 1940, c. 119.

Article 6. Hotel Keepers.

R. S. 2:60-49 amended 1938, c. 309, s. 1.

R. S. 2:60-50 " 1938, c. 309, s. 2.

Article 10. Mechanics, Materialmen and Laborers in General.

B. LIEN; NATURE, AND TO AND FOR WHAT IT ATTACHES.

R. S. 2:60–107 amended 1941, c. 69.

Additional Legislation.

Amendment of mechanic's notice of intention, suppl., 1940, c. 138.

B-1. (new) SATISFACTION OF STOP NOTICE.

Additional Legislation.

Discharge of stop notice, suppl., 1941, c. 381.

E. RELEASE, DISCHARGE, CANCELLATION OR PAYMENT OF LIEN.

R. S. 2:60–174 amended 1939, c. 316.

Article 15. Processors of Goods.

R. S. 2:60–223 amended 1941, c. 258.

Article 19. (new) Watch and Jewelry Repairmen.

Additional Legislation.

Liens for repairs to jewelry, watches, etc., 1940, c. 61.

Chapter 61. LIENS AND ENCUMBRANCES OF STATE.

R. S. 2:61–4 amended 1941, c. 198.

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.

Chapter 65. MORTGAGES AND BONDS; FORECLOSURE AND ACTIONS ON.

R. S. 2:65–28 amended 1939, c. 247.

Additional Legislation.

Joinder of cesqui-que-trust where trustee or fiduciary made defendant unnecessary, 1938, c. 315.

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.

Chapter 71. PARTITION.

R. S. 2:71–32 amended 1940, c. 171, s. 1.

R. S. 2:71–34 " 1940, c. 171, s. 2.

Chapter 75. SALES OF REAL ESTATE UNDER STATUTES OR JUDICIAL PROCEEDINGS; DISTRIBUTION OF CERTAIN PROCEEDS OF SALES OF OR COMPENSATION FOR REAL ESTATE.

R. S. 2:75–18 amended 1941, c. 366.

Subtitle 9. PREROGATIVE AND OTHER EXTRAORDINARY WRITS.

Chapter 80. GENERAL PROVISIONS.

Additional Legislation.

Supreme Court to make rules as to forms, service, pleading, practice and procedure, suppl., 1938, c. 190.

Chapter 82. HABEAS CORPUS; ILLEGAL CONFINEMENT.

Additional Legislation.

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.

Subtitle 10. JURIES.

Chapter 85. QUALIFICATIONS OF JURORS.

R. S. 2:85–1 amended 1938, c. 248.

R. S. 2:85–3 " 1938, c. 273, s. 1.

Chapter 88. JURY LISTS; DRAWING OF JURORS FOR JURY PANELS.

Additional Legislation.

Extension of time of service of petit jury to complete pending trial, suppl., 1939, c. 20.

Continuation of grand jury by order of court after term expired, suppl., 1939, c. 161.

Chapter 89. OFFICERS OF GRAND JURY.

R. S. 2:89–5 amended 1939, c. 107.

Subtitle 11. EVIDENCE AND WITNESSES.

Chapter 97. WITNESSES IN GENERAL.

R. S. 2:97–4 amended 1940, c. 22.

Additional Legislation.

Uniform act to secure attendance of witnesses from within or without a State in criminal proceedings, 1941, c. 88.

Chapter 98. DOCUMENTS, RECORDS AND OTHER WRITTEN INSTRUMENTS.

Note: For substitution of photographic copies for records, etc., of banks and trust companies, see 1941, c. 39; of savings banks, see 1941, c. 41.

R. S. 2:98–19 amended 1941, c. 116.

Additional Legislation.

Photographic copies, etc., of bank, trust company and savings bank, etc., records, etc., receivable in evidence, suppl., 1941, c. 40.

Uniform judicial notice of foreign law act, suppl., 1941, c. 81.

Chapter 99. EXAMINATION OR INSPECTION OF PERSONS AND PROPERTY.

Additional Legislation.

Submission to and use of blood grouping tests as evidence of paternity of child or identity of any person, suppl., 1939, c. 221.

Subtitle 12. PUBLIC HEARINGS.

Chapter 102. STENOGRAPHIC REPORTS OF PUBLIC HEARINGS.

Note: For certified shorthand reporter required at certain hearings, see 1940, c. 175.

Subtitle 13. CRIMES.

Chapter 103. GENERAL PROVISIONS RELATING TO CRIMES.

R. S. 2:103–7 amended 1940, c. 219, s. 1.

R. S. 2:103–9 " 1940, c. 219, s. 2.

R. S. 2:103–10 " 1940, c. 219, s. 3.

Chapter 112. BANKS AND FINANCIAL CORPORATIONS.

Additional Legislation.

False statements, reports, etc., as to building and loan associations, prohibited, suppl., 1941, c. 239.

Chapter 130. FLAG—OFFENSES AGAINST.

Additional Legislation.

Influencing or attempting to influence school pupils against salute to flag, prohibited, 1939, c. 65.

Chapter 134. FRAUDS AND CHEATS.

Additional Legislation.

Misrepresentation as to tax sale certificates, prohibited, suppl., 1941, c. 82.

Chapter 135. GAMING.

R. S. 2:135–3 amended 1940, c. 205.

R. S. 2:135–5 " 1941, c. 398, s. 2 (1940, c. 207; repealed 1941, c. 398, s. 1).

R. S. 2:135–6 " 1941, c. 398, s. 3 (1940, c. 207; repealed 1941, c. 398, s. 1).

R. S. 2:135–7 " 1941, c. 398, s. 4 (1940, c. 207; repealed 1941, c. 398, s. 1).

R. S. 2:135–8 " 1941, c. 398, s. 5 (1940, c. 207; repealed 1941, c. 398, s. 1).

R. S. 2:135–9 repealed 1941, c. 398, s. 6 (1940, c. 207; repealed 1941, c. 398, s. 1).

Chapter 145. LARCENY AND OTHER STEALINGS.

R. S. 2:145–13 amended 1938, c. 266.

R. S. 2:145–14 " 1938, c. 267.

Chapter 149. MANUFACTURE, SALE, ETC., OF CERTAIN ARTICLES.

R. S. 2:149–7 (added) Purchase, use or possession of hydrocyanic acid gas for fumigating dwellings without permit prohibited, suppl., 1938, c. 337.

Chapter 157B. PROPAGANDA INCITING RACE, COLOR OR RELIGIOUS HATRED.

Additional Legislation.

Wearing of certain uniforms and permitting assemblage of persons attired therein prohibited, suppl., 1939, c. 98.

Sec. 1 of above amended 1939, c. 210, s. 1.

Sec. 2 of above amended 1939, c. 210, s. 2.

Chapter 160. PUBLIC OFFICERS AND OFFICES.

R. S. 2:160–5 amended 1939, c. 387, s. 1.

Additional Legislation.

Penalty for exceeding appropriations by county or municipal officials, 1939, c. 387, s. 2.

Political influence, etc., in administration of relief, prohibited, suppl., 1941, c. 23.

Chapter 164. RECEIVING STOLEN PROPERTY.

R. S. 2:164–1 amended 1938, c. 348.

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.

Chapter 176. WEAPONS AND EXPLOSIVES.

R. S. 2:176–43 amended 1938, c. 125.

R. S. 2:176–44 " 1939, c. 321.

Subtitle 14. CRIMINAL PROCEDURE.

Chapter 178. DEFINITIONS, CONSTRUCTION AND GENERAL PROVISIONS.

Note: For reports of criminal proceedings to bureaus of identification of counties and state police, see 1939, c. 78; for notification, of release of prisoners, to bureaus of identification and police departments; required, see 1940, c. 65.

Additional Legislation.

Money seized in connection with gambling, etc., disposition, forfeiture, etc., suppl., 1941, c. 70.

Chapter 180. PEACE OFFICERS.

Additional Legislation.

Power to act in detection, apprehension, etc., of offenders conferred on certain court attendants, 1938, c. 124.

Chapter 180B. (new) UNIFORM ACT ON INTRASTATE FRESH PURSUIT.

Apprehension, etc., of certain criminals within the State, 1941, c. 89.

Chapter 181. COUNTY DETECTIVES AND INVESTIGATORS.

Note: For tenure of office for holders of secretarial and stenographic positions in certain counties, see 1939, c. 271; for act authorizing county detectives and prosecutors' investigators to take certain oaths in criminal matters, see 1939, c. 276.

R. S. 2:181–10 amended 1938, c. 353. Appointment, etc., of county detectives or investigators certain fourth class counties, suppl., 1939, c. 5.

R. S. 2:181–11 (added) Appointment, salary, etc., of county detectives; counties between 50,000 and 70,000, suppl., 1939, c. 34.

Additional Legislation.

Appointment, salary and tenure, special officers appointed by the prosecutor of the pleas; certain third class counties, suppl., 1939, c. 307.

County detectives and investigators, certain, under tenure, fourth-class counties, 1941, c. 216.

Chapter 182. PROSECUTORS OF THE PLEAS.

R. S. 2:182–14 suppl. 1938, c. 271.

amended 1938, c. 358; 1939, c. 335.

Additional Legislation.

Tenure of office, etc., in secretarial and stenographic positions in prosecutors and county detectives office; certain counties, 1939, c. 271.

Chapter 183. LIMITATION OF CRIMINAL PROSECUTIONS.

R. S. 2:183–3 amended 1938, c. 138.

Chapter 185. EXTRADITION.

R. S. 2:185–10 amended 1940, c. 259.

Chapter 186. PRELIMINARY PROCEEDINGS IN GENERAL.

Note: For waiver of indictment authorized, see 1939, c. 279.

Chapter 186A. (new) SUMMONS IN LIEU OF WARRANT FOR ARREST.

Article 1. Corporation or Individual.

Summons for appearance of defendant, suppl., 1941, c. 379.

Chapter 188. INDICTMENTS.

Additional Legislation.

Waiver of indictment in writing authorized, suppl., 1939, c. 279.

Chapter 190. TRIAL; NEW TRIAL.

Note: For continuation of trial by another justice or judge where original justice or judge prevented from continuing, see 1939, c. 19.

Chapter 192. SENTENCE AND IMPRISONMENT.

R. S. 2:192–1 amended 1938, c. 273, s. 2.

R. S. 2:192–1.1 " 1938, c. 273, s. 3.

R. S. 2:192–1.2 " 1938, c. 273, s. 4.

Additional Legislation.

Imposition of sentence by judge other than trial judge, suppl., 1939, c. 283.

Chapter 199. PROBATION AND PAROLE.

Article 1. General Provisions.

R. S. 2:199–4 amended 1939, c. 284.

Additional Legislation.

Probation officers, certain counties, certain appointments authorized, civil service status, etc., 1940, c. 78.

Subtitle 15. DISORDERLY PERSONS.

Chapter 202. DISORDERLY PERSONS GENERALLY.

R. S. 2:202–16.2 amended 1938, c. 343.

Additional Legislation.

Printing, circulating, distributing, publishing and offering for sale papers, documents, or forms simulating court processes, etc., prohibited, suppl., 1939, c. 275.

Food stamps, etc., misuse of, prohibited, suppl., 1941, c. 204.

Obtaining money, etc., by false statements from private or charitable association, etc., or from the State, county, municipality or agency thereof, prohibited, suppl., 1941, c. 281.

Chapter 206. PROCEDURE.

R. S. 2:206–3 amended 1939, c. 250.

R. S. 2:206–11 " 1941, c. 54, s. 1.

R. S. 2:206–12 " 1941, c. 54, s. 2.

Additional Legislation.

Review of convictions, etc., by common pleas court, suppl., 1939, c. 388.

Subtitle 17. CRIMINAL JUDICIAL DISTRICT COURTS.

Chapter 212. CONSTITUTION AND PERSONNEL.

R. S. 2:212–1 amended 1940, c. 200, s. 1.

R. S. 2:212–4 1931, c. 39, amended 1941, c. 201, s. 1.

R. S. 2:212–4 1931, c. 40, repealed 1941, c. 201, s. 2.

R. S. 2:212–6 amended 1940, c. 200, s. 2.

R. S. 2:212–19 " 1940, c. 200, s. 3.

Additional Legislation.

Criminal Judicial District Courts of Hudson County constituted, suppl., 1940, c. 201.

Chapter 213. JURISDICTION.

R. S. 2:213–1 amended 1940, c. 200, s. 4.

Chapter 214. PRACTICE AND PROCEDURE.

R. S. 2:214–5 amended 1940, c. 200, s. 5.

Subtitle 18. POLICE COURTS AND MAGISTRATES.

Chapter 219. CITIES OF THE FIRST CLASS.

Article 3. (new) Night Police Courts.

Additional Legislation.

Night police courts in first class cities created; jurisdiction; procedure, suppl., 1938, c. 18.

Chapter 220. CITIES OF THE SECOND CLASS.

Additional Legislation.

Tenure of office; clerk to recorder; certain second class cities; 1938, c. 392.

Title 3. ADMINISTRATION OF ESTATES—DECEDENTS AND OTHERS.

Subtitle 2. WILLS, DESCENT AND DISTRIBUTION.

Note: For devolution on death of owner of interests, in areas in real estate above the surface of the ground, see 1938, c. 370.

Chapter 2. WILLS.

R. S. 3:2–3 amended 1939, c. 139, s. 1.

R. S. 3:2–13 " 1939, c. 139, s. 2.

Chapter 3. DESCENT OF REAL ESTATE.

R. S. 3:3–4 amended 1941, c. 153.

Chapter 5. DISTRIBUTION OF PERSONAL PROPERTY.

R. S. 3:5–6 amended 1939, c. 256

Subtitle 3. ADMINISTRATION BY EXECUTORS, ADMINISTRATORS, GUARDIANS AND TRUSTEES.

Chapter 7. APPOINTMENT AND GENERAL POWERS OF FIDUCIARIES.

Note: For appointment and powers of State Board of Children's Guardians as guardian for children, see 1938, c. 160.

Article 1. Executors and Administrators.

Additional Legislation.

Original administration in New Jersey, upon estate of resident decedent, made obligatory, suppl., 1939, c. 121.

Settlement of estates having assets worth $100 or less without administration, suppl., 1941, c. 382.

Article 1A. (new) Testamentary Trustees.

Additional Legislation.

Trustees, qualification and letters of trusteeship, issuance, etc., 1940, c. 45.

Sec. 1 of above amended 1941, c. 152, s. 1.

Sec. 2 " " " 1941, c. 152, s. 2.

Article 2. Guardians for Minors.

R. S. 3:7–29 amended 1938, c. 37.

Article 4. New, Additional, Substituted and Succeeding Fiduciaries.

R. S. 3:7–63 amended 1941, c. 323.

Chapter 8. BONDS AND SURETIES.

Note: For deposit, in lieu of surety, of shares of building and loan associations insured under "National Housing Act"; authorized, see 1940, c. 60.

Chapter 10. ACCOUNTING.

Article 2. Requirements and Proceedings.

R. S. 3:10–11 amended 1941, c. 240.

R. S. 3:10–12 " 1941, c. 241.

Article 4. Certain Expenditures Authorized.

R. S. 3:10–22 amended 1939, c. 125.

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.

Chapter 11. COMMISSIONS.

R. S. 3:11–1 amended 1939, c. 134, s. 1.

R. S. 3:11–2 " 1939, c. 134, s. 2; 1940, c. 172.

R. S. 3:11–3 repealed 1939, c. 134, s. 3.

R. S. 3:11–4 " 1939, c. 134, s. 3.

Chapter 13. ACTIONS BY OR AGAINST FIDUCIARIES.

R. S. 3:13–7 amended 1938, c. 140.

R. S. 3:13–12 " 1941, c. 138.

Chapter 15. COMPROMISE OF CLAIMS.

R. S. 3:15–4 amended 1941, c. 212.

Chapter 16. INVESTMENTS.

Note: For shares of building and loan associations insured under "National Housing Act"; legal investments, see 1940, c. 60.

R. S. 3:16–1 amended 1938, c. 196.

Additional Legislation.

Investment in insured building and loan shares, suppl., 1939, c. 52, amended, 1940, c. 132.

Investments in mortgages on real estate acquired through tax sale foreclosure; authorized, 1940, c. 58.

Chapter 17. SALE OR OTHER DISPOSITION OF REAL ESTATE BY FIDUCIARIES.

R. S. 3:17-10 amended 1939, c. 251, s. 1.

R. S. 3:17-11 " 1939, c. 251, s. 2.

R. S. 3:17-13 " 1939, c. 251, s. 3.

R. S. 3:17-42 " 1938, c. 347; 1941, c. 68.

Additional Legislation.

Sale or disposition, under power of sale of undivided interest, of real estate divided or set off, authorized, suppl., 1939, c. 164.

Sale of lands acquired without authority; authorized, 1940, c. 109.

Chapter 21. SUPPORT, MAINTENANCE AND EDUCATION OF WARD.

R. S. 3:21-4 amended 1938, c. 133.

R. S. 3:21-5 " 1939, c. 257.

Chapter 25. CREDITORS OF DECEDENTS; THEIR RIGHTS AND REMEDIES.

R. S. 3:25-2 amended 1941, c. 228.

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.

Distribution to testamentary trustee until letters of trusteeship issued; prohibited, 1941, c. 171.

Subtitle 5. SALE OR MORTGAGE OF REAL ESTATE LIMITED OVER.

Chapter 36. SALE OF REAL ESTATE LIMITED OVER TO INFANTS, MENTAL INCOMPETENTS, PERSONS NOT IN BEING OR ON CONTINGENCY.

R. S. 3:36-14 amended 1941, c. 298.

Subtitle 7. ABSENTEES.

Chapter 42. SEVEN YEARS' ABSENCE.

R. S. 3:42–5 amended 1941, c. 235.

R. S. 3:42–15 " 1941, c. 123, s. 1.

R. S. 3:42–16 " 1941, c. 123, s. 2.

Additional Legislation.

Sale of real estate of tenants by entirety after spouse presumed or declared dead; suppl., 1938, c. 387.

Title 4. AGRICULTURE AND DOMESTIC ANIMALS.

Note: For regulation of production, etc., of goats milk, see 1938, c. 195.

Chapter 1. DEPARTMENT OF AGRICULTURE.

R. S. 4:1–6 amended 1939, c. 73.

R. S. 4:1–10 " 1939, c. 40, s. 1.

R. S. 4:1–13 " 1939, c. 40, s. 2.

Additional Legislation.

Interstate reciprocal agreements as to sale or delivery of plants or nursery stock, 1941, c. 112.

Chapter 3. POULTRY AND EGGS.

Note: For distribution, etc., of eggs removed from incubators, regulated, see 1939, c. 116.

Additional Legislation.

Article 3. (new) Baby Chicks.

Sale of "baby chicks" regulated, 1938, c. 82.

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.

Chapter 5. DISEASES OF ANIMALS AND POULTRY.

R. S. 4:5–28 amended 1938, c. 265.

R. S. 4:5–76 " 1940, c. 231, s. 1.

R. S. 4:5–77 " 1940, c. 231, s. 2.

R. S. 4:5–78 " 1940, c. 231, s. 3.

R. S. 4:5–79 " 1940, c. 231, s. 4.

R. S. 4:5–80 " 1940, c. 231, s. 5.

R. S. 4:5–81 " 1940, c. 231, s. 6.

R. S. 4:5–83 " 1940, c. 231, s. 7.

R. S. 4:5–84 " 1940, c. 231, s. 8.

R. S. 4:5–85 " 1940, c. 231, s. 9.

R. S. 4:5–87 amended 1940, c. 231, s. 10.

R. S. 4:5–88 " 1940, c. 231, s. 11.

R. S. 4:5–90 repealed 1940, c. 231, s. 12.

R. S. 4:5–91 amended 1940, c. 231, s. 13.

R. S. 4:5–92 " 1940, c. 231, s. 23.

Additional Legislation.

Bang's disease, compensation to owners of diseased cattle, certain cases, regulation of local areas, 1940, c. 231, ss. 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34.

Chapter 6. DISEASES OF BEES.

R. S. 4:6–10 amended 1939, c. 104 (title amended 1941, c. 269).

Chapter 7. PLANT AND TREE DISEASES; INSECTS; WEEDS.

R. S. 4:7–25 amended 1941, c. 111, s. 1.

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.

Chapter 9. FERTILIZERS AND OTHER PREPARATIONS FOR SOILS.

R. S. 4:9–1 amended 1940, c. 256.

R. S. 4:9–6 " 1938, c. 73, s. 1.

R. S. 4:9–8 " 1938, c. 73, s. 2.

R. S. 4:9–9 " 1938, c. 73, s. 3.

R. S. 4:9–13 " 1938, c. 73, s. 4.

Chapter 10. MARKETING AND DISTRIBUTION OF AGRICULTURAL AND OTHER PRODUCTS.

Note: For State Milk Control Law, see 1939, c. 82; 1941, c. 274.

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.

Chapter 11. COMMISSION MERCHANTS, DEALERS AND BROKERS, AND THEIR AGENTS.

R. S. 4:11–19 amended 1938, c. 231, s. 1.

R. S. 4:11–21 " 1938, c. 231, s. 2.

Chapter 12A. (new) CONTROL OF PRODUCTION, DISTRIBUTION AND SALE OF MILK, ETC.

Milk Control Act (1941), 1941, c. 274.

Chapter 13. AGRICULTURAL CO-OPERATIVE ASSOCIATIONS.

R. S. 4:13–30 amended 1940, c. 146, s. 1.

R. S. 4:13–32 " 1940, c. 146, s. 2.

R. S. 4:13–33 " 1940, c. 146, s. 3.

Chapter 16. AGRICULTURAL EXPERIMENT STATION; FARM DEMONSTRATION.

Additional Legislation.

Establishment, etc., of turkey breeding and feeding research farm, 1938, c. 179; contributions by Board of Freeholders permitted, suppl., 1939, c. 6.

Chapter 19. DOGS, TAXATION AND LIABILITY FOR INJURIES CAUSED BY.

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.

Chapter 22. PREVENTION OF CRUELTY TO ANIMALS.

Additional Legislation.

Report of injuries to certain animals by motorists required, suppl., 1939, c. 315.

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.

R. S. 5:2–12 amended 1938, c. 57.

Chapter 5. BREEDING AND RACING OF HORSES.

R. S. 5:5–1 to 5:5–21 repealed 1940, c. 206.

Additional Legislation.

New Jersey Horse Racing Act, 1940, c. 17.

Title of above amended 1941, c. 137, s. 1.
Sec. 1 " " " 1941, c. 137, s. 2.
Sec. 5 " " " 1941, c. 137, s. 3.
Sec. 10 " " " 1941, c. 137, s. 4.
Sec. 12 " " " 1941, c. 137, s. 5.
Sec. 13 " " " 1941, c. 137, s. 6.
Sec. 16 " " " 1941, c. 137, s. 7.
Sec. 24 " " " 1941, c. 137, s. 8.
Sec. 25 " " " 1941, c. 137, s. 9.
Sec. 26 " " " 1941, c. 137, s. 10.
Sec. 27 " " " 1941, c. 137, s. 11.
Sec. 51 " " " 1941, c. 137, s. 12.
Sec. 54 " " " 1941, c. 137, s. 13.
Sec. 58 " " " 1941, c. 137, s. 14.

Title 6. AVIATION.

Chapter 1. REGULATION OF AERIAL NAVIGATION.

Additional Legislation.

Aeronautics over and within this State, regulated, 1938, c. 48.

Title 8. CEMETERIES.

Chapter 2. PROPERTY, AND RIGHTS AND INTERESTS THEREIN.

Note: For shares of building and loan associations insured under "National Housing Act"; legal investments, see 1940, c. 60.

R. S. 8:2–21 amended 1941, c. 61.

R. S. 8:2–30 " 1939, c. 319.

R. S. 8:2–37 " 1939, c. 109.

Chapter 3. CONTROL, REGULATION, AND PROTECTION OF CEMETERIES.

R. S. 8:3–1 amended 1938, c. 201.

Additional Legislation.

Existing associations permitted to use adjoining, etc., lands for cemetery purposes in certain cases, suppl., 1938, c. 61.

Acquisition of additional lands by certain cemetery associations, authorized, suppl., 1941, c. 227.

Title 9. CHILDREN—JUVENILE AND DOMESTIC RELATIONS COURTS.

Subtitle 2. ADOPTION, APPRENTICESHIP AND INDENTURE.

Chapter 3. ADOPTION.

R. S. 9:3–2 amended 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.

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.

R. S. 9:3–11 " 1938, c. 355, s. 7; 1939, c. 355, s. 2.

Chapter 4. APPRENTICESHIP AND INDENTURE.

R. S. 9:4–18 amended 1938, c. 274.

Subtitle 3. PROTECTIVE WELFARE LAWS.

Chapter 6. ABANDONMENT, ABUSE, CRUELTY AND NEGLECT.

R. S. 9:6–5 amended 1939, c. 277, s. 1.

R. S. 9:6–9 " 1939, c. 277, s. 2.

Chapter 13. CRIPPLED CHILDREN.

R. S. 9:13–1 amended 1938, c. 150.

R. S. 9:13–7 " 1938, c. 406, suppl., 1938, c. 424.

Subtitle 4. ILLEGITIMATE CHILDREN.

Chapter 17. BASTARDY PROCEEDINGS.

Note: For use of blood tests in determining paternity, see 1939, c. 221.

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.

Title 10. CIVIL RIGHTS.

Chapter 1. IN GENERAL.

R. S. 10:1–1 amended 1941, c. 247.

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.

Discrimination against applicants, for age, in employment in public service, prohibited, 1938, c. 295.

Title 11. CIVIL SERVICE.

Note: For prohibition of discrimination against applicants for employment, for age, see 1938, c. 295, also R. S. 40:11–4 as amended by 1938, c. 336.

Subtitle 1. CIVIL SERVICE COMMISSION.

Chapter 2. THE CHIEF EXAMINER AND SECRETARY.

R. S. 11:2–2 amended 1938, c. 192.

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.

Subtitle 2. STATE SERVICE.

Chapter 4. PURPOSE, CONSTRUCTION AND APPLICATION OF SUBTITLE.

Additional Legislation.

Legal assistants, Attorney-General, under civil service, 1939, c. 101.

Deputy Commissioner of Compensation, civil service status, 1939, c. 111.

Chief Auditor, Comptroller's Department, under civil service, 1939, c. 219.

State House supervisor of mails under Civil Service, 1940, c. 15.

Certain persons having tenure to be in classified civil service, suppl., 1941, c. 91.

Election clerk, Secretary of State's office, under civil service, 1941, c. 286.

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.

Chapter 14. HOURS OF WORK AND LEAVES OF ABSENCE.

R. S. 11:14–1 amended 1939, c. 233, s. 1.

R. S. 11:14–2 " 1939, c. 233, s. 2.

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.

Subtitle 3. COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS.

Chapter 20. ADOPTION OF SUBTITLE BY COUNTY, MUNICIPALITY OR SCHOOL DISTRICT.

R. S. 11:20–2 amended 1938, c. 135.

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.

R. S. 11:21–6 amended 1940, c. 150.

Chapter 22. CLASSES OF CIVIL SERVICE.

Additional Legislation.

Employees, etc., in classified service but not in competitive or noncompetitive classes: rights of tenure, appeal, etc., 1940, c. 178.

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.

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.

Subtitle 4. VETERANS.

Chapter 27. PREFERENCES.

R. S. 11:27–2	amended	1938, c. 381, s. 1.
R. S. 11:27–3	"	1938, c. 381, s. 2.
R. S. 11:27–4	"	1938, c. 381, s. 3.
R. S. 11:27–5	"	1938, c. 381, s. 4.
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.
R. S. 11:27–11.1	"	1938, c. 38.

Additional Legislation.

Administration of chapter by Civil Service Commission, suppl., 1938, c. 381, s. 10.

Title 12. COMMERCE AND NAVIGATION.

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.

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.

Chapter 3. RIPARIAN LANDS.

R. S. 12:3–10 amended 1938, c. 418.

R. S. 12:3–64 " 1939, c. 193.

Chapter 5. WATER-FRONT AND HARBOR FACILITIES.

Note: For beach-front protection and dredging and removal of obstructions from streams, see 1940, c. 52.

Chapter 6A. (new) BEACH FRONT REPAIR AND DREDGING OF STREAMS.

Beach-front protection and dredging and removal of obstructions from streams, suppl., 1940, c. 52.

Chapter 7. REGULATION AND REGISTRATION OF POWER VESSELS.

Article 3. Registration of Vessels.

Additional Legislation.

Registration of power vessels, suppl., 1941, c. 396.

Article 7. (new) Operation, Docking, Mooring and Anchoring.

Additional Legislation.

Additional rules and regulations governing operation, etc., of craft navigating inland waterway authorized, suppl., 1938, c. 306.

Title 13. CONSERVATION AND DEVELOPMENT—PARKS AND RESERVATIONS.

Note: For transfer of New Jersey System of Plane Co-ordinates to Board of Conservation and Development, see 1938, c. 225; for tree experts; regulation and licensing by Board, see 1940, c. 100.

Chapter 4. EDISON STATE PARK.

Additional Legislation.

Maintenance and operation, etc., of Edison Tower at Menlo Park, 1938, c. 146.

Chapter 5A. (new) MOUNT MITCHELL SKYLINE PARK.

Mount Mitchell Skyline Park; establishment, improvement, maintenance, management, 1940, c. 182.

Chapter 6A. (new) POHATCONG PARK.

Establishment and operation of Pohatcong Park provided for, 1941, c. 168.

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.

Additional Legislation.

Application of profits derived from sale of products of forest parks, etc., suppl., 1939, c. 192.

Chapter 9. STATE FOREST FIRE SERVICE.

R. S. 13:9–23 amended 1939, c. 246.

Chapter 12. MORRIS CANAL.

R. S. 13:12–4 amended 1939, c. 326.

Chapter 13. DELAWARE AND RARITAN CANAL.

Note: For Delaware and Raritan Canal Commission continued, see 1938, c. 34.

Chapter 14. UNITED STATES RESERVATIONS.

R. S. 13:14–7 amended 1939, c. 195.

Title 14. CORPORATIONS, GENERAL.

Chapter 2. FORMATION.

R. S. 14:2–4 amended 1939, c. 249, s. 1.

R. S. 14:2–5 " 1939, c. 249, s. 2.

Chapter 5. BOOKS OF THE CORPORATION.

R. S. 14:5–3 amended 1939, c. 352.

Chapter 10. MEETINGS AND ELECTIONS.

R. S. 14:10–13 amended 1941, c. 146.

Chapter 12. MERGER OR CONSOLIDATION.

R. S. 14:12–4 amended 1938, c. 305.

Chapter 13. DISSOLUTION AND WINDING UP.

R. S. 14:13–14 amended 1938, c. 290.

Additional Legislation.

Dissolution when directors or stockholders deadlocked, suppl., 1938, c. 303.

Chapter 14. INSOLVENCY, RECEIVERS AND REORGANIZATION.

Note: For dissolution, etc., when directors or stockholders deadlocked, see 1938, c. 303.

R. S. 14:14–2 amended 1939, c. 241; 1939, c. 363.

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.

Surrender of certificate of foreign corporation to transact business in State authorized, suppl., 1938, c. 178.

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.

Chapter 2. CHARITABLE, EDUCATIONAL AND BENEVOLENT CORPORATIONS AND SOCIETIES.

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.

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 8. FIRE COMPANIES.

R. S. 15:8–4 amended 1940, c. 235.

Title 16. CORPORATIONS AND ASSOCIATIONS, RELIGIOUS.

Chapter 1. GENERAL PROVISIONS.

Additional Legislation.

By-laws providing for qualifications of trustees, treasurer and voting members; certain societies or congregations; authorized, suppl., 1941, c. 356.

Chapter 8A. (new) THE METHODIST CHURCH.

Names of certain churches changed to "The Methodist Church", 1940, c. 253.

Title of above amended 1941, c. 423.

Chapter 12. PROTESTANT EPISCOPAL CHURCH.

R. S. 16:12–16 amended 1941, c. 416.

Chapter 19. YOUNG MEN'S, YOUNG WOMEN'S CHRISTIAN OR HEBREW ASSOCIATIONS.

R. S. 16:19–2 amended 1939, c. 231.

Title 17. CORPORATIONS AND INSTITUTIONS FOR FINANCE AND INSURANCE.

Subtitle 1. GENERAL PROVISIONS.

Part 1. THE DEPARTMENT OF BANKING AND INSURANCE.

Chapter 1. THE DEPARTMENT AND THE COMMISSIONER.

Note: For regulation, by Commissioner, of loans, service agreements, etc., on Federal Housing mortgages by building and loan associations, see 1939, c. 129; for additional emergency powers of Commissioner of Banking and Insurance in connection with mortgages guaranteed or issued by corporation, see 1938, c. 212.

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.

R. S. 17:2–6 amended 1938, c. 52, s. 1.

R. S. 17:2–6.1 " 1938, c. 52, s. 2.

Additional Legislation.

Investments in securities of Federal Home Loan Banks, suppl., 1938, c. 222.

Subtitle 2. FINANCIAL INSTITUTIONS.

Part 1. BANKS, TRUST COMPANIES, BANKERS, SAVINGS BANKS AND CLEARING HOUSE ASSOCIATIONS.

Chapter 4. BANKS AND TRUST COMPANIES.

Note: For additional legislation affecting legal investments, see chapter 2 of this Title, supra; for photographic copies, etc., of bank and trust company records, receivable in evidence, see 1941, c. 40.

R. S. 17:4–29 amended 1938, c. 185, s. 1.

R. S. 17:4–30 " 1941, c. 195.

R. S. 17:4–31 " 1940, c. 164.

R. S. 17:4–31.3 " 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 amended 1938, c. 218.
R. S. 17:4–60 " 1939, c. 351.
R. S. 17:4–62 " 1938, c. 431, s. 1.
R. S. 17:4–63 to 17:4–67 repealed 1938, c. 431, s. 2.
R. S. 17:4–71 amended 1938, c. 431, s. 3.

Additional Legislation.

Photographic copies, etc., of certain records, etc., substituted for originals, suppl., 1941, c. 39.

Chapter 6. SAVINGS BANKS.

Note: For additional legislation affecting legal investments, see chapter 2 of this Title, supra; for credit unions excepted from chapter, see 1938, c. 293; for photographic copies, etc., of savings bank records, receivable in evidence, see 1941, c. 40.

Article 1. Formation.

R. S. 17:6–14 amended 1939, c. 26; 1939, c. 202.

Article 2. Powers and Restrictions.

Additional Legislation.

Photographic copies, etc., of certain records, etc., substituted for originals, suppl., 1941, c. 41.

Article 3. Managers and Officers.

R. S. 17:6–25 amended 1941, c. 102.

Article 5. Deposits and Dividends.

R. S. 17:6–49 amended 1938, c. 219.

Article 6. Investments.

R. S. 17:6–53 amended 1938, c. 162, s. 1.
R. S. 17:6–54 " 1938, c. 162, s. 2.
R. S. 17:6–55 " 1938, c. 162, s. 3.
R. S. 17:6–56 " 1938, c. 162, s. 4.
R. S. 17:6–57 " 1938, c. 162, s. 5.
R. S. 17:6–58.1 (added) Industrial securities as investments, suppl., 1938, c. 162, s. 6.
R. S. 17:6–59 amended 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.

Article 9. Extension of Charter and Change of Name.

R. S. 17:6–70 amended 1939, c. 27.

Additional Legislation.

Waiver of certain provisions upon extension of corporate existence, suppl., 1939, c. 25.

Chapter 8. ISSUANCE OF PREFERRED AND DEPOSITORS' COMMON STOCK; REORGANIZATIONS.

R. S. 17:8–1 amended 1939, c. 205, s. 1 (title amended 1941, c. 270).

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.

Additional Legislation.

Security for deposits, in banks, trust companies and savings banks, for bankrupt estates, required, suppl., 1940, c. 37.

Banks, trust companies, savings banks and bankers authorized to act as depositories of Federal funds and as financial agents of Federal Government, suppl., 1941, c. 106.

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.

Chapter 12. BUILDING AND LOAN ASSOCIATIONS.

Article 1. Formation.

R. S. 17:12–3 amended 1940, c. 62.

Article 2. Powers, Duties and Limitations.

Note: For authorization of investment in, insurance, assignment and servicing of Federal Housing mortgages, see 1939, c. 129.

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.

Article 5. Members and Membership.

R. S. 17:12–39 amended 1938, c. 31; 1941, c. 320.

Article 6A. (new) Federal Housing Administration Mortgages.

Additional Legislation.

Making, servicing, etc., of Federal Housing Administration loans authorized, suppl., 1939, c. 129.

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.

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, suppl., 1939, c. 208, s. 4, s. 6.

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.

Article 12. Dissolution and Liquidation.

Note: For liquidation of associations through liquidating corporations, see 1941, c. 408, ss. 5 to 12.

R. S. 17:12-81 amended 1939, c. 130, s. 1.

R. S. 17:12-82 " 1939, c. 130, s. 2.

R. S. 17:12-83 " 1939, c. 130, s. 3.

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.

Article 16. Issuance of Shares by Federal Savings and Loan Insurance Corporation.

R. S. 17:12-124 amended 1939, c. 208, s. 7.

Chapter 13. CREDIT UNIONS.

R. S. 17:13-1 to 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.

Sec. 1 of above amended 1941, c. 421.

Sec. 3 of above amended 1941, c. 254.

Part 5. FOREIGN INSTITUTIONS.

Chapter 16. REGULATION OF BUSINESS IN STATE.

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 (1st).

R. S. 17:16–3.1 (added) **Issuance of certificate of authority to transact business in State prohibited where applicant originally probated will or obtained administration of estate of resident decedent in another State; affidavit required, suppl., 1939, c. 123, s. 1.**

R. S. 17:16–3.2 (added) Revocation of certificate of authority to transact business in State directed where holder probated will or applied for administration of estate of resident decedent in another State, suppl., 1939, c. 123, s. 2, amended 1941, c. 190, s. 3 (2nd).

R. S. 17:16–10 amended 1938, c. 321, s. 3; 1941, c. 426.

R. S. 17:16–15 repealed 1938, c. 321, s. 4.

Part. 6. (new) INVESTMENT COMPANIES.

Chapter 16A. (new) INVESTMENT COMPANIES.

Investment companies defined and regulated, 1938, c. 322.

Sec. 3 of above amended 1939, c. 353; 1941, c. 420.

Subtitle 3. INSURANCE.

Part 1. INSURANCE COMPANIES GENERALLY.

Chapter 17. FORMATION.

R. S. 17:17–1 amended 1938, c. 289, s. 1.

R. S. 17:17–3 " 1938, c. 289, s. 2.

R. S. 17:17–4 " 1938, c. 289, s. 3.

R. S. 17:17–6 " 1938, c. 289, s. 4.

R. S. 17:17–8 " 1938, c. 289, s. 5.

Chapter 18. POWERS, DUTIES AND LIMITATIONS.

R. S. 17:18–7 repealed 1939, c. 305, s. 8.

R. S. 17:18–11 " 1940, c. 91.

Additional Legislation.

Reserves required of title insurance companies, suppl., 1938, c. 289, s. 6, s. 7, s. 8.

Chapter 22. BROKERS AND AGENTS.

Additional Legislation.

Insurance agents, licenses required, suppl., 1941, c. 118, s. 1.

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.

R. S. 17:24–7 " 1938, c. 289, s. 9.

Chapter 26. AMENDMENTS, CHANGES AND ALTERATIONS.

R. S. 17:26–1 amended 1940, c. 82.

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 " 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.

R. S. 17:28–1 amended 1940, c. 92; 1941, c. 364.

Additional Legislation.

Insurance of financed automobiles, suppl., 1939, c. 74.

Chapter 32. FOREIGN COMPANIES.

R. S. 17:32–2 amended 1938, c. 289, s. 10.

R. S. 17:32–7 " 1938, c. 55.

Chapter 33. FEES AND PENALTIES.

R. S. 17:33–1 amended 1941, c. 118, s. 2.

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.

Chapter 34. LIFE INSURANCE COMPANIES GENERALLY.

R. S. 17:34–19 amended 1938, c. 255, s. 1.

R. S. 17:34–22 " 1941, c. 135, s. 1.

R. S. 17:34–24 " 1938, c. 254; 1941, c. 135, s. 2.

R. S. 17:34–31 " 1938, c. 255, s. 2.

R. S. 17:34–32 " 1938, c. 255, s. 3.

Additional Legislation.

Acquisition of additional stock after lapse of twenty years from confirmation of appraisement by certain life insurance companies; authorized, 1940, c. 208.

Dividends or reductions in rate of premium on group policies; how applied, suppl., 1938, c. 255, s. 4.

Chapter 35. ASSESSMENT LIFE INSURANCE COMPANIES.

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.

Part 4. HEALTH AND ACCIDENT INSURANCE.

Note: For regulation of assessment, health and accident insurance companies and associations, see 1938, c. 232; for regulation of hospital service corporations and plans, see 1938, c. 366.

Chapter 38. UNIFORM POLICY PROVISIONS.

R. S. 17:38–2 amended 1940, c. 104.

Additional Legislation.

Standard provisions in group health and accident policies, filing of forms, etc.; approval, etc., suppl., 1939, c. 305.

Part 6. MUTUAL BENEFIT ASSOCIATIONS.

Note: For regulation of assessment, health and accident insurance companies and associations, see 1938, c. 232; for regulation of hospital service corporations and plans, see 1938, c. 366.

Chapter 45. AUTHORITY, REGULATIONS AND RESTRICTIONS.

Additional Legislation.

Certain associations excepted from application of **chapter,** suppl., 1938, c. 60.

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; of municipal employees adopting group hospital plan, authorized and validated, see 1941, c. 133.

Hospital service corporations and hospital service plans, regulated, suppl., 1938, c. 366.

Chapter 48A. (new) MEDICAL SERVICE CORPORATIONS.

Medical service corporations, organization, regulation, etc., suppl., 1940, c. 74.

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.

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.

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; for leave of absence for school employees for military service, see 1941, c. 119.

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.

R. S. 18:5–16 amended 1938, c. 145; 1939, c. 3.

Additional Legislation.

Apportionment of membership of boards of education of consolidated school districts among the constituent districts, suppl., 1938, c. 144.

Sec. 1 of above amended 1939, c. 2.

Article 7. District Property; Acquisition, Use and Disposition in General.

R. S. 18:5–27 amended 1939, c. 341, s. 1.

R. S. 18:5–28 " 1939, c. 341, s. 2.

Article 12. Officers, Teachers and Employees, in General.

Note: For tenure of service for superintendents of schools in school districts in first class counties, see 1938, c. 288.

Additional Legislation.

Hospital services or group insurance plans for employees, deductions from salaries authorized and validated, suppl., 1940, c. 47.

Protection of teachers and members of supervisory and administrative staff against claims for negligence, etc., while in discharge of duties, suppl., 1938, c. 311.

Physical examination of employees of boards of education required, suppl., 1939, c. 295.

School employees, tenure and pension rights preserved while in military service, suppl., 1941, c. 134.

Article 13. Secretaries, District Clerks, and Business Managers.

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.

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.

Article 18. Limitations on Issuance of Bonds.

R. S. 18:5-84 amended 1938, c. 335.

Chapter 6. SCHOOL DISTRICTS IN CITIES, AND IN TOWNSHIPS, INCORPORATED TOWNS AND BOROUGHS ACCEPTING THIS CHAPTER.

Note: For act limiting school debt and appropriations in certain school districts, see 1939, c. 265.

R. S. 18:6-27 amended 1938, c. 78, s. 2.

R. S. 18:6-72.1 " 1939, c. 89; 1941, c. 425.

Chapter 7. SCHOOL DISTRICTS IN TOWNSHIPS, INCORPORATED TOWNS AND BOROUGHS, AND IN CITIES ACCEPTING THIS CHAPTER.

Note: For act limiting school debt and appropriations in certain school districts, see 1939, c. 265; for transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158.

R. S. 18:7-20 amended 1939, c. 386, s. 1.

R. S. 18:7-27 " 1939, c. 386, s. 2.

R. S. 18:7-29 " 1939, c. 386, s. 3.

R. S. 18:7-34 " 1939, c. 386, s. 4.

R. S. 18:7-35 " 1939, c. 386, s. 5.

R. S. 18:7-36 " 1939, c. 386, s. 6.

R. S. 18:7-38 " 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.

R. S. 18:7-56 " 1938, c. 78, s. 3.

R. S. 18:7-90 " 1941, c. 305, s. 1.

R. S. 18:7-90.1 " 1941, c. 305, s. 2.

R. S. 18:7-105 " 1941, c. 9, s. 1.

R. S. 18:7-106 " 1941, c. 9, s. 2.

Chapter 8. REGIONAL BOARDS OF EDUCATION.

R. S. 18:8–1 amended 1938, c. 155, s. 1.

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.

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.

Additional Legislation.

Purchase of high school buildings; referendum, suppl., 1939, c. 113.

Chapter 10. STATE SCHOOL MONEYS, AND APPORTIONMENT THEREOF.

R. S. 18:10–18 amended 1938, c. 9.

R. S. 18:10–30 " 1941, c. 292.

R. S. 18:10–49 " 1938, c. 14.

Additional Legislation.

Apportionment of State school moneys for first year of regional school districts, suppl., 1939, c. 58.

Chapter 13. TEACHERS.

Note: For leave of absence for school employees for military service, see 1941, c. 119.

R. S. 18:13–13 amended 1941, c. 284.

R. S. 18:13–16 " 1940, c. 43.

Additional Legislation.

Executive secretary; New Jersey Education Association, membership and contributions, suppl., 1940, c. 117.

Tenure of service for superintendents of schools; school districts; first class counties, suppl., 1938, c. 288.

Dedicated funds from sinking funds, treatment as investments, 1941, c. 161.

Chapter 14. PUPILS AND CONDUCT OF SCHOOLS IN GENERAL.

Article 1. Admission and Attendance of Pupils in General.

R. S. 18:14–8 amended 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.

Article 2. Compulsory Education.

Note: For employment and age certificates, issuance, etc., see 1940, c. 153.

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. 18:14–42 amended 1938, c. 262, s. 1.

R. S. 18:14–47 " 1938, c. 262, s. 2.

R. S. 18:14–48 " 1938, c. 262, s. 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.

B. District Medical Inspectors and Nurses.

Additional Legislation.

Physical examinations of pupils regulated, suppl., 1939, c. 296.

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.

B-2. (new) Test for Tuberculosis, etc.

Additional Legislation.

Tests for tuberculosis in pupils required, suppl., 1939, c. 294.

Chapter 15. SPECIAL SCHOOLS AND COURSES IN SCHOOL DISTRICTS OR IN COUNTIES.

Article 5. Vocational Schools.

C. COUNTY VOCATIONAL SCHOOLS.

Additional Legislation.

County vocational schools; teachers, principals and directors, rights and privileges, suppl., 1941, c. 150.

County vocational schools, second-class counties, establishment, operation, etc., suppl., 1941, c. 287.

Emergency county vocational schools, second-class counties, establishment, operation, etc., suppl., 1941, c. 289.

Article 12. (new) Adult Education.

Additional Legislation.

Adult education courses, suppl., 1938, c. 307.

Chapter 19. LAWS AFFECTING BOTH PUBLIC AND PRIVATE SCHOOLS.

Note: For use of county tuberculosis hospitals for examination of pupils, see 1941, c. 219.

Chapter 20. LAWS AFFECTING PRIVATE SCHOOLS AND COLLEGES.

Article 1. Titles of Educational Institutions.

Additional Legislation.

Approval of names of certain institutions above high school grade, by State Board of Education, required, suppl., 1938, c. 261.

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.

Chapter 23. STATE PUBLIC SCHOOL FUND AND FEDERAL FUNDS.

Additional Legislation.

Acceptance, apportionment and disbursement of Federal, etc., moneys, 1941, c. 373.

Title 19. ELECTIONS.

Subtitle 1. ANY ELECTION.

Chapter 3. OFFICES AND PUBLIC QUESTIONS.

R. S. 19:3–6 amended 1938, c. 308; 1941, c. 170.

Chapter 6. ELECTION OFFICIALS.

R. S. 19:6–2 amended 1940, c. 136.

R. S. 19:6–10 " 1939, c. 81.

Chapter 8. POLLING PLACES; BALLOT BOXES; EQUIPMENT.

R. S. 19:8–2 amended 1938, c. 280.

R. S. 19:8–4 " 1938, c. 281.

Subtitle 2. GENERAL ELECTIONS.

Chapter 14. BALLOTS.

R. S. 19:14–4 amended 1941, c. 166, s. 2.

R. S. 19:14–11 " 1941, c. 166, s. 3.

R. S. 19:14–21 " 1941, c. 275, s. 1.

R. S. 19:14–25 " 1941, c. 275, s. 2.

Chapter 15. BALLOTING.

R. S. 19:15–7 amended 1939, c. 354, s. 1.

Chapter 18. DISPOSITION OF BALLOT BOXES, ELECTION RECORDS AND EQUIPMENT.

R. S. 19:18–1 amended 1940, c. 196.

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.

R. S. 19:23-14 amended 1940, c. 135, s. 1; 1941, c. 166, s. 1.

R. S. 19:23-30 " 1941, c. 275, s. 3.

R. S. 19:23-33 " 1941, c. 275, s. 4.

R. S. 19:23-34 " 1941, c. 275, s. 5.

R. S. 19:23-35 " 1941, c. 275, s. 6.

R. S. 19:23-36 " 1941, c. 275, s. 7.

R. S. 19:23-45 " 1939, c. 354, s. 2.

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.

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.

R. S. 19:31-3 " 1941, c. 174, s. 1.

R. S. 19:31-4 repealed 1941, c. 174, s. 2.

R. S. 19:31-6 amended 1940, c. 135, s. 2.

R. S. 19:31-7 " 1940, c. 135, s. 3.

R. S. 19:31-11 " 1940, c. 135, s. 4; 1941, c. 165.

R. S. 19:31-15 " 1940, c. 155; 1941, c. 273, s. 2.

R. S. 19:31-19 " 1940, c. 31, s. 1.

R. S. 19:31-25 repealed 1941, c. 164.

Additional Legislation.

Inspection, etc., of registration binders and poll books; authorized, suppl., 1940, c. 53.

Moving permits, monthly reports of issuance, suppl., 1940, c. 54.

Permanent registration in all municipalities after July 1, 1943, provided for, suppl., 1941, c. 273, s. 1.

Sec. 1 of above amended 1941, c. 378.

Chapter 31A. (new) SIGNATURE COMPARISON RECORDS; FORM AND USE.

Signature comparison record act, suppl., 1941, c. 177.

Subtitle 7. ENFORCEMENT OF ELECTION LAW.

Chapter 32. SUPERINTENDENT OF ELECTIONS.

R. S. 19:32–1 amended 1940, c. 165, s. 2.

R. S. 19:32–2 " 1940, c. 165, s. 3.

R. S. 19:32–15 " 1940, c. 31, s. 2.

R. S. 19:32–16 " 1941, c. 273, s. 3.

R. S. 19:32–17 " 1940, c. 31, s. 3.

R. S. 19:32–18 " 1940, c. 31, s. 4; 1940, c. 199, s. 1.

R. S. 19:32–19 " 1940, c. 199, s. 2.

Chapter 34. CRIMES AND PENALTIES—ENFORCEMENT.

R. S. 19:34–6 amended 1940, c. 199, s. 3.

R. S. 19:34–7 " 1940, c. 199, s. 4.

R. S. 19:34–11 " 1940, c. 199, s. 5.

R. S. 19:34–12 " 1940, c. 199, s. 6.

R. S. 19:34–13 " 1940, c. 199, s. 7.

R. S. 19:34–15 " 1940, c. 199, s. 8.

R. S. 19:34–28 " 1940, c. 199, s. 9.

R. S. 19:34–38 " 1940, c. 199, s. 10.

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 13. PUBLIC ELECTION EXPENSES.

Chapter 45. LIABILITY FOR.

R. S. 19:45–6 amended 1941, c. 275, s. 9.

R. S. 19:45–7 " 1940, c. 165, s. 4; 1941, c. 324.

Subtitle 15. VOTING MACHINES; PROCEDURE.

Chapter 48. VOTING MACHINES.

R. S. 19:48-1 amended 1941, c. 166, s. 4.

R. S. 19:48-3 " 1940, c. 152; 1940, c. 197.

Chapter 49. BALLOTS.

R. S. 19:49-2 amended 1940, c. 137; 1941, c. 163, s. 1; see also 1941, c. 163, s. 2.

R. S. 19:49-5 " 1941, c. 166, s. 5.

Subtitle 16. (new) ABSENTEE VOTING—MILITARY SERVICE.

Chapter 54. (new) IN NATIONAL EMERGENCY.

Voting in primary, general or special election by absentees in active military, etc., service during national emergency; regulated, suppl., 1940, c. 194; suppl., 1941, c. 361.

Voting in municipal election by absentees in active military, etc., service during national emergency; regulated, suppl., 1941, c. 44.

Title 20. EMINENT DOMAIN.

Chapter 1. CONDEMNATION IN GENERAL.

R. S. 20:1–30 amended 1938, c. 21, s. 1.

R. S. 20:1–36 (added) Condemnation by Housing Authority, suppl., 1938, c. 21, s. 2.

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.

Subtitle 2. FIREWORKS.

Chapter 2. MANUFACTURE, STORAGE AND TRANSPORTATION.

R. S. 21:2–4 amended 1938, c. 69.

Title 22. FEES AND COSTS.

Chapter 1. GENERAL PROVISIONS.

Note: For allowance of fees to attorneys, proctors, solicitors and counsel, in proceedings, etc., in courts, see 1939, c. 140.

R. S. 22:1–6 amended 1940, c. 30.

Chapter 2. IN CIVIL CAUSES AND PROCEEDINGS IN THE COURTS.

R. S. 22:2–17.2 amended 1941, c. 188, s. 1.
R. S. 22:2–17.5 " 1941, c. 188, s. 2.
R. S. 22:2–19 " 1941, c. 253, s. 1.
R. S. 22:2–22 " 1938, c. 172.
R. S. 22:2–29 " 1939, c. 398.
R. S. 22:2–44 " 1939, c. 184; 1940, c. 40.
R. S. 22:2–45 " 1940, c. 23.

Chapter 4. FEES OF CERTAIN STATE AND COUNTY OFFICERS.

R. S. 22:4–10 amended 1941, c. 253, s. 2.

Title 23. FISH AND GAME, WILD BIRDS AND ANIMALS.

Chapter 3. LICENSES AND PERMITS.

R. S. 23:3–4 amended 1939, c. 100.
R. S. 23:3–32 " 1940, c. 233; 1941, c. 301.
R. S. 23:3–50 " 1939, c. 51; 1939, c. 350; 1940, c. 166, s. 1.
R. S. 23:3–52 " 1940, c. 166, s. 2.

Chapter 4. GAME, WILD BIRDS AND ANIMALS.

Article 1. Seasons and Bag Limits.

R. S. 23:4–1 amended 1939, c. 168, s. 1; 1941, c. 302.
R. S. 23:4–2 " 1939, c. 168, s. 2.
R. S. 23:4–7 " 1938, c. 39.
R. S. 23:4–8 " 1939, c. 120.

Article 2. Manner, Means and Times of Hunting.

R. S. 23:4–12 amended 1938, c. 102.
R. S. 23:4–16 " 1939, c. 252.
R. S. 23:4–17 repealed 1941, c. 196.
R. S. 23:4–23 amended 1938, c. 304.

Additional Legislation.

Carrying of loaded firearms in vehicle for hunting purposes prohibited, 1939, c. 172.

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.

Article 9. Destructive Animals and Birds.

D. (new) Possession or Liberation of Coyotes.

Additional Legislation.

Possession or liberation of coyotes regulated, 1939, c. 42.

Chapter 5. FISH.

R. S. 23:5–1 amended 1939, c. 327, s. 1.

R. S. 23:5–3 " 1939, c. 327, s. 2.

R. S. 23:5–5 repealed 1938, c. 318, s. 10.

R. S. 23:5–8 amended 1938, c. 318, s. 11.

R. S. 23:5–10 " 1939, c. 327, s. 3.

Additional Legislation.

Protection of striped bass and licensing of use of nets for taking, 1938, c. 318.

Uniform regulations on net fishing and licenses to net, 1941, c. 211.

Chapter 9. LOCAL AND SPECIAL PROVISIONS.

Article 6. Atlantic, Burlington, Monmouth and Ocean Counties.

R. S. 23:9–59 to 23:9–61 repealed 1941, c. 211, s. 14.

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.

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 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, 1938, c. 240.

Article 19. (new) Hudson River, New York Harbor and Sandy Hook Bay.

Additional Legislation.

Sturgeon, size limited, 1941, c. 244.

Chapter 10. PROCEDURE FOR COLLECTION OF PENALTIES; FORFEITURES.

R. S. 23:10–5 amended 1939, c. 106.

Chapter 12. (new) WILDLIFE-RESTORATION PROJECTS.

Board of Fish and Game Commissioners co-operative agency in wildlife-restoration projects, 1938, c. 157.

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.

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.
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.

R. S. 24:4–1	amended 1939, c. 320, s. 10.
R. S. 24:4–2	" 1939, c. 320, s. 11.
R. S. 24:4–8	" 1939, c. 320, s. 12.
R. S. 24:4–9	" 1939, c. 320, s. 13.
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.

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.

R. S. 24:5-9 amended 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.

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.

R. S. 24:6A-1 (added) Introduction of new drugs; regulations concerning, suppl., 1939, c. 320, s. 35.

Chapter 10. DAIRY PRODUCTS.

Article 1. Production, Handling and Distribution of Milk, Cream and Milk Products.

R. S. 24:10-16 amended 1939, c. 185.

Article 7. Ice Cream and Other Frozen Products.

Note: For regulation of containers for ice cream and other frozen products, see 1941, c. 278.

R. S. 24:10-66 amended 1941, c. 42.

Article 12. (new) Goats Milk.

Additional Legislation.

Production, sale, etc., of goats milk regulated, 1938, c. 195.

Chapter 11. EGG BREAKING ESTABLISHMENTS.

Additional Legislation.

Eggs removed from incubators, distribution, etc., regulated, suppl., 1939, c. 116.

Chapter 17. VIOLATIONS; PENALTIES; RECOVERY.

R. S. 24:17–2 amended 1939, c. 320, s. 34.

Subtitle 2. NARCOTIC DRUGS.

Chapter 18. UNIFORM NARCOTIC DRUG LAW.

R. S. 24:18–2 amended 1938, c. 156, s. 1.

R. S. 24:18–7 " 1938, c. 156, s. 2.

R. S. 24:18–30 " 1938, c. 156, s. 3.

Title 26. HEALTH AND VITAL STATISTICS.

Note: For hospital service corporations and plans, regulated, see 1938, c. 366; for licensing of persons in charge of water purification or treatment and sewerage treatment plants and water supply systems, see 1938, c. 206; for production, etc., and sale of goats milk, regulated, see 1938, c. 195.

Chapter 2. STATE DEPARTMENT OF HEALTH.

Article 1. Organization and Departmental Personnel.

R. S. 26:2-2 amended 1939, c. 280, s. 1.

R. S. 26:2-3 " 1939, c. 280, s. 2.

Article 2. Powers and Duties.

I. FEDERAL GRANTS FOR PUBLIC HEALTH WORK, MATERNAL AND CHILD WELFARE.

R. S. 26:2-60 amended 1939, c. 378.

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., 1938, 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.

R. S. 26:2-74 (added) Payments and disposal of penalties, suppl., 1939, c. 261.

R. S. 26:2-75 (added) Jurisdiction of and institution of proceedings, suppl., 1939, c. 261.

R. S. 26:2-76 (added) Trial, suppl., 1939, c. 261.

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.

R. S. 26:2-79 (added) Form of judgment, suppl., 1939, c. 261.

R. S. 26:2-80 (added) Execution of process; recovery of costs; execution, suppl., 1939, c. 261.

K. (new) WEEDS DETRIMENTAL TO HEALTH.

Control of marihuana weed, 1939, c. 248.

Chapter 3. LOCAL BOARDS OF HEALTH.

R. S. 26:3-9 amended 1938, c. 105.

Article 6. (new) Regional Health Commissions.

Additional Legislation.

Associations to furnish public health services, 1938, c. 67.

Chapter 4. COMMUNICABLE DISEASES.

Article 3. Venereal Diseases.

Note: For test for syphilis before marriage license issued, see 1938, c. 126.

Additional Legislation.

Tests of pregnant women for syphilis; report on birth certificate; required, 1938, c. 41.

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.

Article 8. Biological Products and Laboratory Supplies.

Additional Legislation.

Free distribution of anti-pneumococcic serum, 1938, c. 24.

Title of above amended 1941, c. 424.

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 8. REGISTRATION OF VITAL STATISTICS.

Note: For report as to prenatal tests for syphilis required in birth and stillbirth certificates, see 1938, c. 41.

R. S. 26:8–16 amended 1941, c. 252.

R. S. 26:8–23 " 1941, c. 251.

R. S. 26:8–38 " 1941, c. 63.

R. S. 26:8–40.1 " 1940, c. 215.

R. S. 26:8–49 " 1938, c. 174, s. 1.

R. S. 26:8–51 " 1938, c. 174, s. 2.

Title 27. HIGHWAYS.

Subtitle 1. STATE HIGHWAY DEPARTMENT AND COMMISSIONER.

Chapter 1. CONSTITUTION AND GENERAL POWERS.

Additional Legislation.

Appointment, tenure, etc., of general solicitor to department, 1939, c. 75.

Subtitle 2. PUBLIC ROADS AND HIGHWAYS IN GENERAL.

Chapter 5A. (new) SUPERVISION OVER ROADS AND HIGHWAYS.

Federal military reservations, policing, etc., of roads by Federal Government; authorized, suppl., 1941, c. 312.

Subtitle 3. STATE HIGHWAYS.

Chapter 6. STATE HIGHWAY ROUTES.

R. S. 27:6-1	amended	1938, c. 17.
R. S. 27:6-1 (Route 31A)	"	1941, c. 105.
Route 2-N	added	1938, c. 269.
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.
Route 36	extended	1940, c. 95.
Route 38	"	1938, c. 51.
Route S-41	"	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.

Route 56 added 1938, c. 84; 1938, c. 177.

Route 100, S–100 Ocean County " 1938, c. 50.

Route 13–E " 1938, c. 238.

Route 18 " 1939, c. 243; amended 1941, c. 413.

Route 19 " 1939, c. 200.

Route 25A " 1939, c. 198.

Route 25B " 1939, c. 317.

Route 101 " 1939, c. 105.

Route Absecon Boulevard to Road 38 added 1941, c. 64.

Route Bayonne to Bayonne Naval Supply Base and Dry Dock added 1941, c. 32.

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.

Additional Legislation.

Renumbering of State Highway Routes by Commissioner, authorized, 1940, c. 184.

Chapter 7. ACQUISITION, CONSTRUCTION AND MAINTENANCE BY STATE.

Settlement of claims against counties, municipalities or corporations for share of cost of laying-out, etc., maintenance, etc., of State highways, 1938, c. 258.

Sec. 2 of above amended, 1939, c. 10.

Chapter 12. SALE OF LANDS.

R. S. 27:12–1 amended 1938, c. 407.

Subtitle 4. STATE AID ROADS.

Chapter 15. STATE AID TO MUNICIPALITIES.

R. S. 27:15–1 amended 1938, c. 427, s. 1.

R. S. 27:15–2 " 1938, c. 427, s. 2.

R. S. 27:15–4 " 1938, c. 427, s. 3.

R. S. 27:15–7 " 1938, c. 403.

R. S. 27:15–10 " 1940, c. 218.

Additional Legislation.

"Unimproved roads" defined, 1938, c. 362.

Diversion, moneys appropriated for maintenance, roads and streets, to new construction, reconstruction, etc.; towns, townships and boroughs in first class counties, 1939, c. 380.

Subtitle 5. COUNTY AND MUNICIPAL ROADS.

Chapter 19. COUNTY BRIDGES AND VIADUCTS.

R. S. 27:19–33 amended 1941, c. 71.

Title 29. HOTELS.

Chapter 4. (new) REGULATION IN GENERAL.

Tourist and trailer camps and overnight lodging places regulated, 1939, c. 254.

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.

Subtitle 1. STATE DEPARTMENT AND INSTITUTIONS GOVERNED THEREBY.

Chapter 2. APPROPRIATIONS.

R. S. 30:2–1 amended 1938, c. 275.

Chapter 4. MANAGEMENT, CONTROL AND OPERATION OF INSTITUTIONS IN GENERAL.

Article 3. Commitment and Admission.

R. S. 30:4–26.1 amended 1941, c. 353.

R. S. 30:4–48 " 1940, c. 144.

R. S. 30:4–67 " 1939, c. 259.

Additional Legislation.

Deposit, etc., of funds of inmates of State institutions, regulated, suppl., 1938, c. 380.

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, suppl., 1938, c. 239.

Article 12. Particular Institutions.

R. S. 30:4–157.4 amended 1939, c. 301.

R. S. 30:4–159 " 1940, c. 143.

Subtitle 2. STATE BOARD OF CHILDREN'S GUARDIANS.

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 amended 1938, c. 161, s. 1; 1940, c. 118.

R. S. 30:5–4 " 1939, c. 245.

Additional Legislation.

Guardianship of the State Board of Children's Guardians, defined and regulated, 1938, c. 160.

Article 2. Assistance to Indigent, Etc., Children Becoming a Public Charge in General.

R. S. 30:5–9 amended 1939, c. 377, s. 1.

Article 4. Home Life of Dependent Children.

R. S. 30:5–33 amended 1938, c. 161, s. 2; 1938, c. 400; 1939, c. 377, s. 2.

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.

R. S. 30:5–43 " 1938, c. 161, s. 4.

R. S. 30:5–44 " 1938, c. 161, s. 5.

Article 5. (new) Unclaimed Funds, etc.

Additional Legislation.

Disposition of moneys held for payment of uncashed checks issued by State Board of Children's Guardians, regulated, 1939, c. 213.

Subtitle 3. BLIND, DEAF AND DUMB AND FEEBLE-MINDED PERSONS.

Chapter 6. RELIEF OF BLIND, DEAF AND DUMB AND FEEBLE-MINDED.

R. S. 30:6–3 amended 1939, c. 160, s. 1.

R. S. 30:6–5 " 1939, c. 160, s. 2.

R. S. 30:6–10 " 1939, c. 160, s. 3.

Additional Legislation.

Operation of stands in public buildings, by the blind, under supervision of New Jersey State Commission for Blind, 1938, c. 349.

Subtitle 4. SOLDIERS' HOMES.

Chapter 6A. HOMES FOR DISABLED SOLDIERS, SAILORS AND MARINES AND THEIR WIVES AND WIDOWS.

R. S. 30:6A–3 amended 1938, c. 184.

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.

Chapter 8. PENAL INSTITUTIONS.

Additional Legislation.

Compensation of guards, keepers and industrial officers in jails, detention houses and penitentiaries; first class counties, 1938, c. 54.

Title of above amended 1940, c. 134, s. 1.

Sec. 1 of above amended 1940, c. 134, s. 2.

Chapter 9. ASYLUMS AND HOSPITALS.

Note: For acquisition, improvement, etc., of lands by counties for hospital purposes, see 1940, c. 33.

Article 1. County Asylums and Hospitals.

R. S. 30:9–4 amended 1940, c. 7, s. 1.

R. S. 30:9–5 " 1940, c. 7, s. 2.

Additional Legislation.

Stores at county insane hospitals, maintenance, use of funds, etc., suppl., 1941, c. 37.

Article 2. City and Municipal Hospitals in General.

R. S. 30:9–19 amended 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.

Article 3. Maternity Hospitals.

R. S. 30:9–24 amended 1938, c. 425; 1939, c. 340.

Article 4. Institutions for Communicable Diseases.

Additional Legislation.

Use of tuberculosis hospital, etc., for examinations of school pupils, suppl., 1941, c. 219.

Title 32. INTERSTATE AND PORT AUTHORITIES AND COMMISSIONS.

Subtitle 1. THE PORT OF NEW YORK AUTHORITY.

Chapter 2. OTHER LAWS RELATING TO THE PORT OF NEW YORK AUTHORITY.

Additional Legislation.

Procedure upon sale of real estate; prior conveyances ratified, 1939, c. 35.

Series F and FF Bonds, etc., legal investments, 1939, c. 189.

Subtitle 2. DELAWARE RIVER JOINT COMMISSION [CAMDEN-PHILADELPHIA BRIDGE].

Chapter 3. COMPACT.

R. S. 32:3–12 1931, c. 391, Art. XI amended 1941, c. 336.

Subtitle 5. COUNTY INTERSTATE BRIDGES AND TUNNELS.

Chapter 13A. GLOUCESTER COUNTY TUNNEL.

R. S. 32:13A–14 amended 1939, c. 84, s. 1; c. 158, s. 1.

R. S. 32:13A–15 " 1939, c. 84, s. 2; c. 158, s. 2.

Additional Legislation.

Contract with Delaware County-Pennsylvania Authority for construction, operation and maintenance of tunnel and issuance of bonds, 1938, c. 379.

Chapter 13B. (new) CAPE MAY COUNTY FERRY.

Cape May County Ferry Act, 1938, c. 426.

Title of above amended 1941, c. 74, s. 1.

Sec. 3 " " " 1941, c. 74, s. 2.

Sec. 6 " " " 1941, c. 74, s. 3.

Sec. 7 " " " 1941, c. 74, s. 4.

Sec. 8 " " " 1941, c. 74, s. 5.

Sec. 12 " " " 1941, c. 74, s. 6.

Sec. 14 " " " 1941, c. 74, s. 7.

Sec. 15 " " " 1941, c. 74, s. 8.

Subtitle 6. PALISADES INTERSTATE PARK.

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 " 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.
R. S. 32:14–13.2 " 1939, c. 191, s. 14.
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.
R. S. 32:14–21 " 1939, c. 191, s. 22.
R. S. 32:14–23 " 1939, c. 191, s. 23.
R. S. 32:14–25 " 1939, c. 191, s. 24.
R. S. 32:14–26 " 1939, c. 191, s. 25.
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.
R. S. 32:16-6 " 1939, c. 191, s. 39.
R. S. 32:16-7 " 1939, c. 191, s. 40.

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, 1939, c. 146.

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.

Title 33. INTOXICATING LIQUORS.

Chapter 1. ALCOHOLIC BEVERAGE LAW.

R. S. 33:1-2 amended 1938, c. 79.

R. S. 33:1-10 " 1938, c. 30; 1938, c. 296; 1938, c. 429; 1939, c. 235; 1940, c. 83.

R. S. 33:1-12.1 " 1941, c. 230.

R. S. 33:1-21 " 1938, c. 209.

R. S. 33:1-25 " 1941, c. 97.

R. S. 33:1-26 " 1938, c. 297; 1941, c. 295; 1941, c. 405.

R. S. 33:1-31.2 " 1938, c. 350.

R. S. 33:1-43 " 1938, c. 147; 1939, c. 225, 1940, c. 234.

R. S. 33:1-77 " 1939, c. 228.

Additional Legislation.

Alcohol, sale and possession of, regulated, suppl., 1939, c. 173.

Class A and B licensees, sales, etc., to voluntary army and navy organizations; authorized, suppl., 1941, c. 326.

Discrimination in sale to retailers of alcoholic beverages other than malt beverages, prohibited, suppl., 1939, c. 87.

Fair trade agreements as to dealings in alcoholic beverages, enforcement of by Commissioner, suppl., 1938, c. 208.

Illicit beverages, presumption, suppl., 1939, c. 177.

Licensees not to limit amount of off premises sales; to post notice of disposal of stock of advertised brands, suppl., 1939, c. 171.

Licenses effective on expiration of license previously issued, renewals, suppl., 1939, c. 281.

Licenses, limitation of number; sixth class counties, suppl., 1939, c. 61.

Municipal excise commissions; establishment, powers, etc.; certain municipalities, suppl., 1940, c. 63.

Municipal regulations as to retail trade, Sunday selling and license fees to be by ordinance only, except in sixth class counties, suppl., 1939, c. 234.

Chapter 3. OTHER LAWS RELATING TO INTOXICATING LIQUORS.

R. S. 33:3-1 to 33:3-8 repealed 1938, c. 285.

Title 34. LABOR AND WORKMEN'S COMPENSATION.

Chapter 1. ORGANIZATION OF DEPARTMENT OF LABOR.

Note: For Deputy Commissioner of Compensation, civil service status, see 1939, c. 111; for regulation of issuance of injunctions in labor disputes, see 1941, c. 15.

Additional Legislation.

Division of deaf; creation, powers, duties, etc., suppl., 1941, c. 197.

Chapter 2. CHILD AND FEMALE LABOR; MERCANTILE ESTABLISHMENTS.

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.

Sec. 3 of above amended 1941, c. 139, s. 1.

Sec. 17 " " " 1941, c. 139, s. 2.

Chapter 6. INSPECTION AND REGULATION OF FACTORIES, MINES, WORKSHOPS AND OTHER INDUSTRIES.

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.

Title of above amended 1941, c. 264.

Industrial Homework Control and Licensing Law, 1941, c. 308.

Chapter 11. WAGES.

R. S. 34:11-4 amended 1941, c. 415, s. 1.

R. S. 34:11-6 " 1941, c. 415, s. 2.

R. S. 34:11-34 " 1941, c. 321, s. 1.

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.

Chapter 13A. (new) NEW JERSEY LABOR MEDIATION ACT.

Mediation of labor disputes regulated, 1941, c. 100.

Sec. 3 of above amended 1941, c. 299.

Chapter 15. WORKMEN'S COMPENSATION.

R. S. 34:15–10 amended 1940, c. 176.

R. S. 34:15–12v " 1939, c. 287.

R. S. 34:15–13(i) " 1938, c. 36.

R. S. 34:15–31 " 1938, c. 419.

R. S. 34:15–49 " 1941, c. 194.

R. S. 34:15–60 " 1939, c. 291.

R. S. 34:15–63 " 1941, c. 167.

R. S. 34:15–74 " 1940, c. 108.

R. S. 34:15–79 " 1938, c. 130.

R. S. 34:15–87 " 1939, c. 68.

R. S. 34:15–94 " 1938, c. 198, s. 1.

R. S. 34:15–95 " 1938, c. 198, s. 2; 1940, c. 133, ss. 1, 3.

R. S. 34:15–115 " 1941, c. 85.

Additional Legislation.

Application for benefits, hearing, decision, review, suppl., 1938, c. 198, s. 3, amended 1940, c. 133, s. 2.

Chapter 16. REHABILITATION.

Additional Legislation.

Vocational examiners, additional, appointment, etc., 1941, c. 155.

Chapter 18. (new) DEPOSITS BY EMPLOYEES WITH EMPLOYER.

Deposits of moneys, etc., by employee with employer to insure performance of duties, trust funds; remedies, etc., 1939, c. 117.

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.

R. S. 35:1–2.2 " 1938, c. 328; 1941, c. 147, s. 2; 1941, c. 409, s. 2.

Title 36. LEGAL HOLIDAYS.

Chapter 1. LEGAL HOLIDAYS AND EFFECT THEREOF.

R. S. 36:1–1 amended 1938, c. 115; 1940, c. 85.

Title 37. MARRIAGES AND MARRIED PERSONS.

Chapter 1. MARRIAGES.

Article 2. Marriage Licenses.

R. S. 37:1–7 amended 1941, c. 354.

R. S. 37:1–10 " 1939, c. 227.

Article 4. (new) Blood Tests.

Additional Legislation.

Test for syphilis before marriage license issued, 1938, c. 126.

Sec. 7 of above amended 1941, c. 427.

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.

Chapter 2. DEPARTMENTS.

R. S. 38:2–2 amended 1941, c. 109, s. 2.
R. S. 38:2–8 " 1941, c. 109, s. 3.
R. S. 38:2–15 " 1941, c. 109, s. 4.

Chapter 3. NATIONAL GUARD.

R. S. 38:3–3 amended 1939, c. 95, s. 1.
R. S. 38:3–4 " 1939, c. 95, s. 2.
R. S. 38:3–12 " 1939, c. 95, s. 3.
R. S. 38:3–23 " 1939, c. 95, s. 4.
R. S. 38:3–30 " 1939, c. 95, s. 5.
R. S. 38:3–36 " 1939, c. 95, s. 6.

Additional Legislation.

Retirement of enlisted men for age; assignment to duty, suppl., 1939, c. 95, s. 9.

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.

Commissioned and warrant officers, pay and allowances regulated, suppl., 1941, c. 109, s. 13.

Enlisted men, pay and allowances; regulated, suppl., 1941, c. 109, s. 14.

Limitation of service, suppl., 1941, c. 109, s. 15.

Exemption of members from posse comitatus and jury duty, suppl., 1941, c. 109, s. 16.

Facilities which may be made available by State, counties, municipalities, etc., suppl., 1941, c. 109, s. 17.

Chapter 7. STATE MILITARY BOARD.

R. S. 38:7–1 amended 1941, c. 109, s. 18.

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. 38:12–8 " 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.

Chapter 14A. (new) MILITARY FORCES FRESH PURSUIT ACT (1941).

Military Forces Fresh Pursuit Act (1941), 1941, c. 115.

Subtitle 2. SOLDIERS, SAILORS AND MARINES.

Note: For sales, etc., of alcoholic beverages to voluntary army and navy organizations, authorized, see 1941, c. 326; for exemption of same from taxation, see 1941, c. 327.

Chapter 16. TENURE OF OFFICE.

Note: For civil service status of persons having tenure under this chapter, see 1941, c. 91.

Chapter 17. BURIAL OF DECEASED SOLDIERS, SAILORS, MARINES AND NURSES.

R. S. 38:17–7 amended 1939, c. 24, s. 1.

R. S. 38:17–8 " 1939, c. 24, s. 2.

Chapter 23. LEAVE OF ABSENCE FROM PUBLIC EMPLOYMENT.

R. S. 38:23–2 amended 1940, c. 25.

Additional Legislation.

Leave of absence of State, county, municipal, school district, etc., employees for military service, made obligatory, 1941, c. 119.

Chapter 23A. (new) SPECIAL PRIVILEGES AND EXEMPTIONS OF PERSONS IN MILITARY AND NAVAL SERVICE.

Oaths, affidavits, acknowledgments, proofs, etc., by persons in military service, taking before commissioned officers; authorized, 1941, c. 333.

Chapter 25A. (new) SOUVENIRS, INSIGNIA AND EMBLEMS.

Designation of State souvenir of deceased veterans of the World War; sales regulated, 1938, c. 207.

Designation of State souvenir of Disabled American Veterans of the World War; sales regulated, 1939, c. 135.

Title 39. MOTOR VEHICLES AND TRAFFIC REGULATION.

Subtitle 1. MOTOR VEHICLE AND TRAFFIC LAWS.

Chapter 2. DEPARTMENT OF MOTOR VEHICLES.

R. S. 39:2-6 amended 1941, c. 178.

Chapter 3. MOTOR VEHICLES.

Article 2. Registration and Licensing.

R. S. 39:3-4 amended 1938, c. 66, s. 1; 1940, c. 246, s. 1.

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.

R. S. 39:3-10.1 " 1938, c. 49; 1938, c. 66, s. 4.

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. 39:3-22 " 1938, c. 66, s. 6.

R. S. 39:3-24 " 1938, c. 66, s. 7.

R. S. 39:3-26 " 1938, c. 66, s. 8.

R. S. 39:3-40 " 1941, c. 344.

R. S. 39:3-41 " 1941, c. 341.

Additional Legislation.

Farm machinery or implements, special licenses to transport, suppl., 1941, c. 31.

Article 3. Equipment.

R. S. 39:3-59 amended 1941, c. 342.

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.

Article 7. (new) General Penalties.

Additional Legislation.

Penalty for violations of chapter for which no specific penalty prescribed, suppl., 1941, c. 343.

Chapter 4. TRAFFIC REGULATION.

Note: For report of injury to certain animals required, see 1939, c. 315.

Article 2. General Powers and Duties of Commissioner.

Additional Legislation.

Exchange of information between States concerning certain violations by nonresidents, 1938, c. 360.

Article 5. Machinery, Vehicles or Apparatus of Unusual Size or Weight.

R. S. 39:4–26 amended 1941, c. 260, s. 1.

R. S. 39:4–27 " 1941, c. 260. s. 2.

R. S. 39:4–30 " 1941, c. 257.

Article 6. Pedestrians.

Additional Legislation.

Right of way of blind persons crossing highway or intersection, 1939, c. 274.

Article 12. Speed.

R. S. 39:4–98 amended 1939, c. 211.

Article 14. Turns, Hand Signals, Starting and Stopping.

R. S. 39:4–128 amended 1938, c. 164, s. 1; 1941, c. 260, s. 3.

Article 15. Accidents and Reports.

R. S. 39:4–129 amended 1940, c. 147.

Article 17. Through Streets.

R. S. 39:4–141 amended 1941, c. 345, s. 1.

Article 18. Signs.

Note: For highway and traffic signs, regulation of, see 1941, c. 345.

R. S. 39:4–146 to 39:4–183 repealed 1941, c. 345, s. 26.

New Jersey State Library

Article 18A. (new) Highway and Traffic Signs.

Additional Legislation.

Highway and traffic signs, regulation of, suppl., 1941, c. 345.

Chapter 5. ENFORCEMENT AND PROCEDURE.

R. S. 39:5–1 amended 1938, c. 164, s. 2.

R. S. 39:5–2 " 1939, c. 216, s. 1.

R. S. 39:5–3 " 1940, c. 212.

R. S. 39:5–25 " 1940, c. 139.

R. S. 39:5–30 " 1939, c. 216, s. 2.

R. S. 39:5–40 " 1938, c. 75, s. 1.

R. S. 39:5–41 " 1938, c. 75, s. 2.

R. S. 39:5–42 " 1941, c. 60.

Subtitle 2. OTHER LAWS REGULATING MOTOR VEHICLES.

Note: For insurance of financed motor vehicles, policy-forms, etc., see 1939, c. 74.

Chapter 6. FINANCIAL RESPONSIBILITY.

R. S. 39:6–1 amended 1941, c. 296, s. 1.

R. S. 39:6–5 " 1941, c. 296, s. 2.

Chapter 7. SERVICE OF PROCESS UPON NONRESIDENTS.

R. S. 39:7–2 amended 1941, c. 262.

Chapter 10. PURCHASE, SALE AND TRANSFER OF MOTOR VEHICLES.

R. S. 39:10–10 amended 1939, c. 270, s. 1.

R. S. 39:10–11 " 1939, c. 270, s. 2.

R. S. 39:10–19 " 1940, c. 75.

Title 40. MUNICIPALITIES AND COUNTIES.

Subtitle 1. COUNTIES AND MUNICIPALITIES, GENERALLY.

Note: For supervision of State Department of Local Government over certain municipalities, see 1938, c. 127; 1938, c. 158; 1938, c. 159.

Chapter 1. BONDS AND OTHER OBLIGATIONS.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158: for personnel and powers of Funding Commission, see 1938, c. 158; for transfer of powers and duties of Funding Commission to State Department of Local Government, see 1939, c. 384.

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.

R. S. 40:1-11	amended 1940, c. 159.
R. S. 40:1-12	" 1940, c. 190.
R. S. 40:1-16	" 1938, c. 383; 1940, c. 16; 1940, c. 262, §1.
R. S. 40:1-16.1 (added)	Computation of borrowing power defined under R. S. 40:1-16 d, 1940, c. 262, s. 2.
R. S. 40:1-29	amended 1941, c. 304, s. 1.
R. S. 40:1-43	" 1941, c. 90.
R. S. 40:1-57	" 1939, c. 4; 1939, c. 310, s. 1; 1941, c. 304, s. 2.
R. S. 40:1-57.1	repealed 1939, c. 310, s. 2.
R. S. 40:1-61 to 40:1-74	supplemented, bond resolution or ordinance; contents, 1939, c. 373.
R. S. 40:1-63	amended 1940, c. 250.
R. S. 40:1-62 to 40:1-73	see 1939, c. 384, post.
R. S. 40:1-76	amended 1939, c. 334.
R. S. 40:1-77	" 1939, c. 333.
R. S. 40:1-79	" 1938, c. 404.

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.

Purchase and retirement of bonds by counties and municipalities authorized, 1940, c. 240.

Municipal bond ordinance to finance acquisition of lands for airport, exception to R. S. 40:1-15, suppl., 1941, c. 8.

Article 3. Covenants in Certain Sewer Bonds.

R. S. 40:1-90 amended 1939, c. 176.

Chapter 2. COUNTY AND MUNICIPAL BUDGETS.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158; for separate budgets in cities operating radio broadcasting stations and municipal convention halls, see 1939, c. 304; for diversion, road and street moneys, from maintenance to new construction, etc.; towns, townships and boroughs in first class counties, see 1939, c. 380; for penalty for exceeding appropriations or limits of expenditures, see 1939, c. 387, s. 2; for extension of time for operation on full cash basis, see 1939, c. 33, s. 2, amended 1940, c. 9.

Article 1. General Provisions; Application and Construction.

R. S. 40:2-2 amended 1938, c. 128, s. 1.

Article 2. Adoption; Effect.

R. S. 40:2-6 amended 1939, c. 396, s. 1.

R. S. 40:2-7 " 1939, c. 396, s. 2; 1941, c. 237.

R. S. 40:2-8 " 1939, c. 396, s. 3.

R. S. 40:2-10 " 1939, c. 396, s. 4.

R. S. 40:2-12 " 1939, c. 1.

Additional Legislation.

Debt service for school indebtedness deducted from municipal and added to school budget; certain municipalities, suppl., 1939, c. 32.

Article 3. Form and Content.

R. S. 40:2-17 amended 1941, c.. 10.

R. S. 40:2-18 " 1939, c. 396, s. 5.

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.

R. S. 40:2-23 " 1938, c. 23.

R. S. 40:2-25 " 1939, c. 7.

R. S. 40:2-28 see 1939, c. 7.

Additional Legislation.

Use of cash surpluses as anticipated miscellaneous revenue in budget, 1938, c. 25.

Article 4. Operation Under Budget.

R. S. 40:2-30 amended 1939, c. 36.

R. S. 40:2-31 " 1938, c. 128, s. 4; 1939, c. 23.

Additional Legislation.

Projects abandoned by Federal agency; transfer of municipal or county appropriations to complete and completion authorized, suppl., 1941, c. 330.

Article 5. Borrowing.

Additional Legislation.

Miscellaneous revenue notes by municipalities in anticipation of franchise and gross receipts taxes, authorized, 1940, c. 245.

Article 6. Action by State Auditor.

R. S. 40:2-52 amended 1938, c. 128, s. 6.

R. S. 40:2-53 " 1938, c. 128, s. 7; 1939, c. 396, s. 6.

R. S. 40:2-54 " 1938, c. 128, s. 8.

R. S. 40:2-55 " 1938, c. 128, s. 9.

Article 8. (new) Modification of Budgets.

Additional Legislation.

R. S. 40:2-60 (added)

Alteration of county and municipal budgets, suppl., 1938, c. 2; 1938, c. 6.

Article 9. (new) Capital Budgets.

Additional Legislation.

Capital budgets, suppl., 1938, c. 128, s. 5.

Chapter 3. SINKING FUNDS AND SINKING FUND COMMISSIONERS, IN COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158; for shares of building and loan associations insured under "National Housing Act"; legal investments, see 1940, c. 60.

Chapter 4. AUDITS AND AUDITORS.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158; for additional provisions concerning fiscal administration in Local Governments, see 1938, c. 159.

Chapter 5. PUBLIC MONEYS AND FINANCIAL STATEMENTS.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158.

R. S. 40:5–2 amended 1941, c. 236.

Additional Legislation.

Appropriations for loss by conflagration, by counties, municipalities, etc., notes, etc., 1941, c. 48.

Chapter 9. LANDS AND BUILDINGS.

Note: For authorization of maintenance of stands in public buildings by blind, see 1938, c. 349.

Chapter 11. OFFICERS AND EMPLOYEES.

Note: For additional legislation dealing with discrimination against applicants for employment, for age, see 1938, c. 295; for leave of absence for county and municipal employees for military service, see 1941, c. 119.

R. S. 40:11–4 amended 1938, c. 336.

R. S. 40:11–13 " 1938, c. 80.

Additional Legislation.

Effect of 1940 census and reclassification of counties on salaries, number of employees, pensions, etc., 1940, c. 181.

Promotion of policemen, prohibited, until after three years' service, certain cases, 1940, c. 20.

Subtitle 2. COUNTIES.

Part 1. COUNTIES, GENERALLY.

Chapter 17. CLASSIFICATION.

R. S. 40:17–2 amended 1939, c. 150.

Chapter 18. INCORPORATION; BOUNDARIES; ANNEXATION.

Additional Legislation.

Boundary between Camden, Atlantic and Gloucester Counties fixed, 1938, c. 176; boundary between Monmouth and Middlesex Counties changed, 1939, c. 244.

Chapter 21. OFFICERS AND EMPLOYEES.

Note: For legislation dealing with discrimination against applicants for employment, for age, see 1938, c. 295; 1938, c. 336.

R. S. 40:21–60 amended 1938, c. 268.

Additional Legislation.

Tenure of office for superintendents, child welfare, 1939, c. 224.

Chapter 22. FIRE AND POLICE.

Note: For promotion of policemen, prohibited, until after three years' service; certain cases, see 1940, c. 20.

R. S. 40:22–16 amended 1941, c. 127.

Additional Legislation.

Acting fire marshal, appointment, powers, etc.; second, third, fifth class counties, suppl., 1940, c. 157.

Chapter 23. GENERAL POWERS.

Note: For completion of projects abandoned by Federal agency by county alone; authorized, see 1941, c. 330.

R. S. 40:23–6.1 amended 1938, c. 33.

Additional Legislation.

Children's summer camps; establishment and maintenance, suppl., 1940, c. 24.

Appropriations by certain counties for junior colleges authorized and validated, 1941, c. 43.

Chapter 25. CONTRACTS.

R. S. 40:25–2 amended 1938, c. 167.

Chapter 32. LANDS AND BUILDINGS.

Note: For authorization of maintenance of stands in public buildings by blind, see 1938, c. 349.

Additional Legislation.

Acquisition, improvement, etc., of lands by counties for park, public welfare and hospital purposes, 1940, c. 33.

Chapter 37. COUNTY PARKS.

Note: For acquisition, improvement, etc., of lands by counties for park purposes, see 1940, c. 33.

Article 5. County Parks Established by Referendum.

C. COUNTIES OF MORE THAN 200,000; COMMISSIONERS APPOINTED BY SUPREME COURT JUSTICE.

R. S. 40:37-145 amended 1940, c. 50.

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.

Additional Legislation.

Appropriations for county parks by board of freeholders, 1939, c. 133.

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.

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.

Chapter 38. COUNTY CLERKS.

Additional Legislation.

Tenure of office of deputy county clerks and deputy surrogates; second class counties, 1939, c. 223.

Chapter 41. SHERIFFS AND CONSTABLES.

Note: For reports of information as to criminal proceedings, etc., see 1939, c. 78.

Subtitle 3. MUNICIPALITIES GENERALLY.

Chapter 43. INCORPORATION; NEWLY CREATED MUNICIPALITIES; ANNEXATION; CONSOLIDATION; BOUNDARIES.

Article 5. Annexation.

Additional Legislation.

Annexation of part of boundary street, suppl., 1939, c. 46.

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 " 1939, c. 343, s. 39.

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.

Local Units Permissive Consolidation Act, 1939, c. 343.

Chapter 46. OFFICERS AND EMPLOYEES.

Note: For legislation dealing with discrimination against applicant for employment, for age, see 1938, c. 295; 1938, c. 336; for effect of 1940 census and reclassification of counties on salaries, number of employees, pensions, etc., see 1940, c. 181; 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.

Article 2. Eligibility to Office.

R. S. 40:46–5 amended 1938, c. 149 (title amended 1941, c. 265).

Article 3. Terms and Tenure of Office.

Additional Legislation.

Term of office of tax assessors, 1938, c. 386.

Article 5. Oaths and Bonds.

R. S. 40:46–20 amended 1940, c. 257, s. 14.

Article 6. Salaries and Other Compensation.

R. S. 40:46–27 amended 1941, c. 144.

Additional Legislation.

Method of fixing compensation of employees; certain municipalities, 1939, c. 286.

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.

Chapter 47. FIRE AND POLICE.

Article 1. Fire and Police Departments.

R. S. 40:47–4 amended 1939, c. 318.

Additional Legislation.

Appeal for members, police and fire departments, not under civil service, convicted of violation of rules and regulations, suppl., 1938, c. 298.

Assistance by municipal police or fire department to other municipalities, in emergency; authorized; members' pension and compensation rights saved, suppl., 1941, c. 277.

Article 2. Police Departments Only.

Note: For promotion of policemen, prohibited, until after three years' service; certain cases, see 1940, c. 20.

R. S. 40:47–16 amended 1941, c. 340.

Article 3. Fire Departments Only.

B. VOLUNTEER COMPANIES.

Note: For appointments to paid fire departments from volunteer departments, see 1938, c. 131.

R. S. 40:47–27 amended 1941, c. 140.

R. S. 40:47–29 " 1938, c. 257.

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.

E. EXEMPT FIREMEN.

Additional Legislation.

Tenure of office of exempt firemen, 1938, c. 385.

F. (new) JOINT FIRE SERVICE BY MUNICIPALITIES.

Contract for mutual emergency aid in extinguishing fires; two or more municipalities, 1938, c. 260.

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.

Additional Legislation.

Ordinances regulating opening and closing of beauty parlors, 1938, c. 249.

Transfers to boards of education of certain surplus revenues or anticipated receipts, unappropriated, authorized, 1941, c. 14, s. 1.

Chapter 50. CONTRACTS.

R. S. 40:50–6 amended 1941, c. 189.

Chapter 52. LICENSES.

Note: For licenses to sell, etc., alcoholic liquors, see Title 33, chapter 1, supra.

R. S. 40:52–1 amended 1941, c. 92.

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.

Chapter 54. LIBRARIES AND READING ROOMS.

R. S. 40:54–35 amended 1938, c. 68; 1941, c. 199.

Additional Legislation.

Free public libraries, investment of funds in "tax anticipation notes" of municipality, authorized, suppl., 1941, c. 67.

Chapter 56. LOCAL AND OTHER IMPROVEMENTS; CONDEMNATION; ASSESSMENTS, DAMAGES AND APPEALS.

R. S. 40:56–1 amended 1938, c. 229.

R. S. 40:56–3 " 1941, c. 242.

Chapter 60. PUBLIC LANDS AND BUILDINGS.

Note: For maintenance of stands by blind in public buildings, see 1938, c. 349; 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.

Article 1. Acquisition.

R. S. 40:60–3 amended 1940, c. 140.

R. S. 40:60–25 " 1941, c. 33.

Article 2. Sale or Other Disposition.

R. S. 40:60–26 amended 1938, c. 300; 1939, c. 66; 1939, c. 344.

Additional Legislation.

Lease of lands, etc., to associations of exempt firemen, 1940, c. 145.

Park or beach-front lands; retention, change of use or reconveyance, etc.; referendum, suppl., 1940, c. 156.

Restricted lands, referendum as to retention, conveyance, waiver of restrictions, etc.; authorized, suppl., 1941, c. 104.

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.

Chapter 61. PUBLIC PARKS AND PLAYGROUNDS.

Additional Legislation.

Sale or lease of park lands; certain municipalities, 1938, c. 87.

Title of above amended, 1938, c. 203, s. 1.

Sec. 1 " " " 1938, c. 203, s. 2.

Chapter 62. PUBLIC UTILITIES MUNICIPALLY OWNED.

Note: For licensees to operate water systems; under tenure, see 1941, c. 234.

R. S. 40:62–6 amended 1941, c. 412.

R. S. 40:62–28 " 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.

R. S. 40:62–54 " 1938, c. 377.

R. S. 40:62–102 " 1938, c. 253.

R. S. 40:62–122.1 1936, c. 38, s. 2, amended 1941, c. 173.

R. S. 40:62–126 amended 1940, c. 179.

Additional Legislation.

Separate budgets for convention halls and broadcasting stations, suppl., 1939, c. 304.

Chapter 63. SEWERS, DRAINS AND DISPOSAL PLANTS.

Note: For licensees to operate sewage disposal or treatment plants under tenure, see 1941, c. 234.

Chapter 65. SIDEWALKS.

Additional Legislation.

Curbs, repair or reconstruction at public expense, conditions prescribed, suppl., 1941, c. 208.

Sidewalks, repair or reconstruction at public expense, conditions prescribed, suppl., 1941, c. 207.

Chapter 68. WATER FRONT IMPROVEMENTS.

Note: For reclamation of lowlands as local improvement, see 1938, c. 229.

Article 3. (new) Harbor Commission.

Additional Legislation.

Local harbor and water-front commission; creation, powers, etc., suppl., 1940, c. 161.

Subtitle 4. COMMISSION FORM OF GOVERNMENT.

Part 1. MUNICIPALITIES GOVERNED BY COMMISSION GOVERNMENT, GENERALLY.

Chapter 72. COMMISSIONERS.

R. S. 40:72–1 amended 1941, c. 359.

Chapter 75. ELECTION OF COMMISSIONERS.

R. S. 40:75–3 amended 1941, c. 29.

R. S. 40:75–9 " 1938, c. 287.

Additional Legislation.

Registration day for municipal election; certain commission governed municipalities, suppl., 1940, c. 44.

Subtitle 5. MUNICIPALITIES GOVERNED BY MUNICIPAL COUNCIL AND MUNICIPAL MANAGER.

Chapter 81. MUNICIPAL COUNCIL.

R. S. 40:81–1 amended 1940, c. 223.

R. S. 40:81–2 " 1940, c. 224.

Subtitle 6. BOROUGHS.

Note: For diversion, road and street moneys, from maintenance to new construction, etc.; boroughs; first class counties, see 1939, c. 380.

Chapter 87. OFFICERS.

R. S. 40:87–32 amended 1941, c. 414, s. 1.

R. S. 40:87–33 " 1941, c. 414, s. 2.

R. S. 40:87–34 " 1941, c. 414, s. 3.

R. S. 40:87–35 " 1941, c. 414, s. 4.

R. S. 40:87–36 " 1941, c. 414, s. 5.

Additional Legislation.

Marshals under civil service and members police department; certain boroughs, 1939, c. 285.

Chief of police to take complaints, issue process and hold to bail, 1939, c. 306.

Subtitle 7. CAMP MEETING AND SEASIDE ASSOCIATIONS AND RESORTS.

Part 2. CAMP MEETING ASSOCIATIONS.

Chapter 97. GENERAL POWERS.

Additional Legislation.

Limitation of action against persons claiming certain rights, etc., in lands in highways vacated by associations, 1939, c. 182.

Chapter 101. FIRE DISTRICTS.

R. S. 40:101-6 amended 1939, c. 181.

Subtitle 8. CITY REFERENDUM CHARTER ACTS.

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 10. TOWNS.

Note: For diversion, road and street moneys, from maintenance to new construction, etc.; towns; first class counties, see 1939, c. 380.

Subtitle 11. TOWNSHIPS.

Note: For preparation and use of tax maps in townships authorized, see 1939, c. 167; for diversion, road and street moneys, from maintenance to new construction, etc.; townships; first class counties, see 1939, c. 380.

Chapter 145. OFFICERS.

R. S. 40:145-5 repealed 1941, c. 226.

Chapter 146. TOWNSHIP COMMITTEE.

R. S. 40:146-8 amended 1938, c. 344.

Additional Legislation.

Election of chairman, quorum, annual meeting, 1938, c. 65.

Preparation and use of tax maps, 1939, c. 167.

Chapter 148. FINANCES.

Note: For transfers of certain surplus revenues or anticipated receipts to boards of education; authorized, see 1941, c. 14.

R. S. 40:148-4 repealed 1941, c. 14, s. 2.

Chapter 154. SEWERAGE DISTRICTS.

R. S. 40:154–1 1909, c. 269 (ss. 1 to 5, 8, 10, 11, 13, 14, 16) amended and supplemented, 1940, c. 46.

Chapter 156A. (new) TOWNSHIPS CONTAINING POLITICAL SUBDIVISIONS.

Township-Service Areas Act (1941), 1941, c. 332.

Subtitle 13. CITIES (COMPILATION).

Chapter 171. OFFICERS.

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.

R. S. 40:171–174 1889, c. 102, s. 1, amended 1938, c. 324.

Chapter 174. FIRE AND POLICE.

R. S. 40:174–147A (added) Promotion from any rank to next higher rank; police departments; first class cities, 1938, c. 410.

Chapter 186. FINANCES.

R. S. 40:186–15 1919, c. 14, s. 1; amended 1941, c. 25.

Chapter 190. INDUSTRIAL COMMISSION.

Note: For legislation authorizing creation, etc., of Industrial Commissions in Cities Generally, see 1936, c. 184, as amended by 1939, c. 236, under Article 1 of this chapter.

Article 1. Cities of First Class.

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 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; for oaths, affirmations, affidavits and proofs of instruments by persons in military or naval service; taking before commissioned officer, authorized, see 1941, c. 333.

Additional Legislation.

Certain oaths in criminal matters taken by county detectives and prosecutors investigators, suppl., 1939, c. 276.

Title 43. PENSIONS AND RETIREMENT AND UNEMPLOYMENT COMPENSATION.

Note: For shares of building and loan associations insured under "National Housing Act" made legal investments for pension funds, see 1940, c. 60; for effect of 1940 census and reclassification of counties on county and municipal pensions, see 1940, c. 181.

Subtitle 1. GENERAL PROVISIONS.

Chapter 3. PENSIONERS IN PUBLIC EMPLOYMENT.

R. S. 43:3–5 amended 1939, c. 220.

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.

Subtitle 2. STATE PENSIONS AND RETIREMENT.

Chapter 6. COURT OFFICERS AND EMPLOYEES.

Additional Legislation.

Retirement on pension of sergeant-at-arms, of Court of Chancery, physically unfit for service, 1939, c. 156.

Chapter 7. OFFICERS AND EMPLOYEES OF PENAL INSTITUTIONS.

Additional Legislation.

Officers and employees of State penal institutions; pensions and prison officers pension fund, 1941, c. 220.

Subtitle 3. COUNTY PENSIONS AND RETIREMENT.

Chapter 9. PENSIONS PAYABLE FROM PUBLIC FUNDS.

Article 1. County Employees Generally.

C. (new) WITHDRAWAL FROM RETIREMENT SYSTEM.

Additional Legislation.

Withdrawal of veteran county employees from retirement system, suppl., 1941, c. 399.

Article 3. (new) Employees of Surrogates.

Additional Legislation.

Retirement on pension of deputy or special deputy surrogate. 1938, c. 142.

Article 4. (new) Widow of Bookbinder of Second-class Counties.

Additional Legislation.

Bookbinder's widow, pension, second-class counties, 1941, c. 214.

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.

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.

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.

Additional Legislation.

Certain employees made eligible as members, 1940, c. 174.

Article 2. County Detectives in Counties of the First, Second, Third and Fifth Classes.

R. S. 43:10–20 amended 1939, c. 186.

Article 9. (new) Court Interpreters.

Additional Legislation.

Retirement on pension of court interpreter; second class counties, 1938, c. 330.

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.

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.

Chapter 12. PENSIONS PAYABLE FROM PUBLIC FUNDS.

Article 1. City Employees Generally.

R. S. 43:12–1 amended 1939, c. 218.

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.

Subtitle 5. STATE, COUNTY AND MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM.

Chapter 14. STATE SYSTEM.

R. S. 43:14–1.1 amended 1940, c. 141.

R. S. 43:14–2.4 " 1938, c. 230.

R. S. 43:14–4 " 1938, c. 215.

R. S. 43:14–7 " 1939, c. 144.

R. S. 43:14–8 " 1939, c. 142.

R. S. 43:14–22.1 " 1938, c. 116.

R. S. 43:14–31 " 1939, c. 297.

R. S. 43:14–35 " 1939, c. 99; 1939, c. 292.

R. S. 43:14–37 " 1939, c. 149.

Additional Legislation.

Classification of members; definition of benefits payable thereunder, suppl., 1939, c. 50.

Sec. 4 of above amended 1940, c. 142, s. 1.

Sec. 5 of above amended 1940, c. 142, s. 2.

South Jersey Port Commission employees eligible to participate in State Employees' Retirement System, 1940, c. 228.

Certain former State employee members, status on re-employment, suppl., 1941, c. 154.

Chapter 15. COUNTY AND MUNICIPAL SYSTEM.

R. S. 43:15–2 amended 1939, c. 143; 1941, c. 238.

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.

Chapter 16. ESTABLISHMENT OF FUND BY REFERENDUM.

R. S. 43:16–1 amended 1938, c. 104.
R. S. 43:16–5 " 1941, c. 78.
R. S. 43:16–7 " 1941, c. 86.
R. S. 43:16–11 " 1941, c. 145.
R. S. 43:16–13 (added) Members, twenty years service, not to lose pension for violation of rules or regulations, 1938, c. 252.

Subtitle 7. CORPORATIONS AND ASSOCIATIONS FOR PENSION, RETIREMENT AND RELIEF.

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.

Chapter 19. STREET AND WATER DEPARTMENT EMPLOYEES.

R. S. 43:19–9 amended 1938, c. 53.

Subtitle 9. SOCIAL SECURITY.

Chapter 21. UNEMPLOYMENT COMPENSATION.

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.
R. S. 43:21–4 " 1940, c. 247, ss. 2, 4; 1941, c. 114, ss. 1, 2.
R. S. 43:21–5 " 1939, c. 94, s. 2.
R. S. 43:21–7 " 1938, c. 58; 1939, c. 289; 1941, c. 388.
R. S. 43:21–9 " 1939, c. 94, s. 3.
R. S. 43:21–10 " 1940, c. 252, s. 1.
R. S. 43:21–11 " 1939, c. 94, s. 4; 1940, c. 252, s. 2.
R. S. 43:21–12 " 1939, c. 94, s. 5.
R. S. 43:21–13 " 1939, c. 94, s. 6; 1941, c. 225.
R. S. 43:21–14 " 1938, c. 59; 1939, c. 309; 1940, c. 97.
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; 1941, c. 374; 1941, c. 385.
R. S. 43:21–21 " 1939, c. 94, s. 7.

Additional Legislation.

Benefit rights saved to persons in military or naval service or in organization affiliated therewith, 1940, c. 193.

"Employment" not to include part-time work by certain minors, suppl., 1938, c. 111.

Title 44. POOR.

Note: For settlement, recipients of emergency relief, unchanged during emergency, see 1938, c. 28; for issuance of bonds for relief by municipalities, see 1939, c. 332; for acquisition, improvement, etc., of land by counties for public welfare purposes, see 1940, c. 33.

Chapter 1. SETTLEMENT AND RELIEF OF POOR; MUNICIPAL, COUNTY OR JOINT COUNTY RELIEF.

R. S. 44:1–102 to 44:1–127 see 1941, c. 357, s. 48.

R. S. 44:1–141 amended 1940, c. 55.

Additional Legislation.

County welfare houses, admission, reimbursement agreement, liens, etc., suppl., 1940, c. 119.

Chapter 4. SETTLEMENT AND RELIEF OF POOR; COUNTY REFERENDUM LAW.

Article 3. County Welfare Board.

R. S. 44:4–20 amended 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.

Article 4. Director of Welfare; Other Officers, Employees and Assistants.

R. S. 44:4–33 amended 1938, c. 194, s. 4; 1940, c. 187.

Article 6. Place of Settlement.

R. S. 44:4–57 to 44:4–72 see 1941, c. 357, s. 48.

Article 7. Removal of Poor Persons.

R. S. 44:4–73 to 44:4–81 see 1941, c. 357, s. 48.

Article 8. Application for and Granting of Relief in General.

Additional Legislation.

Agreement to reimburse to be taken as prerequisite to relief, suppl., 1939, c. 263.

Article 9. Maintenance of Certain Permanent Adult Poor In Their Homes.

R. S. 44:4–93 amended 1941, c. 130.

Article 11. Support of Poor Persons by Relatives or Others.

R. S. 44:4-102 amended 1940, c. 56.

Chapter 5. MEDICAL CARE AND HOSPITALIZATION OF POOR IN GENERAL.

R. S. 44:5-16 amended 1939, c. 230.

Chapter 7. OLD AGE ASSISTANCE.

R. S. 44:7-3 amended 1938, c. 361, s. 1.

R. S. 44:7-5 " 1938, c. 361, s. 2.

R. S. 44:7-6 " 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.

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; 1940, c. 186, ss. 3, 5; (1939, c. 311, repealed 1940, c. 186, ss. 4, 5).

R. S. 44:7-12 " 1938, c. 361, s. 8; 1939, c. 338.

R. S. 44:7-13 " 1938, c. 361, s. 9.

R. S. 44:7-14 " 1938, c. 361, s. 10.

R. S. 44:7-15 " 1938, c. 361, s. 11.

R. S. 44:7-18 " 1938, c. 361, s. 12.

R. S. 44:7-19 " 1938, c. 361, s. 13; 1940, c. 57.

R. S. 44:7-20 " 1938, c. 361, s. 14.

R. S. 44:7-24 " 1938, c. 361, s. 15.

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.

R. S. 44:7-31 " 1938, c. 361, s. 19.

Chapter 8. FINANCIAL ASSISTANCE TO CERTAIN NEEDY PERSONS.

Note: For use of political influence, etc., in administration of relief, prohibited, see 1941, c. 23; for food stamps, etc., misuse of, prohibited, see 1941, c. 204; for prohibition of obtaining money, etc., from private or charitable organizations, the State, counties, municipalities or agencies thereof by false statements, see 1941, c. 281.

R. S. 44:8–1	amended 1938, c. 123, s. 1; repealed 1940, c. 183, s. 5.
R. S. 44:8–2 to 44:8–4	repealed 1940, c. 183, s. 5.
R. S. 44:8–5	amended 1938, c. 123, s. 2; repealed 1940, c. 183, s. 5.
R. S. 44:8–6	" 1938, c. 123, s. 3; " 1940, c. 183, s. 5.
R. S. 44:8–7	" 1938, c. 123, s. 4; " 1940, c. 183, s. 5.
R. S. 44:8–8	" 1938, c. 123, s. 5; " 1940, c. 183, s. 5.
R. S. 44:8–9	" 1938, c. 123, s. 6; " 1940, c. 183, s. 5.
R. S. 44:8–10	" 1938, c. 123, s. 7; " 1940, c. 183, s. 5.
R. S. 44:8–11	" 1938, c. 123, s. 8; " 1940, c. 183, s. 5.
R. S. 44:8–12	" 1938, c. 123, s. 9; " 1940, c. 183, s. 5.
R. S. 44:8–13	" 1938, c. 123, s. 10; " 1940, c. 183, s. 5.
R. S. 44:8–14	" 1938, c. 123, s. 11; " 1940, c. 183, s. 5.
R. S. 44:8–15	repealed 1940, c. 183, s. 5.
R. S. 44:8–16	" 1940, c. 183, s. 5.
R. S. 44:8–17	amended 1938, c. 123, s. 12; repealed 1940, c. 183, s. 5.
R. S. 44:8–18	repealed 1940, c. 183, s. 5.
R. S. 44:8–19	amended 1938, c. 123, s. 13; repealed 1940, c. 183, s. 5.
R. S. 44:8–20 to 44:8–22	repealed 1940, c. 183, s. 5.
R. S. 44:8–23	amended 1938, c. 123, s. 14; repealed 1940, c. 183, s. 5.
R. S. 44:8–24	repealed 1940, c. 183, s. 5.
R. S. 44:8–25	amended 1938, c. 123, s. 15; repealed 1940, c. 183, s. 5.
R. S. 44:8–26	supplemented, Payment of cost of transportation of relief workers; reimbursement of municipalities, 1938, c. 213; repealed 1940, c. 183, s. 5.
R. S. 44:8–27 to 44:8–29	repealed 1940, c. 183, s. 5.
R. S. 44:8–30	amended 1938, c. 46; repealed 1940, c. 183, s. 5.
R. S. 44:8–31	repealed 1940, c. 183, s. 5.

Additional Legislation.

Cost of relief shared between State and municipality, 1939, c. 328; repealed 1940, c. 131.

State Financial Assistance Commission abolished; powers, duties, property, etc., vested in State Municipal Aid Administration, 1940, c. 183.

State Municipal Aid Administration, 1940, c. 151.

Sec. 26 of above amended 1941, c. 149.

Sec. 29 " " " 1941, c. 2.

Administration of State aid for relief law (1941) 1941, c. 28.

Sec. 13 of above amended 1941, c. 406, s. 1.

Sec. 14 " " " 1941, c. 406, s. 2.

Sec. 16 " " " 1941, c. 375, s. 1.

Sec. 17 " " " 1941, c. 375, s. 2.

Protection, welfare and financial assistance to needy persons, administration, etc., 1940, c. 130.

Sec. 4 of above amended 1941, c. 132.

Sec. 10 to 15 " " repealed 1941, c. 357, s. 48.

Sec. 21 to 24 " " " 1941, c. 357, s. 48.

Local assistance boards continued, suppl., 1940, c. 188.

Hospitalization costs of certain relief cases in county maternity hospital; payment from State funds, suppl., 1941, c. 34.

Chapter 8A. (new) LEGAL SETTLEMENT OF NEEDY PERSONS.

Article 1. (new) Legal Settlement for Emergency Relief and Outdoor Poor Relief.

Legal settlement law relating to public assistance (1941), 1941, c. 357.

Title 45. PROFESSIONS AND OCCUPATIONS.

Note: For business of selling, etc., motor fuels, etc., at retail, regulated, see 1938, c. 163, as amended by 1938, c. 401; for business of selling, trading in, receiving, installing or repairing condemned, rebuilt or used weighing machines, regulated, see 1938, c. 182; for licenses to superintendents, operators, etc., of water purification, treatment and supply plants, etc., and sewerage plants, see 1938, c. 206; for stands maintained in public buildings by blind, regulated, see 1938, c. 349; for sales at retail at less than cost, prohibited, see 1938, c. 394; for tourist and trailer camps and overnight lodging places regulated, see 1939, c. 254; for liens for repairs to jewelry, watches, etc., see 1940, c. 61; for regulation of business of selling, trading-in, receiving, installing or repairing condemned, rebuilt or used weighing or measuring devices, see 1938, c. 182.

Subtitle 1. PROFESSIONS AND OCCUPATIONS REGULATED BY STATE BOARDS OF REGISTRATION AND EXAMINATION.

Chapter 3. ARCHITECTS.

R. S. 45:3-1	amended	1938, c. 277, s. 1.
R. S. 45:3-2	"	1938, c. 277, s. 2.
R. S. 45:3-3	"	1939, c. 239, s. 1.
R. S. 45:3-4	"	1939, c. 239, s. 2.
R. S. 45:3-5	"	1939, c. 239, s. 3.
R. S. 45:3-6	"	1939, c. 239, s. 4.
R. S. 45:3-7	"	1939, c. 239, s. 5.

Chapter 4. BARBERS.

Additional Legislation.

Regulation of barbering, licensing of barbers and creation of State Board of Barber Examiners, etc., 1938, c. 197.

Chapter 4A. BEAUTY CULTURE.

Note: For regulation of opening and closing of beauty parlors by municipal ordinance, see 1938, c. 249.

R. S. 45:4A-5	amended	1939, c. 76, s. 1.
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).
R. S. 45:4A-9	"	1939, c. 76, s. 4.
R. S. 45:4A-10	"	1939, c. 76, s. 5.
R. S. 45:4A-12	"	1939, c. 76, s. 6.
R. S. 45:4A-14	"	1938, c. 120, s. 2.
R. S. 45:4A-15	"	1939, c. 76, s. 7.

R. S. 45:4A–18 amended 1938, c. 120, s. 3; 1939, c. 76, s. 8.

R. S. 45:4A–21 " 1939, c. 76, s. 9.

R. S. 45:4A–24 " 1938, c. 120, s. 4.

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.

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.

Chapter 6. DENTISTS.

R. S. 45:6–1 amended 1938, c. 277, s. 3.

R. S. 45:6–3 " 1939, c. 108, s. 1.

R. S. 45:6–7 " 1941, c. 316, s. 1.

R. S. 45:6–10 " 1939, c. 108, s. 2.

R. S. 45:6–19 " 1941, c. 316, s. 2.

Chapter 7. EMBALMERS AND FUNERAL DIRECTORS.

R. S. 45:7–1 amended 1938, c. 277, s. 4.

Chapter 8. ENGINEERS, PROFESSIONAL, AND LAND SURVEYORS.

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.

Sec. 3 of above amended 1939, c. 339, s. 1.

Sec. 4 " " " 1939, c. 339, s. 2.

Sec. 5 " " " 1939, c. 339, s. 3.

Sec. 6 " " " 1939, c. 339, s. 4.

Sec. 7 " " " 1939, c. 339, s. 5.

Sec. 11 " " " 1939, c. 339, s. 6.

Sec. 20 " " " 1939, c. 302.

Chapter 9. MEDICINE AND SURGERY.

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.

R. S. 45:9–2 " 1939, c. 115, s. 2.

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.

R. S. 45:9–5.1 (added) Additional definitions, suppl., 1939, c. 115, s. 5.

R. S. 45:9–6 amended 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.

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.

R. S. 45:9–13 " 1939, c. 115, s. 13.

R. S. 45:9–14 " 1939, c. 115, s. 14.

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) Chiropractic defined, suppl., 1939, c. 115, s. 19.

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.
R. S. 45:9–17 " 1939, c. 115, s. 27.
R. S. 45:9–21 " 1939, c. 115, s. 28.
R. S. 45:9–22 " 1939, c. 115, s. 29.
R. S. 45:9–23 " 1939, c. 115, s. 30.
R. S. 45:9–26 " 1939, c. 115, s. 31.
R. S. 45:9–27.1 (added) Chancery proceedings to prevent certain violations, suppl., 1939, c. 115, s. 32.

Additional Legislation.

Qualifications for certain applicants for license to practice medicine and surgery, suppl., 1938, c. 121.

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.

Chapter 12. OPTOMETRY.

R. S. 45:12–2 amended 1938, c. 277, s. 7.
R. S. 45:12–18 " 1938, c. 277, s. 8.

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.

R. S. 45:13–1 to 45:13–5 repealed 1939, c. 115, s. 33.

Chapter 14. PHARMACY.

R. S. 45:14–7 amended 1939, c. 85, s. 1.
R. S. 45:14–33 " 1939, c. 85, s. 2.
R. S. 45:14–34 " 1939, c. 85, s. 3.

Chapter 15. REAL ESTATE BROKERS, SALESMEN AND AUCTIONEERS.

R. S. 45:15–9 amended 1938, c. 227, s. 1.

R. S. 45:15–20 " 1938, c. 227, s. 2.

R. S. 45:15–30 " 1939, c. 103; 1941, c. 93, s. 1.

R. S. 45:15–33 " 1941, c. 93, s. 2.

Chapter 15B. (new) SHORTHAND REPORTING.

State Board of Shorthand Reporting; licenses for shorthand reporters, examinations, etc., 1940, c. 175.

Chapter 15C. (new) TREE EXPERTS.

Tree Expert Act, 1940, c. 100.

Chapter 16. VETERINARY MEDICINE, SURGERY AND DENTISTRY.

R. S. 45:16–1 amended 1938, c. 277, s. 9.

Subtitle 2. OCCUPATIONS SUBJECT TO OTHER REGULATION.

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.

Chapter 22. PAWNBROKERS AND DEALERS IN SECONDHAND GOODS.

Additional Legislation.

Sale of used or secondhand watches regulated, 1939, c. 55.

Title 46. PROPERTY.

Subtitle 2. REAL PROPERTY ONLY.

Chapter 3. ESTATES AND INTERESTS IN REAL PROPERTY AND ALIENATION THEREOF IN GENERAL.

Additional Legislation.

Creation, descent, transfer, etc., of estates, rights and interests in areas above surface of ground, suppl., 1938, c. 370.

Chapter 8. LEASEHOLD ESTATES; LANDLORD AND TENANT.

Additional Legislation.

Holding over after monthly or longer term, by tenant, monthly term created, 1941, c. 317.

Subtitle 3. SIGNATURES, SEALS, ACKNOWLEDGMENTS AND PROOFS.

Chapter 14. ACKNOWLEDGMENTS AND PROOFS.

Note: For acknowledgment or proof of deeds, etc., by persons in military or naval service, taking before commissioned officer, authorized, see 1941, c. 333.

R. S. 46:14–7 amended 1938, c. 170.

R. S. 46:14–8 " 1939, c. 166.

Subtitle 4. RECORDING, REGISTRATION, FILING AND INDEXING OF DEEDS AND OTHER INSTRUMENTS.

Chapter 16. INSTRUMENTS ENTITLED TO RECORD.

Additional Legislation.

Recording of certified copies of final decrees of Court of Chancery affecting title to real estate, in county clerk's or register of deed's office, 1939, c. 170.

Records, etc., of bankruptcy proceedings, recording authorized, 1941, c. 389.

Chapter 18. RECORD OF AND RECORD ENTRIES AS TO INSTRUMENTS AFFECTING MORTGAGES.

R. S. 46:18–8.1 amended 1939, c. 370.

Subtitle 6. PERSONAL PROPERTY ONLY.

Note: For deposit by employee with employer as trust fund; certain cases, see 1939, c. 117; for effect of contributory negligence of owner, etc., of special property in goods, etc., in suit for damages to same, see 1939, c. 53.

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.

Title 47. PUBLIC RECORDS.

Chapter 1. RECORDS AND RECORDING OFFICES GENERALLY.

R. S. 47:1–5 amended 1939, c. 346.

Chapter 2. PUBLIC RECORD OFFICE.

R. S. 47:2–2 amended 1941, c. 30.

Chapter 3. DESTRUCTION AND UNLAWFUL POSSESSION OF PUBLIC RECORDS.

R. S. 47:3–2 amended 1941, c. 77.

Additional Legislation.

Destruction of cancelled, etc., scrip issued by municipalities and counties, suppl., 1938, c. 329; amended 1939, c. 147.

Title 48. PUBLIC UTILITIES.

Chapter 2. BOARD OF PUBLIC UTILITY COMMISSIONERS.

R. S. 48:2-19 supplemented 1939, c. 80.

Chapter 9. GAS COMPANIES.

Additional Legislation.

Change of character or heating quality of gas, control by commission, suppl., 1941, c. 148.

Chapter 12. RAILROADS.

Note: For extension of time for completion of certain railroads, see 1939, c. 15.

R. S. 48:12-13 amended 1941, c. 411.
R. S. 48:12-15 " 1941, c. 200.
R. S. 48:12-63 " 1939, c. 152.
R. S. 48:12-74 " 1939, c. 153.
R. S. 48:12-150 " 1939, c. 49.

Additional Legislation.

Use, sale, etc., of different levels of railroad property for other than railroad purposes, suppl., 1938, c. 369.

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.

Chapter 15. STREET RAILWAYS.

R. S. 48:15-41 amended 1941, c. 131, s. 1.
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.

Title 50. SHELLFISH.

Chapter 2. GENERAL REGULATORY PROVISIONS.

R. S. 50:2-5 amended 1939, c. 242.

Title 51. STANDARDS, WEIGHTS, MEASURES AND CONTAINERS.

Chapter 1. WEIGHTS, MEASURES AND CONTAINERS.

Article 2. Standards.

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.

Article 4. Penalties; Evidence; Enforcement.

R. S. 51:1–103 amended 1939, c. 390, s. 1.
R. S. 51:1–104 " 1939, c. 390, s. 2.
R. S. 51:1–105 " 1939, c. 390, s. 3.
R. S. 51:1–106 " 1939, c. 390, s. 4.
R. S. 51:1–107 " 1939, c. 390, s. 5.
R. S. 51:1–108 " 1939, c. 390, s. 6.

Article 5. (new) Secondhand Measuring or Weighing Devices.

Additional Legislation.

Regulation of business of selling, trading-in, receiving, installing or repairing condemned, rebuilt or used weighing or measuring devices, 1938, c. 182.

Chapter 3. STANDARD MERIDIAN LINE; LAND DESCRIPTIONS.

Additional Legislation.

New Jersey System of Plane Co-ordinates; continuation of by Department of Conservation and Development, 1938, c. 225.

Chapter 7. ANTHRACITE.

R. S. 51:7–2 amended 1938, c. 242, 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.
R. S. 51:7–7 " 1938, c. 242, s. 5.
R. S. 51:7–9 " 1938, c. 242, s. 6.

Chapter 8. SOLID FUEL.

R. S. 51:8–5 amended 1938, c. 44, s. 1; 1939, c. 41.
R. S. 51:8–12 " 1938, c. 44, s. 2.

Chapter 9. LIQUID FUEL.

R. S. 51:9–1 amended 1938, c. 323.

Title 52. STATE GOVERNMENT, DEPARTMENTS AND OFFICERS.

Note: For discrimination against applicants for employment, for age, see 1938, c. 295; for maintenance of stands by blind in State buildings, see 1938, c. 349.

Subtitle 1. GENERAL PROVISIONS.

Chapter 2. GREAT SEAL.

Note: For unauthorized use of State Seal, prohibited, see 1941, c. 218.

Chapter 3. FLAGS.

Additional Legislation.

Display of State flag regulated, 1938, c. 86.

Historic flags, preservation and repair, 1938, c. 129.

Chapter 9C. NEW JERSEY COUNCIL.

R. S. 52:9C–2 amended 1939, c. 393.

Chapter 9F. (new) COMMISSION ON URBAN COLORED POPULATION.

Commission established, powers, etc., 1941, c. 192.

Subtitle 2. LEGISLATURE.

Chapter 10. APPORTIONMENT AND ELECTION OF MEMBERS OF GENERAL ASSEMBLY.

R. S. 52:10–1 amended 1941, c. 310.

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.

Additional Legislation.

Salary and tenure, etc., rights of person in State employ appointed to office by Governor, saved, 1941, c. 276.

Chapter 15. GOVERNOR.

Additional Legislation.

Examination and investigation of State departments, boards, bureaus or commissions by Governor; authorized, 1941, c. 16; amended 1941, c. 315.

Chapter 17. ATTORNEY GENERAL.

Note: For act placing legal assistants under civil service, see 1939, c. 101.

Chapter 18. STATE TREASURER.

R. S. 52:18–18 amended 1938, c. 173; 1938, c. 244.

Additional Legislation.

Assistant to act as deputy during illness or absence of State Treasurer, 1939, c. 29.

Chapter 19. STATE COMPTROLLER.

Note: For act placing chief auditor under civil service, see 1939, c. 219.

Article 3. (new) Auditing and Preauditing Force.

Additional Legislation.

Auditing and preauditing force under tenure of office, 1939, c. 222.

Chapter 20. STATE HOUSE COMMISSION.

Note: For State House supervisor of mails under Civil Service, see 1940, c. 15; for convening and voting of State House Commission on voting machines, see 1940, c. 197, s. 2.

Additional Legislation.

Compensation of chief and members of State Capitol police force, 1938, c. 389, suppl., 1939, c. 77.

Chapter 22. STATE BUDGET AND STATE BUDGET COMMISSIONER.

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.

Chapter 24. STATE AUDITOR.

Note: For transfer of powers and duties of State Auditor to State Department of Local Government, see 1938, c. 158.

R. S. 52:24–12 to 52:24–18 repealed 1938, c. 159, s. 29.

R. S. 52:24–20 to 52:24–27 " 1938, c. 159, s. 29.

Chapter 27. MUNICIPAL FINANCE COMMISSION.

Article 1. Organization and Personnel.

Note: For personnel and powers of commission, see 1938, c. 158.

Article 3. Funding of Municipal Indebtedness; Issuance and Sale of Notes and Bonds.

R. S. 52:27–20 amended 1941, c. 50, s. 1.

R. S. 52:27–23.1 " 1938, c. 202, s. 1; 1939, c. 47, s. 1.

Additional Legislation.

Issuance of scrip or tax anticipation notes or bonds by municipalities under Municipal Finance Commission without approval, prohibited, suppl., 1938, c. 169.

Article 4. Taxes and Assessments.

R. S. 52:27–29.1 amended 1938, c. 202, s. 2.

Article 5. Expenses of Commission.

R. S. 52:27–31 amended 1941, c. 50, s. 2.

Article 8. Readjustment of Debts Under Federal Municipal Bankruptcy Act.

R. S. 52:27–40 amended 1938, c. 243, s. 1.

R. S. 52:27–42 " 1938, c. 243, s. 2.

R. S. 52:27–44 " 1938, c. 243, s. 3.

Additional Legislation.

Readjustment of debt; issuance of funding or refunding warrants, etc.; bankrupt municipalities, 1939, c. 56.

Issuance of warrants of different denominations in exchange for warrants previously issued, suppl., 1941, c. 62.

Article 9. Fund or Refunding Indebtedness of School Districts.

R. S. 52:27–51 amended 1939, c. 47, s. 2.

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.

Article 1. (new) In General.

Local Government Act (1938), 1938, c. 158.

Powers, etc., Funding Commission, vested in Local Government Board, 1939, c. 384.

Powers, etc., Municipal Finance Commission vested in Local Government Board, 1939, c. 385.

Article 2. (new) Fiscal Administration in Local Governments.

Fiscal administration in local governments regulated, 1938, c. 159.

Article 3. (new) Municipalities in Unsound Financial Condition.

Supervision over certain municipalities; State Department of Local Government, 1938, c. 127.

Title of above amended 1939, c. 364, s. 1.

Sec. 3 " " " 1939, c. 364, s. 2; 1941, c. 95, s. 1.

Sec. 4 " " " 1941, c. 95, s. 2.

Sec. 5 " " " 1939, c. 364, s. 3; 1941, c. 95, s. 3.

Sec. 6 " " " 1939, c. 364, s. 4; 1941, c. 95, s. 4.

Sec. 6 (a) (added) Limitation upon counties, suppl., 1939, c. 364, s. 5; amended 1941, c. 95, s. 5.

Sec. 8 of above amended 1939, c. 364, s. 6; 1941, c. 95, s. 6.

Sec. 11 " " " 1939, c. 364, s. 7; 1941, c. 95, s. 7.

Sec. 11 (a) (added) Municipalities under the Municipal Finance Commission, suppl., 1939, c. 364, s. 8.

Municipalities in unsound fiscal condition; control of revenues and of finances, provided for, suppl., 1941, c. 75.

Article 4. (new) Limitation of School Debt and Appropriations in School Districts.

Limitation of school debt and appropriations in school districts; municipalities subject to supervision State Department of Local Government, 1939, c. 265.

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.

Chapter 1. ORGANIZATION AND PERSONNEL.

R. S. 53:1–2 amended 1941, c. 193.

R. S. 53:1–7 " 1941, c. 283.

R. S. 53:1–12 " 1940, c. 103, s. 1 (title amended 1941, c. 271).

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).

Additional Legislation.

Appointment of additional troopers authorized, 1940, c. 191.

Identification of criminals, reports and file of criminal proceedings, suppl., 1939, c. 78.

Notice of release, etc., of prisoners to bureaus of identification, police departments, etc., required (suppl. to 1939, c. 78), 1940, c. 65.

Chapter 2. POWERS AND DUTIES.

R. S. 53:2–1 amended 1940, c. 198.

Chapter 3. HOUSING, EQUIPMENT, AND EXPENSES.

R. S. 53:3–9 amended 1940, c. 103, s. 4 (title amended 1941, c. 271).

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.

Subtitle 1. DEPARTMENT AND BOARDS FOR THE REVIEW, ASSESSMENT AND COLLECTION OF TAXES.

Chapter 1. STATE TAX DEPARTMENT AND COMMISSIONER.

R. S. 54:1–15 see 1939, c. 167.

R. S. 54:1–35 amended 1938, c. 279.

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.

R. S. 54:2–16 amended 1941, c. 143, s. 1.

R. S. 54:2–18 " 1941, c. 143, s. 2.

Chapter 3. COUNTY BOARDS OF TAXATION.

Note: For credit for reduction in taxes by mortgagee before or pending appeal, see 1938, c. 152.

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.

R. S. 54:3–27 " 1938, c. 151.

Additional Legislation.

Fee for filing petition of appeal, certain cases; first class counties, 1940, c. 71.

Hearing before single member of board, 1940, c. 113, s. 3.

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; for exemption of funds of hospital service corporations from certain taxes, see 1938, c. 366, s. 18; for act limiting school debt and appropriations in certain school districts, see 1939, c. 265; 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.

Article 2. Persons and Property Exempt from Taxation.

R. S. 54:4–3.6 amended 1941, c. 243.

R. S. 54:4–3.12 see 1940, c. 39.

R. S. 54:4–3.23 amended 1938, c. 390.

Additional Legislation.

Exemption under R. S. 54:4–3.12 limited to certain bona fide residents, suppl., 1940, c. 39.

Article 3. Rebates and Deductions.

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.

Article 4. Assessment of Personal Property.

R. S. 54:4–22 amended 1938, c. 245.

Article 6. Completion and Review of Assessments.

R. S. 54:4–52 amended 1938, c. 384; 1941, c. 293, s. 3.

Additional Legislation.

Addition of second-class railroad assessments and taxes to assessment lists and duplicates; inclusion of valuations in municipal valuations; provided for, suppl., 1941, c. 293, ss. 1-2.

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.

Article 7. Collection, Abatement and Compromise.

R. S. 54:4–76 amended 1940, c. 21.

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.

Allowance of credit on taxes due for amount of reduction granted; by tax collector; certain cases, 1940, c. 229.

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.

Article 9. (new) Collection by Receivership.

Additional Legislation.

Collection of delinquent real estate taxes by receivership proceedings, 1939, c. 362.

Sec. 6 of above amended 1940, c. 32.

Chapter 5. CREATION, ENFORCEMENT AND COLLECTION OF LIENS FOR UNPAID TAXES AND OTHER MUNICIPAL LIENS ON REAL PROPERTY.

R. S. 54:5-46 amended 1939, c. 93.

R. S. 54:5-62 " 1941, c. 84.

Additional Legislation.

Beneficiaries need not be made parties defendant to tax, etc., sale foreclosures, suppl., 1938, c. 264 and 1939, c. 151.

Tax sales certificate, execution by successor to deceased collector, etc., 1939, c. 165.

Conveyance to State of certain lands acquired by municipality under the "Tax Sale Law" for forest park reservation, exemption from taxation, 1940, c. 73.

New certificate of tax sale in place of certificate lost or destroyed, issuance, authorized, certain cases, suppl., 1940, c. 90.

Tax lien foreclosure of vacant lands; joinder of actions or causes of action by municipality; authorized, suppl., 1940, c. 84.

Exaction of excessive fees or charges on redemption of tax sale certificates prohibited, etc., suppl., 1941, c. 83.

Sale of tax sale certificates, additional methods authorized, 1941, c. 232.

Subtitle 3. TAXATION OF STOCK OF STATE AND NATIONAL BANKS AND TRUST COMPANIES.

Chapter 9. IMPOSITION AND COLLECTION OF TAX.

R. S. 54:9-4 amended 1940, c. 69.

R. S. 54:9-5 " 1941, c. 318.

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.

Part 2. CAPITAL STOCK AND GROSS RECEIPTS TAXES ON CERTAIN CORPORATIONS.

Chapter 13. ASSESSMENT.

R. S. 54:13-1 amended 1939, c. 137, s. 1.

R. S. 54:13-2 " 1938, c. 186; 1939, c. 137, s. 2.

R. S. 54:13-4 " 1939, c. 137, s. 3.

R. S. 54:13-7 " 1939, c. 137, s. 4.

R. S. 54:13-8 " 1939, c. 137, s. 5.

R. S. 54:13-9 repealed 1939, c. 137, s. 6.

R. S. 54:13-10 " 1939, c. 137, s. 7.

Chapter 14. COLLECTION AND ENFORCEMENT.

R. S. 54:14-1 amended 1939, c. 137, s. 8.

Chapter 15. REVIEW, CORRECTION AND REFUND.

R. S. 54:15-5 repealed 1938, c. 132.

Part 3. TAXATION OF INSURANCE COMPANIES OTHER THAN LIFE.

Chapter 17. FOREIGN INSURANCE COMPANIES GENERALLY.

R. S. 54:17-1 amended 1938, c. 56.

Part 4. TAXATION OF RAILROAD AND CANAL COMPANIES.

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.

Note: For addition of second-class railroad valuations and taxes to assessment lists and duplicates and inclusion of valuations in municipal valuations, provided for, see 1941, c. 293, ss. 1-2.

Railroad tax law (1941), 1941, c. 291.

Sec. 46 of above amended 1941, c. 363; 1941, c. 371; 1941, c. 387.

Part 5. TAXATION OF CERTAIN PUBLIC UTILITIES.

Chapter 30A. (new) FRANCHISE AND GROSS RECEIPTS TAXES.

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, 1938, c. 7.

Sec. 7 of above amended 1938, c. 122.

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.
Title of above amended 1941, c. 400, s. 1.

Sec. 2 of above amended 1941, c. 20, s. 1.

Sec. 3 " " " 1941, c. 20, s. 2; 1941, c. 400, s. 2.

Sec. 4 " " " 1941, c. 20, s. 3.

Sec. 15 " " " 1941, c. 400, s. 3.

Tax on property and franchises of street railway, traction, gas and electric light, heat and power corporations, using, etc., public streets, etc., 1938, c. 8.

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.

Sec. 2 of above amended 1941, c. 21, s. 1.

Sec. 6 " " " 1941, c. 21, s. 2; 1941, c. 401, s. 1.

Sec. 7 " " " 1941, c. 21, s. 3.

Sec. 13 " " " 1941, c. 401, s. 2.

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).

Subtitle 5. TRANSFER INHERITANCE AND ESTATE TAXES.

Part 1. TRANSFER INHERITANCE TAX.

Chapter 33. GENERAL PROVISIONS.

Additional Legislation.

County district supervisor, appointment; one year's residence in county required, 1940, c. 220.

Chapter 34. ASSESSMENT OF TAX.

R. S. 54:34-4 amended 1939, c. 303; 1941, c. 422.

Chapter 35. COLLECTION AND ENFORCEMENT OF TAX; REFUNDS.

R. S. 54:35-9 amended 1938, c. 278.

Additional Legislation.

Issuance of consent to transfer assets of resident decedent prohibited, unless will probated or administration had originally in New Jersey, suppl., 1939, c. 122.

Subtitle 6. TAX UPON SALE OF MOTOR FUELS.

Chapter 39. IMPOSITION AND COLLECTION OF TAX.

R. S. 54:39-2 amended 1939, c. 209, s. 1.

R. S. 54:39-5 " 1939, c. 209, s. 2.

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. 54:39-30 " 1938, c. 166, s. 1.

R. S. 54:39-31 " 1939, c. 209, s. 4.

R. S. 54:39-41 " 1938, c. 283, s. 2 (title amended 1941, c. 268); 1939, c. 209, s. 5.

R. S. 54:39-45 " 1938, c. 283, s. 3 (title amended 1941, c. 268).

R. S. 54:39-50 repealed 1938, c. 166, s. 2.

R. S. 54:39-53 amended 1938, c. 283, s. 4 (title amended 1941, c. 268).

R. S. 54:39-64 " 1939, c. 209, s. 6.

R. S. 54:39-66 " 1940, c. 169.

R. S. 54:39-67 " 1938, c. 283, s. 5 (title amended 1941, c. 268).

R. S. 54:39-71 " 1938, c. 166, s. 3.

Subtitle 8. ALCOHOLIC BEVERAGE TAX.

Chapter 41. DEFINITIONS AND GENERAL PROVISIONS.

R. S. 54:41–2 amended 1938, c. 319, s. 1 (title amended 1941, c. 267).

Chapter 42. POWERS OF COMMISSIONER.

R. S. 54:42–1 amended 1938, c. 319, s. 2 (title amended 1941, c. 267).

R. S. 54:42–2 " 1938, c. 319, s. 3 (title amended 1941, c. 267).

R. S. 54:42–3 " 1938, c. 319, s. 4 (title amended 1941, c. 267).

R. S. 54:42–4 " 1938, c. 319, s. 5 (title amended 1941, c. 267).

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.

R. S. 54:43–2 " 1938, c. 319, s. 7 (title amended 1941, c. 267).

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.

Tax on alcoholic beverages involved in violation of law, suppl., 1941, c. 209.

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).

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).

R. S. 54:44–4 " 1938, c. 319, s. 12 (title amended 1941, c. 267).

R. S. 54:44–5 " 1938, c. 319, s. 13 (title amended 1941, c. 267).

Additional Legislation.

Compromise or cancellation of taxes, in certain cases, authorized, suppl., 1941, c. 210.

Chapter 45. ADMINISTRATION.

R. S. 54:45–1 amended 1938, c. 319, s. 15 (title amended 1941, c. 267); 1939, c. 357.

R. S. 54:45–2 " 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).

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).

Subtitle 9. STATE TAX UNIFORM PROCEDURE LAW.

Chapter 49. PROCEDURE.

R. S. 54:49–12 amended 1939, c. 175, s. 1.

R. S. 54:49–17 " 1938, c. 137.

Chapter 50. ADMINISTRATION.

R. S. 54:50-8 amended 1939, c. 175, s. 2.

R. S. 54:50-9 " 1939, c. 175, s. 3.

R. S. 54:50-11 " 1938, c. 256.

Chapter 52. CRIMINAL PENALTIES.

Additional Legislation.

False or fraudulent books, records or accounts relating to taxable transactions, suppl., 1938, c. 114.

Title 55. TENEMENT HOUSES AND PUBLIC HOUSING.

Subtitle 1. TENEMENT HOUSES.

Chapter 1. DEFINITIONS.

R. S. 55:1-12 amended 1941, c. 205, 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.

Chapter 3. PROTECTION FROM FIRE.

R. S. 55:3-1 amended 1938, c. 193, s. 4.
R. S. 55:3-2 " 1938, c. 193, s. 5.
R. S. 55:3-6 " 1938, c. 193, s. 6; 1941, c. 205, s. 2.
R. S. 55:3-18 " 1941, c. 205, s. 3.
R. S. 55:3-24 " 1938, c. 193, s. 7.
R. S. 55:3-25 " 1938, c. 193, s. 8.
R. S. 55:3-39 " 1938, c. 193, s. 9; 1941, c. 205, s. 4.
R. S. 55:3-45 " 1938, c. 193, s. 10.
R. S. 55:3-59 " 1938, c. 193, s. 11.

Chapter 4. HEIGHT OF TENEMENTS; LOTS, YARDS, SPACES, AND COURTS.

R. S. 55:4-4 amended 1938, c. 193, s. 12.
R. S. 55:4-9 " 1941, c. 205, s. 5.
R. S. 55:4-10 " 1941, c. 205, s. 6.

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.
R. S. 55:5-2 " 1938, c. 193, s. 14.
R. S. 55:5-8 " 1941, c. 205, s. 8.
R. S. 55:5-10 " 1938, c. 193, s. 15.

Chapter 8. WATER-CLOSETS, SINKS, SEWERS, WATER SUPPLY, PLUMBING, AND DRAINAGE.

R. S. 55:8-12 amended 1938, c. 193, s. 16; 1941, c. 205, s. 9.

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.

R. S. 55:10-10 " 1938, c. 193, s. 19.

Subtitle 2. PUBLIC HOUSING.

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.

R. S. 55:14A-4 (added) Creation of housing authorities, 1938, c. 19, s. 5; amended 1938, c. 210.

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.

R. S. 55:14A-7 (added) Powers of authority, 1938, c. 19, s. 8.

R. S. 55:14A-8 (added) Rental policies of authority, 1938, c. 19, s. 9.

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.

R. S. 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.

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.

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.

R. S. 55:14B–3 (added) Definitions, 1938, c. 20, s. 4.

R. S. 55:14B–4 (added) Aid by public bodies, 1938, c. 20, s. 5.

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.

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.

Chapter 14c. (new) NATIONAL DEFENSE HOUSING PROJECTS.

Housing projects in connection with national defense activities, provided for, 1941, c. 213.

Title 56. TRADE NAMES, TRADE-MARKS AND UNFAIR TRADE PRACTICES.

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.

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.

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.

Chapter 6. (new) MOTOR FUELS.

Retail sale of motor fuels regulated, 1938, c. 163.

Sec. 101 of above amended 1938, c. 401.

Sec. 201 " " " 1939, c. 62, s. 1.

Sec. 301 " " " 1939, c. 62, s. 2.

Sec. 509 Suspension or revocation of license, suppl., 1939, (added) c. 63.

Sec. 803 of above amended 1938, c. 204.

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.

Chapter 5. NORTH AND SOUTH JERSEY WATER SUPPLY DISTRICTS.

R. S. 58:5–26 amended 1941, c. 4.

Chapter 11. WATER AND SEWERAGE PLANTS AND SYSTEMS IN GENERAL.

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.

Certain licensees entitled to tenure of employment, etc., suppl., 1941, c. 234.

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.

R. S. 58:12–2 amended 1938, c. 224.

Chapter 14. PASSAIC VALLEY SEWERAGE DISTRICT.

R. S. 58:14–3 amended 1941, c. 99.

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.

E. (new) 1939 Bond Issue.

Additional Legislation.

Bond issue of 1939, 1939, c. 329.

Article 2. (new) Commission to Study Unemployment Relief.

Commission to study unemployment relief, 1938, c. 92.

Chapter 2. POOR RELIEF.

App. A:2-5 amended 1938, c. 317.

Additional Legislation.

Bond issues by cities, 1938, c. 101.

Bond issues by municipalities, 1939, c. 332;

Title	of	above	amended	1939, c. 395, s. 1.
Sec. 1	"	"	"	1939, c. 395, s. 2; 1940, c. 185; 1941, c. 107, s. 1.
Sec. 2	"	"	"	1939, c. 395, s. 3; 1941, c. 107, s. 2.
Sec. 3	"	"	"	1939, c. 395, s. 4.
Sec. 4	"	"	"	1939, c. 395, s. 5.

Legal settlement defined, 1938, c. 28.

Chapter 3. FEDERAL LOANS OR GRANTS FOR PUBLIC WORKS.

Additional Legislation.

State Highway Commissioner, contracts and commitments, 1938, c. 10; 1938, c. 81; 1938, c. 365.

Chapter 4. TAXES, ASSESSMENTS AND PUBLIC REVENUES.

Note: For Delinquent Railroad Tax Adjustment Law (1941), see 1941, c. 290.

Article 1. In General.

A1. (new) ADJUSTMENT OF DELINQUENT RAILROAD TAXES.

Additional Legislation.

Delinquent Railroad Tax Adjustment Law (1941), 1941, c. 290.

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.

Adjustment of taxes and assessments of corporations in bankruptcy or receivership, 1938, c. 26; 1939, c. 314.

Abatement, etc., of taxes and application of rentals to payment of taxes, etc., corporations in bankruptcy, etc., 1941, c. 56.

Article 2. County and Municipal Finances.

App. A:4–19 suppl. 1939, c. 37.

Additional Legislation.

Purchase of Federal current income bonds by counties and municipalities, in certain cases; authorized, 1941, c. 297.

Article 3. School Finances.

App. A:4–47 to A:4–52 suppl. 1938, c. 12.

Additional Legislation.

Funding or refunding of notes or bonds of school districts, 1940, c. 29; 1940, c. 249.

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.

Sec. 2 of above amended 1941, c. 76.

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.

Additional Legislation.

Guaranteed mortgages, etc., powers of commissioner over; and over guaranteeing companies, 1938, c. 212.

Chapter 8. STATE MILK CONTROL LAW.

Note: For Milk Control Law (1941) see 1941, c. 274.

Additional Legislation.

Milk Control Law (1939), 1939, c. 82.

Chapter 9. (new) NATIONAL DEFENSE.

Article 1. (new) New Jersey Defense Council.

Constitution, powers and duties of New Jersey Defense Council, 1940, c. 238.

Title of above amended 1941, c. 179, s. 1.

Sec. 1 " " " 1941, c. 376.

Sec. 2 " " " 1941, c. 179, s. 2.

Sec. 5 " " " 1941, c. 179, s. 3.

Additional powers, suppl., 1941, c. 179, s. 4.

Violation, misdemeanor, suppl., 1941, c. 179, s. 5.

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.

Sec. 2 of above amended 1941, c. 180, s. 1.

Sec. 3 " " " 1941, c. 180, s. 2.

Sec. 4 " " " 1941, c. 180, s. 3.

Violation of act, misdemeanor, suppl., 1941, c. 180, s. 4.

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.

Article 3. (new) Local Defense Councils.

Local Defense Councils, creation, powers, duties, etc., 1941, c. 45.

Sec. 1 of above amended 1941, c. 182, s. 1.

Sec. 2 " " repealed 1941, c. 182, s. 2.

Sec. 3 " " amended 1941, c. 182, s. 3.

Removal of members for violation of act, etc., suppl., 1941, c. 182, s. 4.

Article 4. (new) Local Agencies and Associations for Defense, Etc.

Defense, entertainment, recreation, health and welfare agencies, creation, etc., 1941, c. 47.

Sec. 1 of above amended 1941, c. 181.

Article 5. (new) Secretary for Defense.

Secretary for Defense; appointment, etc., powers, duties, etc., 1941, c. 184.

Article 6. (new) Emergency Powers of Governor.

Assistance of State to be rendered to U. S. and employment of State resources therein, 1941, c. 393.

SCHEDULE 1

TABLE OF ALLOCATION OF 1938 STATUTES IN CUMULATIVE TABLE OF CONTENTS

Pamphlet Laws 1938		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
1		*	
2		40	2
3		Val.	
4		*	
5		*	
6		40	2
7	1 to 14	54	30A(new)
	15	54	31
8	1 to 17	54	30A(new)
	18	54	31
	18	54	32
9		18	10
10		App. A	3
11		*	
12		App. A	4
13		52	22
14		18	10
15		*	
16		54	4
17		27	6
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 6 following.

Pamphlet Laws 1938		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
68		40	54
69		21	2
70		App. A	4
71		2	31
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.	
118		*	
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

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1938		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
156		24	18
157		23	12(new)
158		52	27A(new)
159	1 to 28	52	27A(new)
	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 to 3	55	2
	4 to 11	55	3
	12	55	4
	13 to 15	55	5
	16	55	8
	17 to 19	55	10
194		44	4
195		24	10
196		3	16
197		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
221		43	3
222		17	2
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
235		2	50
236		App. A	4
237		Val.	
238		27	6

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1938		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
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		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 to 4	2	192
274		9	4
275	1	30	2
	2	30	9
276		40	47
277	1, 2	45	3
	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 to 5	17	17
	6 to 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
316		*	
317		App. A	2
318		23	5

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1938		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
319	1	54	41
	2 to 5	54	42
	6 to 8A	54	43
	9 to 14	54	44
	15 to 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
398		58	11
399		19	19
400		30	5
401		56	6(new)
402		*	

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1938		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
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		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 6 following.

SCHEDULE 2

TABLE OF ALLOCATION OF 1939 STATUTES IN CUMULATIVE TABLE OF CONTENTS

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.	

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1939		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
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.	
91		1	9
92		*	
93		54	5
94		43	21
95	1 to 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 to 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
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 to 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

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1939		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
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.	
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 to 29	32	14
	30 to 33	32	15
	34 to 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

* Omitted from Table as not being general or permanent legislatior
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1939		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
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)
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 to 8	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 to 3	24	1
	4	24	2
	5 to 9	24	3
	10 to 14	24	4
	15 to 30	24	5
	31 to 33	24	6
	34	24	17
	35	24	6A
321		2	176

* Omitted from Table as not being general or permanent registration.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1939		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
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
335		2	182
336		Val.	
337		Val.	
338		44	7
339		45	8
340		30	9
341		18	5
342		*	
343	1 to 21	40	43
	22 to 26	19	38
	27 to 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		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 6 following.

SCHEDULE 3

TABLE OF ALLOCATION OF 1940 STATUTES IN CUMULATIVE TABLE OF CONTENTS

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 to 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

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1940		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
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		*	
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 to 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 to 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 to 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		*	

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1940		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
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)
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 to 10	19	34
200	1 to 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
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

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1940		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
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 to 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 6 following.

SCHEDULE 4

TABLE OF ALLOCATION OF 1941 STATUTES IN CUMULATIVE TABLE OF CONTENTS

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		App. A	9(new)
46		App. A	9(new)
47		App. A	9(new)
48		40	5
49		Val.	
50		52	27
51		*	
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.	

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1941		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
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.	
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 to 4	38	2
	5 to 17	38	5
	18	38	7
	19 to 21	38	11
	22, 23	38	12
	24 to 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, 3	17	22
	2	17	33
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

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1941		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
144		40	46
145		43	16
146		14	10
147		35	1
148		48	9
149		44	8
150		18	15
151	1 to 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
166	1	19	23
	2, 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.	

Pamphlet Laws 1941		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
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		*	
202		*	
203		*	
204		2	202
205	1	55	1
	2 to 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 to 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

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1941		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
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
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 to 7	19	23
	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 to 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

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1941		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
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
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 to 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		*	
387		54	29A(new)
388		43	21
389		46	16

* Omitted from Table as not being general or permanent legislation.
Val. Indicates validating act listed in Schedule 6 following.

Pamphlet Laws 1941		Allocation in Table of Contents	
Chapter	Sec.	Title	Chapter
390		*	
391		*	
392		*	
393		App. A	9(new)
394		*	
395		40	171
396		12	7
397		54	4
398		2	135
399		43	9
400		54	30A(new)
401		54	30A(new)
402		2	29
403		Val.	
404		*	
405		33	1
406		44	8
407		52	22
408		17	12
409		35	1
410		*	
411		48	12
412		40	62
413		27	6
414		40	87
415		34	11
416		16	12
417		*	
418		*	
419		*	
420		17	16A(new)
421		17	13
422		54	34
423		16	8A(new)
424		26	4
425		18	6
426		17	16
427		37	1

* Omitted from Table as not being general or permanent legislation
Val. Indicates validating act listed in Schedule 6 following.

SCHEDULE 5

TABLE OF NUMBERED SECTIONS ADDED TO REVISED STATUTES (1937)

Title 2.

Sections added	Act by which added
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

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.

Sections added	Act by which added
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

Title 45.

Sections added	Act by which added
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

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
	1938, c. 210
55:14A–5	1938, c. 19
55:14A–6	1938, c. 19
55:14A–7	1938, c. 19
55:14A–8	1938, c. 19

Title 55 (cont'd)

Sections added	Act by which added
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
	1938, c. 211
55:14B–8	1938, c. 20

SCHEDULE 6

TABLE OF PUBLIC VALIDATING ACTS ENACTED SINCE ENACTMENT OF REVISED STATUTES (DECEMBER 20, 1937)

Title 2. ADMINISTRATION OF CIVIL AND CRIMINAL JUSTICE.

Judgments, warrants of satisfaction of	1941, c. 256
Judicial sales	1938, c. 62
	1938, c. 171
	1939, c. 54
	1940, c. 41
	1940, c. 106
	1941, c. 24
	1941, c. 380
	1941, c. 403
Justices of peace, defective elections	1938, c. 270

Title 3. ADMINISTRATION OF ESTATES—DECEDENTS AND OTHERS.

Sales of land by fiduciaries	1938, c. 141
	1938, c. 325
	1938, c. 347
	1941, c. 49

Title 8. CEMETERIES.

Incorporation, action, etc., of certain rural cemetery associations	1941, c. 362

Title 14. CORPORATIONS, GENERAL.

Acknowledgments, affidavits and other writings by officers	1939, c. 118
Defective organization and incorporation	1939, c. 70
Conveyances, mortgages, assignments, discharges, releases, postponements, etc., by, for and to corporations, see under Title 46, this Schedule.	

Title 17. CORPORATIONS AND INSTITUTIONS FOR FINANCE AND INSURANCE.

Commissioner of Banking and Insurance, action as to mortgage guaranty companies, etc.	1938, c. 212
Banks and trust companies, procedure for reviving corporate existence; certain cases	1940, c. 232

Title 18. EDUCATION.

Deductions from salaries for hospital service or group insurance plan	1940, c. 47
Oaths, etc., taken by district clerks of boards of education, see under Title 41, this Schedule.	
Proceedings and bonds, school districts	1937, c. 190
	1937, c. 193
	1938, c. 228
	1938, c. 405
	1938, c. 412
	1938, c. 415
	1938, c. 416
	1939, c. 48
	1939, c. 96
	1939, c. 112
	1939, c. 337
	1940, c. 112

Title 32. INTERSTATE AND PORT AUTHORITIES AND COMMISSIONS.

Conveyances by Port of New York Authority	1939, c. 35

Title 33. INTOXICATING LIQUORS.

Licenses, sixth-class counties	1940, c. 1

Title 37. MARRIAGES AND MARRIED PERSONS.

Conveyances by married women and by husband and wife, see under Title 46, this Schedule.	

Title 40. MUNICIPALITIES AND COUNTIES.

City contracts for swimming pools	1938, c. 99
County bonds, notes	1938, c. 237
County payments to Junior College	1940, c. 66
	1941, c. 43
Health purposes, obligations issued for	1939, c. 336
Municipal bonds, notes, etc.	1938, c. 117
	1938, c. 199
	1938, c. 378
	1939, c. 90
	1939, c. 159
	1939, c. 359
	1940, c. 79
	1940, c. 114
	1940, c. 115
	1940, c. 255
	1941, c. 128
Municipal budgets	1938, c. 42
	1938. c. 351
	1940, c. 76
	1941, c. 72

Municipal employees, deductions from salaries of, for hospital service plans	1941, c. 133
Municipal ordinances	1938, c. 223
	1939, c. 163
	1939, c. 372
	1941, c. 59
Municipal purchases, sales and exchanges of lands	1938, c. 63
	1939, c. 67
	1939, c. 154
	1939, c. 298
	1939, c. 371
	1940, c. 42
	1941, c. 186
Sheriffs bonds	1940, c. 87
Sewerage districts incorporated under P. L. 1939, c. 269	1940, c. 48
	1940, c. 49

Title 41. OATHS AND AFFIDAVITS.

Affidavits, etc., taken by Commissioners of Deeds and notaries public, see under Title 52, this Schedule.	
District clerks, boards of education, oaths and affidavits taken by	1939, c. 155
Affidavits, etc., taken by corporate officers, see under Title 14, this Schedule.	

Title 46. PROPERTY.

Acknowledgments, etc., taken by Commissioners of Deeds and notaries public, see under Title 52, this Schedule.	
Acknowledgments, affidavits, etc., taken by corporate officers, see under Title 14, this Schedule.	
Conveyances, mortgages and assignments, discharges, releases and postponements thereof, corporate and individual, real and personal property	1938, c. 3
	1938, c. 148
	1938, c. 241
	1938, c. 320
	1938, c. 411
	1939, c. 118
	1939, c. 178
	1939, c. 179
	1939, c. 214
	1939, c. 375
	1940, c. 38
	1940, c. 107
	1940, c. 180
	1941, c. 5
	1941, c. 53
	1941, c. 66
	1941, c. 176
	1941, c. 322
Deeds to and by Methodist Church of Avon-By-The Sea	1938 c. 339

Title 52. STATE GOVERNMENT, DEPARTMENTS AND OFFICERS.

Commissioner of Deeds, affidavits, acknowledgments, etc., taken by	1939, c. 178
Notaries public, affidavits and acknowledgments, taken by	1939, c. 179

Title 54. TAXATION.

Assignment of tax, etc., sale certificates	1938, c. 301
	1939, c. 215
Foreclosure, tax, etc., lien certificates	1938, c. 263
	1939, c. 169
	1939, c. 260
	1941, c. 18
	1941, c. 87
	1941, c. 175
Public utility excise taxes, levy and apportionment	1940, c. 2
	1940, c. 3
Sales of lands for taxes, etc.	1938, c. 251
	1939, c. 165
	1939, c. 194
	1939, c. 199
	1940, c. 241
	1941, c. 120
Tax and municipal lien searches	1938, c. 292

Title 55. TENEMENT HOUSES AND PUBLIC HOUSING.

Local Housing Authorities	1939, c. 187
	1941, c. 98
	1941, c. 213

INDEX

INDEX

A. PAGE

Absentees—administration of personal property of nonresident, ... 274
Accountings—notice of settlement, ...659, 660
Acknowledgments—taken before military officers, ... 889
validating proofs on deeds, ... 863
Acting mayor—in cities, ... 52
Acts repealed—see Repealers.
Adjutant-General—record of soldiers as voters, ... 923
Advertising—legal in newspapers, ...489, 1052
Advisory masters—appointment, etc., ... 827
Affidavits—taken before military officers, ... 889
Agents—licensing for insurance companies, ... 265
Agriculture—production, distribution, sale of milk, ... 713
reciprocal agreements covering shipments of nursery stock, 256
Airport—acquiring land for by municipalities, ... 22
Alcoholic beverages—application requirements for license, ... 220
compromise or cancel tax, ... 609
hotel licenses, ... 648
licenses, term, fee, ... 803
sale to voluntary military organizations, ... 868
sale to voluntary military organizations not taxable, 869
tax levy, ... 608
term of license, ... 1035
title to act concerning, amended, ... 700
Aliens—registration of, ... 1091
American education week—proclamation, ... 1230
American Legion—appropriation for convention of, ... 639
Anchorage—revenue from boats, ... 923
Animals—hours for hunting first day of season, ... 816
Annual appropriations, ... 283
Appeals—appeal from conviction, ... 137
Appropriations—additional for National Guard, ... 211
American Legion convention, ... 639
annual, ... 283
apportionment of school moneys supplied by United States, ... 971
assistance to the blind, ... 917
Boudinot home, ... 638
by freeholders for junior colleges, ... 117
carrying out minimum wage law, ... 990
certain transfers of funds, ... 473
commission to improve condition of urban colored population, ... 582
commission to revise State Constitution, ... 1084
compact relative to fisheries, ... 543
control of forest fires, ... 253
defense council, ...159, 569
defense training survey commission, ... 846
deficiency, ... 35
Delaware and Raritan canal, ... 593

PAGE

Appropriations—Delaware and Raritan Canal Commission, ... 669
dental defects among children, ... 871
department of health, ... 1013
funds for State Police radio system, ... 511
harbor of refuge, Atlantic City, ... 706
harbor of refuge, Point Pleasant beach, ... 813
increase State Police, ... 1015
institutional buildings, ... 967
investigating highway department, ... 848
James Lawrence house, ... 991
legal assistants to Attorney-General, ... 867
legislative purposes, ... 1067
milk control board, ... 843
municipal audits, ... 12
navigation lights in Newark bay, ... 826
Oxford Furnace, ... 653
payment to estate of Herbert Garrison, ... 818
printing blank forms for schools, ... 219
proceedings to collect delinquent taxes on railroads, ... 1012
purchasing additional land for Washington Crossing park, ... 753
record of soldiers as voters, ... 923
refund to certain foreign insurance companies, ... 1066
reimbursing school districts for educating crippled children, ... 870
removing weedy growth in Cranberry lake, ... 49
retaining wall at Shark river, ... 942
roads, Motor Vehicle Department, Tax Department, police, etc., ... 473
salaries of State Police, ...756, 928
school districts reimbursed for manual training, ... 915
school districts reimbursed for vocational education, ... 916
secretary for defense, ... 570
South Jersey Transit Authority, ... 604
State Board of Mediation, ...668, 849
State Planning Board, ... 257
subcontractor on Shark river bridge, ... 983
submission of Governor's budget message, ... 1041
support of public schools, ... 235
teachers' pension fund, ...512, 513, 515, 592
transferring funds for municipal aid, ...670, 671
unemployment compensation, ... 257
withdrawal of moneys, ... 649
Armistice Day—proclamation, ...1106, 1228
Armories—additional appropriation for National Guard, ... 211
Army Day—proclamation, ... 1202
Assembly—members of, ... 6, 7
apportionment, ... 845
Assessments—real property after completion, ... 1017
subordinate appointments in cities, ... 1016
Assessors—abolishing assistant in cities, ... 1016
Assets—distribution to creditors of insolvent estates, ... 190
Asylums—confinement and care of lunatics, ... 924
Atlantic City—appropriation for harbor at, ... 706
Atlantic States Marine Fisheries Commission, ... 534
Attorney-General—legal assistants, ... 867
Attorney, powers of—fiduciaries to file, ... 467
filing by testamentary trustee, ... 506

PAGE

Attorneys-at-law—legal surname of women, ... 963
Auction—validating sales of lands by municipalities, ... 572
Auctioneers—licensing real estate, ...207, 210
Auditing—appropriation for municipal, ... 12
Automobiles—compendium of motor vehicle act given applicant to drive, 900
compensation of inspectors, ... 559
extension of bus permit, ... 1010
head lights, ... 901
illegal operation of motor vehicle, ... 902
liability insurance, ... 959
license exceptions, ... 686
penalty for violating motor vehicle act, ... 901
registering farm machinery to travel on roads, ... 101
registration of heavy apparatus, ... 690
title to act concerning tax on motor fuels amended, ... 702
traffic signs, ... 903
Avalon, borough of—portion annexed to borough of Stone Harbor, ... 1253
Aviation—naval week, ... 1208
New Jersey day, ... 1223

B.

Bakeries—working hours for females, ... 970
Ballots—official, ...519, 526
sample, ... 739
Bankruptcy—abatement of taxes owed by corporations, ... 140
recording certain papers in, ... 1008
Banks—credit unions, ... 681
depositories for Federal funds, ... 238
examining committee, ... 573
loans and discount of notes, ... 517
management of savings, ... 234
operation of act extended, ... 189
photographing and destroying records, ...111, 114
photographic copies of records in evidence, ... 113
regulation of business of foreign, ... 577
reserve fund, ... 584
revocation of authority to do business, ... 1080
statement filed with county board of taxation, ... 857
title to act concerning amended, ... 704
Basin—revenue from berthing boats, ... 923
Bayonne—connecting Route No. 1 with naval base, ... 102
Beer—compromise or cancel tax, ... 609
license fees and term, ... 803
sale to voluntary military organizations, ... 868
sale to voluntary military organizations tax exempt, ... 869
tax levy on alcoholic beverages, ... 608
term of license, ... 1035
title concerning alcoholic tax law amended, ... 700
Bees—title to act regarding diseases amended, ... 703
Benefits—unemployment compensation, ... 257, 641
Betting—racing for money a crime, ... 1020
Beverages—application requirements for license, ... 220
compromise or cancel tax on, ... 609
hotel licenses, ... 648
license fees and term, ... 803
sale of alcoholic, to voluntary military organizations, ... 868

PAGE

Beverages—sale of alcoholic, to voluntary organizations tax exempt, ... 869
tax levy, ... 608
term of alcoholic license, ... 1035
title to act concerning alcoholic, amended, ... 700
Bible week—proclamation, ... 1243
Birds—act concerning pheasants and quail, ... 814
hours for hunting first day of season, ... 816
protection of waterfowl in South Shrewsbury river, ... 143
Births—recording certificates, ... 149
registering vital statistics, ...673, 674
Blind—appropriation to assist, ... 917
Blyler, William E.—title of real estate vested in Nellie D. Laverty, ... 758
Board of commerce and navigation—boat anchorage, ... 923
dredging harbor at Atlantic City, .. 706
dredging harbor at Point Pleasant Beach, ... 813
navigation lights in Newark bay, .. 826
payment to estate of Herbert Garrison, ... 818
registration of power vessels, ... 1016
retaining wall at Shark river, ... 942
Board of control—provisions for repairs, etc., of institutional buildings, .. 967
Board of dentistry—license to practice, ... 851
Board of mediation—appointment, etc., ... 228
appropriations, ...668, 849
definitions, ... 812
Board of milk control—appropriation, ... 843
production, distribution, sale of milk, ... 713
Boards of elections—compensation of county, ... 865
Boards of taxation—membership of county, ... 484
Boats—revenue from anchorage, ... 923
Bonds—advertising for sale, ... 205
borrowing money by municipalities for schools, ... 1079
Cape May county ferry, ... 160
extending maturity, ... 183
funding by State, ... 482
investment of proceeds from sale of public utility plants, ... 1059
issuance of municipal, ...19, 282
payment to teachers' pension fund, ... 513
purchase of income, by counties and municipalities, ... 809
reissuance by counties and municipalities, ... 819
reissuance by school districts, ... 822
relief of poor, ... 239
sale by municipalities under local government board control, ... 132
United States Savings, ... 1214
Bonus—temporary for certain employees, ... 1033
Bookbinder—pension to widow in county of second class, ... 622
Borough of—Avalon—part annexed to borough of Stone Harbor, ... 1253
Haddonfield—portions of township of Haddon annexed, ..918, 921
Laurel Springs—portion of township of Clementon annexed, 277
Medford Lakes—commission government adopted, ... 1257
Somerdale—boundary, ... 280
Stone Harbor—portion of borough of Avalon annexed, ... 1253
Tenafly—change of corporate title, ... 1253
Verona—pension to David H. Slayback, ... 623
Boroughs—abatement of taxes owing by corporations in bankruptcy, ... 140
acquiring land for airport, ... 22
administration of relief, ...88, 492, 1038

PAGE

Boroughs—advertising bonds for sale, ... 205
aid for libraries, ... 589
approval of budget, ... 657
approval of items in local budget, ...11, 23
assisting needy, ... 448
assisting volunteer fire companies, ... 472
certain inheritance taxes exempt, ... 1075
change of voter's residence, ... 522
collection of certain delinquent liens, ... 105
contributions to first aid societies, ... 656
creation of local defense councils, ...123, 567
Cresskill and Demarest transferred to first judicial district of Bergen county, ... 233
extending maturity of bonds, ... 183
hospital service policies, ... 450
hours of duty by policemen, ... 899
improvements at request of petitioners, ... 661
issuance of bonds, ...19, 282
issue of warrants, ... 147
issuing bonds for relief of poor, ... 239
legal settlement of needy persons, ... 930
licensing dogs, ... 495
licensing real estate auctioneers and brokers, ... 207
loans by trustees of free public libraries, ... 152
local registrar of vital statistics, ... 674
mayor acting as judge, ... 1060
meeting expenses of loss by fire, ... 128
membership of commission governed, ... 943
miscellaneous revenues in budget, ... 21
municipal aid in emergencies, ... 747
nonpaying maternity cases, ... 104
operation of municipal budget, ... 18
pension for firemen and police, ... 187
pensioning retired firemen and policemen, ... 488
permanent registration of voters, ...707, 984
procedure in borrowing money, ... 1079
purchase of income bonds, ... 809
referendum as to retaining certain land, ... 236
reissuance of bonds and notes, ... 819
repair of curbs, ... 606
repair of sidewalks, ... 605
requirements for liquor licenses, ... 220
retirement of recorders, ... 637
salaries of mayor and governing body, ... 486
sale of bonds, ... 132
sale of certificates of tax sale, ... 651
sample ballots, ... 739
settling certain taxes, ... 457
social service agencies, ... 556
supervision by local government board of New Jersey, ...174, 212
supplemental defense agency, ... 127
tenure of employees in military service, ... 268
title to act to permit councilmen to accept certain positions amend, ... 698
transfer of certain funds to school districts, ... 26
transfer of position not to affect pension benefits, ... 892
transfer of W. P. A. funds, ... 872
validating budgets, ... 159

New Jersey State Library

PAGE

Boroughs—validating ordinance pertaining to roads, ... 144
validating sales for taxes, ... 270
validating sales of lands at auction, ... 572
Boudinot Home—appropriation for, ... 638
Boundaries—between borough of Somerdale and township of Voorhees, .. 280
Bridges—appropriation to subcontractor on Shark river, ... 983
county commission, ... 158
British aid week—proclamation, ... 1201
Brokers—licensing real estate, ... 207
Budget—approval of items in local, ...11, 23
approval of municipal, ... 657
miscellaneous municipal revenues, ... 21
operation of municipal, ... 18
submission of Governor's message, ... 1041
transfer of certain funds of municipalities to school districts, ... 26
transfer of W. P. A. funds, ... 872
validating municipal, ... 159
Building and loan associations—falsifying accountings, ... 659
issuance of shares, ...688, 692
pass book furnished members, ... 859
plan of reorganization, ... 1044
revocation of authority to do business, .. 1080
statement by commissioner, ... 858
Buildings—appropriations for institutional, ... 967
condition of tenement houses, ... 595
exemptions from taxation, ... 663
sanitary for persons in defense activities, ... 615
use of public, as museums, for exhibitions, etc., ... 103
Buses—extension of permit, ... 1010
imposing excise tax, ... 1023
stopping before rail crossings, ... 690
substituting trackless trolleys, ... 445
transportation of school children, ... 581

C.

Canal—appropriation to commission on Delaware and Raritan, ... 669
appropriation to department of conservation for Delaware and Raritan, ... 593
Candelent, Harry R.—vesting title in Joseph F. Worth, ... 1054
Candidates—names filed prior to municipal election, ... 99
use of voting machines, ... 519
Cape May—ferry operated by county of, ... 160
Cemeteries—acquiring additional land, ... 645
passing title to plots, ... 146
validating acts of rural associations, ... 955
Chancellor—appoint advisory masters, ... 827
Chancery—ascertaining name of defendant, ... 1029
advisory masters, ... 827
fees and costs in court, ... 575
fees for searching, ... 679
making party defendant, ... 1029
reorganization of building and loan associations, ... 1044
sale of lands limited over to infants, ... 811
validating decrees in, ...36, 199, 551
validating deeds when land in more than one county, ... 51
validating sales under decree of, ... 986

PAGE

Charters—corporations restored, ... 1192, 1229
null and void, ... 1111
Premier Realty Co. restored, ... 1229
repealing German-American Bund Auxiliary, ... 571
validating certain conveyances to corporations whose, expired, 151
validating deeds by or to corporations having forfeited, ... 551
Chauffeur—see Driver.
Children—Child Health day, ... 1205
commission on juvenile delinquency continued, ... 133
dental defects among, ... 871
examination of school, for tuberculosis, ... 628
home work, ... 828
pensions for police and firemen's, ... 187
recording birth certificates, ... 149
reimbursing school districts for educating crippled, ... 870
sale of lands limited over to infants, ... 811
school districts reimbursed for manual training, ... 915
school districts reimbursed for vocational education, ... 916
transportation of school, ... 581
working hours, ... 468
Chosen freeholders—see Freeholders.
Christmas—proclamation, ... 1109
Churches—Bible week, ... 1243
exemptions from taxation, ... 663
extinct parishes in Episcopal, ... 1065
qualifications for trustees, ... 929
title of Methodist, ... 1077
Cities—abatement of taxes owing by corporations in bankruptcy, ... 140
acquiring land for airport, ... 22
acting mayor, ... 52
administration of relief, ... 88, 492, 1038
advertising bonds for sale, ... 205
aid for libraries, ... 589
appointment of subordinates, ... 1016
approval of budget, ... 657
approval of items in local budget, ... 11
assisting local fire companies, ... 472
assisting needy, ... 448
certain inheritance taxes exempt, ... 1075
change of voter's residence, ... 522
collection of certain delinquent liens, ... 105
contracts for foreclosure of tax title liens, ... 576
contributions to first-aid societies, ... 656
creation of local defense councils, ... 123, 567
extending maturity of bonds, ... 183
hospital service policies, ... 450
hours of duty by policemen, ... 899
improvements at request of petitioners, ... 661
investment of proceeds from sale of municipal utility plants, ... 1059
issuance of bonds, ... 19, 282
issue of warrants, ... 147
issuing bonds for relief of poor, ... 239
legal settlement of needy persons, ... 930
licensing dogs, ... 495
licensing real estate auctioneers and brokers, ... 207
loans by trustees of free public library, ... 152
local registrar of vital statistics, ... 674

PAGE

Cities—meeting expenses of loss by fire, ... 128
membership of commission governed, ... 943
miscellaneous revenues in budget, ... 21
municipal aid in emergencies, ... 747
nonpaying maternity cases, ... 104
operation of municipal budget, ... 18
pension fund for police and firemen, ... 187
pensioning retired police and firemen, ... 488
permanent registration of voters, ...707, 984
procedure in borrowing money, ... 1079
purchase of income bonds, ... 809
referendum as to retaining certain land, ... 236
reissuance of bonds and notes, ... 819
repair of curbs, ... 606
repair of sidewalks, ... 605
requirements for liquor license, ... 220
retirement of recorders, ... 637
salaries of mayor and governing body, ... 486
sale of certificates of tax sale, ... 651
sale of refunding bonds, ... 132
sample ballots, ... 739
settling certain taxes in arrears, ... 457
social service agencies, ... 566
supervision by local government board of New Jersey, ...174, 212
supplemental defense agency, ... 127
tenure when in military service, ... 268
title to act to permit councilmen to accept certain positions amended, ... 698
transfer of certain funds to school districts, ... 26
transfer of position not to affect pension benefits, ... 892
transfer of W. P. A. funds for other use, ... 872
use of public buildings as museums, etc., ... 103
validating budgets, ... 159
validating ordinance pertaining to roads, ... 144
validating sales for taxes, ... 270
validating sales of land at auction, ... 572
Cities of first class—medical director of hospital, ... 134
payment of officers and employees, ... 510
Citizens—civil rights, ... 668
Civil rights—status of voters, ... 668
Civil service—certain employees listed under, ... 206
election clerk in secretary of state's office placed under civil service, ... 759
tenure of appointments in certain cases, ... 746
title to act concerning civilian employees of State police amended, ... 705
Civil suit—service of process on automobile operators, ... 695
Claims—compromise by or against estates, ... 614
Clark, township of—commission government adopted, ... 1257
incorporation of township of Winfield, ... 944
Clementon, township of—certain area annexed to borough of Laurel Springs, ... 277
Collector of taxes—failure to sign tax sale certificate validated, ... 551
Colleges—appropriations by freeholders for junior, ... 117
Colored population—commission to improve condition, ... 582
Commerce and navigation—appropriation for, ... 480
Commissioner of alcoholic beverages—compromise or cancel tax, ... 609

PAGE

Commissioner of banking—act concerning investment companies, ... 1071
credit unions, ...681, 1074
regulating examinations, ... 573
regulation of business of foreign fiduciaries, 577
reorganization of building and loan associations, ... 1044
revoking authority to do business, ... 1080
statement of financial condition of building and loan associations, ... 858
Commissioner of education—vocational schools in second-class counties, 760
Commissioner of insurance—licensing insurance agents, ...265, 453
Commissioner of labor—appoint director of division of deaf, ... 586
industrial home work, ... 828
jurisdiction in compensation claims, ... 584
minimum wage standards, ... 860
payment of wages, ... 1062
regulating manufacture, etc., of explosives, ... 54
Commissioner of Local Government—approval of items in budget, ... 11
purchase of income bonds, ... 809
record of payment of certain delinquent municipal liens, ... 105
Commissioner of Motor Vehicles—appointment and compensation of inspectors, ... 559
as driver's agent, ...142, 695
compendium of act given applicant to drive, ... 900
financial responsibility of drivers, ... 806
registering farm machinery to travel on roads, ... 101
report to, regarding crime, ... 145
Commissioner of Roads—traffic signs, ... 903
Commissions—American Legion convention, ... 639
appropriation for Boudinot Home, ... 638
appropriation to acquire birthplace of James Lawrence, .. 991
appropriation to Commission on Historic Sites for restoring Oxford Furnace, ... 653
appropriation to defense training survey, ... 846
assistance to ameliorate condition of blind, ... 917
Atlantic States Marine Fisheries, ... 534
candidates for commission-governed municipalities, ... 99
Cape May county ferry, ... 160
causes of juvenile delinquency continued, ... 133
county bridge, ... 158
defense council, ... 981
Delaware river joint, ... 893
emergency vocational schools, ... 766
examination of, ...34, 848, 850
improvement of urban colored population, ... 582
investigations of, ...34, 848, 850
issue of warrants by municipalities under municipal finance, 147
licensing real estate auctioneers, ... 210
membership of commission governed, ... 943
milk control board, ... 713
New Jersey labor mediation act, ... 228
New Jersey racing, ... 458
New Jersey rehabilitation, ... 510
North Jersey transit continued, ... 263
Passaic Valley Sewerage District, ... 227

PAGE

Commissions—revision of State Constitution, ... 1084
sale of unnecessary park land by county, ... 647
State House, to sell land to Wilson-Gugelman Post, ... 625
supplying water to municipalities, ... 15
temporary bonus for certain employees, ... 1033
tenure of employees in military service, ... 268
Compact—between New Jersey and sundry States regarding fisheries, ... 534
Comptroller—appropriation for municipal auditing, ... 12
Conservation, board of—appropriation for additional land for Washington Crossing park, ... 753
appropriation to remove weedy growth in Cranberry lake, ... 49
Delaware and Raritan canal, ... 593
establish Pohatcong park, ... 531
prevention and control of forest fires, ... 253
Conservation week—proclamation, ... 1197
Constables—salaries in district courts, ...683, 960
Constitution—anniversary of United States, ... 1095
committee on revision, ... 1084
proclamation, ... 1219
Contraband—money seized in gaming as, ... 156
Contracts—municipality entering into, ... 576
Convention—appropriation for American Legion, ... 639
Convention halls—operation of, ... 17
Conveyances—see deeds.
Convictions—appeals from, ... 137
report by magistrate to commissioner of motor vehicles, ... 145
Cooper creek—changing center line, ... 280
Corporations—abatement of taxes owing by, ... 140
acceptance of "High Fields" by New Jersey, ... 271
alcoholic beverages licenses for hotels, ... 648
cemeteries acquiring additional land, ... 645
charters restored, ...1192, 1229
credit unions, ...681, 1074
deeds validated, ... 16
elections for directors, ... 489
extinct parishes in Episcopal Church, ... 1065
general powers of railroads, ... 1058
imposing excise tax on, ... 39
issue of summons in lieu of warrant of arrest, ... 985
null and void, ... 1111
payment of wages, ... 1062
quality of gas, ... 491
recording business, ... 675
reorganization of building and loan associations, ... 1044
repealing charter of German-American Bund Auxiliary, .. 571
requirements for application for liquor license, ... 220
taxation of gross receipts of public utilities, ... 1025
taxation of public utilities, ... 43
time for completing certain railroads extended, ... 13
validating certain conveyances to, ... 151
validating deeds to or from, whose charter revoked, ... 551
validating instruments when seal omitted, ... 136
validating rural cemetery associations, ... 955
Corson, William W.—title to real estate vested in heirs of, ... 666
Councilmen—title to act to permit; to accept certain position amended, ... 698

PAGE

Counties—advertising bonds for sale, ... 205
appealing from conviction to special sessions court, ... 137
apportionment of members of General Assembly, ... 845
appropriations for junior colleges by freeholders, ... 117
approval of budget, ... 657
approval of items in local budget, ... 11
bridge commission, ... 158
care of lunatics, ... 924
changing voting residence, ... 522
contributions to first-aid associations, ... 656
extending maturity of bonds, ... 183
meeting expenses of loss by fire, ... 128
membership of employees' retirement system, ... 658
nonpartisan district courts, ... 765
purchase of income bonds, ... 809
reissuance of bonds and notes, ... 819
relief of poor, ... 444
rights and privileges of teachers in vocational schools, ... 494
sale of unnecessary park land, ... 647
settling certain taxes in arrears due, ... 457
soldiers voting, ... 951
temporary bonus for certain employees, ... 1033
tenure of employees in military service, ... 268
transfer of W. P. A. funds, ... 872
validating acknowledgments to deeds, ... 863
validating acts of rural cemetery associations, ... 955
withdrawal by veterans from pension system, ... 1022
Counties of first class—medical director of hospital, ... 134
Counties of second class—pension to widow of bookbinder, ... 622
pensioning widows of certain employees of county clerk's office, ... 965
vocational schools, ... 760, 766
Counties of third class—pensioning former secretary of tax board, ... 966
Counties of fourth class—fire marshal, ... 281
tenure of prosecutor's detectives, ... 624
County boards of elections—compensation, ... 865
soldiers' voting, ... 951
County boards of taxation—assessment of real property after completion, 1017
assessment of second class railroad property, 799
bank statement filed with, ... 857
membership, ... 484
pensioning former secretary in third-class counties, ... 966
County clerks—credit unions, ... 681
fees and costs, ... 675, 679
fiduciaries to file powers of attorney, ... 467
filing petitions before election, ... 526
no filing fees in workmen's compensation cases, ... 531
pensioning widows of certain employees in county clerk's office in second-class counties, ... 965
recording certain papers pertaining to bankruptcy, ... 1008
recording certain releases to cemetery rights, ... 146
reorganization of building and loan associations, ... 1044
soldiers voting, ... 951
supply sample ballots, ... 739

PAGE

County of Cape May—commission to operate ferry, ... 160
County detectives—tenure of prosecutor's, in counties of fourth class, ... 624
County hospital—commodities for sale, ... 110
medical director in first-class county, ... 134
County superintendents—transportation of school children, ... 581
Court of Chancery—advisory masters, ... 827
fees for searching, ... 679
fees and costs, ... 575
making party defendant, ... 1029
reorganization of building and loan associations, ... 1044
sale of lands limited over to infants, ... 811
validating decrees, ...36, 199, 551, 986
Courts—acceptance of trusteeship, ... 506
appealing from conviction, ... 137
appointment of guardian in case of vacancy, ... 864
arrest of certain criminals, ... 203
commissioner of motor vehicles as agent of operators, ... 142
Cresskill and Demarest transferred to first judicial district of Bergen county, ... 233
fees and costs, ... 675
fiduciaries to file powers of attorney, ... 467
first judicial district of Middlesex county, ... 895
issuing restraining orders or injunctions, ... 27
judges of Court of Errors and Appeals not to practice in any, .. 756
money seized in gaming, ... 156
political aspect of district, ... 765
production of prisoners, ... 640
salaries of constables and sergeants-at-arms in district, ...683, 960
salaries of judges of district, ... 750
second judicial district of Middlesex county, ... 897
summoning witnesses in criminal cases, ... 200
uniform judicial notice of foreign law, ... 193
uniform liquidation proceedings, ... 190
validating certain sales of lands, ... 1031
Cranberry lake—removing weedy growth, ... 49
Creditors—distribution of assets of insolvent estates, ... 190
preference in decedents' estates, ... 646
Credit unions—incorporation and regulation of, ...681, 1074
Cresskill, borough of—transferred to first judicial district of Bergen county, ... 233
Crimes—arrest of certain criminals, ... 203
betting on races, ... 1020
falsifying building and loan accountings, ... 659
issuance of summons, ... 985
marriage in case of criminal charge, ... 1080
money seized in gaming, ... 156
obtaining money or valuables by false statement, ... 755
overseer of poor not to exercise political influence, ... 50
production of prisoners before courts, ... 640
redemption of tax sale certificate, ... 194
report to commissioner of motor vehicles regarding, ... 145
summoning witnesses in criminal cases, ... 200
Crippled children—reimbursing school districts for educating, ... 870
Curbs—repair along streets and roads, ... 606
Czecho-Slovak day—proclamation, ... 1199

D.

PAGE

Damages—financial responsibility of drivers, ... 806
Deaf—division of, created in labor department, ... 586
Deaths—registering vital statistics, ...673, 674
Decedents—administration of estates, ... 989
preference of creditors, ... 646
sale of real estate of declared dead, ... 655
Decrees—dissolutions of corporations, ... 1249
validating in court of chancery, ...36, 51
Deeds—by corporations validated, ... 16
recording certain papers in bankruptcy, ... 1008
resale of real estate mistakenly acquired, ... 153
riparian rights for New Jersey, ... 818
validating acknowledgments, ... 863
validating, by or to corporations whose charter forfeited, ... 551
validating certain conveyances to corporations, ... 151
validating, made by executors, ... 131
validating sheriff's, ... 962
validating when land in more than one county, ... 51
validating when seal omitted, ... 136
Defendant—appealing from conviction to special sessions court, ... 137
Defense—appropriation to commission, ... 846
appropriation to council, ...159, 569
civilian proclamation, ... 1233
council, ... 981
creating supplemental agency, ... 127
creation of community defense councils, ... 125
creation of local councils, ...123, 567
creation of New Jersey council and duties, ... 125
employment of workers, ...1237, 1241
military service, ...1093, 1104
proclamation declaring emergency, ... 1217
proposed tunnel under Delaware river, ... 1086
sanitary conditions for workers, ... 615
savings stamps, ... 1221
secretary for, ... 570
social service organizations approved, ...564, 566
soldiers' voting, ... 1217
temporary bus permits, ... 1010
title to act creating council amended, ... 561
United Service Organization for, ... 1213
Deficiencies—appropriations, ... 35
Delaware and Raritan canal—appropriation to department of conservation for, ... 593
appropriation to commission, ... 669
Delaware river—proposed tunnel, ... 1086
Delaware river joint bridge commission—appropriation for, ... 480
improving ports on lower Delaware river, ... 893
Demarest, borough of—transferred to first judicial district of Bergen county, ... 233
Dentistry—dental defects among children, ... 871
regulating practice of, ... 851
Department of health—registering vital statistics, ...673, 674
Department of local government—supervision over certain municipalities, ...174, 212
Depositories—federal funds, ... 238
Descent—concerning real property, ... 508

PAGE

Desserts—regulating sale of ices, ... 748
Detectives—tenure in counties of fourth class, ... 624
Directors—elections by corporations, ... 489
Diseases—preventing spread of rabies, ... 495
title to act concerning bees amended, ... 703
Disorderly persons—appealing conviction, ... 137
procuring money or valuables by false statement, ... 755
relative to food stamps, ... 594
Dissolution—decrees as to certain corporations, ... 1249
extinct parishes in Episcopal Church, ... 1065
District courts—Commissioner of Motor Vehicles as agent of operator, .. 142
Cresskill and Demarest transferred to first judicial district of Bergen county, ... 233
first criminal judicial district of Passaic county, ... 591
first judicial, of Middlesex county, ... 895
nonpartisan, ... 765
salaries of constables and sergeants-at-arms, ...683, 960
salaries of judges, ... 750
second criminal judicial district of Passaic county repealed, ... 591
second judicial, of Middlesex county, ... 897
Dogs—control and licensing, ... 495
Dower—sale of real estate of persons declared dead, ... 655
Drivers—Commissioner of Motor Vehicles as agent of, ...142, 695
compendium of motor vehicle act given applicant, ... 900
financial responsibility, ... 806
illegal operation of motor vehicle, ... 902
multiple beam lighting equipment, ... 901
penalty for violating motor vehicle act, ... 901
revoked or suspended license, ... 902
service of process, ... 695
Drugs—narcotic education week, ... 1196
purchase and distribution of certain serum, ... 1078
Dwellings—sanitary conditions for persons in defense activities, ... 615

E.

Elections—candidates in commission governed municipalities, ... 99
certifications in first-class counties repealed, ... 521
change of residence, ... 522
compensation of county boards of, ... 865
election clerk in Secretary of State's office placed on civil service list, ... 759
filing petitions and certifications, ... 526
list of soldiers as voters, ...923, 1217
new townships, ... 875
official ballots, ... 519
permanent registration, ...547, 707, 984
result of municipal, ... 1257
sample ballots, ... 739
signature comparison record, ... 552
special for senator in Hunterdon county, ... 1216
submission of public questions, ... 543
voting by soldiers, ...118, 951, 1097
Emergencies—civilian defense, ... 1233
municipal aid in, ... 747
soldiers' voting, ... 1097
vocational schools, ... 766

PAGE

Employees—certain State, under civil service, ... 206
issuing restraining orders or injunctions, ... 27
payment of wages by corporations, ... 1062
retirement of State, ...509, 658
unemployment compensation, ... 992
withdrawal by veterans from county pension system, ... 1022
working hours for females, ... 970
Entwhistle, William—vesting title to real estate in Jennie H. Humphreys, et als., ... 873
Episcopal church—extinct parishes, ... 1065
Errors and Appeals—judges of court of, not to practice in court, ... 756
Escheats—title to real estate in Anna A. Fox vested in heirs of William W. Corson, ... 666
title to real estate in Joseph Love vested in township of Haddon, ... 275
title to real estate in William S. Parker vested in township of Haddon, ... 272
vesting title in Joseph F. Worth, ... 1054
vesting title to real estate in Carrie Lilley, Eva Lang, Maggie Wilson, ... 802
vesting title in real estate in Jennie H. Humphreys, et als., ... 873
vesting title to real estate in Nellie D. Laverty, ... 758
Estates—accountings, ... 659
administration of decedent's, ... 989
compromise of claims, ... 614
creditors of decedents, ... 646
distribution of legacies, ... 545
distribution to creditors of insolvent, ... 190
filing powers of attorney by fiduciaries, ... 467
transfer inheritance taxes, ... 545
Eveleth, Frederick W.—accepting gift of, by State, ... 1068
Evidence—photographic records of banks or trust companies in, ... 113
public records of foreign state, etc., in, ... 261
Excise tax—amending title of act imposing, ... 1023
imposing on certain persons and corporations, ... 39
Executors—compromise claims, ... 614
validating deeds by, ... 131
Exemptions—taxation of property, ... 663
Explosives—regulating manufacture, etc., ... 54
Eyes—save your vision week, ... 1198

F.

Factories—unemployment compensation, ... 972
working hours for females, ... 970
Fairs—regulating racing, ... 458
Father's day—proclamation, ... 1210
Fees—court of chancery, ... 575
in general, ... 675
Females—working hours in factories, etc., ... 970
Ferry—Cape May, ... 160
Fiduciaries—distribution of legacies, ... 545
filing powers of attorney, ... 467
regulation of business of foreign, ... 577
Final decrees—validating in suits foreclosing certificates for taxes, ... 199
Financial responsibility—motor vehicle drivers, ... 806
Fingerprinting—supplemental defense agency, ... 127

PAGE

Firemen—aiding in emergencies, ... 747
investment of pension funds, ... 198
pensioning retired, ... 488
pensions for, and dependents, ...187, 198
Fires—fire prevention week, ...1098, 1218
marshal in fourth-class counties, ... 281
meeting loss by county and municipality, ... 128
municipal aid in emergencies, ... 747
municipal assistance for volunteer companies, ... 472
prevention and control of forest, ... 253
First-aid associations—contributions to, by municipalities, ... 656
Fish and game—compact between sundry States relative to fisheries, ... 534
hours for hunting first day, ... 816
licensing shad fishing in Hudson river, ...53, 891
pheasants and quail, ... 814
protection of water fowl in South Shrewsbury river, ... 143
regulating net fishing, ... 610
sturgeon fishing in Hudson river, ... 665
tracking certain game in snow repealed, ... 585
Flag—unity day, ... 1244
Flag week—proclamation, ... 1209
Food—conservation week, ... 1197
milk control, ... 713
possession, sale of stamps, etc., ... 594
regulating manufacture, etc., of ice cream, etc., ... 115
regulating sale of ices, ... 748
Foreclosures—validating decrees in court of chancery, ... 36
validating tax sale certificate not signed by collector, ... 551
Foreign insurance companies—refund to certain, ... 1066
Forest fires—meeting loss by county and municipalities, ... 128
prevention and control, ... 253
Fox, Anna A.—title to real estate vested in heirs of William W. Corson, 666
Franchise—imposing excise tax, ... 1023
sale of railroad property and, ... 590
taxation of gross receipts of public utilities, ... 1025
taxation of railroads, ...958, 969, 1001
Fraud—procuring money or valuables by, ... 755
Freeholders—appropriation for junior colleges, ... 117
care of lunatics, ... 924
commodities sold at county hospitals for insane, ... 110
county bridge commission, ... 158
examination of school children for tuberculosis, ... 628
pensioning former secretary of tax board in third-class counties, ... 966
pension to widow of bookbinder in county of second class, 622
purchase of income bonds by counties, ... 809
regulating moving heavy machinery on roads, ... 690
temporary bonus for certain employees, ... 1033
vocational schools in second-class counties, ...760, 766
Fresh pursuit—arrest of certain criminals, ...203, 259
Furnace—appropriation for restoring Oxford, ... 653

G.

Game—see Fish and game.
Gaming—betting on races, ... 1020
money seized as evidence, ... 156
Gardens—conservation week, ... 1197

PAGE

Gas companies—regulating quality, ... 491
General Assembly—apportionment of members, ... 845
members of, ... 6, 7
German-American Bund Auxiliary—repealing charter, ... 571
Gloucester tunnel—proposed under Delaware river, ... 1086
Golio, John—pensioned by city of Trenton, ... 898
Good will—proclamation, ... 1203
Governor—appoint board of mediation, ... 228
appoint commission to improve condition of urban colored population, ... 582
appoint commission to represent State at American Legion convention, ... 639
appoint members on commission to revise State Constitution, 1084
appoint Passaic valley sewerage district commissioners, ... 227
appoint secretary for defense, ... 570
appoint superintendent of State police, ... 583
appointing county tax boards, ... 484
appointments in certain cases, ... 746
assisting United States government, ... 1014
compact relative to fisheries, ... 534
determining appropriation to defense council, ... 569
investigating highway department, ... 848
investigation of State departments or officers, ...34, 848, 850
New Jersey Defense Council, ... 981
New Jersey State Guard, ...243, 259
submission of budget message, ... 1041
Great Seal—use of, ... 627
Guardians appointment in case of vacancy, ... 864
citation to appear at orphans' court, ... 660

H.

Haddonfield, borough of—portion of township annexed to, ...918, 921
Haddon, township of—portion annexed to Haddonfield, ...918, 921
title to real estate in William S. Parker vested in, 272
title to real estate in Joseph Love vested in, ... 275
Hammett, Edward C.—title to real estate vested in Carrie Lilley, Eva Lang, Maggie Wilson, ... 802
Harbor—appropriation for at Atlantic City, ... 706
appropriation for at Point Pleasant Beach, ... 813
Health—act concerning public, amended, ... 1078
appointment of local registrar, ... 674
appropriation to department, ... 1013
Child Health day, ... 1205
dental defects among children, ... 871
determine tuberculosis in school children, ... 628
examiners of tuberculous persons, ... 510
hospital service policies, ... 450
map of additional land for cemeteries filed with State board of, 645
narcotic education week, ... 1196
practicing medicine and surgery, ... 241
preventing spread of rabies, ... 495
recording birth certificates, ... 149
registering vital statistics, ...673, 674
regulating manufacture, etc., of ice cream, etc., ... 115
regulating practice of dentistry, ... 851
regulating production and sale of milk, ... 713

PAGE

Health—regulating sale of ices, ... 748
sanitary dwellings for persons in defense activities, ... 615
working hours for females, ... 970
High Fields—acceptance by New Jersey, ... 271
Highways—see Roads.
Historic sites—appropriation for Boudinot Home, ... 638
appropriation for Oxford Furnace, ... 653
appropriation to acquire birthplace of James Lawrence, .. 991
Hives—title to act concerning bee diseases amended, ... 703
Homeworkers—industrial homework, ... 828
title of act for protection of, amended, ... 697
Horses—racing, ... 458
Hospitals—care of lunatics by counties, ... 924
commodities for sale at county, ... 110
examination of tubercular school children, ... 628
medical director in city and county of first class, ... 134
relief of nonpaying patients, ... 104
service policies, ... 450
Hotels—alcoholic beverages license, ... 648
House of Assembly—apportionment of members by counties, ... 845
members of, ... 6, 7
Houses—condition of tenement, ... 595
sanitation, ... 615
Housing—landlord and tenant, ... 856
Housing authorities—sanitation of dwellings, ... 615
Hudson river—licensing shad fishing in, ...53, 891
Humphreys, Jennie H.—vesting title to real estate in, et als., ... 873
Hungarian independence—Hungarian day, ... 1200
Hunterdon county—proclamation for special election for senator in, ... 1216
Hunting—hours first day of season, ... 816

I.

Ice cream—regulating manufacture, etc., ... 115
regulating sale, ... 748
Income bonds—purchase by counties and municipalities, ... 809
Indexing—appropriation for legislative, ... 1067
Industrial home work—licensing, enforcement, etc., ... 828
Industries—employment of workers, ... 1237
Inheritances—certain transfers exempt from taxation, ... 1075
sale of lands limited over to infants, ... 811
taxes on transfer, ... 545
Injunctions—issuing by court, ... 27
Insane—care of lunatics by counties, ... 924
commodities for sale at county hospitals, ... 110
Inspectors—compensation of motor vehicle, ... 559
Institutions—appropriations for buildings, ... 967
Insurance—annual valuation of life policies, ... 453
licensing agents for companies, ... 265
motor vehicle, ... 959
refund to certain foreign companies, ... 1066
Intestates—administration of estates, ... 989
Investigations—examination of bureaus, commissions, etc., ...34, 848, 850
Investment companies—act concerning, ...1000, 1071
revocation of authority to do business, ... 1080

J.

PAGE

Joint resolutions—Delaware river tunnel, ... 1086
revision of State Constitution, ... 1084
United Spanish War Veterans Memorial Highway, .. 1083
Judges—issuing restraining orders or injunctions, ... 27
judges of Court of Errors and Appeals not to practice in courts, 756
mayor acting in boroughs, ... 1060
nonpartisan district courts, ... 765
report to commissioner of motor vehicles regarding convictions, 145
salaries in district courts, ... 750
summoning witnesses in criminal cases, ... 200
Judgments—binding on State, ... 588
fees and costs, ... 675
preference against decedent, ... 646
validating warrants for satisfaction of, ... 685
Judicial district court—Cresskill and Demarest transferred to first, of Bergen county, ... 233
first of Middlesex county, ... 895
salaries of judges, ... 750
second of Middlesex county, ... 897
Junior colleges—appropriations by freeholders for, ... 117
Juvenile delinquency—commission continued, ... 133

K.

Kennels—licensing, ... 495
Knitting—title of act for protection of homeworkers amended, ... 697
Kossuth, Louis—Hungarian day, ... 1200

L.

Labor—board of mediation, ...228, 812, 849
carrying out minimum wage law, ... 990
creating division of deaf in department of, ... 586
hours of duty by policemen, ... 899
industrial home work, ... 828
issuing restraining orders or injunctions, ... 27
jurisdiction of commissioner in compensation claims, ... 584
liens of processors of goods, ... 687
mechanics' liens, ... 154
no filing fees in workmen's compensation, ... 531
payment of wages, ... 1062
payment to mechanics for, ... 987
regulating child, ... 468
regulating manufacture, etc., of explosives, ... 54
title of act for protection of homeworkers amended, ... 697
unemployment compensation, ...257, 641, 992, 1000, 1002
wage standards, ... 860
workmen's compensation security fund, ... 197
Landlords—tenancy, ... 856
Lang, Eva—title of real estate in Edward C. Hammett vested in, ... 802
Lands—sale of, limited over to infants, ... 811
title to cemetery plots, ... 146
validating acknowledgments, ... 863
validating certain sales, ... 1031
validating deeds by executors, ... 131

PAGE

Laundries—working hours for females, ... 970
Laurel Springs, borough of—certain area of township of Clementon annexed to, ... 277
Laverty, Nellie E.—title of real estate in William E. Blyler vested in, ... 758
Lawrence, James—appropriation to acquire birthplace, ... 991
Laws—numbering chapters, ... 38
operation of act pertaining to trust companies extended, ... 189
table of contents, ... 1259
Lawyers—advisory masters, ... 827
marriage record of women, ... 963
Legacies—transfer inheritance taxes, ... 545
Legislature—apportionment of members of General Assembly, ... 845
appropriation for certain purposes, ... 1067
distributing Revised Statutes to certain members of, ...105, 151
members of, ...5, 6, 7,
reconstituting committee on north Jersey transit, ... 263
Liberty fleet day—proclamation, ... 1224
Librarian—certain records transferred to State, ... 100
Libraries—loans by trustees, ... 152
municipalities may aid, ... 589
Licenses—agents for insurance companies, ... 265
alcohol beverages for hotels, ... 648
application requirements for liquor, ... 220
certain machinery, etc., ...686, 690
dogs and kennels, ... 495
fees and term, ... 803
illegal operation of motor vehicle, ... 902
industrial home work, ... 828
marriage, ... 926
milk, ... 713
net fishing, ... 610
practice of dentistry, ... 851
practicing medicine and surgery, ... 241
real estate auctioneers and brokers, ...207, 210
sale of alcoholic beverages to voluntary military organizations tax exempt, ... 869
sale of alcoholic beverages to voluntary military organizations, 868
shad fishing in Hudson river, ...53, 891
temporary bus permits, ... 1010
tenure of operators of water system and sewage plant, ... 654
term of alcoholic beverages, ... 1035
Liens—binds the State, ... 588
collection of certain delinquent municipal, ... 105
contracts for foreclosure of tax title, ... 576
enforcement for unpaid taxes, ... 195
fees and costs, ... 675
mechanics', ... 154
payment to mechanics for labor, ... 987
processors of goods, ... 687
validating decrees in suits to foreclose municipal, ...36, 199
Lights—navigation in Newark bay, ... 826
Lilley, Carrie—title of real estate in Edward C. Hammett vested in, ... 802
Linden, city of—incorporation of township of Winfield, ... 944
Liquors—application requirements for licenses, ... 220
license fees and term, ... 803
sale of alcoholic beverages to voluntary military organizations tax free, ... 869
sale to voluntary military organizations, ... 868

PAGE

Liquors—tax levy on, ... 608
term of license, ... 1035
title to act concerning alcoholic beverage tax law amended, ... 700
Loan associations—falsifying accountings, ... 659
issuance of shares, ...688, 692
pass book furnished members, ... 859
plan of reorganization, ... 1044
statement by commissioner, ... 858
Loans—by banks, trust companies, ... 517
by trustees of free public libraries, ... 152
Local assistance board—assisting needy, ... 448
Local defense—creation of councils in municipalities, ...123, 567
Local government—abatement of taxes owing by corporations in bankruptcy, ... 140
approval of budget, ... 657
approval of items of budget by commissioner, ...11, 23
purchase of income bonds, ... 809
record of payment of certain delinquent liens, ... 105
salaries of mayor, etc., ... 486
sale of bonds by municipalities under control of board of, ... 132
supervision by State department of, ...174, 212
Local housing—additional term, ... 222
Love, Joseph—vesting title in, in township of Haddon, ... 275
Lunatics—care by counties, ... 924

M.

Magistrate—defendant appealing from conviction to special sessions court, 137
report by to commissioner of motor vehicles regarding conviction, ... 145
Mansfield, township of—Pohatcong park, ... 531
Manual training—school districts reimbursed for, ... 915
Marine Corps day—proclamation, ... 1232
Marriages—in criminal charges, ... 1080
licensing, ... 926
pre-examinations, ... 1013
registering vital statistics, ...673, 674
women lawyers, ... 963
Masaryk, Thomas G.—Czecho-Slovak day, ... 1199
Masters—appointment, etc., of advisory, ... 827
Maternity—appropriations for examinations, ... 1013
relief for nonpaying patients, ... 104
Mayor—acting as judge in boroughs, ... 1060
acting in cities, ... 52
salary, ... 486
McKenzie, Kenneth—acceptance of certain gift by State, ... 1068
Mechanics' liens—act concerning, ...154, 987
Medford Lakes, borough of—commission government adopted, ... 1257
Mediation act—appropriation to board, ...668, 849
commission, ... 228
definitions, ... 812
Medical director—hospitals in city and county of first class, ... 134
Medicine—practice of, ... 241
purchase and distribution of certain serum, ... 1078
Methodist church—amended title, ... 1077
Middlesex county—first judicial district, ... 895
second judicial district, ... 897

PAGE

Military officers—oaths and acknowledgments taken before, ... 889
Military reservations—regulating traffic within, ... 847
Militia—act concerning, ... 243
fresh pursuit, ... 259
sale of alcoholic beverages to voluntary military organizations, ... 868, 869
tenure of school employees in military service, ... 451
Milk—appropriation to control board, ... 843
regulating production, distribution and sale, ... 713
Mills—unemployment compensation, ... 972
working hours for females, ... 970
Minors—sale of lands limited over to infants, ... 811
validating warrants for satisfaction of judgments, ... 685
working hours for females, ... 970
Mortgages—validating when seal omitted, ... 136
Mother's day—proclamation, ... 1206
Motor vehicles—act given applicant to drive, ... 900
appropriation for department, ... 477
commissioner as agent of operator, ... 142, 695
compensation of inspectors, ... 559
financial responsibility, ... 806
head lighting, ... 901
illegal operation of motor vehicle, ... 902
liability insurance, ... 959
license exceptions, ... 686
penalty for violation, ... 901
registering farm machinery to travel on roads, ... 101
registration of certain traction equipment, ... 686, 690
report to commissioner in matter of crime, ... 145
substituting trackless trolleys for street railways, ... 445
title to act concerning tax on fuels amended, ... 702
traffic signs, ... 903
Municipal finance commission—issue of warrants, ... 147
Municipalities—abatement of taxes owing by corporations in bankruptcy, 140
acquiring land for airport, ... 22
act to permit councilmen to accept certain positions amended, ... 698
administration of, ... 1038
administration of relief, ... 88, 492
advertising bonds for sale, ... 205
aid for libraries, ... 589
aid in emergencies, ... 747
appropriation for audits, ... 12
approval of budget, ... 657
approval of items in local budget, ... 11, 23
assisting needy, ... 448
assisting volunteer fire companies, ... 472
certain transfers exempt from taxation, ... 1075
change of corporate titles, ... 1253
change of voting residence, ... 522
collection of delinquent liens, ... 105
contributions to first-aid associations, ... 656
creation of defense agency, ... 566
creation of local defense councils in, ... 123, 567
entering into contracts, ... 576
extending maturity of bonds, ... 183
filing petitions before election, ... 526
hospital service policies, ... 450

PAGE

Municipalities—hours of duty by policemen, ... 899
improvements at request of petitioners, ... 661
issue warrants, ... 147
issuing bonds for relief of poor, ... 239
investment of proceeds, ... 1059
joint water supply, ... 546
legal settlement of needy persons, ... 930
licensing dogs, ... 495
licensing real estate auctioneers and brokers, ... 207
loans by trustees of free public libraries, ... 152
local registrar of vital statistics, ... 674
medical director of hospitals in city and county of first class, ... 134
meeting expenses of loss by fire, ... 128
membership in employees' retirement system, ... 658
membership of commission governed, ... 943
miscellaneous revenues in budget, ... 21
operation of budget, ... 18
operation of convention halls or radio stations, ... 17
payment in sewing project, ... 980
pensions for police, firemen, and dependents, ... 187
pension for recorders, ... 637
pensioning retired firemen and policemen, ... 488
permanent registration of voters, ...707, 984
procedure in borrowing money for schools, ... 1079
purchase of income bonds, ... 809
referendum as to retaining certain lands, ... 236
reissuance of bonds and notes, ... 819
relief in maternity cases, ... 104
repair of curbs, ... 606
repair of sidewalks, ... 605
requirements for liquor license, ... 220
result of special elections, ... 1257
salaries of mayor and governing body, ... 486
sale of bonds by, under control of local government board, 132
sale of certificates of tax sale, ... 651
sample ballots, ... 739
settling certain taxes in arrears, ... 457
soldiers voting at certain elections, ... 118
supervision by State Department of Local Government, ...174, 212
supplemental defense agency, ... 127
temporary bonus for certain employees, ... 1033
tenure of employees in military service, ... 268
transfer of certain funds to school districts, ... 26
transfer of funds for municipal aid, ...670, 671
transfer of position not to affect benefits, ... 892
transfer of W. P. A. funds, ... 872
use of public buildings, ... 103
use of transferred moneys by school districts, ... 20
validating budgets, ... 159
validating decrees in suit to foreclose liens, ...36, 199
validating issuance of bonds, ... 282
validating ordinance pertaining to roads, ... 144
validating sales for taxes, ... 270
validating sales of land at auction, ... 572
validating tax sale certificate, ... 551
Museums—use of public buildings for exhibitions, etc., ... 103

N.

PAGE

Narcotics—education week—proclamation, ... 1196
National business women's week—proclamation, ... 1225
National defense—acquiring land for airport, ... 22
creation of local councils in municipalities, ... 123
registration under selective training and service act, 1099
sanitary conditions for persons engaged in, ... 615
National defense through employment, ... 1241
National Guard—act concerning militia, ... 243
additional appropriation for, ... 211
enlistment, ... 1092
sale of alcoholic beverages to voluntary military organizations, ... 868, 869
serving outside State, ... 259
soldiers' voting, ... 951, 1097
National maritime day—proclamation, ... 1211
Navigation—appropriation to board of commerce for riparian rights, ... 818
boat anchorage, ... 923
dredging harbor at Atlantic City, ... 706
dredging harbor at Point Pleasant beach, ... 813
lights in Newark bay, ... 826
registration of power vessels, ... 1016
retaining wall at Shark river, ... 942
Navy—National maritime day, ... 1211
Marine Corps day, ... 1232
Navy aviation week—proclamation, ... 1208
Navy day—proclamation, ... 1103
Needy persons—legal settlement, ... 930
Negroes—commission to improve condition of urban colored population, 582
Nets—licensing shad fishing in Hudson river, ... 53
uniform regulations on net fishing, ... 610
Newark bay—appropriation for navigation lights in, ... 826
New Brunswick—first judicial district court, ... 895
New Jersey—acceptance of gift, ... 1068
acceptance of "High Fields" by, ... 271
appropriation to defense council, ... 159
aviation day, ... 1223
certain employees under civil service, ... 206
certain transfers exempt from taxation, ... 1075
collection of delinquent taxes due State, ... 768
compact with sundry States concerning fisheries, ... 534
deed for riparian rights, ... 818
disbursement of certain moneys, ... 492
investigation of State officers, departments, etc., ... 34
judgment of lien binding on State, ... 588
payment to teachers' pension fund, ... 592
racing commission, ... 458
retirement of State employees, ... 509
revision of State Constitution, ... 1084
State guard, ... 243
supervision by local government board of, ... 174
taxation of railroads by State, ... 773
tenure of employees in military service, ... 268
use of great seal, ... 627
validating final decrees against, ... 199
New Jersey Defense Council—creation and duties, ... 125
create community defense councils, ... 125
members of commission, ... 981

PAGE

New Jersey real estate commission—licensing auctioneers, ... 210
Newspapers—legal advertising, ...489, 1052
Noncitizens—registration, ... 1091
Nonresident absentees—administration of personal property, ... 274
North Jersey transit—reconstituting committee on, ... 263
North Jersey water district—supplying water to municipalities, ... 15
Notaries—fees and costs, ... 675
Notes—reissuance of bonds and by counties and municipalities, ... 819
Nursery stock—shipment of, ...254, 256

O.

Oaths—fees and costs, ... 675
taken before military officers, ... 889
Officials—assist United States government, ... 1014
Optometry—save your vision week, ... 1198
Ordinance—validating, pertaining to roads, ... 144
Ordinary—acceptance of trusteeship, ... 506
administration of personal property of nonresident absentees, 274
Orphans' court—acceptance of trusteeship, ... 506
appointment of guardian in case of vacancy, ... 864
settlement of accountings, ...659, 660
Overseer of poor—not to use political influence, ... 50
Oxford, township of—Pohatcong park, ... 531
Oxford Furnace—appropriation for restoring, ... 653

P.

Parents—parent-teacher day, ... 1194
pensions from police and firemen's fund, ... 187
Parishes—extinct in Episcopal Churches, ... 1065
Parker, William—vesting title to real estate in the township of Haddon, 272
Parks—additional land at Washington Crossing, ... 753
Pohatcong State, ... 531
sale of unnecessary land, ... 647
Passaic county—amending act to incorporate first criminal judicial district, 591
repealing second criminal judicial district, ... 591
Passaic valley sewerage district—membership of commission, ... 227
Pass book—furnished members of building and loan associations, ... 859
Patients—commodities sold at county hospitals for insane, ... 110
hospitalization of nonpaying, ... 104
Peace—prayer for proclamation, ... 1236
Pensions—appropriation to teachers' fund, ...512, 513, 515
David H. Slayback of Verona, ... 623
employees of school system in military service, ... 451
former secretary of tax board in third-class counties, ... 966
John Golio, pensioned by Trenton, ... 898
municipal recorders, ... 637
payment to teachers' fund by State, ... 592
police, firemen, and dependents, ...187, 198
retired firemen and policemen, ... 488
retirement of prison officers, ... 629
transfer of officeholder not to affect benefits, ... 892
value of investments in teachers' fund, ... 517
widow of bookbinder in second-class counties, ... 622
widows of employees in county clerk's office in second-class counties, ... 965
withdrawal by veterans, ... 1022

PAGE

Perth Amboy—second judicial district court, ... 897
Pheasants—act concerning, ... 814
Photographing records—bank and trust companies, ...111, 113, 114
savings banks, ... 114
Physicians—practicing medicine and surgery, ... 241
Plaintiff—validating warrants for satisfaction of judgments, ... 685
Planning board—appropriation to State, ... 257
Plants—shipment of nursery stock, ...254, 256
Pohatcong park—State, ... 531
Point Pleasant Beach—harbor of refuge at, ... 813
Police—aiding in emergencies, ... 747
attendance of witnesses in criminal cases, ... 200
compensation of State, ...756, 928
fresh pursuit in criminal offenses, ... 203
hours of duty, ... 899
increase of State, ... 1015
investment of pension fund, ... 198
money seized in gaming as evidence, ... 156
pensioning retired, ... 488
pensions, ...187, 198
superintendent, ... 583
Policies—liability insurance, ... 959
Poor—administration of relief, ... 88
assistance for needy, ... 448
legal settlement, ... 930
overseer not to use political influence, ... 50
relief of, ...239, 444
rural dental treatment of children, ... 871
Ports—development on lower Delaware river, ... 893
Powers of attorney—filing by fiduciaries, ... 467
filing by testamentary trustee, ... 506
Power vessels—registration, ... 1016
Prayer for peace—proclamation, ... 1236
Premier Realty Co.—charter restored, ... 1229
Printing—advertising in newspapers, ...489, 1052
appropriation for certain legislative, ... 1067
Prisoners—apprehension of certain criminals, ... 203
production before courts, ... 640
Prison officers—retirement on pension, ... 629
Processors—as to liens, ... 687
Proclamations—American education week, ... 1230
anniversary of United States Constitution, ... 1095
Armistice day, ...1106, 1228
Army day, ... 1202
Bible week, ... 1243
British Aid week, ... 1201
care of soldiers, ... 1104
charters restored, ...1192, 1229
Child Health day, ... 1205
Christmas, ... 1109
civilian defense, ... 1233
conservation week, ... 1197
Constitution day, ... 1219
corporations null and void, ... 1111
Czecho-Slovak day, ... 1199
emergency for defense, ... 1217
employment of workers, ... 1237
enlistment, ... 1092

PAGE

Proclamations—Father's day, ... 1210
fire prevention week, ...1098, 1218
Flag week, ... 1209
General Pulaski's memorial day, ... 1227
Good-will, ... 1203
Hungarian day, ... 1200
Liberty Fleet day, ... 1224
Marine Corps day, ... 1232
military service, ... 1093
Mother's day, ... 1206
narcotic education week, ... 1196
National business women's week, ... 1225
National defense through employment, ... 1241
National maritime day, ... 1211
Naval aviation week, ... 1208
Navy day, ... 1103
New Jersey aviation day, ... 1223
parent-teacher day, ... 1194
prayer for peace, ... 1236
Premier Realty Co., ... 1229
Red Cross enrollment, ... 1240
Red Cross war fund, ... 1245
registration of aliens, ... 1091
registration of selective training group, ... 1099
sale of defense savings stamps, ... 1221
save your vision week, ... 1198
soldiers' voting, ... 1097
special election for senator in Hunterton county, ... 1216
Thanksgiving day, ...1107, 1235
United Service Organizations, ... 1213
United States Savings Bonds day, ... 1214
Unity day, ... 1244
Prosecutors—tenure of detectives in counties of fourth class, ... 624
Public libraries—loans by trustees, ... 152
Public questions—referenda, ... 543
Public record office—destruction of certain records, ... 184
transferred to State librarian, ... 100
Public records—from other States, etc., as evidence, ... 261
Public utilities—investment of proceeds from sale of municipal utility plants, ... 1059
regulating quality of gas, ... 491
sale of railroad property and franchise, ... 590
taxation of gross receipts, ... 1025
temporary bus permits, ... 1010
Pulaski, General Casimir—proclamation, ... 1227

Q.

Quail—act concerning, ... 814

R.

Rabies—preventing spread of, ... 495
Racing—betting a crime, ... 1020
New Jersey commission, ... 458
Radio stations—funds for State police radio system, ... 511
operation of, ... 17

PAGE

Railroad tax law of 1941, ... 773
Railroads—assessments on second-class, ... 799
collection of delinquent taxes, ... 768
general powers, ... 1058
proceedings to collect delinquent taxes, ... 1012
recording papers in reorganization, ... 1009
sale of property and franchise, ... 590
sundry chapters pertaining to, repealed, ... 798
tax dedicated to teachers' pension fund, ... 515
taxation by State, ... 773
taxation of, ... 958, 969, 1001
taxes on, devoted to schools, ... 798
time for completing extended, ... 13
Real estate—assessment after completion, ... 1017
descent of, ... 508
licensing auctioneers and brokers, ... 207, 210
resale of mistakenly acquired, ... 153
sale of, involving dower, ... 655
taxation of railroads, ... 1001
validating acknowledgments, ... 863
validating certain sales, ... 1031
validating deeds by executors, ... 131
validating sale under decree of chancery, ... 986
validating sales of lands at auction by municipalities, ... 572
validating sheriff's deeds, ... 962
vesting title in Carrie Lilley, Eva Lang, Maggie Wilson, ... 802
vesting title in heirs of William W. Corson, ... 666
vesting title in Joseph Love in township of Haddon, ... 275
vesting title in Jennie H. Humphreys, et als., ... 873
vesting title in Joseph F. Worth, ... 1054
vesting title in Nellie D. Laverty, ... 758
vesting title in William S. Parker in township of Haddon, 272
Receivership—abatement of taxes owing by corporations under, ... 140
Recorders—mayor acting as judge in boroughs, ... 1060
retirement of municipal, ... 637
Records—certain papers in bankruptcy, ... 1008
certain, transferred to State librarian, ... 100
copies of, by banks or trust companies in evidence, ... 113
destruction of, ... 184
photographing and destroying bank, ... 111
public, of foreign State, etc., in evidence, ... 261
Red Cross—enrollment—proclamation, ... 1240
war fund, ... 1245
Referendum—submission of public questions, ... 543
Register of deeds—recording certain papers in bankruptcy, ... 1008
Registration—aliens, ... 1091
permanent, ... 547, 707, 984
selective training, ... 1099
Rehabilitation—examiners of tuberculous persons, ... 510
Relief—administration of, ... 88, 104, 492, 980
assistance for needy, ... 448
issuing bonds for poor, ... 239
monthly rate, ... 444
municipal, ... 1038
Religious societies—qualifications for trustees, ... 929
Repealers—certification of voters in first-class counties (19:31–25), ... 521
charter of German-American Bund Auxiliary, ... 571
hunting wild waterfowl (23:9-100), ... 143

PAGE

Repealers—publishing annual township reports, ... 644
second criminal judicial district of Passaic county, ... 591
sundry chapters relative to taxation of railroads, ...798, 969
tracking certain game in snow, ... 585
Residence—change of voting, ... 522
Restraining orders—issuing by courts or judges, ... 27
Retailers for defense week, ... 1221
Retirement system—membership, ... 658
concerning State employees, ... 509
transfer not to affect benefits, ... 892
veterans of county pension system may withdraw, .. 1022
Revised Statutes—cumulative table of contents, ... 1259
distribution to certain members of Legislature, ...105, 151
local housing, ... 222
Riparian rights—payment to estate of Herbert Garrison, ... 818
Roads—appropriation for maintenance, ... 473
appropriation to subcontractor on Shark river bridge, ... 983
Atlantic City to county road 38, ... 150
connecting Route No. 1 with Bayonne naval base, ... 102
investigating highway department, ... 848
Millville to Route No. 48, ... 110
Morris Plains to Route No. 2, ... 139
moving heavy machinery on, ... 690
pensions for traffic officers on county, ... 187
registering farm machinery to travel on, ... 101
repair of curbs, ... 606
repair of sidewalks, ... 605
Route S-4-d, ... 696
Route 6 designated to honor Spanish War veterans, ... 1083
Route 18, ... 1060
Route 31A, ... 237
Route 39 to Fort Dix, ... 25
taxation of public utilities, ... 43
traffic signs, ... 903
traffic within United States military reservations, ... 847
United Spanish War Veterans Memorial Highway, ... 1083
validating ordinance pertaining to, ... 144
Rural dental program, ... 871

S.

Safety—assistance for general, ... 1014
Salaries—additional in certain cases, ... 746
amount deducted for police and firemen's pensions, ... 187
appropriation for certain legislative, ... 1067
compensation of county boards of elections, ... 865
constables and sergeants-at-arms in district courts, ...683, 960
deputy commissioners of compensation, ... 584
judges of district courts, ... 750
legal assistants to Attorney-General, ... 867
mayor and governing body of municipalities, ... 486
payment of officers and employees of first-class cities, ... 510
State police, ...756, 928
superintendent of State police, ... 583
teachers, ... 757
temporary bonus for certain employees, ... 1033

PAGE

Sales of land—validating, by municipalities, ... 572
validating certain, ... 1031
Saloons—application requirements for license, ... 220
Sample ballots—supplied by county clerk, ... 739
Save your vision week—proclamation, ... 1198
Savings banks—depositories for federal funds, ... 238
management, ... 234
photographing and destroying records, ... 114
regulation of business of foreign, ... 577
revoking authority to do business, ... 1080
Savings bonds—proclamation, ... 1214
Savings stamps—proclamation, ... 1221
School districts—county vocational schools, ... 494
extending maturity of bonds, ... 183
reimbursement for educating crippled children, ... 870
reimbursement for manual training, ... 915
reimbursement for vocational education, ... 916
reissuances of bonds, ... 822
salaries of teachers, ... 757
temporary bonus for certain employees, ... 1033
tenure of employees in military service, ... 268
transfer of certain funds to, ... 26
transportation of children, ... 581
use of transferred moneys, ... 20
Schools—American education week, ... 1230
apportionment of moneys supplied by United States, ... 971
appropriations for junior colleges, ... 117
appropriation for printing forms, ... 219
appropriation for support of, ... 235
conservation week, ... 1197
examination of tubercular children, ... 628
exemptions from taxation, ... 663
parent-teacher day, ... 1194
procedure in borrowing money, ... 1079
taxes on railroads devoted to, ... 798
teachers' salaries, ... 757
teachers of county vocational, ... 494
tenure of employees in military service, ... 451
transportation of children, ... 581
use of transferred moneys, ... 20
vocational in second-class counties, ... 760, 766
Seals—use of State, ... 627
validating deeds, mortgages, when seal omitted, ... 136
Secretary for defense—appointment by Governor, ... 570
Secretary of agriculture—regulating use of food stamps, ... 594
Secretary of State—authority to use great seal, ... 627
copy of labor standards filed with, ... 862
distributing Revised Statutes, ... 105
election clerk placed under civil service, ... 759
filing petitions before election, ... 526
names on ballot for voting machines, ... 519
numbering chapters of laws, ... 38
soldiers' voting, ... 118, 951, 1097
time for completing certain railroads extended, ... 13
Selective training—registration, ... 1099
Senate—members of, ... 5
special election in Hunterdon county, ... 1216

PAGE

Sergeants-at-arms—salaries in district courts, ...683, 960
Serum—purchase and distribution of certain, ... 1078
Settlement—legal of needy persons, ... 930
Sewerage—Passaic valley district, ... 227
tenure of licensed operators of sewage plants, ... 654
Sewing project—amount of payment, ... 980
Shad fishing—licensing in Hudson river, ...53, 891
Shares—issuance by building and loan associations, ...688, 692
title to act concerning banks having capital stock amended, ... 704
Shark river—appropriation for retaining wall, ... 942
appropriation for work on bridge over, ... 983
Sheriff—validating deeds, ... 962
Shipping—liberty fleet day, ... 1224
national maritime day, ... 1211
Sidewalks—repair on municipal streets or roads, ... 605
Signatures—comparison record of voters, ... 552
Slayback, David H.—pension, ... 623
Snow—hunting certain game repealed, ... 585
Social service—approval by defense council, ...564, 566, 1104
Soldiers—appropriation for convention of American Legion, ... 639
enlistment, ... 1092
military service, ...1093, 1099, 1104
record as voters, ... 923
sale of alcoholic beverages to volunteer military organizations, 868, 869
tenure in government service, ... 268
voting, ...118, 951, 1097, 1217
voting at certain municipal elections, ... 118
Somerdale, borough of—boundary, ... 280
South Jersey transit authority—appropriation, ... 604
South Shrewsbury river—protection of waterfowl, ... 143
Stamps—possession, sale, etc., of food, ... 594
sale of defense savings, ... 1221
State board of tax appeals—hearings, findings, records, etc., ... 485
State guard—act concerning militia, New Jersey, ...243, 259
serving outside State, ... 259
State house commission—sell land to Wilson-Gugelman Post, ... 625
State librarian—public record office transferred to, ... 100
State police—appropriation for, ... 481
compensation of members, ...756, 928
funds for radio system, ... 511
increase in force, ... 1015
superintendent, ... 583
title to act concerning civilian employees amended, ... 705
State registrar—appointment of local registrars, ... 674
State tax commissioner—assessments on second-class railroad property, .. 799
excise tax on certain persons or corporations, .. 39
payments toward police and firemen's pension fund, ... 187
State treasurer—accept certain gift, ... 1068
defendant in proceeding to collect tax on railroads, ... 1012
payment to teachers' pension fund, ... 592
refund to certain foreign insurance companies, ... 1066
transfer of funds for municipal aid, ...670, 671
transfer of funds for State police radio, ... 511
Statutes—numbering chapters of laws, ... 38
table of contents, ... 1259
Stock—title to act concerning banks having capital amended, ... 705

PAGE

Stone Harbor, borough of—portion of borough of Avalon annexed, ... 1253
Stop notice—securing mechanics' payment for labor, ... 987
Street railways—substituting trackless trolleys, ... 445
taxation of, ... 43
Streets—repair of curbs, ... 606
repair of sidewalks, ... 605
taxation of public utilities, ... 43
traffic signs, ... 903
Strikes—restraining orders or injunctions, ... 27
Sturgeon—size taken from Hudson river, ... 665
Subcontractor—appropriation for work on Shark river bridge, ... 983
Suits—liens binding on State, ... 588
Summons—issuance in lieu of warrant of arrest, ... 985
Superintendent of State Police, appointment, etc., ... 583
Supreme court—fees and costs, ... 679
surname of women attorneys, ... 963
Surrogates—acceptance of trusteeship, ... 506
administration of personal property of nonresident absentee, 274
fiduciaries to file powers of attorney, ... 467
notice of settlement, ...659, 660

T.

Table of contents—cumulative, ... 1259
Tax department—appropriation for, ... 479
hearings, findings, etc., ... 485
Taxation—assessments on second-class railroads, ... 799
banks to file statement with county board of, ... 857
certain exemptions, ... 1075
exemptions from, ... 663
gross receipts of public utilities, ... 43
membership of county tax boards, ... 484
public utilities, ... 1025
railroads, ...958, 969, 1001
railroads by State, ... 773
State board of tax appeals, ... 485
Taxes—abatement, etc., owing by corporation, ... 140
affidavit of expenses incurred, ... 196
amending title to act imposing excise, ... 1023
assessment of real property after completion, ... 1017
certain on railroads devoted to schools, ... 798
collecting delinquent, on railroads, ... 1012
collection of delinquent, from railroads, ... 768
compromise or cancel tax on alcoholic beverages, ... 609
contract for foreclosure of tax title liens, ... 576
enforcement of liens for unpaid, ... 195
franchise and property of railroads, ... 969
imposing excise on certain persons and corporations, ... 39
levy on alcoholic beverages, ... 608
loans by trustees of free public library upon anticipation notes, .. 152
railroad tax dedicated to teachers' pension fund, ... 515
redemption of tax sale certificate, ... 194
refund to certain foreign insurance companies, ... 1066
sale of alcoholic beverages to voluntary military organizations not taxable, ... 869
sale of certificates of tax sale, ... 651
settling certain, by municipalities in arrears, ... 457
State or municipal exemption, ... 1075

PAGE

Taxes—subordinate appointments in cities, ... 1016
title to act concerning alcoholic beverages amended, ... 700
title to act concerning use of motor fuels amended, ... 702
transfer inheritance, ... 545
validating decrees in suits to foreclose liens, ... 36
validating deed by or to corporations whose charter forfeited for unpaid, ... 551
validating final decrees in suits to foreclose for, ... 199
validating sales for, ... 270
validating tax sale certificate not signed by collector, ... 551
Taxicabs—imposing excise tax, ... 1023
Teachers—appropriation to pension fund, ...512, 513, 515
parent-teacher day, ... 1194
payment to pension fund by State, ... 592
rights and privileges in county vocational schools, ... 494
salaries, ... 757
tenure when in military service, ... 451
value of investments in pension fund, ... 517
Teeth—regulating practice of dentistry, ... 851
rural dental treatment, ... 871
Tenafly, borough of—change of corporate title, ... 1253
Tenants—landlord and, ... 856
Tenement houses—condition of, ... 595
Tenure—appointments by Governor in certain cases, ... 746
certain employees listed under civil service, ... 206
employees of school system in military service, ... 451
licensed operators of water and sewage plants, ... 654
persons in military service, ... 268
prosecutor's detectives in fourth-class counties, ... 624
Testamentary trustee—filing power of attorney, ... 506
Thanksgiving—proclamation, ...1107, 1235
Title—act concerning alcoholic beverage tax law amended, ... 700
act concerning banks, trust companies amended, ... 704
act concerning civilian employees of State police amended, ... 705
act concerning public health amended, ... 1078
act concerning tax on motor fuels amended, ... 702
act creating defense council amended, ... 561
act for protection of homeworkers amended, ... 697
act relative to honey bees amended, ... 703
act to permit councilmen to accept certain positions amended, ... 698
act to regulate beauty culture amended, ... 699
amending act imposing excise tax, ... 1023
Cape May county ferry commission, ... 160
change of municipalities, ... 1253
devolution of, to cemetery plots, ... 146
investment companies, ... 1071
Methodist churches, ... 1077
resale of real estate mistakenly acquired, ... 153
vesting in Joseph F. Worth, ... 1054
vesting real estate in heirs of William W. Corson, ... 666
vesting real estate of Edward C. Hammett in Carrie Lilley, Eva Lang, Maggie Wilson, ... 802
vesting real estate of Joseph Love in township of Haddon, ... 275
vesting real estate of William E. Blyler in Nellie D. Laverty, ... 758
vesting real estate of William Entwhistle in Jennie H. Humphreys, et als., ... 873
vesting real estate of William S. Parker in township of Haddon, .. 272

PAGE

Towns—abatement of taxes owing by corporations in bankruptcy, ... 140
acquiring land for airport, ... 22
administration of relief, ...88, 492, 1038
advertising bonds for sale, ... 205
aid for libraries, ... 589
approval of budget, ... 657
approval of items in local budget, ...11, 23
assisting needy, ... 448
assisting volunteer fire companies, ... 472
certain inheritance taxes exempt, ... 1075
change of voter's residence, ... 522
collection of certain delinquent liens, ... 105
contributions to first-aid associations, ... 656
creation of local defense councils, ...123, 567
extending maturity of bonds, ... 183
fixing salaries of municipal officers, ... 486
hospital service policies, ... 450
hours of duty by policemen, ... 899
improvements at request of petitioners, ... 661
issuance of bonds, ...19, 282
issue of warrants, ... 147
issuing bonds for relief of poor, ... 239
legal settlement of needy persons, ... 930
licensing dogs, ... 495
licensing real estate auctioneers and brokers, ... 207
loans by trustees of free public library, ... 152
local registrar of vital statistics, ... 674
meeting fire loss by county and, ... 128
membership of commission governed, ... 943
miscellaneous revenues in budget, ... 21
municipal aid in emergencies, ... 747
nonpaying maternity cases, ... 104
operation of municipal budget, ... 18
pension fund for police and firemen, ... 187
pensioning retired police and firemen, ... 488
permanent registration of voters, ...707, 984
procedure in borrowing money for schools, ... 1079
purchase of income bonds, ... 809
referendum as to retaining certain land, ... 236
reissuance of bonds and notes, ... 819
repair of curbs, ... 606
repair of sidewalks, ... 605
requirements for liquor license, ... 220
retirement of recorders, ... 637
sale of certificates of tax sale, ... 651
sale of refunding bonds by municipalities under local government board, ... 132
sample ballots, ... 739
settling certain taxes in arrears, ... 457
social service agencies, ... 566
supervision by local government board of New Jersey, ...174, 212
supplemental defense agency, ... 127
tenure of employees in military service, ... 268
title to act to permit councilmen to accept certain positions amended, ... 698
transfer of certain funds to school districts, ... 26
transfer of position not to affect pension benefits, ... 892

PAGE

Towns—transfer of W. P. A. funds for other purposes, ... 872
use of public buildings as museums, etc., ... 103
validating budgets, ... 159
validating ordinance pertaining to roads, ... 144
validating sales for taxes, ... 270
validating sales of lands at auction, ... 572
Township of Clark—commission government adopted, ... 1257
incorporation of township of Winfield, ... 944
Clementon, certain area annexed to Laurel Springs, ... 277
Haddon—portion annexed to Haddonfield, ...918, 921
title to real estate in Joseph Love vested in, ... 275
title of real estate in William S. Parker vested in, 272
Mansfield—Pohatcong park, ... 531
Oxford—Pohatcong park, ... 531
Voorhees—boundary, ... 280
Winfield—incorporation, ... 944
Township—Service Areas Act (1941), ... 875
Townships—abatement of taxes owing by corporations in bankruptcy, .. 140
acquiring land for airport, ... 22
administration of relief, ...88, 492, 1038
aid for libraries, ... 589
annual reports, ... 644
approval of budget, ... 657
approval of items in local budget, ...11, 23
assisting needy, ... 448
assisting volunteer fire companies, ... 472
cemeteries acquiring additional land, ... 645
certain inheritance taxes exempt, ... 1075
change of voter's residence, ... 522
collection of certain delinquent liens, ... 105
contributions to first-aid societies, ... 656
creation of local defense councils, ...123, 567
extending maturity of bonds, ... 183
fixing salaries of municipal officers, ... 486
hospital service policies, ... 450
hours of duty by policemen, ... 899
improvements at request of petitioners, ... 661
issuance of bonds, ...19, 282
issue of warrants, ... 147
issuing bonds for relief of poor, ... 239
legal settlement of needy persons, ... 930
licensing dogs, ... 495
licensing real estate auctioneers and brokers, ... 207
local registrar of vital statistics, ... 674
meeting fire loss by county and, ... 128
miscellaneous revenues in budget, ... 21
municipal aid in emergencies, ... 747
nonpaying maternity cases, ... 104
operation of municipal budget, ... 18
pension fund for police and firemen, ... 187
pensioning retired police and firemen, ... 488
permanent registration of voters, ...707, 984
procedure in borrowing money for schools, ... 1079
purchase of income bonds, ... 809
referendum as to retaining certain land, ... 236
reissuance of bonds and notes, ... 819
repair of curbs, ... 606

PAGE

Townships—repair of sidewalks, ... 605
requirements for liquor license, ... 220
retirement of recorders, ... 637
sale of certificates of tax sale, ... 651
sale of refunding bonds by municipalities under local government board, ... 132
sample ballots, ... 739
settling certain taxes in arrears, ... 457
social service agencies, ... 566
supervision by local government board of New Jersey, ...174, 212
supplemental defense agency, ... 127
tenure of employees in military service, ... 268
township—service areas act (1941), ... 875
transfer of certain funds to school districts, ... 26
transfer of position not to affect pension benefits, ... 892
transfer of W. P. A. funds for other purposes, ... 872
validating budgets, ... 159
validating ordinance pertaining to roads, ... 144
validating sales for taxes, ... 270
validating sales of lands at auction, ... 572
Tractors—regulating operation, ... 690
Traffic—appropriation to south Jersey transit authority, ... 604
beam road lighting equipment, ... 901
committee on north Jersey transit, ... 263
compendium of motor vehicle act given applicant to drive, ... 900
illegal operation of motor vehicle, ... 902
licensing certain machinery, etc., ...686, 690
penalty for violating motor vehicle act, ... 901
street and road signs, ... 903
substituting trackless trolleys for street cars, ... 445
within U. S. military reservations, ... 847
Transfer inheritance taxes—settlement of past due, ... 545
Transportation—school children, ... 581
Trees—shipment of nursery stock, ...254, 256
Trenton, city of—John Golio pensioned, ... 898
Trolley cars—substitution for, ... 445
Troopers—compensation of State police, ... 756
Trust companies—depositories for federal funds, ... 238
examining committee, ... 573
loans and discount of certain notes, ... 517
operation of act extended, ... 189
photographic copies of records in evidence, ... 113
photographing and destroying records, ... 111
regulation of business of foreign, ... 577
reserve funds, ... 584
revocation of authority to do business, ... 1080
title to act concerning amended, ... 704
Trustee—distribution of estates, ... 545
power of attorney furnished by testamentary, ... 506
qualifications for church, ... 929
Tuberculous persons—examiners of, ... 510
examination of school children, ... 628
Tunnel—proposed Delaware river, ... 1086

U.

PAGE

Unemployment—compensation, ... 972, 992, 1000
compensation benefits, ... 257, 641, 1002
employment of workers, ... 1237
Uniform laws—act governing secured creditors' dividends in liquidation proceedings, ... 190
distribution to creditors of insolvent estates, ... 190
dogs and kennels, ... 495
fresh pursuit of criminals, ... 203
net fishing, ... 610
summoning witnesses in criminal cases, ... 200
uniform judicial notice of foreign law, ... 193
United Service Organizations for National Defense, ... 1213
United States—apportionment of school moneys supplied by, ... 971
assistance by State government, ... 1014
depositories for federal funds, ... 238
United States savings bonds day, ... 1214
Unity day—proclamation, ... 1244
Unpaid taxes—enforcement of liens for, ... 195
validating sales for, ... 270
U. S. O. Sabbath—proclamation, ... 1213
Utilities—investment of proceeds from sale of municipal utility plants, .. 1059
regulating quality of gas, ... 491
sale of railroad property and franchise, ... 590
substituting trackless trolleys for street railways, ... 445
taxation of, ... 43
taxation of gross receipts, ... 1025
temporary bus permits, ... 1010

V.

Validating—acknowledgments of deeds, ... 863
cemetery associations, ... 955
certain conveyances to corporations, ... 151
certain sales of lands, ... 1031
decrees in chancery, ... 36
deeds by corporations, ... 16
deeds by executors, ... 131
deeds, mortgages when seal omitted, ... 136
deeds, etc., by or to corporations having forfeited charters, .. 551
deeds in more than one county, ... 51
final decrees in chancery, ... 199
issuance of bonds by municipalities, ... 282
municipal budgets, ... 159
ordinance pertaining to roads, ... 144
sales of land at auction by municipalities, ... 572
sale of lands under chancery decree, ... 986
sheriff's deeds, ... 962
tax sales, ... 270
tax sale certificate not signed by collector, ... 551
warrants for satisfaction of judgments, ... 685
Verona, borough of—pension to David H. Slayback, ... 623
Vessels—registration, ... 1016
Veterans—memorial highway to honor Spanish war, ... 1083
withdrawal from pension system, ... 1022

PAGE

Villages—abatement of taxes owing by corporations in bankruptcy, ... 140
acquiring land for airport, ... 22
administration of relief, ...88, 492, 1038
aid for libraries, ... 589
approval of budget, ... 657
approval of items in local budget, ...11, 23
assisting needy, ... 448
assisting volunteer fire companies, ... 472
certain inheritance taxes exempt, ... 1075
change of voter's residence, ... 522
collection of certain delinquent liens, ... 105
contribution to first-aid societies, ... 656
creation of local defense councils, ...123, 567
extending maturity of bonds, ... 183
fixing salaries of municipal officers, ... 486
hospital service policies, ... 450
hours of duty by policemen, ... 899
improvements at request of petitioners, ... 661
issuance of bonds, ...19, 282
issue of warrants, ... 147
issuing bonds for relief of poor, ... 239
legal settlement of needy persons, ... 930
licensing dogs, ... 495
licensing real estate auctioneers and brokers, ... 207
local registrar of vital statistics, ... 674
meeting fire loss by county and, ... 128
miscellaneous revenues in budget, ... 21
municipal aid in emergencies, ... 747
nonpaying maternity cases, ... 104
operation of municipal budget, ... 18
pension for retired police and firemen, ... 488
pension fund for police and firemen, ... 187
permanent registration of voters, ...707, 984
procedure in borrowing money for schools, ... 1079
purchase of income bonds, ... 809
referendum as to retaining certain land, ... 236
reissuance of bonds and notes, ... 819
repair of curbs, ... 606
repair of sidewalks, ... 605
requirements for liquor license, ... 220
retirement of recorders, ... 637
sale of certificates of tax sale, ... 651
sample ballots, ... 739
settling certain taxes in arrears, ... 457
social service agencies, ... 566
supervision by local government board of New Jersey, ...174, 212
supplemental defense agency, ... 127
tenure of employees in military service, ... 268
transfer of certain funds to school districts, ... 26
transfer of position not to affect pension benefits, ... 892
transfer of W. P. A. funds for other purposes, ... 872
validating budgets, ... 159
validating ordinance pertaining to roads, ... 144
validating sales of lands at auction, ... 572
Vision—save your eyes week, ... 1198
Vital statistics—local register, ... 674
recording birth certificates, ... 149
registering, ...673, 674

PAGE

Vocational schools—in second-class counties, ...760, 766
rights and privileges of teachers of county, ... 494
Volunteer fire companies—municipal assistance, ... 472
Voorhees, township of—boundary, ... 280
Voters—change of residence, ... 522
civil rights, ... 668
list of soldiers as electors, ... 923
permanent registration, ...547, 707, 984
referenda, ... 543
signature comparison record, ... 552
soldiers, ...951, 1097
use of voting machines, ... 519
voting at certain municipal elections, ... 118
Voting machines—ballots and use, ... 519

W.

Wages—carrying out minimum law, ... 990
minimum labor standards, ... 860
payment to employees, ... 1062
unemployment compensation, ... 972
wage-earner plan recorded, ... 1009
War—armistice day, ... 1106, 1228
British aid week, ... 1201
memorial highway to honor veterans of Spanish, ... 1083
Red Cross fund, ... 1245
soldiers voting, ... 1217
Warrants—issuance of summons in lieu of, ... 985
issue by municipalities, ... 147
validating for satisfaction of judgments, ... 685
Washington Crossing—additional land for park at, ... 753
Waterfowl—protection in South Shrewsbury river, ... 143
Water supply districts—joint municipal supply, ... 546
supplying water to municipalities, ... 15
Water systems—tenure of licensed operators, ... 654
Waterworks—joint municipal operation, ... 546
Weights—marking containers of ices, ... 748
Welfare—assistance for needy, ... 448
legal settlement of needy persons, ... 930
overseer, etc., not to use political influence, ... 50
production, distribution, sale of milk, ... 713
relief of poor, ... 444
Widows—pensioning certain employees of county clerks in second-class counties, ... 965
pensions from firemen and police funds, ... 187
Wills—title to cemetery plots transferred by, ... 146
Wilson, Maggie—title to real estate in Edward C. Hammett vested in, .. 802
Wilson-Gugelman Post—State House commission to sell land to, ... 625
Winfield, township of—incorporation, ... 944
Witnesses—production of prisoners before courts, ... 640
summoning in criminal cases, ... 200
Women—administration of relief, ... 980
civil rights, ... 668
industrial home work, ... 828
legal surname of lawyers, ... 963
making party defendant in chancery, ... 1029
national business week, ... 1225
working hours, ... 970

PAGE

Workmen—carrying out minimum wage law, ... 990
compensation security fund, ... 197
contributions toward unemployment compensation, ... 1002
employment proclamation, ... 1237
industrial home work, ... 828
jurisdiction of commissioner of labor in compensation claims, 584
no filing fees, ... 531
payment for labor, ... 987
sewing projects, ... 980
temporary bus permits, ... 1010
unemployment compensation, ...972, 992, 1000
Workshops—working hours for females, ... 970
Works projects administration—relief, ... 980
Worth, Joseph F.—vesting title in, ... 1054